

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER, MS 43

1727 30<sup>th</sup> STREET

P. O. BOX 168041

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6280

FAX (916) 227-6282

TTY 711

*Flex your power!  
Be energy efficient!*

March 12, 2013

Facsimile: (209) 931-4427

Stephen Seibly  
F&H Construction  
P.O. Box 2329  
Lodi, CA 9524104-014084  
04-Ala-80-2.2  
B.O.01/16/2013

Dear Mr. Seibly:

The Department of Transportation (Caltrans) received several protest letters from F&H Construction (F&H) dated January 22, 23, and 29, 2013 and February 5, 2013, for Contract No. 04-014084. These protests allege that C. Overaa & Co. (Overaa) listed a non-certified painter on their Subcontractor List and failed to submit proof of the Society for Protective Coatings (SSPC) QP 1 Certification with its bid, and that Overaa, on the second submitted Subcontract List made a revision to the original Subcontractor List, adding "site utilities" to the description of work to be performed by Carone & Co. In addition, also alleges that Overaa incorrectly filled in Column 3 of the Subcontractor List for many of the subcontractors listed and admittedly failed to list correct percentages of work for its subcontractors.

As you are aware, Caltrans routinely reviews and analyzes all bids for compliance, to ensure and maintain the integrity of the contract bidding process. During our review process, Overaa's bid was found nonresponsive. Therefore, Caltrans did not complete a review of the protest submitted by F&H concerning Overaa's bid due to that finding.

Based on the above, Caltrans has determined that the protest submitted by F&H has no bearing on the award of this contract. Furthermore, Caltrans will proceed to award the above contract to the lowest responsible bidder provided that all requirements have been met.

If you have any questions, please contact Mulissa Smith, Contract Awards Branch Chief, at (916) 227-6228.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. McMILLAN".

*JCM*  
JOHN C. McMILLAN  
Deputy Division Chief  
Office Engineer  
Division of Engineering Services

**\*\* Transmit Conf. Report \*\***

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CALTRANS CONTR AWARDS Fax 916-227-6282

Mar 12 2013 03:54pm

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STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

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