

**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF ENGINEERING SERVICES  
OFFICE ENGINEER  
1727 30th STREET, MS-43  
P.O. BOX 168041  
SACRAMENTO, CA 95816-8041  
PHONE (916) 227-6299  
FAX (916) 227-6282  
TTY 711  
www.dot.ca.gov



*Serious drought.  
Help save water!*

December 8, 2015

Facsimile: (415) 457-5820

Robert O. Valentine, President  
Valentine Corporation  
111 Pelican Way  
San Rafael, CA 94901

04-1J3204  
04-Son-116-13.7  
B.O. 10/29/15

Dear Mr. Valentine:

The Department of Transportation (Caltrans) is rescinding its letter, dated November 13, 2015, finding Valentine Corporation (Valentine) bid on contract 04-1J3204 non-responsive because of an inconsistency found in the Subcontractor List and the Disadvantaged Business Enterprise (DBE) Commitment form. Valentine requests that Caltrans reconsider the nonresponsive bid finding.

Caltrans conducted a secondary review of the bid documents and confirmed that on the Subcontractors List form Valentine identified Neary Landscape (Neary) as performing bid items 49-58. However, on the DBE Commitment form, Valentine erred and listed Nitta Erosion Control (Nitta) as performing bid items 15, and 50-58. Nitta was listed in the bid, on the Subcontractors List form as performing bid items 15, 59-65, and the quote from Nitta dated October 29, 2015, lists these same items. Since, Caltrans does not require a quote from the listed subcontractors, Valentine did submit as proof the quote from Neary which clearly indicates that the work being performed is bid items 49-58. Caltrans finds that this is an inadvertent clerical error is immaterial and does not provide an unfair advantage to Valentine. Therefore, this error can be waived by Caltrans.

Based on the above, Caltrans rescinds its original nonresponsive bid finding and will proceed to award this contract to the lowest responsible bidder provided that all requirements have been met.

Sincerely,

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

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

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

P.1  
CAL/TRANS PLANS COUNTER

Dec 8 2015 04:26pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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