



GENERAL ENGINEERING CONTRACTOR
 DVBE/SBE #60085
 Lic. #707211

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

04-21-14

Attn: John McMillan, Deputy Division Chief

Re: Contract 04-1J3104
 Route 4
 Bid Protest

Gentlemen:

Please consider this letter to be a formal protest of the bid submitted by Anvil Builders Inc ("Anvil"), the apparent low bidder in connection with Contract No. 04-1J3104. Western Structures (WS) is currently the apparent second lowest responsive bidder.

DES-OE-0102.1 Section 2.2 Illegible Bid Item

Form DES-OE-0102.1 Bid Line Item 3 Traffic Control System is bid at a Lump Sum price. The hand written price on Line Item 3 of Anvil's bid is illegible. During Caltrans initial review of Anvil's submitted bid, item prices and bid totals, an adjusted sum of \$9,000.00 was added to line item no. 3.

Form DES-OE-0102.1, Section 2.2 states if the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.

Form DES-OE-0102.2 Subcontractor List states Failure to provide complete information in columns 1 through 4 within the time specified will result in a non responsive bid.

There are numerous discrepancies with Anvil's submitted bid documents that bring into question the actual dollar amount that was intended for line item no. 3.

Anvil's Submitted Form DES-OE-0102.2, Subcontractor list, Titan DVBE is listed to perform ninety five percent of bid item no. 3. Either \$9,500.00 as submitted or \$18,050.00 as adjusted, neither are consistent with the bid.

Anvil's Submitted Form DES-OE-0102.5, Certified DVBE Summary, lists Titan DVBE as performing \$10,000.00 of bid item no. 3. Inconsistent with bid documents.

Anvil's Bid Item List is not consistent with the Certified DVBE Summary or the Subcontractor List as required and outlined on the Certified DVBE Summary Form.

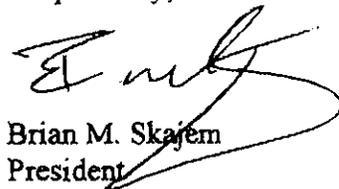
Caltrans adjustment of Anvils item no. 3 to \$19,000.00 equals a total adjusted bid of \$193,899.00.

Anvil's bid total of \$184,898.00 was derived using line item 3 total of \$10,000.00 and accounts for the total of its submitted and unadjusted bid total.

Anvil's bid is nonresponsive. Bid Item no. 3, hand written total is illegible. Under Anvils submitted Subcontractor List, Titan is to perform 95 percent of bid item 3 and per the submitted Certified DVBE Summary, Titan is to perform \$10,000.00 of item 3. Neither of these are consistent with the submitted or adjusted line item no. 3. The discrepancy lies with Anvil's illegibly written bid item no.3 lump sum price. The interpreted and adjusted sum of \$9,000.00 to line item no. 3 if allowed, serves as a bonus to Anvil for submitting a non responsive bid and should not be allowed.

Western Structures respectfully submits the bid of Anvil Builders on the referenced contract be determined nonresponsive and Contract 04-1J3104 be awarded to the next lowest responsive and responsible bidder which is Western Structures.

Respectfully,



Brian M. Skajem
President
West Coast Structures Inc
Dba; Western Structures