



May 29, 2015

John C. McMillan, Deputy Division Chief
DEPARTMENT OF TRANSPORTATION
Division of Engineer Services
Office Engineer
FAX (916) 227-6282

RE: Solicitation 04-0J9504 Install Wash Racks.

Dear Mr. McMillan,

Pursuant to your letter dated May 28, 2015 GEMS Environmental Management Services, Inc. (GEMS) is requesting to extend our bid while resolving the nonresponsive finding as stated in your letter.

You are correct that the instructions on Certified Disabled Veterans Enterprise (DVBE) form states "Names of the First Tier DVBE Subcontractors and their item(s) of work listed above must be consistent with the names and items of work in the Subcontractor List (Pub Cont Code 4100 et seq.)"

As confirmed by CalTrans GEMS submitted the Certified DVBE Summary at the time of bid but did not identify a DVBE subcontractor to perform bid item 6. We did not list our DVBE in bid item 6 because our DVBE is NOT A SUBCONTRACTOR. Our DVBE is an **EQUIPMENT AND MATERIALS SUPPLIER** and the specifications does not direct us to list Equipment and Materials Suppliers as a SUBCONTRACTOR.

I request that you reexamine our bid and if warranted accept it as responsive.

Respectfully,

A handwritten signature in black ink, appearing to read "Richard Camacho", is written over a white background.

Richard Camacho
President

Xc: Mulissa Smith, Contract Awards Branch Chief

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