

Dreambuilder

1361 E. Lawson Ln, Placentia, Ca 92870
Ph (714) 646-3697, fax (714) 646-3698

Civil Engineering Construction

Bid Protest Letter

Department of Transportation
Office Engineer MS 43
1727 30th Street, Sacramento, Ca 95816
Ph: 916-227-6280 Fax: 916-227-6282
Attn: Office Engineer

Date: 7/9/2015

Sub: Bid protest for Caltrans Contract # 04-2G4201
Bid open on 6/16/2015 @ 2:00PM in Sacramento
Reference: Caltrans bid proposal for Contract # 04-2G4104

Dear Sir / Madam,

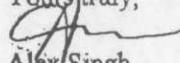
We bid this project and we were 3rd bidder on this project. We are filing formal bid protest as follows:

1. 1st bidder Vanguard Construction failed to submit DBE Confirmation form for all of their listed DBE subcontractor and suppliers,
As per DBE submittal requirement for this contract, if bidder failed to submit signed DBE Confirmation form for their listed Subcontractor and suppliers, their DBE claimed participation will not be counted toward DBE goal.
Due to this Vanguard DBE goal achievement for this contract is zero percent and they are not meeting DBE goal and their bid is non responsive bid.
2. 2nd bidder MBI listed their subcontractor Quimu Construction, Inc for contracts
Item # 22 for Cold Plane Asphalt with work code claimed C4201
 - Item # 26 for Minor Hot Mix Asphalt with Work code claimed C3910. But as per DBE certification for Quimu Construction, Inc, they do not have these work code on or before bid date. As per Caltrans evaluation guidelines;
"DBE' participation will not be counted if the DBE is not certified at the time of bid or if a certified DBE does not possess the correct work codes."
Hence claimed amount for Quimu Construction by MBI for item # 22 & 26 for \$3,450.00 + \$57,000 = \$60,450.00 is not going to be counted toward DBE goal and due to this new goal amount for MBI will be \$111,708.00 - \$60,450.00 = \$51,258.00 & new achieved contract goal will be only 7.2%, which is less than 15% of contract DBE goal. Therefore, MBI bid is non responsive bid for not meeting DBE goal.

Both bidders' bid is non responsive bid and therefore bid should be awarded to Dreambuilder.

Thank you for your consideration.

Yours truly,


Alex Singh
Project Coordinator

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Search Returned 1 Records

Thu Jul 09 20:48:18 PDT 2015

Query Criteria

Firm ID: 33524
Firm Type: DBE

Firm ID	33524
Firm/DBA Name	QUIMU CONTRACTING, INC.
Address Line1	805 PRIDDY DRIVE
Address Line2	
City	DIXON
State	CA
Zip Code1	95620
Zip Code2	
Mailing Address Line1	P.O. BOX 1177
Mailing Address Line2	
Mailing City	DIXON
Mailing State	CA
Mailing Zip Code1	95620
Mailing Zip Code2	1177
Certification Type	DBE
EMail	quimu@sbcglobal.net
Contact Name	MIGUEL QUIROZ
Area Code	(707)
Phone Number	893-0289
Alt Area Code	()
Alt Phone Number	
Fax Area Code	(707)
Fax Phone Number	878-8384
Agency Name	DEPARTMENT OF TRANSPORTATION
Counties	03; 08; 07; 09; 17; 20; 21; 28; 29; 31; 32; 34; 39; 45; 46; 48; 49; 52; 57; 58;
Districts	01; 02; 03; 04; 06; 10;
DBE NAICS	237310; 237990; 238110; 238120; 238910;

ACDBE NAICS

Work Codes

C1801 CLEARING & GRUBBING; C1901 ROADWAY EXCAVATION; C1920 STRUCTURE EXCAVATION;
 C1930 STRUCTURE BACKFILL; C1940 DITCHES EXCAVATION; C2800 CONCRETE BASE; C5000
 PRESTRESSING CONCRETE CAST-IN-PLACE; C5150 CORE CONCRETE - REPAIR BRIDGE DECK; C5501
 STEEL STRUCTURES; C5570 STEEL CRIB WALL; C9980 DEMOLITION;
 A General Engineering Contractor,

Licenses

Trucks

Gender

Ethnicity

Firm Type

M
HISPANIC
DBE

*Quimu Construction Inc
don't have work code C3910*

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& C4201

Second Bidder

19-15A10:41 RCVD

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
DES-DE-0102.100 (REV 12/2014)

CONTRACT NO:
04-2G4104

BID AMOUNT:
\$ 712,043.00

BID OPENING DATE:
June 16, 2015

BIDDER'S NAME:
Midstate Barrier, Inc.

DBE GOAL FROM CONTRACT %:
15%

DBE FIRM CONTRACTOR CERTIFICATION ¹ :	TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE):	TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE):
	3	\$234,723.00

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ¹	WORK CATEGORY CODES ²	NAME OF DBE ³ <small>(Must be certified on this bid and opened include Contract certification no., DBE address, and phone number. Offer 2nd and last for subcontractors)</small>	AMOUNT (\$)
17	Remove Asphalt Dike	C9980	Quimu Contracting, Inc.	\$4,640.00
18	Remove Pipe	C9980	PO Box 1177	\$1,060.00
19	Remove Inlet	C9980	Dixon, CA 95620	\$3,000.00
22	Cold Plane Asphalt	C4201	(707) 693-0289	\$3,450.00
24	Roadway Excavation	C1901	DBE # 33524	\$11,000.00
26	Minor Hot Mix Asphalt	C3910		\$57,000.00
27	Minor Concrete Structure	C5105		\$17,600.00
28	12" CSP	C6650		\$3,900.00
29	3" Plastic Pipe Edge Drain	C6811		\$3,975.00
30	Rock Slope Protection-Method B	C7200		\$2,025.00
31	Rock Slope Protection-Fabric	C7200		\$200.00
33	Misc Iron and Steel	C7500		\$3,858.00

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE showing that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Publ Cont Code # 9100 et seq).

¹Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

²If 100% of an item is not to be performed or furnished by the DBE describe the exact portion of the item to be performed or furnished.

³Use Work Category Codes from the California Unified Certification Program database.

Total Claimed Participation

\$111,708.00 51,258

(15.69) % 7.2%

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal per CFR 26.53.

Correct goal 90%

Signature of Bidder

6.17.2015

209.944.9565

Date

(Area Code) Tel. No.

Person **Stephen V. Gifford**
Vice President
Estimator, Ext. 210

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 466-1233, TTY 711, or visit to Records and Forms Management, 1120 N Street, MS-B9 Sacramento, CA 95814.