



December 4, 2014

Department of Transportation  
Division of Engineering Services  
Office Engineer, MS43  
1727 30th Street  
P.O. Box 168041  
Sacramento, CA 95816-8041

**Faxed to (916) 227-6282**

Attention: John McMillan, Deputy Division Chief  
Earl Seaberg, Chief, Office of Contract Awards & Services

Re: 03-3F0404 - Hwy 5 Pump Station Project  
Bid Opening October 8, 2014

SUBJECT: BID PROTEST – RGW REPLY

Gentlemen:

RGW Construction, Inc. is writing in reply to Roadwork Engineering Works, Inc.'s December 2, 2014 response to RGW's November 26, 2014 bid protest in connection with Cal Trans Contract No. 03-3F0404. RGW's bid protest is based on the information and belief that Randy Morisoli is not an employee of REWI and is not authorized to make certifications on REWI's behalf.

It is significant that in its response, REWI does not expressly confirm either (1) that Mr. Morisoli is an employee of REWI, or (2) that Mr. Morisoli is authorized to make certifications on its behalf. Instead, REWI skirts these points and simply states that Mr. Morisoli is the "General Manager" of REWI and serves on REWI's "board of directors." Neither statement proves that Mr. Morisoli is an employee of REWI or is authorized to make certifications on its behalf.

It also is significant that REWI's response was submitted by none other than Mr. Morisoli himself. Given the nature of RGW's bid protest, one would have expected REWI's CEO, CFO or RMO to submit its response.

As REWI's response raises more questions than it answers, RGW requests that Cal Trans require REWI to provide actual proof that Mr. Morisoli both was an employee of REWI and

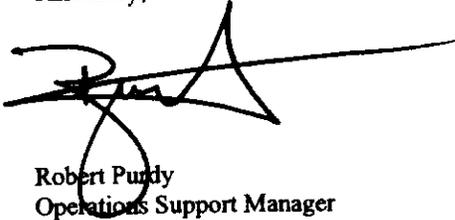
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was authorized to make the subject DBE certification on its behalf. This proof should take the form of REWI pay stubs to Mr. Morisoli issued in September 2014 (the month before Mr. Morisoli signed the subject DBE certification on October 10, 2014) and a Power of Attorney form, properly executed by REWI before October 10, 2014, authorizing Mr. Morisoli to make such certifications on its behalf. REWI can black-out any portions of the pay stubs that it or Mr. Morisoli consider to be sensitive, however the pay stubs should include sufficient information to establish that Mr. Morisoli was in fact on REWI's payroll as of October 10, 2014. As for the Power of Attorney form, it should include an executed notarization before October 10, 2014.

Absent such actual proof, RGW continues to believe that REWI's bid is non-responsive, and that Cal Trans should award this contract to RGW as the lowest responsive and responsible bidder.

Sincerely,



Robert Purdy  
Operations Support Manager