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April 18, 2014

Via Facsimile (916) 227-6282 & Certified Mail

State Of California
Department Of Transportation
1727 30th Street
P. O. Box 168041 Bidder Exchange, MS 43
Sacramento CA 95816-8041

Attn: John C. McMillan, Deputy Division Chief, Office Engineer

Re: Contract No. 04-0A7104
Route 880;
Bid Protest

Gentlemen:

By letter of April 3, 2014, MCM Construction, Inc. ("MCM") submitted a formal protest of the bid of RGW Construction, Inc. ("RGW"), the apparent low bidder in connection with Contract No. 04-0A7104. MCM Construction, Inc. is currently the second lowest bidder.

MCM reviewed the RGW response to the protest, dated April 11, 2014. On April 17, 2014, MCM submitted a response, to the extent it was possible, since Caltrans did not post all of the attachments included in the RGW response on its website. After have the opportunity to further review the authority cited by RGW in its letter of April 11, 2014, MCM hereby submits further support of its protest to any award of this contract to RGW because the Bid of RGW is non-responsive as it clearly failed to comply with the Subcontractor Listing Laws and the Subcontractor List requirements in the bid specifications.

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John McMillan, Deputy Division Chief
State Of California, Department Of Transportation
April 18, 2014
Re: Bid Protest
Contract NO. 04-0A7104

**RGW'S BID SHOULD BE REJECTED BECAUSE RGW FAILED TO
COMPLY WITH THE SUBCONTRACTOR LISTING LAWS**

RGW Failed to List the Location for K&G Concrete

The Project is subject to both the contract terms set forth in the Specifications and to California Public Contract Code sections 4100-4113. Public Contract Code § 4104 requires that bidders **shall** list the "name and location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor." In addition to the statutory requirements, Section 2-1.33C of the Standard Specification provides that:

"The *Subcontractor List* **must** show the name, address, and work portions to be performed by each subcontractor listed."

The use of "must" indicates that it is a mandatory bidding requirement that bidders list the name of each subcontractor and their business location in Column 1 on bid day.

In its letter dated April 11, 2014, RGW admits that it failed to list the location of K&G Concrete but argues that Caltrans can figure out the location of this business on its own. A thorough review of the Attorney General's Opinion cited by RGW reveals the Opinion provides the opposite result. RGW asserts that:

"The California Attorney General has confirmed that a bidder's omission of a listed subcontractor's location is immaterial in a very analogous situation."

RGW misrepresents the Attorney General's Opinion. In 2003, the Attorney General Office offered an opinion to the following question:

"May a public entity accept a bid for the construction of a public works project that does not specify the business location of each listed subcontractor but does provide the state contractor's license of each listed subcontractor from which the business location may be ascertained upon further inquiry." 86 Op. Atty Gen. Cal.90, 02-1012. (see Attachment 6).

In answer to this query, the Attorney General wrote that:

"we find that 'the location of the place of business of each subcontractor' must be specified in the bid, and although certain information concerning a subcontractor may be submitted after the bid submission deadline, such late disclosure is not allowed for the 'subcontractors name and location of business.'"

Moreover, it is the bidder's responsibility to list location, not the public entity's:

"Even though the subcontractor's current business address may be ascertained by making inquiry of the Board...., the Legislature has chosen not to require such further investigation. Instead the bid must contain the 'location of the place of business of each

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John McMillan, Deputy Division Chief
State Of California, Department Of Transportation
April 18, 2014
Re: Bid Protest
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subcontractor.' The failure to identify a subcontractor's place of business in the bid proposal thus constitutes a violation of section 4104."

Contrary to RGW's claim that the Attorney General views the omission as "immaterial," the Attorney General has stated that the omission is a violation of the subcontractor listing laws.

If a bidder violates the Subcontractor Listing Laws, a public entity may cancel the bidder's contract, award the contract and assess penalties, or both cancel the contract and assess the penalties. Because these are discretionary measures, the Attorney General reasoned that a public entity could still award a contract to a bidder who violated the listing law and take any of these measures at its discretion.

Caltrans, however, has chosen to uniformly reject the bids of bidders who violate the Subcontractor Listing laws. In the same exact situation, Caltrans determined that the bid of Hayes & Son's, Inc. (H&SI) was non-responsive [Contract 01-474414]. In rejecting H&SI's bid, Caltrans quoted from the Subcontractor List form that "Failure to provide information in columns 1 through 4 within the time specified will result in a non-responsive bid." Caltrans then stated:

"H&SI failed to submit the location for Jensen Drilling Co. and Apply A Line Stripping, as required in column 1. Based on the above, Caltrans finds your bid is nonresponsive."
(Attachment 7)

Although Caltrans could have determined Jensen Drilling and Apply A Line's locations from the CSLB website [these firms are the only active contractors in California with these names, (see Attachment 8)], Caltrans correctly rejected H&SI's bid because the failure to list the locations of subcontractors renders a bid nonresponsive.

In arguing that Caltrans should fill-in the location in Column 1 for RGW, RGW asks that Caltrans exempt RGW from the Subcontractor Listing laws. In a letter dated March 18, 2014 to Flatiron West, John McMillan wrote that that Caltrans reviews all protests received "in order to ensure fairness and maintain the integrity of the bidding process." It is in the interests of integrity and fairness that Caltrans uniformly follow its own bidding requirements and determine that RGW's bid is nonresponsive just as it previously decided that H&SI's bid was nonresponsive.

To support its request for an exemption from the Subcontractor Listing laws, RGW provides a long list of contracts on which Caltrans allegedly "allowed modifications to the listing form." The contracts that RGW has cited appear to be hodge-podge listing of contracts which fail to support its position. For instance, the first contract cited by RGW (Contract 01-0A2304) involved a bidder who failed to acknowledge an addendum. The bidder's error had nothing to do with violation of the Public Contract Code § 4104 or with "modifications to the listing form." And RGW also cites Contract 07-4T3204 in support of its request for an exemption. On Contract 07-4T3204 (see Attachment 9), Caltrans rejected the bids of three bidders: Yakar, STL Enterprise and Elite Landscaping. In rejecting STL and Elite Landscaping bids, Caltrans

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John McMillan, Deputy Division Chief
State Of California, Department Of Transportation
April 18, 2014
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informed the bidders of Caltrans requirements that the "Failure to provide complete information in columns 1 through 4 within the time specified will result in a non-responsive bid." Caltrans then found STL's and Elite's bids as nonresponsive for failing to submit their bid percentages in Column 3. Rather than support its argument that "Caltrans allows modifications to the listing form," Contract 07-4T3204 exemplifies Caltrans' rejection of bids which fail to comply with the bid requirements. None of the contracts cited by RGW supports its request for an exemption from the Subcontractor Listing requirements.

Caltrans rejected H&SI's bid and STL's bid, and Elite Landscaping bid and thousands of other bids for the failure to provide required subcontractor information on bid day. Caltrans must now reject RGW's bid for the same reason.

RGW Incorrectly Listed The Wrong Subcontractor, The Wrong Location, Or The Wrong Subcontractor and Wrong Location For Its Striping Subcontractor

Further to MCM's previous response regarding the listing of the wrong location or name of the striping subcontractor listed by RGW, RGW listed Central Striping of Elk Grove to perform Striping. Since there is no company named "Central Striping" in Elk Grove, RGW may have listed the name of the company incorrectly, may have listed the location incorrectly or listed both the name of the company and its location incorrectly. Centerline Striping is a well-known striping contractor in Elk Grove who routinely bids on Caltrans' projects. RGW argues that Caltrans should know that RGW intended to use Central Striping instead of Centerline Striping because it told Caltrans this after the bids were opened. On the bid date, bidders are required to list both the name of their subcontractors and the subcontractor's location. Bidders are not entitled to submit information following the bid opening or to pick and choose what information they will provide and when they might provide the information. After the bid opening, RGW could have solicited a bid from Centerline and, if it was lower than Central Striping, then informed Caltrans that it listed the correct location but listed the wrong subcontractor name because the "two entities are listed right next to each other in RGW's master subcontractor sheet." The Subcontractor List requires that bidders correctly list subcontractor names, location and description of work on bid day. RGW's failure to properly list either the name or the location is no different from other bidders who have failed to properly list descriptions for subcontractors work. Rather than allow bidders to add or alter descriptions of work after the bid opening, Caltrans has routinely rejected nonresponsive bids as it should now do for RGW's bid.

The bid of RGW for Contract 04-0A7104 is non-responsive in many respects, particularly with regard to the Subcontractor Listing requirement. The deficiencies in the RGW Subcontractor List have long resulted in the rejection of bids by Caltrans for being non-responsive bids. Consistency in the determinations of finding bids non-responsive for such Subcontractor List deficiencies requires the Department to find the bid of RGW non-responsive and not eligible for contract award. As a result, the Department must award the contract to MCM Construction, Inc. the low responsive and responsible bidder.

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John McMillan, Deputy Division Chief
State Of California, Department Of Transportation
April 18, 2014
Re: Bid Protest
Contract NO. 04-0A7104

If, you require any further information in regard to this matter, please contact the undersigned at (916) 334-1221, ext. 229 or by email at epuchi@mcmconstructioninc.com.

Sincerely,

MCM CONSTRUCTION, INC.



Edmundo A. Puchi
Treasurer and General Counsel

/cap

Attachments

cc: JAC, HDM, R. McCall, R. Burch
Bid File

Attachment 6
Opinion of the Attorney General

ANALYSIS

We are informed that the lowest bidder on a recent city public works project failed to specify the business location for each subcontractor listed in the bid. Instead, the bid provided the state contractor's license number for each named subcontractor from which the business address could be ascertained by contacting the Contractors' State License Board ("Board"). Under these circumstances, may the city accept the bid? We conclude that it may.

The Legislature has enacted a comprehensive statutory scheme, the Subletting and Subcontracting Fair Practices Act (Pub. Contract Code, §§ 4100-4114; "Act"),¹ to address "the practices of bid shopping and bid peddling in connection with the construction, alteration, and repair of public improvements" (§ 4101).² Three statutes require our analysis. Section 4104 states:

"Any officer, department, board or commission taking bids for the construction of any public work or improvement shall provide in the specifications prepared for the work or improvement or in the general conditions under which bids will be received for the doing of the work incident to the public work or improvement that any person making a bid or offer to perform the work, shall, in his or her bid or offer, set forth:

"(a)(1) The name and the location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or, in the case of bids or offers for the construction of

¹ All further statutory references are to the Public Contract Code unless otherwise indicated.

² "Bid shopping is the use of the low bid already received by the general contractor to pressure other subcontractors into submitting even lower bids. Bid peddling, conversely, is an attempt by a subcontractor to undercut known bids already submitted to the general contractor in order to procure the job." (*Southern Cal. Acoustics Co. v. C.V. Holder, Inc.* (1969) 71 Cal.2d 719, 726, fn. 7; see *MCM Construction, Inc. v. City and County of San Francisco* (1998) 66 Cal.App.4th 359, 368-369; *E.F. Brady Co. v. M.H. Golden Co.* (1997) 58 Cal.App.4th 182, 189-190; *Valley Crest Landscape, Inc. v. City Council* (1996) 41 Cal.App.4th 1432, 1438; *Cal-Air Conditioning, Inc. v. Auburn Union School Dist.* (1993) 21 Cal.App.4th 655, 661, fn. 1.)

streets or highways, including bridges, in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater.

"(2)(A) Subject to subparagraph (B), any information requested by the officer, department, board, or commission concerning any subcontractor who the prime contractor is required to list under this subdivision, other than the subcontractor's name and location of business, may be submitted by the prime contractor up to 24 hours after the deadline established by the officer, department, board, or commission for receipt of bids by prime contractors.

"(B) A state or local agency may implement subparagraph (A) at its option.

"(b) The portion of the work that will be done by each subcontractor under this act. The prime contractor shall list only one subcontractor for each portion as is defined by the prime contractor in his or her bid."

Section 4110 provides:

"A prime contractor violating any of the provisions of [sections 4100-4114] violates his or her contract and the awarding authority may exercise the option, in its own discretion, of (1) canceling his or her contract or (2) assessing the prime contractor a penalty in an amount of not more than 10 percent of the amount of the subcontract involved, and this penalty shall be deposited in the fund out of which the prime contract is awarded. In any proceedings under this section the prime contractor shall be entitled to a public hearing and to five days' notice of the time and place thereof."

Section 4111 additionally states:

"Violation of [sections 4100-4114] by a licensee under [the Contractors' State License Law] constitutes grounds for disciplinary action by the Contractors State License Board, in addition to the penalties prescribed in Section 4110."

The provisions of sections 4104, 4110 and 4111 may be examined in light of well recognized principles of statutory construction. "In determining intent, we look first to the words of the statute, giving the language its usual, ordinary meaning." (*Hunt v. Superior Court* (1999) 21 Cal.4th 984, 1000.) "[W]e consider portions of a statute in the context of the entire statute and the statutory scheme of which it is a part, giving significance to every

word, phrase, sentence, and part of an act in pursuance of the legislative purpose. [Citation.]” (*Curle v. Superior Court* (2001) 24 Cal.4th 1057, 1063.) “ ‘Words must be construed in context, and statutes must be harmonized, both internally and with each other, to the extent possible.’ ” (*Woods v. Young* (1991) 53 Cal.3d 315, 323.)

Applying these principles of statutory interpretation, we find that “the location of the place of business of each subcontractor” must be specified in the bid (§ 4104, subd. (a)(1)), and although certain information concerning a subcontractor may be submitted after the bid submission deadline, such late disclosure is not allowed for “the subcontractor’s name and location of business” (§ 4104, subd. (a)(2)(A)).

Listing the state contractor’s license number of a subcontractor does not comply with the mandate of section 4104. Even though the subcontractor’s current business address may be ascertained by making inquiry of the Board (see Bus. & Prof. Code, § 7083; Cal. Code Regs., tit. 16, § 863, subd. (d)), the Legislature has chosen not to require such further investigation. Instead, the bid must contain “the location of the place of business of each subcontractor.”³

The failure to identify a subcontractor’s place of business in the bid proposal thus constitutes a violation of section 4104. Significantly, the Legislature has specified the consequences for such a violation. Section 4111 makes a violation of section 4104 “grounds for disciplinary action by the Contractors’ State License Board.” It is for the Board to determine what disciplinary action is to be taken against a prime contractor who has failed to identify a subcontractor’s place of business in a bid for a public works project. The public entity to which the bid has been submitted does not have a role to play with respect to the Board’s responsibilities and duties under section 4111.

Section 4110, however, specifies what the public entity itself may do if a bid is submitted that does not contain the business address of each listed subcontractor. “[T]he awarding authority may exercise the option, in its own discretion, of (1) canceling his or her contract or (2) assessing the prime contractor or penalty in an amount of not more than 10 percent of the subcontract involved.” The terms of section 4110 are permissive. The

³ “The word ‘shall’ is ordinarily ‘used in laws, regulations, or directives to express what is mandatory.’ [Citation.] The word ‘may,’ by contrast, is usually permissive and denotes ‘to have power.’ [Citation.] . . . [W]here the Legislature employs the term ‘shall’ and ‘may’ in different portions of the same statute, it must be concluded that the Legislature was aware of the different meanings of these words and intended them to denote mandatory and directory requirements, respectively. [Citations.]” (*Rice v. Superior Court* (1982) 136 Cal.App.3d 81, 86; see *Common Cause v. Board of Supervisors* (1989) 49 Cal.3d 432, 443; *In re Richard E.* (1978) 21 Cal.3d 349, 353-354; *Maryland Casualty Co. v. Andreini & Co.* (2000) 81 Cal.App.4th 1413, 1420; *Altar v. Anderson* (1997) 58 Cal.App.4th 1166, 1182.)

awarding authority is not required to cancel the contract or impose a penalty but "may" do so in the exercise of "its own discretion." (Cf. Bus. & Prof. Code, § 7028.15, subd. (e) [bid submitted by an unlicensed contractor "shall be rejected"].)

The legislative history of section 4110 fully supports the "plain meaning" of the statute, granting discretionary authority to the public entity in dealing with a violation of section 4104. When the statutory language in question was first enacted, the Legislature declared the following consequence: "the awarding authority shall have the right to cancel the contract." (Stats. 1941, ch. 1283, § 1.) Two years later, this language was changed to "the awarding authority may cancel the contract." (Stats. 1943, ch. 134, § 4106.) In 1945, the language was changed to not only allow the contract to be canceled but "the general contractor shall be penalized to the extent of twenty percent (20%) of the amount of the subcontract involved." (Stats. 1949, ch. 1380, § 6.) In 1961, the language was again changed to give the awarding authority several options:

"A general contractor violating any of the provisions of this chapter violates his contract and the awarding authority may exercise the option, in its own discretion, of (1) canceling his contract or (2) assessing the general contractor a penalty in an amount not more than ten percent (10%) of the amount of the subcontract involved, and this penalty shall be deposited in the fund out of which the prime contract is awarded, or (3) both canceling the contract and assessing the penalty." (Stats. 1961, ch. 1963, § 1.)

The three options were continued in 1963 (Stats. 1963, ch. 2125, § 11), but in 1969, the statute was again amended, essentially providing as it does today. (Stats. 1969, ch. 332, § 2.)

If the public entity "may" cancel the contract for a failure to list the business address of a subcontractor, it may "in its own discretion" choose not to do so. It follows that the public entity "may" accept or reject the bid in the first instance. The permissive authority to cancel the contract necessarily includes the authority to execute the contract. We are to interpret statutes by giving them "a practical construction" (*California Correctional Peace Officers Assn. v. State Personnel Bd.* (1995) 10 Cal.4th 1133, 1147) since "it is presumed the Legislature intended reasonable results consistent with its expressed purpose, not absurd consequences" (*Harris v. Capital Growth Investors XIV* (1991) 52 Cal.3d 1142, 1165-1166).⁴

We conclude that a public entity may accept a bid for the construction of a

⁴ Of course, if other subcontractor information is omitted in the bid but provided within "24 hours after the deadline" (§ 4104, subd. (a)(2)(A)), no statutory violation would occur and the possible adverse consequences specified in sections 4110 and 4111 would be inapplicable.

public works project that does not specify the business location of each listed subcontractor but does provide the state contractor's license number of each listed subcontractor from which the business location may be ascertained upon further inquiry.

Attachment 7

H&SI Bid Rejection

STATE OF CALIFORNIA — BUSINESS TRANSPORTATION AND HOUSING AGENCY

EDWARD G. 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) 227-6288

FAX (916) 227-6282

TTY 711

*Flex your power!
Be energy efficient!*

June 13, 2012

Facsimile: (530) 493-2922

Jerry D. Hayes, President
Hayes & Son's, Inc.
P. O. Box 258
Happy Camp, CA 9603901-474414
01-Hum-299-R8.5
B.O. 6/6/12

Dear Mr. Hayes:

Hayes & Son's, Inc. (H&SI) submitted a bid for contract 01-474414 on June 6, 2012. By this letter, the California Department of Transportation (Caltrans) notifies H&SI that its bid is nonresponsive because it failed to properly submit the Subcontractor List.

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." H&SI failed to submit the location for Jensen Drilling Co. and Apply A Line Stripping, as required in column 1.

Based on the above, Caltrans finds your bid is nonresponsive. Caltrans will proceed to award the contract to the lowest responsible bidder provided all requirements are met.

Your attention is directed to Section 3-1.02 of the Amendments to the 2006 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to offer to extend your bid while resolving a nonresponsive finding you must send your request to the Office Engineer no later than 4pm two business days prior to the expiration of your bid.

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

Sincerely,

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

Attachment

Cc: GR Sundberg, Inc.
Fax: (707) 825-6563

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST

Bidder Name: Jerry D Hayes

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 through 4 and submit with the bid. 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
Ava K. Early	37,40,61	1,396,600	Drilled shafts 36" Monitoring wells
Jensen drilling co.	41,42,51	1,156,010 ⁰⁰	Horizontal Drains Directional Drains
Apply-A-line stripping	35,59,60	17,387. ⁵⁰	Stripping, Pavement Markers, Rumble strip

ADA Notice For individuals with sensory disabilities, this document is available in alternate format. For information call (916) 854-6410 or TDD (916) 854-3880 or write Records and Forms Management, 1120 N Street, MS-88, Sacramento, CA 95814.

Contract No. 01-474414

Handwritten signature

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

P. 1

CAL/TRANS CONTR AWARDS Fax 916-227-6282

Jun 13 2012 04:15pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION AND HOUSING AGENCY

RONALD G. BROWN, Jr., Governor

DEPARTMENT OF TRANSPORTATION
 DIVISION OF ENGINEERING SERVICES
 OFFICE ENGINEER, MS 43
 1727 10th STREET
 P. O. BOX 168041
 SACRAMENTO, CA 95816-8041
 PHONE (916) 227-6280
 FAX (916) 227-6282
 TTY 711



*Flax your power!
Be energy efficient!*

June 13, 2012

Facsimile: (530) 493-2922

Jerry D. Hayes, President
 Hayes & Son's, Inc.
 P. O. Box 258
 Happy Camp, CA 96039

01-474414
 01-Hum-299-R8.5
 B.O. 6/6/12

Dear Mr. Hayes:

Hayes & Son's, Inc. (H&SI) submitted a bid for contract 01-474414 on June 6, 2012. By this letter, the California Department of Transportation (Caltrans) notifies H&SI that its bid is nonresponsive because it failed to properly submit the Subcontractor List.

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Based on the above, Caltrans finds your bid is nonresponsive. Caltrans will proceed to award the contract to the lowest responsible bidder provided all requirements are met.

Your attention is directed to Section 3-1.02 of the Amendments to the 2006 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to offer to extend your bid while resolving a nonresponsive finding you must send your request to the Office Engineer no later than 4pm two business days prior to the expiration of your bid.

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

Sincerely,


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

Attachment

Cc: GR Swadberg, Inc.
 Fax: (707) 825-6563

Attachment 8
Contractors State License Board List

Check a License or Home Improvement Salesperson (HIS) Registration... <https://www2.cslb.ca.gov/OnlineServices/CheckLicense/NameSearch...>



DEPARTMENT OF CONSUMER AFFAIRS

Contractors State License Board

Contractor Name Search Results

Select the license number you would like to check for status, or return and enter another name search.

Name Type	Contractor Name	License	City	Status
DBA	APPLY DRITE ROOFING CORPORATION	<u>257785</u>	VAN NUYS	Cancelled
DBA	APPLY DRITE ROOFING INC	<u>611962</u>	VAN NUYS	Expired
DBA	APPLY ELECTRIC	<u>830555</u>	FREMONT	Inactive
DBA	APPLY-A-LINE INC	<u>562762</u>	PACIFIC	Active
Previous	APPOLO CONSTRUCTIO	<u>445847</u>	PLAYA DEL REY	Expired
DBA	APPOLO FIRE PROTECTION	<u>985887</u>	HARBOR CITY	Active
Previous	APPROVED BUILDERS & APPROVED PAINTERS	<u>163781</u>	LOS ANGELES	Expired
DBA	APPRECIATED PROPERTIES	<u>866095</u>	CALABASAS	Inactive
Previous	APPRO DRYWALL	<u>512561</u>	PLEASANT VALLEY	Expired
DBA	APPROACH	<u>458875</u>	NEVADA CITY	Expired
DBA	APPROPRIATE CONNECTIONS INC THE	<u>811527</u>	GILROY	Active
Previous	APPROPRIATE CONNECTIONS THE	<u>681502</u>	GILROY	Inactive
DBA	APPROPRIATE DESIGN	<u>423320</u>	FRESNO	Active
Previous	APPROPRIATE DESIGN	<u>510643</u>	CAMERON PARK	Expired
Previous	APPROPRIATE DESIGNS CONSTRUCTION	<u>438763</u>	FAIRFAX	Inactive
DBA	APPROPRIATE HORTICULTURE ASSOCIATES	<u>785525</u>	LOS GATOS	Suspended
DBA	APPROPRIATE LANDSCAPE TECHNOLOGIES	<u>508767</u>	CHICO	Expired
DBA	APPROPRIATE POWER SYSTEMS	<u>438306</u>	SANTA YNEZ	Cancelled
DBA	APPROPRIATE SHELTER	<u>388800</u>	NOVATO	Expired
DBA	APPROPRIATE TECHNOLOGY	<u>516093</u>	EMERYVILLE	Expired
DBA	APPROVED AIR CONDITIONING & HEATING	<u>671955</u>	LAKE ELSINORE	Expired
DBA	APPROVED AIR CONDITIONING AND HEATING	<u>683807</u>	CHINO HILLS	Active
DBA	APPROVED AIR INC	<u>904506</u>	VISTA	Active
DBA	APPROVED APPLICATORS INC	<u>423999</u>	SAN RAFAEL	Expired
DBA	APPROVED BUILD & INTERIORS	<u>793999</u>	FREEDOM	Expired
DBA	APPROVED BUILDERS & APPROVED PAINTERS	<u>163781</u>	LOS ANGELES	Expired
DBA	APPROVED BUILDERS INC	<u>413015</u>	CHATSWORTH	Expired
DBA	APPROVED BUILDING & REMODELING	<u>684907</u>	LONG BEACH	Expired
Previous	APPROVED CONSTRUCTION CO	<u>712994</u>	VAN NUYS	Expired

Check a License or Home Improvement Salesperson (HIS) Registration... [https://www2.cs\(b\).ca.gov/OnlineServices/CheckLicenseII/NameSearch...](https://www2.cs(b).ca.gov/OnlineServices/CheckLicenseII/NameSearch...)



DEPARTMENT OF CONSUMER AFFAIRS

Contractors State License Board

Contractor Name Search Results

Select the license number you would like to check for status, or return and enter another name search.

Name Type	Contractor Name	License	City	Status
DBA	JENSEN DRILLING COMPANY	<u>340115</u>	EUGENE	Active ←
DBA	JENSEN DRYWALL	<u>342422</u>	GLENDORA	Expired
Previous	JENSEN DRYWALL	<u>664168</u>	NATIONAL CITY	Expired
DBA	JENSEN DRYWALL & STUCCO	<u>664168</u>	NATIONAL CITY	Expired
DBA	JENSEN DRYWALL WORKS	<u>868957</u>	WINTERS	Inactive
DBA	JENSEN DRYWALL WORKS INC	<u>958638</u>	WINTERS	Active
DBA	JENSEN E AND SON	<u>172343</u>	DALY CITY	Cancelled
DBA	JENSEN E E	<u>282884</u>	MONROVIA	Active
DBA	JENSEN E R CORPORATION	<u>288653</u>	AZUSA	Expired
DBA	JENSEN EARL A	<u>153716</u>	GRASS VALLEY	Inactive
DBA	JENSEN EBBE SENECA	<u>614455</u>	WHITTIER	Active
DBA	JENSEN ELIF H	<u>664097</u>	GLENDALE	Expired
Previous	JENSEN ELECTIC	<u>900387</u>	WINCHESTER	Active
Previous	JENSEN ELECTRIC	<u>399474</u>	GLENDALE	Expired
DBA	JENSEN ELECTRIC	<u>524647</u>	GARDEN GROVE	Expired
DBA	JENSEN ELECTRIC	<u>698656</u>	CORTE MADERA	Expired
DBA	JENSEN ELECTRIC	<u>815063</u>	SANTEE	Expired
DBA	JENSEN ELECTRIC	<u>848300</u>	SPARKS	Active
DBA	JENSEN ELECTRIC	<u>900387</u>	WINCHESTER	Active
DBA	JENSEN ELECTRIC	<u>812201</u>	SANTEE	Active
DBA	JENSEN ELECTRIC	<u>961359</u>	LEMON GROVE	Active
DBA	JENSEN ELECTRIC CO	<u>284088</u>	SOLVANG	Expired
DBA	JENSEN ELECTRIC COMPANY	<u>371804</u>	RENO	Expired
DBA	JENSEN ELECTRICAL ENTERPRISES	<u>448106</u>	LONG BEACH	Inactive
DBA	JENSEN ELI RAVN	<u>713148</u>	SANTA ROSA	Inactive
Previous	JENSEN ELVEN R CO	<u>246304</u>	COVINA	Active
Previous	JENSEN ENTERPRISES	<u>658773</u>	EL DORADO HILLS	Active
DBA	JENSEN ENTERPRISES & CO	<u>271966</u>	REDDING	Expired
Name	JENSEN ENTERPRISES INC	<u>830643</u>	SPARKS	Expired

Attachment 9

Rejection of Bid - Contract 07-4T3204

STATE OF CALIFORNIA — BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. 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) 227-6280
FAX (916) 227-6282
TTY 711



*Flex your power!
Be energy efficient!*

June 3, 2011

Facsimile: (800) 750-9094

Guy E. Stockbridge, President
Elite Landscaping, Inc.
2972 Larking Ave
Clovis, CA 93612

07-4T3204
07-LA-605-R1.7/R6.8
B.O. 05/19/11

Dear Mr. Stockbridge:

Elite Landscaping, Inc. submitted a bid on contract 08-0C8204 on May 19, 2011. By this letter, the Department notifies Elite Landscaping, Inc. that its bid is non-responsive because it failed to properly submit the Subcontractor List with their bid.

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." Elite Landscaping, Inc. failed to submit the percent of bid item subcontracted as required in column 3.

Based on the above, the Department finds your bid nonresponsive. The Department will award the contract to the lowest responsible bidder.

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

Sincerely,

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

JOHN MCMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

Attachment

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. 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) 227-6280
FAX (916) 227-6282
TTY 711



*Flex your power!
Be energy efficient!*

June 3, 2011

Facsimile: (323) 581-8155

Dan Patterson, Secretary
STL Landscape, Inc.
8122 Compton Ave.
Los Angeles, CA 90001

07-4T3204
07-LA-605-R1.7/R6.8
B.O. 05/19/11

Dear Mr. Patterson:

STL Landscape, Inc. submitted a bid on contract 07-4T3204 on May 19, 2011. By this letter, the Department notifies STL Landscape, Inc. that its bid is non-responsive because it failed to properly submit the Subcontractor List with their bid.

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." STL Landscape, Inc. failed to submit the percent of bid item subcontracted as required in column 3.

Based on the above, the Department finds your bid nonresponsive. The Department will award the contract to the lowest responsible bidder.

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

Sincerely,

A handwritten signature in black ink that reads "John C. McMillan".

JOHN MCMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

Attachments

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. 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) 227-6280
 FAX (916) 227-6151
 TTY 711



*Flex your power!
 Be energy efficient!*

July 15, 2011

Facsimile: (800) 750-9094

Makana Amer, President
 Y A K A R
 113 E. Arrow Highway
 San Dimas, CA 91773

07-4T3204
 07-LA-605-R1.7/R6.8
 B.O. 05/19/11

Dear Mr. Amer:

The Department received a bid submitted by Y A K A R for Contract No. 07-4T3204 on May 19, 2011. By this letter, the Department notifies Y A K A R that its bid is nonresponsive since Y A K A R did not comply with Contract Special Provision Section 2-1.02, **DISABLED VETERAN BUSINESS ENTERPRISES**, which states in part:

"... Meet the goal shown on the Notice to Bidders."

The DVBE Contract goal is 5 percent. Y A K A R claimed 5 percent participation. However, the Contract Evaluation Unit (CEU) disallowed Corporate Guidance Solutions' DVBE participation. Therefore, Y A K A R achieved zero percent DVBE participation and is nonresponsive.

The Department will award the contract to lowest responsive bidder provided the award requirements are met.

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

Sincerely,

JOHN McMILLAN
 Deputy Division Chief
 Office Engineer
 Division of Engineering Services

Attachment