



20 Happy Valley Road, Pleasanton, CA 94566

An Equal Opportunity Employer

(925) 461-1500 ♦ FAX (925) 461-0510

Protest letter to the attention of the Office Engineer at (916) 227-6282

April 9, 2013

CEC-CT 03-3M7204-001

California Department of Transportation - Caltrans
MSC 43 - Office Engineer
1727 30th Street
Sacramento, Ca 95816-7005

Attention: Office Engineer

Project: Caltrans Contract 03-3M7204

Reference: Bid Protest of Low Bidder

Dear Sir or Madam:

The low bidder, American Civil Constructors West Coast, Inc., on the above referenced contract did not provide required documentation. Caltrans has established clear precedence that the requirements for providing necessary certifications within the established times are a strict requirement and are not considered informalities that can be waived.

In the bid documents, page 30 of the special provisions, under section 59-2.01 C(2) clearly states:

"Submit proof of each required SSPC-QP certification as specified in section 2-1.35. Required certifications are as follows:

1. SSPC-QP 2, Category A"

The bidder provided a certification with Category B, which is an inferior designation and does not meet the contract requirements. Both the second and third bidders provided the required Category A certification.

On page 5 of 89, revising section 2-1.35, the Special Provisions further state:

"Submit proof of each required SSPC QP certification with your bid or fax it to (916) 227-6282 no later than 4:00 p.m. on the second business day after bid opening. Failure to do so results in a nonresponsive bid."

The low bidder did not provide the required certification in the time frame allowed, so their bid is nonresponsive and must be rejected.

Please contact the undersigned with any questions.

Sincerely,

California Engineering Contractors, Inc.

A handwritten signature in black ink, appearing to read 'Robert Ikenberry', written in a cursive style.

Robert Ikenberry
Project Manager



Facsimile Cover

Date: April 9, 2013	From: Robert Ikenberry
Company: Caltrans	20 Happy Valley Road Pleasanton, CA 94566
Attention: Office Engineer	Tel. No: (925) 461-1500
Fax No: 916-227-6282	Fax No: (925) 461-0510
Tel. No:	No. of pages including cover: 2

Attached please find California Engineering Contractors, Inc.
Protest letter for Contract # 03-3M7204
If you have any questions please contact me at the above number.
Thank You
Sincerely,
Robert Ikenberry
Project Manager