

# Cimarron, Inc.

929 O'Byrnes Ferry Road  
Copperopolis, CA 95228  
(209)522-1655 fax (209)522-1652  
License No. 827599

April 12, 2013

Mr. Earl Seaberg  
Office Engineer Contracts Award Branch Chief  
California Department of Transportation  
1727 30<sup>th</sup> Street  
Sacramento, CA 95816

RE: BID PROTEST  
Caltrans Contract Number 03-3F4204  
Bid Date: March 27, 2013 @ 2:00 p.m.

Mr. Seaberg,

Please consider this letter to be a formal protest of the bid submitted by Desert Concepts Construction, Inc in connection with Contract No. 03-3F4204. Desert Concepts Construction, Inc. is nonresponsive and therefore must be rejected based on the Department's bidding requirements and strictly - enforced policies.

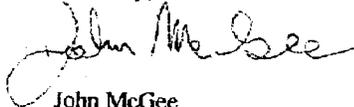
The Subcontractor List form states in part, "... Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid."

On the original submitted Subcontractor List, Desert Concepts Construction, Inc. fails to list a percentage of bid items subcontracted for Sambrano Traffic Control Inc. and USC Supply.

Caltrans has consistently found bidders to be non-responsive for Subcontractor Lists not being properly filled out according to Caltran's requirements.

We therefore respectfully request that the Desert Concepts Construction, Inc be found non-responsive and the contract should be awarded to the next responsible bidder.

Sincerely,



John McGee  
"CEO" Cimarron Inc

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**SUBCONTRACTOR LIST**  
DES-OE-0102.2 (REV 3/2011)

Bidder Name: Desert Concepts Construction, Inc.

The bidder must identify each subcontractor performing 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.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
Appian UDDE SWPPP 5780 Olinda Road El Sobrante, CA. 94803	1	100%	Lead Compliance Plan Prepare Water Pollution Control Program
	2	100%	
Sambrano Traffic Control Inc. 10057 Collins Rd. Wilton, CA. 95695	3	Partial	Traffic Control
USC Supply 12305 Locksley Lane Auburn, CA. 95602	02	Partial	15" HDPE BELL & Spigot Stormwater

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Contract No. 03-3F4204

**FAX COVER SHEET**

Cimarron, Inc. 929 O'Byrnes Ferry Road, Copperopolis, Ca. 95228

**TO: MR. EARL SEABERG**  
**DEPARTMENT OF TRANSPORTATION**

FAX: (916) 227-6282

PHONE:

**FROM: Cimarron, Inc**

FAX: 209-522-1652

PHONE: 209-522-1655

NUMBER OF PAGES (INCLUDING COVER): 3

RE: Protest Letter Contract No. 03-3F4204

COMMENTS:

