



Robert J. Frank Construction, Inc.

*2806 Tarmac Rd.
Redding, CA 96003*

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02/18/2015

02-19-15 P01:25 RCVD

Office Engineer
State of California – Department of Transportation
1727 30th Street, MS-43
Sacramento, CA 95816-7006

Caltrans Contract #03-4M8604

RE: Bid Protest

ATTN: Office Engineer

Please accept this as a formal bid protest of the bid submitted by Woida Ent. Inc. DBA Arrow Fencing concerning the DVBE submittal. Arrow Fencing listed GENI to perform Water Pollution Control Manager services to fulfill part of their DVBE goal. It appears as if Arrow Fencing overinflated the DVBE commitment from GENI in order to meet the goal in the following ways:

1. Arrow listed GENI to perform 11 Water Pollution Control Plan inspections. 3 inspections are included in the minimum dollar amount of \$2385 then 8 more inspections were added at \$745 for a total of \$8960. At the bidding stage there is no way of determining how many storms will occur during the project needing pre/during/post storm inspections. No storms may occur especially if the project is executed during the summer months or it may rain every day. At most a company could in good faith estimate 1 inspection every week. Doing so would put this project at 11 weeks or 55 working days. The contract is only 50 working days.
2. Arrow fencing used the incorrect amount to calculate their DVBE commitment from GENI for performing WPCM services. They used \$745 per inspection. GENI lists this number for bidding purposes only as 1/3 the minimum charge to perform WPCM services. Using the correct dollar amount of \$645 per additional inspections times 8 additional inspections reduces the commitment to for WPCM services to \$7785. Their total commitment is then reduced from \$11355 to \$10220 (LCP \$785 + CMS rental \$1175 + WPCM Minimum Services \$2385 + 8 additional inspections \$5400 + WPCP \$475 = \$10220).



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-
3. Arrow Fencing used the incorrect dollar amount for the CMS board rental of \$1750/month. They should have used the correct dollar amount listed on GENI's quote of \$1175/month.

 4. Using the corrected dollar amounts from GENI's quote reduces the commitment to \$10220 reducing the total claimed DVBE participation to 4.7%. (Please see attached annotated DVBE commitment form and GENI's quote from Arrow Fencing's bid package)

Please take in to account the discrepancies in Arrow Fencing DVBE commitment and proceed to award the contract to the next lowest, responsible and responsive bidder.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Frank", written over a horizontal line.

Robert J. Frank

02-19-15 P01:25 RCVD

Low Bidder

DISTRICT-COUNTY-ROUTE: _____
 CONTRACT NO.: 03-4M8604
 TOTAL BID: 218,505.00
 BID OPENING DATE: 1/22/15
 BIDDER'S NAME: Wolda Ent Inc dba Arrow Consulting
 DVBE PRIME CONTRACTOR CERTIFICATION ¹ _____

Bid Item Number	Description of Work to Be Subcontracted to DVBE or Materials to Be Supplied by DVBE ²	For Caltrans Only	DVBE (Name, Telephone No., and Certification No.)	\$ Amount
1	Lead Compliance Plan		Global Environment Network Inc 800-230-6944 Cert # 24765	785.00
3	Portable Changeable Message sign		11	1175 From Quote 1750.00
5	Water Pollution Control plan sign		11	8820.00 8260
				10220
Names of first tier DVBE subcontractors and their items of work listed must be consistent with the names and items of work in the Subcontractor List (Pub Cont Code § 4100 et seq.) submitted with the bid. Identify second and lower tier subcontractors on this form.				Total Claimed Participation
				\$11,355.00
				5.19 %
				4.79 %

- DVBE prime contractors must enter their DVBE reference number or their DBA name as listed with Department of General Services (DVBE prime contractors are credited with 100 percent DVBE participation and need not complete the above table).
- If 100% of an item is not performed or supplied by the DVBEs, describe the exact part, including the planned location of work to be performed, of item to be performed or supplied by DVBE.

Submit to:

MSC 43
 OFFICE ENGINEER
 DEPARTMENT OF TRANSPORTATION
 1727 30TH STREET
 SACRAMENTO, CA 95816-7005


 Signature of Bidder
 Date: 1/23/15
707-485-1128
 (Area Code) Telephone Number
Chris Wolda
 Contact Person (Type or Print)



GLOBAL ENVIRONMENTAL NETWORK, Inc.

01-27-15 AM 10:38 RCVD

ENVIRONMENTAL, SAFETY & CONSTRUCTION ENGINEERING SERVICES

Main Office; Box 8068, Fountain Valley, CA. 92728-8068

Additional Locations: Oakland / Fresno / Santa Cruz / Santa Maria / Santa Ana / Bakersfield

www.My-DVBE.com

License No. 878478 - A / Haz

Phone: 800-230-6944

email: GENI@SafetyGeni.com

Fax: 714-479-0809

CA DVBE / SBE No. 24765

DVBE/Est. \$290K

SB 854 / DIR Registration No. 1000005273

GENI Ref. No. 03-4M8604

Bid Date: 1/22/2015

January 10, 2015

Duration: 50 Working Days

SUBJECT: CA DVBE / SBE QUOTATION - CALTRANS # 03-4M8604

03-NEV-80-15.0/16.4; REPLACE DAMAGED FENCE

***** Acceptance of This Bid is good for 30 Days from Bid Date. *****

SAFETY COURSES OFFERED BY SafetyGENI™	
Crane Training	CCO Written Exams CCO Practical Exams
Traffic Control Coning & Flagging Awareness	
Safety Orientation for Construction	
Scaffold Safety Awareness	
Fall Protection Awareness	
Trench Safety Competent Person Awareness	
Trench Rescue	
Confined Space	
Confined Space Rescue	
Urban Search & Rescue	
Respirator Training & Fit Testing	
CPR & First Aid	
Crane Operator Awareness	
Forklift Training Awareness	
Aerial Lift Awareness	
Hearing Conservation Training	
DOT HM 126F/181 Awareness	
Emergency Response Awareness / Refresher	Operational Technician Specialist
HAZWOPER Awareness / Refresher	Supervisor Waste Site Worker
Household Hazardous Waste	
Asbestos Training	
Lead Training	
24 Hr SWPPP Training	

Item 1 > Lead Compliance Plan for ADL and / or Stripe Removal

Options:

- 1) Lead Plan only for ADL or Stripe Removal (Certified by CIH);
 - 2) On-Site awareness training; Price includes up to 10 personnel; \$12.00 for each add'l over base
 - 3) Air monitoring, analysis and report (on same day of training)
- Only one item at this price (ADL or Stripe Removal)

\$285.00
\$845.00
\$1,350.00

Item 2 > Traffic Control System (partial)

- > Arrow Boards ^{1,2,3,5}
- 4 Weeks Rate (each unit)
- 7 Days Rate (each unit)

\$575.00*
\$245.00*

Item 3 > Portable Changeable Message Signs (partial) ^{1,2,3,5}

- 4 Weeks Rate (each unit)
- 7 Days Rate (each unit)
- * Equipment delivery or pick-up rates
- Pick up or drop off by customer at GENI's Facility:

\$1,175.00*
\$575.00*
No Fees

Item 4 > Job Site Management (partial - Training Services) ^{1,3,6,7}

Lump Sum

JSM Package - Option 1

This Job Site Management package includes a project specific JSM binder that an experienced Water Pollution Control Manager can use to assist them in meeting the project's Job Site BMP training / Management requirements.

\$185.00

OR

Lump Sum

JSM Package - Option 2

> Water Pollution Control Manager (WPCM):

GENI can be your WPCM for this project - Option 1.A QSP field work from one of GENI's CA offices. For bidding purposes only estimate at \$745.00/everly 3rd wk. Minimum requirement is a Pre inspection, during inspection and a post inspection for a minimum dollar amount of \$2,235.00. Price includes CEM 2040 and once every 3rd week inspection documented on CEM 2030. GENI will provide a BMP / Inspection form training to the contractor to perform the inspections under the direction of the WPCM (GENI). Weekly inspections when GENI is not on site will be conducted by the customer, emailed to GENI on a weekly bases at a rate of \$75.00/week. GENI's Pre/During/Post will be an additional cost at \$675.00/day if required by the contractor.

Est \$ 2,385.00
x 8 = 19080
675 x 8 = 5400
= 7785

Item 5 > Prepare Water Pollution Control Program (WPCP) ^{1,3,6,7}

- Lump Sum (Est. 9 Engineering Drawings)
- Option 1.A - Plan Written by a QSP

Pricing is when GENI is hired as the WPCM. See Additional WPCM services below:

- Option 1.B - Plan Written by a QSP and GENI is not the WPCM

\$475.00
\$675.00

= \$10220