



An Equal Opportunity Employer

20 Happy Valley Road, Pleasanton, CA 94566

(925) 461-1500 ♦ FAX (925) 461-0510

February 8, 2012

Mr. John McMillan
Deputy Division Chief
Division of Engineering Services
Office Engineer, MS43
1727 30th Street
P.O. Box 168041
Sacramento, CA 95816-8041

Reference: Contract No. 04-1E9704
Protest of Peterson/Chase G.E.C.'s Bid

Dear Mr. McMillan:

Please consider this letter to be a formal protest of the bid provided by Peterson/Chase General Engineering Construction, Inc. (Peterson/Chase) for the Caltrans Contract No. 04-1E9704. To comply with the Contract Goal of 3% for utilization of Disabled Veteran Business Enterprises (DVBE), Peterson /Chase listed G&C Equipment Corp. as the supplier of deck treatment methacrylate. G&C Equipment does not perform a commercially useful function and their utilization as a DVBE to meet the goal should not be allowed.

G&C Equipment Corp. is in the practice of marking-up prices from Kwik Bond Polymers and re-selling the material at a higher price. As an example, please review the attached quotes from G&C Equipment, RAP Distributors and Kwik Bond Polymers sent to our office for Caltrans project No. 04-0E9704. They are all sent from the same fax, at the same time, 21:25, and the pages are sequentially numbered p.1, p.2, p.3. The price from Kwik Bond Polymers is \$42.00/gal and the prices from G&C Equipment and RAP Distributors is \$43.26/gal, a 3% mark-up of the price from Kwik Bond Polymers, the original supplier of the material.

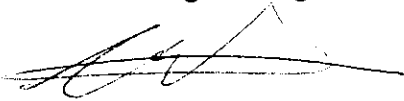
As another example, please review the quotes from Kwik Bond Polymers and G&C Equipment Corp. for Caltrans Contract No. 04-1E3104. The fax number in the heading of the Kwik Bond Polymers proposal, (707) 746-7981, is the same as the fax number at the top of the page on the G&C Equipment Corp. quote. Also, the price quoted by Kwik Bond is \$42.00/gal and the price quoted by G&C Equipment Corp. is \$43.26/gal. The price differential represents a 3% mark-up of the price from Kwik Bond Polymers, the original supplier of the material.

Additionally, please review the quoted provided to our office from Kwik Bond Polymers for the subject project, Caltrans Contract No. 04-1E9704. The price quoted is \$42.00/gal. The price quoted by G&C Equipment Corp., as listed in Peterson/Chase's DVBE listing is \$43.26/gal, which represents a 3% mark-up of Kwik Bond's price. It is clear that the role of G&C Equipment Corp. in this transaction is limited to that of an extra participant. As such, G&C Equipment Corp.'s participation should not be counted toward the DVBE goal.

As a result, the bid of Peterson/Chase should be deemed non-responsive.

Sincerely,

California Engineering Contractors, Inc.



Wahid Tadros
President

Attachments: Quotations from - Kwik Bond Polymers
G&C Equipment Corp.
RAP Distributors



Quotation

923 Teal Drive
 Benicia, CA 94510
 (866) 434-1772
 (707) 746-7981
randy@kwikbondpolymers.com

Quote # 10-852
 Contract # 04-0E9704
 Bid Date 2/2/2011
 Start Date ????
 Terms net 30

Description	Gallons	Unit Price	Total
High Molecular Weight Methacrylate Based Monomer - promoter - accelerator - Initiator price includes Sand	17.0	\$42.00	\$ 714.00
Customer to will call from Benicia, CA			
Sales Tax 8.375%			\$59.80
		Total	\$ 773.80

Note: The quoted price is based on shipping full totes or drums of KBP-204 KBP-103 / KBP Flex monomer with the appropriate catalysts in standard sized container. Store KBP 204 at <80 F. Sales Tax rate subject to change. Freight rates are estimates only and may change. Tech Service Fee - \$450/day plus all travel expenses- air, car, hotel, expenses based on actual cost.

Exclusions: Freight, and Fuel Surcharges - Freight is estimate only and based on single release of material to aide contractor in estimating cost of shipping material. Kwik Bond on behalf of the contractor will attempt to use the lowest cost, highest quality flat bed trucker available. Freight rates are subject to change without notice based on availability & current market prices at time of delivery. Actual freight costs for shipping all material and associated demurrage, back haul, and fuel charges will be back charged to contractor.

Terms: Quotation is subject to Kwik Bond Standard Terms & Conditions.

Prices: Unit Prices are good for shipments through 7-31-2011.

 Randy Slezak - Kwik Bond Polymers

 Contractor Signature



Quotation

Quote # 1-0E9704
 Contract # 04-0E9704
 Bid Date 2/2/2011
 Terms Net 30

PO Box 1329
 Martinez, CA 94553
 925-825-1012 ph
 925-849-6375 fax
 DVBE & SB Supplier # 1106151

Description	Gallons	Unit Price		Total
Monomer - promoter - accelerator - initiator price includes sand	17	\$43.26	\$	735.42
Customer to will call from Benicia, CA				
Sales Tax 8.375%			\$	61.59
Total			\$	797.01

Note: The quoted price is based on shipping full totes of drums of KBP 204 monomer with the appropriate catalysts in standard sized container. Store KBP 204 at <80F. Sales Tax rate subject to change. Freight rates are estimates only and may change.

Exclusions: Freight and Fuel Surcharges - Freight is estimate only and based on single release of material to aide contractor in estimating cost of shipping material. RAP Distributors on behalf of the contractor will attempt to use the lowest cost, highest quality flat bed trucker available. Freight rates are subject to change without notice based on availability & current market prices at time of delivery. Actual freight costs for shipping all material and associated demurrage, back haul, and fuel charges will be back charged to contractor.

Term: Quotation is subject to RAP Distributors Standard Terms & Conditions.

Lead Time: Contractors should allow maximum lead time, but not less than 4-6 weeks prior to delivery date.

Prices: Unit prices are good for shipments through 7-31-2011

Rachel Brownell
rachel@rapdistributors.com
 RAP Distributors

ESTIMATOR



Equipment Corporation
1875 W. Redondo Beach Blvd. Ste. 102
Gardena, CA. 90247
(310) 515-8715
(310) 515-5046

Quotation

Quote # QO-17128
Contract # 04-0E9704
Bid Date 2/2/2011
Start Date ???
Terms net 30

Description	Gallons	Unit Price	Total
HIGH MOLECULAR WEIGHT METHACRYLATE SEALER			
Monomer - promoter - accelerator - initiator price includes Sand	17.0	\$43.26	\$ 735.42
Will Call from Benicia, Ca			
Sales Tax 8.375%			\$61.59
		Total	\$ 797.01

Note: The quoted price is based on shipping full totes or drums of KBP 204 / KBP-103 KBP Flex monomer with the appropriate catalysts in standard sized container . Store KBP 204 at <80 F. Sales Tax rate subject to change. Freight rates are estimates only and may change. Tech Service Fee - \$450/day plus all travel expenses- air, car, hotel, expenses based on actual cost.

Exclusions: Freight, and Fuel Surcharges - Freight is estimate only and based on single release of material to aide contractor in estimating cost of shipping material. G&C Equipment on behalf of the contractor will attempt to use the lowest cost, highest quality flat bed trucker available. Freight rates are subject to change without notice based on availability & current market prices at time of delivery. Actual freight costs for shipping all material and associated demurrage, back haul, and fuel charges will be back charged to contractor.

Terms: Quotation is subject to G&C Equipment Standard Terms & Conditions.

Prices: Unit Prices are good for shipments through 07-31-2011.

 G&C Equipment Corporation

 Contractor Signature

DVBE #5092 / UDBE #820 / DBE #820



923 Teal Drive
 Benicia, CA 94510
 (866) 434-1772
 (707) 746-7981

randv@kwikbondpolymers.com

Quotation

Quote # 10-1401
 Contract # 04-1E3104
 Bid Date 12/7/2011
 Start Date ????
 Terms net 30

Description	Gallons	Unit Price	Total
High Molecular Weight Methacrylate Sealer			
Monomer - promoter - accelerator - Initiator price includes Sand	4,542.0	\$42.00	\$ 190,764.00
Estimated Freight			\$2,200.00
Sales Tax 8.5%			\$16,214.94
		Total	\$ 209,178.94

Note: The quoted price is based on shipping full totes or drums of KBP-204 KBP-103 / KBP Flex monomer with the appropriate catalysts in standard sized container. Store KBP 204 at <80 F. Sales Tax rate subject to change. Freight rates are estimates only and may change. Tech Service Fee - \$450/day plus all travel expenses- air, car, hotel, expenses based on actual cost.

Exclusions: Freight, and Fuel Surcharges - Freight is estimate only and based on single release of material to aide contractor in estimating cost of shipping material. Kwik Bond on behalf of the contractor will attempt to use the lowest cost, highest quality flat bed trucker available. Freight rates are subject to change without notice based on availability & current market prices at time of delivery. Actual freight costs for shipping all material and associated demurrage, back haul, and fuel charges will be back charged to contractor.

Terms: Quotation is subject to Kwik Bond Standard Terms & Conditions.

Prices: Unit Prices are good for shipments through 7-1-2012

 Randy Slezak - Kwik Bond Polymers

 Contractor Signature



ESTIMATOR

Same as Kirk Bonds #

Quotation

Equipment Corporation
 1875 W. Redondo Beach Blvd. Ste. 102
 Gardena, CA. 90247
 (310) 515-6715
 (310) 515-5046

Quote # QO-17867
 Contract # 04-1E3104
 Bid Date 12/7/2011
 Start Date ???
 Terms net 30

Description	Gallons	Unit Price	Total
HIGH MOLECULAR WEIGHT METHACRYLATE SEALER	ITEM 21		
Monomer - promoter - accelerator - initiator	4,542.0	\$43.26	\$ 196,486.92
price includes sand			
Estimated Freight			\$2,200.00
Sales Tax 8.50%			\$16,701.39
		Total	\$ 215,388.31

Note: The quoted price is based on shipping full totes or drums of KBP 204 / KBP-103 KBP Flex monomer with the appropriate catalysts in standard sized container . Store KBP 204 at <80 F. Sales Tax rate subject to change. Freight rates are estimates only and may change. Tech Service Fee - \$450/day plus all travel expenses- air, car, hotel, expenses based on actual cost.

Exclusions: Freight, and Fuel Surcharges - Freight is estimate only and based on single release of material to aide contractor in estimating cost of shipping material. G&C Equipment on behalf of the contractor will attempt to use the lowest cost, highest quality flat bed trucker available. Freight rates are subject to change without notice based on availability & current market prices at time of delivery. Actual freight costs for shipping all material and associated demurrage, back haul, and fuel charges will be back charged to contractor.

Terms: Quotation is subject to G&C Equipment Standard Terms & Conditions.

Prices: Unit Prices are good for shipments through 07-01-2012

 G&C Equipment Corporation

 Contractor Signature



Quotation

923 Teal Drive
 Benicia, CA 94510
 (866) 434-1772
 (707) 746-7981
randy@kwikbondpolymers.com

Quote # 10-1406
 Contract # 04-1E9704
 Bid Date 1/10/2012
 Start Date ????
 Terms net 30

Description	Gallons	Unit Price	Total
High Molecular Weight Methacrylate Sealer			
Monomer - promoter - accelerator - imitator	1,660.0	\$42.00	\$ 69,720.00
price includes Sand			
Estimated Freight			\$1,400.00
Sales Tax 8.00%			\$5,577.60
		Total	\$ 76,697.60

Note: The quoted price is based on shipping full totes or drums of KBP-204 KBP-103 / KBP Flex monomer with the appropriate catalysts in standard sized container. Store KBP 204 at <80 F. Sales Tax rate subject to change. Freight rates are estimates only and may change. Tech Service Fee - \$450/day plus all travel expenses- air, car, hotel, expenses based on actual cost.

Exclusions: Freight, and Fuel Surcharges - Freight is **estimate only** and based on single release of material to aide contractor in estimating cost of shipping material. Kwik Bond on behalf of the contractor will attempt to use the lowest cost, highest quality flat bed trucker available. Freight rates are subject to change without notice based on availability & current market prices at time of delivery. Actual freight costs for shipping all material and associated demurrage, back haul, and fuel charges will be back charged to contractor.

Terms: Quotation is subject to Kwik Bond Standard Terms & Conditions.

Delivery is subject to contractor being current on all obligations owed to Kwik Bond as of the date of requested delivery.

Prices: Unit Prices are good for shipments through 7-1-2012.

Randy Slezak - Kwik Bond Polymers

Contractor Signature



G & C Equipment Corp, Inc. (CA)

1875 West Redondo Beach Blvd.
Suite 102

Gardena, CA 90247

Phone: (310)515-6715 Fax: (310)515-5046

Quote

Project	Date	Estimate #
	1-10-12	QO-17883

Name / Address
Estimator

Ship To
Contract # 04-1E9704

		P.O. No.	Terms	Valid Until	Rep	FOB
			Net 30	2-15-12	JEB	
Qty	U/M	Description		Item Description	Unit Price	Total
1,660	GAL	Monomer		Bid Item # 37	43.26	71,811.60
1	ea	Estimated Freight			1,400.00	1,400.00
		DNBE # 5092				
					Subtotal	\$73,211.60
					Sales Tax (8.0%)	\$5,744.93
					Total	\$78,956.53

Phone #
310 515-6715

Signature _____