



April 13, 2015

04-15-15A11:02 RCVD

Gordon N. Ball Inc. *Via Fax, Email & Overnight Mail*

General Engineering Contractors

Earl Seaberg, Chief, Office of Contract Awards & Services
John McMillan, Deputy Division Chief
Office Engineer – MSC 43

Tel 925.838.5675 California Department of Transportation
1727 30th Street
Fax 925.838.5915 Sacramento, CA 95816-7005

**Subject: BID PROTEST
Contract 04-235624
Bid March 18, 2015**

333 Camille Avenue

Gentlemen:

Alamo, CA 94507

We hereby protest the bid submitted by Ghilotti/Harris JV for the above referenced project. The subject bid listed R.E. Serrano for a bid item number that is not within the range of numbers of the bid items for the project. By listing R.E. Serrano for Bid Item 1391, there is a material discrepancy giving Ghilotti/Harris JV a competitive advantage.

The basis for this protest is supported by the decision of the Department on Contract 03-3M7504 that bid on August 30, 2011. The bidder for that project (Legg, Inc.) was determined non responsive for the same circumstance.

We request that the Department award the contract to the lowest responsible bidder.

GORDON N. BALL, INC.

Hal Stober
President

04-15-15A11:02 RCVD

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!

September 15, 2011

Facsimile: (925) 605-4510

Robert P. Legg, President
Legg, Inc.
2551 2nd Street
Livermore, CA 94550

03-3M7504
03-Sac, Yol-80,275-Var
B.O. 8/30/11

Dear Mr. Legg:

Legg, Inc. submitted a bid on contract 03-3M7504 on September 30, 2011. By this letter, the Department notifies Legg, Inc. that its bid is nonresponsive because it failed to properly submit the Subcontractor List.

Legg, Inc. listed R. E. Serrano to perform 100% of Bid Item 39 described with a description of erect steel and concrete barrier. This contract has 38 Bid Items therefore there is a material discrepancy giving Legg, Inc. a competitive advantage.

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

Sincerely,

JOHN MCMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

Attachment

cc: California Engineering Contractors, Inc.
20 Happy Valley Road
Pleasanton, CA 94565
Fax: (925) 461-0510



April 13, 2015

04-15-15A11:02 RCVD

Gordon N. Ball Inc. *Via Fax, Email & Overnight Mail*

General Engineering Contractors

Earl Seaberg, Chief, Office of Contract Awards & Services
John McMillan, Deputy Division Chief
Office Engineer – MSC 43

Tel 925.838.5675 California Department of Transportation
1727 30th Street
Fax 925.838.5915 Sacramento, CA 95816-7005

Subject: BID PROTEST
Contract 04-235624
Bid March 18, 2015

333 Camille Avenue

Gentlemen:

Alamo, CA 94507

We hereby protest the bid submitted by Ghilotti/Harris JV for the above referenced project. The subject bid listed R.E. Serrano for a bid item number that is not within the range of numbers of the bid items for the project. By listing R.E. Serrano for Bid Item 1391, there is a material discrepancy giving Ghilotti/Harris JV a competitive advantage.

The basis for this protest is supported by the decision of the Department on Contract 03-3M7504 that bid on August 30, 2011. The bidder for that project (Legg, Inc.) was determined non responsive for the same circumstance.

We request that the Department award the contract to the lowest responsible bidder.

GORDON N. BALL, INC.

Hal Stober
President

04-15-15A11:02 RCVD

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) 227-6280
FAX (916) 227-6282
TTY 711



Flex your power!
Be energy efficient!

September 15, 2011

Facsimile: (925) 605-4510

Robert P. Legg, President
Legg, Inc.
2551 2nd Street
Livermore, CA 94550

03-3M7504
03-Sac, Vol-80,275-Var
B.O. 8/30/11

Dear Mr. Legg:

Legg, Inc. submitted a bid on contract 03-3M7504 on September 30, 2011. By this letter, the Department notifies Legg, Inc. that its bid is nonresponsive because it failed to properly submit the Subcontractor List.

Legg, Inc. listed R. E. Serrano to perform 100% of Bid Item 39 described with a description of erect steel and concrete barrier. This contract has 38 Bid Items therefore there is a material discrepancy giving Legg, Inc. a competitive advantage.

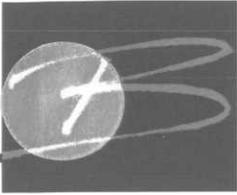
Based on the above, the Department finds your bid is nonresponsive. The Department will award the contract to the lowest responsible bidder.

Sincerely,

JOHN MCMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

Attachment

cc: California Engineering Contractors, Inc.
20 Happy Valley Road
Pleasanton, CA 94565
Fax: (925) 461-0510



April 13, 2015

04-15-15A11:01 RCVD

Gordon N. Ball Inc. *Via Fax, Email & Overnight Mail*

General Engineering Contractors

Earl Seaberg, Chief, Office of Contract Awards & Services
John McMillan, Deputy Division Chief
Office Engineer – MSC 43

Te l 925.838.5675 California Department of Transportation
1727 30th Street
Fa x 925.838.5915 Sacramento, CA 95816-7005

Subject: BID PROTEST
Contract 04-235624
Bid March 18, 2015

333 Camille Avenue

Gentlemen:

Alamo, CA 94507

We hereby protest the bid submitted by Ghilotti/Harris JV for the above referenced project. The subject bid listed R.E. Serrano for a bid item number that is not within the range of numbers of the bid items for the project. By listing R.E. Serrano for Bid Item 1391, there is a material discrepancy giving Ghilotti/Harris JV a competitive advantage.

The basis for this protest is supported by the decision of the Department on Contract 03-3M7504 that bid on August 30, 2011. The bidder for that project (Legg, Inc.) was determined non responsive for the same circumstance.

We request that the Department award the contract to the lowest responsible bidder.

GORDON N. BALL, INC.

Hal Stober
President

04-15-15A11:01 RCVD

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!

September 15, 2011

Facsimile: (925) 605-4510

Robert P. Legg, President
Legg, Inc.
2551 2nd Street
Livermore, CA 94550

03-3M7504
03-Sac, Yol-80,275-Var
B.O. 8/30/11

Dear Mr. Legg:

Legg, Inc. submitted a bid on contract 03-3M7504 on September 30, 2011. By this letter, the Department notifies Legg, Inc. that its bid is nonresponsive because it failed to properly submit the Subcontractor List.

Legg, Inc. listed R. E. Serrano to perform 100% of Bid Item 39 described with a description of erect steel and concrete barrier. This contract has 38 Bid Items therefore there is a material discrepancy giving Legg, Inc. a competitive advantage.

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

Sincerely,

JOHN MCMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

Attachment

cc: California Engineering Contractors, Inc.
20 Happy Valley Road
Pleasanton, CA 94565
Fax: (925) 461-0510