



C. OVERAA & CO. Craftsmanship • Innovation • Proven Results

John C. McMillan
Deputy Division Chief
Division of Engineering Services
California Department of Transportation
Office Engineer, MS 43
1727 30th Street
P.O Box 168041
Sacramento, CA 95816-8041

Re: **PROTEST OF F&H CONSTRUCTION, INC.'s BID** VIA FACSIMILE (510) 286-7015 & E-Mail
SFOBB Maintenance Building
Caltrans Contract No. 04-014084

Dear Mr. McMillan,

We were a bidder on the SFOBB Maintenance Building Project, Contract Number 04-014084. This letter shall serve as our protest of the bid from F&H Construction, Inc. (F&H) for this project. F&H failed to submit required SSPC QP-3 documentation, and as a result we request that Caltrans find their bid non-responsive. Please refer to the following documents and information, which is attached for reference:

1) In its own correspondence to Caltrans dated January 22, 2013, F&H submitted a document entitled 'Advance Notice to Contractors/Subcontractors', 'CALTRANS' SSPC QP REQUIREMENT NOTICE'. See the third page in attached Exhibit A. In that document, it states:

'If shop painting of structural steel is a part of the contract, and the total area of steel to be shop painted exceeds 500 square feet, then AISC-420-10/SSPC-QP 3 Certification (Enclosed Shop) will be required.'

The document continues by stating:

'On jobs requiring Certification(s), proof of certification of the Contractor/subcontractor under the SSPC QP Certification Program is required to be submitted with your bid. If you do not submit the certification with your bid, submit it so that it is received by the Office Engineer NO LATER THAN 4:00 PM ON THE 2nd BUSINESS DAY AFTER BID OPENING.

If you do not submit the certification within the specified time, the Department will find your bid nonresponsive.'

2) In subsequent documentation to Caltrans, F&H submitted information from their listed painting Subcontractor, Mason Painting, Inc., illustrating several areas they assert were required to be painted under the SSPC guide lines. Each of these areas they list and quantify is in excess of 500 square feet. Please refer to the 5th page in attached Exhibit B.

3) Specification section 12-5.01 STRUCTURAL STEEL FOR BUILDINGS, Part 2, Products, SHOP FINISHES, attached as Exhibit C, states:

'Shop prime structural steel members, except those to receive sprayed-fireproofing.'

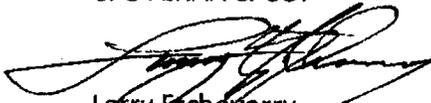
4) None of the companies listed in the bid from F&H appear on the SSPC QP-3 certification list. Please refer to attached Exhibit D.

According to the Post-Bid Files and information on the Caltrans Engineering website, F&H has not provided the required SSPC QP-3 certification. As F&H did not submit SSPC QP-3 Certification in accordance with the Caltrans requirements, we request that Caltrans find F&H's bid to be Non-Responsive.

Should you have any questions, please do not hesitate to contact us.

Very Truly Yours,

C. OVERAA & CO.



Lafry Etcheverry
Chief Estimator

Enclosures: Attachments A, B, C & D

Received
Jan. 22. 2013 2:28PM F&H Const. - Estimating Dept.

Received
Jan 22 2013 02:19PM

No. 4605 P. 2



EXHIBIT A

January 22, 2013

(Sent via Facsimile: 510-286-7015 and email)

California Department of Transportation
Division of Engineering Services
Office Engineer
1727 30th Street MS-43
P.O. Box 168041
Sacramento, CA 95816-8041

Re: Bid Protest of Zovich & Sons and C. Overaa & CO
Caltrans Contract No. 04-014084
Construction on State Highway in Alameda County
At the San Francisco - Oakland Bay Bridge Maintenance Yard

Dear Rebecca D. Harnagel, Derek Pool and John McMillan,

F&H Construction (F&H) was the third monetary bidder on Caltrans Contract 04-014084 referenced above.

Let this letter serve as a formal protest of the bid submitted by Zovich & Sons (apparent low bidder) and C. Overaa & CO (Overaa) (2nd lowest bidder) for this Contract.

The Zovich total bid amount (\$13,340,350.50) is without doubt a clerical or unbalanced mathematical mistake and should be disqualified immediately without hesitation.

Overaa failed to adhere to Caltrans specification for demonstrating compliance with requirements for listing a SSPC QP-1 certified painter on bid day. Overaa listed a non-SSPC Certified painter with their bid documents (Satellite Painting from San Jose) and no other painting company. Overaa did not submit proof of SSPC QP Certification for Satellite Painting on bid day or within 2 days post-bid. As such, Overaa's bid should be found nonresponsive.

Per Standard Special Provisions, Addendum to the 2006 Caltrans Specification, S2-05 E A01-20-12 dated January 20, 2012.

2-1.03 SSPC QP Certification Preaward Qualification

"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 2nd business day after bid opening. Failure to do so results in a nonresponsive bid".

In addition, Section 12-9.09 states as follows:

Part 1 - General / Quality Assurance

Certification of Compliance: Certificates of Compliance shall be furnished when products are required to conform with the requirements of The Society for Protective Coatings (SSPC) in conformance with the requirements specified in Section 6-1.07, "Certificates of Compliance," of the Standard Specifications.

Jan. 22. 2013 2:28PM Received F&H Const. - Estimating Dept.

Jan 22 2013 02:19pm

No. 4605 P. 3
1/22/2013

Part 3 - Execution / Surface Preparation

Galvanized Metal: New surfaces shall be roughened by hand sanding or light abrasive blasting. Galvanizing shall not be removed during cleaning or roughening.

Steel and Other Ferrous Metals: Surface shall be cleaned in conformance with the requirements in SSPC-SP 1 Surface profile shall be as required for the coating system specified.

Aluminum and Other Non-ferrous Metals: Surface shall be cleaned in conformance with the requirements in SSPC-SP1.

Part 3 of Section 12-9.09 Execution - Surface Preparation calls for all aluminum, non-ferrous metals, galvanized metal, steel and other ferrous metals to be coated.

The Advance Notice to Contractors / Subcontractors - Caltrans' SSPC QP Requirement Notice (attached) clearly states that if there is more than 30,000 square feet of surface preparation and coating application then a SSPC-QP-1 Certification will be required. The project contains well over 30,000 square feet of the required painting referred to and as such Overaa was required to submit the SSPC QP-1 (cleaning and painting structural steel in the field) Certification. In addition, Overaa listed Satellite Painting from San Jose, CA, a non-certified painter. The Advance Notice to Contractors / Subcontractors, also reiterates the fact that the certification must be submitted with the bid, or no later than 4:00 pm on the 2nd business day after bid opening.

In conclusion, our protest is based on Overaa violating Caltrans' bid submission requirements by listing a non-certified painter and as a result they were unable to and failed to submit the required SSPC QP certification as specified in Caltrans Standard Specification.

Caltrans should move to award this contract to the lowest responsive bidder, F&H Construction.

If you have any questions or need additional clarification, please feel free to contact me.

Sincerely,

Stephen Seibly
F&H Construction / Secretary-Treasurer

209-931-3738 Phone
209-931-4427 Fax
209-351-5012 Cell
sselby@f-hconst.com

CALIFORNIA DEPARTMENT OF TRANSPORTATION

Caltrans > Division of Engineering Services > Structure Construction > Advance Notice to Contractors/Subcontractors

Advance Notice to Contractors/Subcontractors

CALTRANS' SSPC QP REQUIREMENT NOTICE

NOTICE TO CONTRACTORS/SUBCONTRACTORS REQUIREMENTS FOR CONTRACTORS TO BE SSPC QP1, QP2 AND QP3 CERTIFIED

Any contractor or subcontractor engaged in:

surface preparation and coating of structural steel, hazardous paint removal, collection, or containment or, shop painting of structural steel

shall meet the following requirements:

* If only surface preparation and coating application are required by the contract, and the total area of steel to be painted is greater than 30,000 square feet, then SSPC-QP 1 Certification will be required.

If the total area of steel to be painted is less than or equal to 30,000 square feet, then SSPC-QP 1 Certification will not be required, however, the work must be performed in accordance with the requirements in Section 3, "General Qualification Requirements," of the Society for Protective Coatings Qualification Procedure No. 1. New and existing paint contractors/subcontractors can use the projects in this classification to obtain their SSPC-QP 1 Certification.

If hazardous paint removal is a part of the contract, and the total steel area of paint removal exceeds 500 square feet, then SSPC-QP 2 Certification (Category A) will be required. If the total steel area of paint removal is less than or equal to 500 square feet, then SSPC-QP 2 Certification (Category A) will not be required, however, the work must be performed in accordance with the requirements in Sections 4.2 through 4.4.6 of the Society for Protective Coatings Qualification Procedure No. 2 (Category A).

If shop painting of structural steel is a part of the contract, and the total area of steel to be shop painted exceeds 500 square feet, then AISC-420-10/SSPC-QP 3 Certification (Enclosed Shop) will be required. If the total area of steel to be shop painted is less than or equal to 500 square feet, then SSPC-QP 3 Certification will not be required, however, the work must be performed in accordance with the requirements in Sections 5-18 of the AISC: American Institute of Steel Construction and SSPC: The Society for Protective Coatings Certification Standard for Shop Application of Complex Protective Coating Systems.

* On jobs requiring Certification(s), proof of certification of the Contractor/subcontractor under the SSPC QP Certification Program is required to be submitted with your bid. If you do not submit the certification with your bid, submit it so that it is received by the Office Engineer NO LATER THAN 4:00 PM ON THE 2nd BUSINESS DAY AFTER BID OPENING.

If you do not submit the certification within the specified time, the Department will find your bid nonresponsive.

Contractors/subcontractors must maintain their SSPC QP certifications specified in the contract in good standing throughout the duration of the contract.

The QP 1 Certification Program is based on SSPC-QP 1, Standard Procedure for Evaluating the Qualifications of Industrial/Marine Painting Contractors. The QP 2 Certification Program is based on SSPC-QP 2, Standard for Evaluating Painting Contractors (Removal of Hazardous Coatings from Industrial/Marine Steel Structures). The QP 3 Certification Program is based on AISC-420-10/SSPC-QP 3, Certification Standard for Shop Application of Complex Protective Coating Systems. Additional information about the Painting Contractor Certification Program (PCCP) can be obtained from SSPC's website at www.sspc.org or contact Shawn W. Nedley from SSPC at 412-288-6029 or 877-281-7772, ext. 2210 or e-mail nedley@sspc.org.

02/28/2013 08:51 FAX 5102372435

Received

OVERAA CONST.

Feb 28 2013 08:51am

006/015

Caltra Jan. 22. 2013, 2:29PM
Received
ring F&H Const. - Estimating Dept.

Jan 22 2013 02:20pm

No. 4605 P. 5 Page 2 of 2

Questions pertaining to this notice should be directed to John C. Rogers, CALTRANS, Division Of Maintenance, Structure Maintenance and Investigations. He can be reached at (916) 227-8627, fax (916) 227-8357 or e-mail John_C_Rogers@dot.ca.gov

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Received
Jan. 22. 2013 2:28PM F&H Const. - Estimating Dept.

Jan 22 2013 02:19pm

No. 4605 P. 1



Fax

To: California Department of Transportation
 Division of Engineering Services
 Office Engineer
 Attention: Rebecca D. Harnagel, Derek Pool and John McMillan

From: Stephen Seibly

Fax: (916) 227-8282

Pages (including cover) 5

cc:

Date: January 22, 2013

Re: Bid Protest

Caltrans Contract No. 04-014084 – Construction on State Highway in Alameda County at the San Francisco – Oakland Bay Bridge Maintenance Yard. Bid date January 16, 2013

Urgent

For Review

Please Comment

Please Reply

Request Bid

● **Comments:**

Please see enclosed Bid Protest regarding Caltrans Contract No. 04-014084.

Thank you.

Feb. 6. 2013, 8:52AM F&H CONSTRUCTION

RECEIVED FEB 6 2013 08:53AM

No. 6546 P. 2

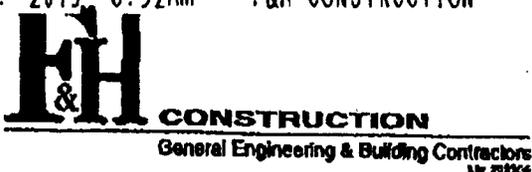


EXHIBIT B

February 5, 2013

(Sent via Facsimile: 510-286-7015 and email)

John C. McMillan
Deputy Division Chief
Division of Engineering Services
California Department of Transportation
Office Engineer, MS 43
1727 30th Street
P.O. Box 168041
Sacramento, CA 95816-8041

Re: Caltrans Contract No. 04-014084
Construction on State Highway in Alameda County
At the San Francisco – Oakland Bay Bridge Maintenance Yard

Dear Mr. John McMillan,

It is clear that C. Overaa & Co. (Overaa) failed to adhere to Caltrans specification and bidding instructions. Overaa demonstrated a complete disregard for compliance with requirements set forth by Caltrans. They admittedly failed to list correct percentages of work, changed a subcontractor scope of work, used a question mark when listing a scope of work, failed to accurately describe work, did not comply with the Painting Certification required and violated Subcontractor Listing Laws. F&H Construction (F&H) requests that Caltrans reject Overaa's bid as nonresponsive and award the Contract to F&H.

In response to the Overaa's various letters, F&H submits the following:

OVERAA ADMITS THAT ITS SUBCONTRACTOR PERCENTAGES ARE WRONG

On February 1, 2012, Caltrans asked Overaa to respond to F&H's third protest letter. In response, the law firm of Smith and Brockhage on behalf of Overaa admits that the "Overaa put the percentages of its total bid for each listed subcontractor and related bid items, rather than the percentages of the bid items." Based on this admission alone, Caltrans should immediately reject Overaa's bid as being non-responsive. Caltrans' bid instructions are very clear and straightforward. The Bid Instructions and Contract Documents require that bidders provide the "Percentage of Bid Item Subcontracted." Caltrans does not allow bidders to aggregate many different bid items together and then list the total of these bid items as a percentage of the total bid because doing this would defeat the purposes of the Subcontracting and Subletting Fair Practices Act. For instance, Overaa listed Carone's percentage of work as 14% for Items 38 (Partial), 39 (Partial), 40, 50, 51, 52, 53, 54 and 55. Based on this nonconforming listing, it is impossible for Caltrans to determine what percentage of Items No. 38 and No. 39 Carone will be performing; it is somewhere above 0% but below 100%. For all practical purposes, Overaa might as well have written "varies" for the percentages of Carone's Item 38 and Item 39 work.

In a letter dated January 4, 2012 to Caltrans, this same law firm of Smith and Brockhage wrote of the dangers of failing to list specific percentages of work for subcontractors with regard to Contract 04-049074. On this Project, the low bidder (West Coast) had used the word "varies" to describe the portion of work performed by one subcontractor. In protesting West Coast's bid, Smith and Brockhage, for Golden State Bridge, wrote:

"In fact, however, the purpose of listing the percentages of work to be performed is to prohibit contractors from revising the percentage of work to be performed after the subcontractor listing form is submitted. Allowing a contractor to say, in effect 'we haven't decided how much work will be subcontracted,' would allow renegotiation and bid shopping after the bid was submitted."

Received
Feb. 6. 2013 8:52AM F&H CONSTRUCTION

REC'D 2013 08-03am

No. 6546 P. 3
2/5/2013

West Coast claimed that the percentages of each bid item to be subcontracted could be determined from the Certified DVBE form as Overaa now claims. In response to this claim, Smith and Brockhage wrote:

"[West Coast] claims that the percentages of each item to be subcontracted can be determined from the Certified DVBE form that is submitted with its bid. That is also incorrect. To use the same example, the form submitted by West Coast states that, for bid items 10, 12 and 22, C&W will be subcontracting \$160,000 of the work within those three bid items. It is simply impossible from that broad description how much of each bid item will be subcontracted out. Is the \$160,000 to be split evenly among the three bid items? Is it to be applied in a greater amount to one rather than the others? Since the percentage of the bid items to be subcontracted cannot be determined from any information submitted by West Coast, the bid is nonresponsive."

Similarly, here, it would be impossible to determine the percentage of Item No. 38 and No. 39 Carone is to perform when Overaa failed to provide percentage numbers for these individual items and only broadly described Carone's work as "Partial." Despite Overaa's arguments to the contrary, no mathematical manipulations will reveal the individual percentages for Items No. 38 and 39.

In determining that West Coast's bid was nonresponsive for Contract 04-049074, Caltrans reviewed West Coast's use of "varies" to describe the portion of work to be performed by subcontractors and wrote (see attached):

"Also when looking at the DVBE form the Department could not produce a percentage for each the subcontractors bid items because there was only one total for all the bid items listed for each subcontractor on the DVBE form...Furthermore, West Coast failed to properly submit the Subcontractor List. West Coast failed to submit the percent of bid item subcontracted as required in column 3 for C&W Diving Services and Sudden Sam Trucking"

Because West Coast failed to list individual percentages for items subcontracted and Caltrans was unable to determine the percentages from the West Coast's bid documents, Caltrans found West Coast's bid as nonresponsive. For the same reasons that Caltrans determined that West Coast's bid was nonresponsive, Caltrans must now find Overaa's bid as nonresponsive.

OVERAA CHANGED A SUBCONTRACTOR SCOPE OF WORK & USED A QUESTION MARK

First, it is clear from viewing Overaa's actual bid that Overaa made an obvious mistake and it is now trying to create some explanation to excuse the mistake. Overaa described Carone's work with two independent descriptions: "Hazardous Soil Excavation" and "Site Utilities." There clearly is Site Utility work on the Project such as Items No. 65 (12" Alternative Pipe Culvert), Item 66 (18" Alternative Pipe Culvert) Item 67 (24" Alternative Pipe Culvert) and the site utility work for the Building (Item 86). But apparently, Overaa argues that when it described Carone's work as "Site Utility" work, it really meant none of this work. They actually put a question mark (?) on their bid form which leaves this item open to future interpretation. Instead Overaa has written, it meant only that portion of Site Utility work that is being paid as Roadway Excavation (Class 2 and Type H). This work is already covered by Overaa's description of "Hazardous Soil Excavation." The only reason any bidder would include an additional description for "Site Utility Work" is because the Subcontractor was performing Site Utility work such as the installation of utilities in addition to any work covered by Items 38 and 39. Overaa's argument would be similar to a Contractor describing a striping subcontractor's work as "Lead Abatement" and "Striping" and then only listing the subcontractor for the "Lead Abatement" item and arguing that they described the Subcontractor's work as Striping because a portion of the Lead Abatement involves the removal of stripes.

OVERAA FAILED TO ACCURATELY DESCRIBE WORK

Overaa has still not responded to the fact that their bid is nonresponsive because it changed the work which Overaa listed Carone as performing. On bid day, Overaa's description of Carone's work included "Hazardous

Soil". On the day after the bid opening, Overaa listed Carone for Items 38 Roadway Excavation (Class 2), Item 39 Roadway Excavation (Type H), Item 39 Type H Waste, is defined by Caltrans as: "Contaminated material regulated as a hazardous waste under California law but not under RCRA and designated as roadway excavation (Type H)." Special Provisions Section 10-1.29, Item 38, Class II Waste is defined by Caltrans as: "Contaminated material that is not regulated as hazardous waste but requires handling as designated waste under Water Code 13173. Designated as roadway excavation (Class II)" Special Provisions Section 10-1.29 Item 38 is Contaminated Material and not "Hazardous Waste" per California law, Federal law and the Specifications. Overaa's listing of Carone for Item 39 as "Hazardous Waste" may be acceptable because this contaminated material is regulated as hazardous waste under California law. But Item 38, Class 2 Roadway Excavation, is not "Hazardous Waste" and not paid as a hazardous waste item.

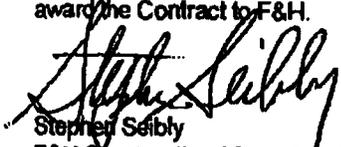
The Contract Documents require that Bidders accurately describe the work which its listed subcontractors will perform. As stated in F&H's letter of January 23, 2012, Overaa listed Carone for "Hazardous Soil Excavation" and then listed Carone for Items No. 38 (Roadway Excavation, Class 2) and Item No. 39 (Roadway Excavation, Type H). Class 2 Material is material that is not regulated as "Hazardous Waste." It is commonly known as Contaminated Waste. In fact, Caltrans describes both Item No. 38 and 39 in Special Provision Section 10-1.29, "Handling, Transportation, and Disposal of Contaminated Material." Type H material is regulated as a hazardous material under California law but not under RCRA so it could be described as either "contaminated" or "hazardous" depending upon whether California or Federal regulations were being applied. On bid day, Overaa described Carone's work as "Hazardous Soil Excavation." By listing Carone's work to include Item No. 38, Overaa increased Carone's work to include Contaminated Soil Excavation. Overaa has failed to respond to F&H's protest regarding this defect because it has no explanation. Overaa's bid day description for Carone does not match the bid items for Carone and its bid should be rejected as nonresponsive

OVERAA FAILED TO TURN IN SSPC CERTIFICATION & LISTED AN UNCERTIFIED PAINTER

Both of the SSPC-QP1 required criteria are met on this project. There is a requirement for "surface preparation and coating application" and the total area of steel to be surface prepped and coated/painted is more than 30,000 square feet. Thus the SSPC-QP1 certificate was required to be turned in no later than 4:00 p.m. on the 2nd business day after the bid opening. Overaa failed to adhere to Caltrans specification for demonstrating compliance with requirements for listing a SSPC QP-1 certified painter on bid day.

F&H has reviewed and attached a breakdown (Attachment #1) from Mason Painting, Inc. (Mason) showing the actual footage of Structural Steel to be painted. Please note that there is approximately 40,005 square feet of structural steel. The attached list identifies the location and type of structural steel to be painted. In addition, there is 30,140 square feet of exposed metal deck, which should fall under the SSPC QP Certification as well.

In conclusion, Overaa failed to adhere to Caltrans specification and bidding instructions in so many ways. They have demonstrated a complete disregard for compliance with requirements set forth by Caltrans. They admittedly failed to list correct percentages of work, changed a subcontractor scope of work, used a question mark when listing a scope of work, failed to accurately describe work and did not comply with the Painting Certification required. F&H reiterates, its request, that Caltrans rejects Overaa's bid as nonresponsive and award the Contract to F&H.


Stephen Seibly
F&H Construction / Secretary-Treasurer

209-931-3738 Phone
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209-351-5012 Cell
sseibly@f-hconst.com

RECEIVED
Feb. 6. 2013 8:53AM F&H CONSTRUCTION

FEB 6 2013 08:53AM

No. 6546 P. 5

STATE OF CALIFORNIA — BUSINESS TRANSPORTATION AND HOUSING AGENCY

EDMUNDO BROWN, Jr. Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6300
FAX (916) 227-6282
TTY 711



*Flex your power!
Be energy efficient!*

February 8, 2012

Facsimile: (541) 269-1600

David Kronsteiner, President
Oregon West Coast Contractors, Inc.
61050 Highway 101
Coos Bay, OR 97420

04-049074
04-CC,Sol-80-13.9
B.O. 12/14/11

Dear Mr. Kronsteiner:

The Department received the attached letter dated January 17, 2012 from Oregon West Coast Contractors, Inc. (West Coast) protesting their nonresponsive of Contract 04-049074. West Coast's protest alleges that West Coast was told "Verics" to describe the amount of work to be done by the subcontractor would be okay since West Coast listed the dollar amount on the DVBE form. Also that Mr. Kronsteiner contacted Caltrans on December 15, 2011 and asked if all the paperwork was in order, specifically the subcontractors list, and was told that it appeared to be in order and that there were no problems. West Coast requests the Department find their bid responsive.

The Department reviewed the protest and finds that when Mr. Kronsteiner called regarding the subcontractors list he was calling before a complete analysis of the documents was performed. Also when looking at the DVBE form the Department could not produce a percentage for each of the subcontractors bid items listed because there was only one total for all the bid items listed for each subcontractor on the DVBE form.

Furthermore, West Coast failed to properly submit the Subcontractor List. West Coast failed to submit the percent of bid item subcontracted, as required in column 3 for C&W Diving Services and Sudden Sam Trucking. 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 non-responsive bid."

Based on the above, the Department stands by our prior decision and finds West Coast's protest lacks merit and will award the contract to Golden State Bridge.

If you have any questions, please contact Loren Newell, Contract Awards Branch Chief, at (916) 227-6285.

Sincerely,


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

Attachments

Feb. 6. 2013 8:53AM F&H CONSTRUCTION

RECEIVED

FEB 6 2013 08:53AM

No. 6546 P. 6

MASON PAINTING, INC.

P.O. BOX 1115 ORANGEVALE, CA 95662

PHONE: 916.852.8060 FAX: 916.852.8034

Stephen,

As you requested here is the steel and other metal surfaces that fall under
The guide lines of SSPC that Mason Painting quoted for the SFOBB project.

Exposed structural steel in ceiling- web steel joists, steel beams-27,055 sf
Exposed steel columns-10,568 sf
Miscellaneous steel-breezeway steel, chevron bracing, sun shade supports,
Courtyard canopy steel-2,382 sf
Exposed metal deck-30,140 sf

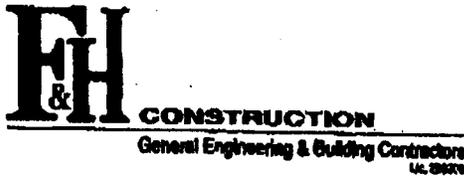
If you have any questions please call me or contact me via email.

Thanks,

Bill Chapman
Mason Painting Inc.
Office 916-852-8060
Cell 916-458-1631
wjchap@msa.com

Feb. 6. 2013 8:52AM F&H CONSTRUCTION

Feb 6 2013 08:53am No. 6546 P. 1



Fax

TO: John McMillan, Deputy Division Chief, Caltrans FROM: Stephen Scibly - Secretary / Treasurer

FAX: 916-227-6282 PAGES: 6

PHONE: 916-227-8704 DATE: 2/6/2013

RE: Contract No. 04-014084 - Response to Overaa CC:

- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

Comments:

Attached is F&H Construction's letter addressing C. Overaa & Co.'s Protest Response to Caltrans for Contract No. 04-014084 that bid on January 16, 2013. This is a copy of the fax sent in yesterday but we have also included a finding that was referenced in our response and should have been included. I apologize for any confusion.

We hope this information is helpful in making your decision to award this contract to F&H Construction.

If you have any questions, please let me know.

Thank you!!

Stephen Scibly

Revised

EXHIBIT C

6. Complete structural steel assemblies, including welding of units, before shop-priming operations.

Stud Connectors: Prepare steel surfaces as recommended by manufacturer of stud connectors. Use automatic end welding of stud connectors under AWS D1.1/D1.1M and manufacturer's instructions.

Connections:

1. Clean abutting surfaces at connections.
2. Do not cut or weld at the jobsite, except as shown on the approved working drawings or approved by the Engineer.
3. Cut, drill, or punch holes perpendicular to steel surfaces. Finished holes for bolts must be cylindrical. Sub-punch and sub-drill holes 1/4 inch smaller in diameter than the diameter specified for the finished hole.

Bolted Connections:

Fabricate steel to steel bolted connections with machine bolts or HS fastener assemblies when shown on the plans.

Machine Bolts: Snug tighten.

The bolt head type and head location must be consistent within a joint.

Install nuts on side of member least exposed to view.

Holes for Other Work: Cut, drill, or punch holes perpendicular to metal surfaces. Do not flame cut holes or enlarged holes by burning. Drill holes in bearing plates.

SHOP FINISHES

Shop prime structural steel members, except those to receive sprayed-fireproofing.

Clean and coat steel surfaces of shop primed members under "Painting" in Section 12-9, "Finishes," of these special provisions.

SOURCE QUALITY CONTROL

Welded Connections: Test and inspect welded connections under AWS D1.1/D1.1M and the following:

Inspection:

1. Comply with AISC 341, Section Q5.2, except for CJP groove welds not receiving ultrasonic testing, perform magnetic particle testing on 100% of each root weld pass and each final weld pass of these welds.
2. Perform magnetic particle testing on 25% of each PJP groove weld. The Engineer will select the locations for testing. The cover pass must be ground smooth before testing.

Acceptance Criteria:

1. Ultrasonic Testing: Comply with AWS D1.1/D1.1M, Table 6.2 for statically loaded nontubular connections.
2. Magnetic Particle Testing: Comply with AWS D1.1/D1.1M, Clause 6, Part C.

Repairs:

1. If repairs are required, perform NDT on the repaired portion and re-inspect the weld by performing additional NDT on the entire length of the unrepaired portion of the weld under "Source Quality Control."
2. NDT of repaired work must be performed at your expense.

EXHIBIT D



SSPC QP3 CERTIFIED CONTRACTORS

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