

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



*Serious Drought.
Help save water!*

September 29, 2015

Facsimile: (925) 687-2122

Marlo Manqueros, Vice-President
Bay Cities Paving & Grading Inc.
1450 Civic Court, Building B, Suite #400
Concord, CA 94524

04-297624
04-Ala-84-22.9/25.7
B.O. 6/25/15

Dear Mr. Manqueros:

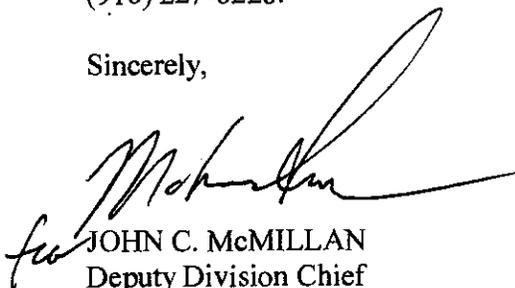
The Department of Transportation (Caltrans) received a letter dated July 14, 2015, from Bay Cities Paving & Grading Inc. (Bay Cities) protesting the bid submitted by DeSilva Gates Construction L.P. (DGC) for Contract 04-297624 on June 15, 2015. The protest alleges that DeSilva did not comply with the Contracts Revised Standard Specifications, Section 2-1.12B (2), *DBE Commitment Submittal*. DGC listed Monroe Construction (Monroe) on its DBE Commitment form, but failed to provide the quote. Furthermore, DGC listed the amount of participation by Monroe as \$765,591.65, however the DBE Confirmation form submitted by Monroe lists \$502,993.72. Lastly, DGC failed to meet the 10 percent contract goal and failed to make an adequate good faith effort to meet the goal.

As the protest relates to Monroe, DGC listed the full amount of participation for Monroe and did not reduce the amount by the 60 percent as required for suppliers. In addition, the Office of Business and Economic Opportunity, Contract Evaluation Branch (CEB) determined that Monroe would not be performing a Commercially Useful Function and furthermore was an extra participant in the transaction and a result, its participation was disallowed. As a result of the disallowance, DGC did not meet the 10 percent contract goal, but was found to have made an adequate good faith effort to do so.

Based on the above, this protest will have no bearing on the award this contract and Caltrans will proceed to award this contract to DGC.

If you have any questions, please contact Mulissa Smith, Contract Awards Branch Chief, at (916) 227-6228.

Sincerely,


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

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

P. 1
CAL/TRANS PLANS COUNTER

Sep 30 2015 11:06am

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
919256872122	Normal	30:11:06am	0'17"	1	# 0 K	

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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