

AMERICA PACIFIC CONSTRUCTION

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General Construction Contractor

To,
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

Date- 11/14/2015

Sub: Bid protest for Caltrans project # 04-2G4424 Bid date 11/5/2015

Dear Sir/ Madam,

We bid this project and we were 2nd lowest bidder on this project. We are filing formal bid protest as follows:

Midstate Barrier is 1st lowest bidder on this project at the time of bid

But their bid is non responsive, because inconsistent listing of Subcontractor's work % in between Disadvantaged Business Enterprise (DBE) Commitment Form and Subcontractor List Form.

The instructions on the DBE Commitment Form states that the "Names of First Tier DBE subcontractors and their items of work must be consistent with the Subcontractor List."

1. They listed A C DIKE for item # 24 on subcontractor list 100%, but AC Dike's work got revised & reduced on DBE form only 26.5%
2. They listed KRC Safety Inc. for item # 6 on subcontractor listing 100% but KRC Safety Inc.'s work got revised & reduced on DBE commitment form 65%

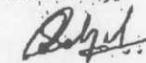
These changes are inconsistent between DBE form & Subcontractor listings as well as changing in subcontractor listing, these changes done by Midstate Barrier Inc. and this action qualify to declare their bid non responsive as per special provision.

Therefore, America Pacific Construction request to declare Midstate Barrier, Inc.'s bid non responsive and award contract America Pacific Construction.

If you have any question regarding this matter please contact us on 559-577-9999.

Thanking you.

Yours truly,



Ashish Sehgal
President