

Dreambuilder

1361 E. Lawson Ln, Placentia, Ca 92870
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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: 11/12/2014

Sub: Bid protest for Caltrans Contract # 04-2G8704
Bid open on 11/5/2014 @ 2:00PM in Irvine
Reference: Caltrans bid proposal for Contract # 04-2G8704

Dear Sir / Madam,

We bid this project and we were 2nd bidder on this project.

After reviewing bid submitted by Valentine Corporation for this project and posted on line, we have following bid protest:

The DBE Commitment form states in part, "...names of the First Tier DBE Subcontractors and their respective item(s) of work listed above must be consistent, where applicable, with the names and items of work in the 'Subcontractor List' submitted with your bid."

1. Valentine Corporation listed PC & N on subcontractor list to perform item # 28 & 29, On Subcontractor List, since PC & N got listed 100% for item # 28 & 29 and total bid amount these item from is only - \$88+\$8820 =\$8,900, but they claimed on DBE for \$21,912, which is more than listed amount and inconsistent with subcontractor List.
2. Amount claimed for meeting DBE goal \$21,912 as per PC & N quote that includes item # 31 & 32 and these items are not listed at the time of bid (Please see attached quote) looks like they added item # 31 & 32 after bid.
3. On Subcontractor list, Nitta got listed for item # 7, 20, 21, 22 and 23 for 100%, but on DBE commitment Form Valentine Corporation providing work for item # 7, 21 and 23, they deleted subcontracted work for item # 20 and 22, which is inconsistent with DBE Commitment Form and Subcontractor List.

Therefore, Since Valentine Subcontractor list is not consistent with DBE commitment form, their bid is non responsive bid.

Thank you for your consideration.

Sincerely,



Alex Singh
Project Coordinator.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
CALTRANS BIDDER - DBE - COMMITMENT
DES-OE-0102.10C (NEW 08/2012)

11-10-14A11:55 RCVD

Low Bidder

This information may be submitted with your bid proposal. If it is not, and you are the apparent low bidder or the second or third low bidder, it must be submitted and received as specified in section 2 of the specifications. Failure to submit the required DBE information will be grounds for finding the bid nonresponsive.

CONTRACT NO:

04-2G8704

BID AMOUNT:

\$ 298,368

BID OPENING DATE:

11/5/14

BIDDER'S NAME:

Valentine Corporation

DBE GDAL FROM CONTRACT, %:

8%

DBE PRIME CONTRACTOR CERTIFICATION:

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	FOR CALTRANS USE ONLY	NAME OF DBE ^a (Must be certified on the date bids are opened - include Caltrans certification #, DBE address and phone number) (Indicate 2nd and lower tier subcontractors)	DOLLAR AMOUNT DBE ^b
28,29	MBGR & Railing		PC & N #39218 5301 Byron Hot Springs Rd Byron, CA	\$21,912
7, 21,23	Hydro seed & Mulch		Nitta #217 3778 Del Mar Ave Loomis CA	\$4587

IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Names of the First Tier DBE Subcontractors and their respective item(s) of work listed above must be consistent, where applicable, with the names and items of work in the "Subcontractor List" submitted with your bid. Copies of the DBE quotes are required.

Total Claimed Participation

\$26499

8%

%

1. DBE prime contractors must enter their certification number and indicate all work to be performed by DBEs including work performed by its own forces.
2. If 100% of item is not to be performed or furnished by DBE, describe exact portion of item to be performed or furnished.
3. See section 2-1.12 of the specifications to determine the credit allowed for DBE firms.

Robert O. Valentine
Signature of Bidder: Robert O Valentine JR

11/7/14
Date

415-458-3732
(Area Code) Tel. No.

Robert O Valentine Jr

Person to Contact

(Please Type or Print)

Submit to:

MSC 43
OFFICE ENGINEER
DEPARTMENT OF TRANSPORTATION
1727 30TH STREET
SACRAMENTO, CA 95816-7005



Nitta Erosion Control

a division of Nitta, Inc.

- HYDROSEEDING
- EROSION CONTROL
- STRAW MULCHING
- PNEUMATIC MULCH SPREADING
- BONDED FIBER MATRIX
- BILT FENCE
- DRILL SEEDING
- FIBER ROLLS / WATTLES
- BLANKETS

STATE LICENSE #401640 • C-27, C-61/D-59

3778 DEL MAR AVENUE • LOOMIS, CA 95650-9051 • PH (916) 652-7459 • FAX (916) 652-4376

nittaec@gmail.com • www.nittainc.net

Bid - Proposal

November 4, 2014

To All General Contractors Requesting Sub-Bids.

Re: Caltrans Project 04-Mm-1-R1.4, Caltrans Contract No. 04-2G8704, Construct soil nail wall, additional shoulder, and guardrail in Marin County in Mill Valley at 0.1 mile east of Maple Street.
Bid Date: November 5, 2014 (2:00 p.m.).

Certified as DBE #217 (exp. 12/01/15), as WMBE VON #10120139 (exp. 12/28/16) per CPUC Supplier Clearinghouse, and as SBE (Micro) #0011303 (exp. 05/31/16). CCL #401640 C-27, C-61/D-59 (exp. 03/31/15). State of California Department of Industrial Relations Registration No. 1000000478 (exp. 06/30/15). Quotation is valid for (60) calendar days from bid date and unless quantities, scope of work and/or date of installation change(s). Nitta, Inc. dba Nitta Erosion Control is full signatory member of Local 185 of the Laborers' Union. Most current Laborers' Trust Fund Employer's Contribution Letter is available upon request to verify union membership status.

<u>Item No.</u>	<u>Item</u>	<u>Unit of Measure</u>	<u>Estimated Quantity</u>	<u>Item Price</u>	<u>Total</u>
7	Temporary Hydraulic Mulch (Bonded Fiber Matrix)	SQYD	150	\$ 9.70	\$ 1,455.00
20	Rolled Erosion Control Product (Netting)	SQFT	450	\$ 0.55	\$ 247.50
21	Hydromulch	SQFT	450	\$ 0.16	\$ 72.00
22	Fiber Rolls	LF	150	\$10.50	\$ 1,575.00
23	Hydroseed	SQFT	450	\$ 2.75	\$ 1,237.50
Totals					\$ 4,587.00

BID ITEMS MAY NOT BE SEPARATED (EXCEPT FOR #7).

- Notes: 1) Total price includes submittals, certified payrolls, standard certificates of insurance, waiver of subrogation (if required), materials, labor, equipment (air pollution control (CARE PERP-compliant)), taxes on materials, incidentals and installation as per specifications (unless as otherwise noted).

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 04-2G8704 Project ID: 0400021257

Bidder Name:Valentine Corporation

Bidder ID:VC0000017929

List this sub? Yes

2) Business NameNitta

Location CityLoomis StateCA

California Contractor License Number (a) 401640

Description of Portion of Work

Erosion Control

Bid Item Numbers

7,

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

20-23

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes

3) Business NameCamblin Steel

Location CityRocklin StateCA

California Contractor License Number (a) 218839

Description of Portion of Work

Rebar

Bid Item Numbers

26

Percentage of Bid Item Subcontracted

90

Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 04-2G8704 Project ID: 0400021257

Bidder Name:Valentine Corporation

Bidder ID:VC0000017929

SUBCONTRACTOR LIST

DES-OE-0102.2B(REV 5/2014)

Bidding Firm: Valentine Corporation

Under Public Contract Code § 4100 et seq., the Bidder must set forth in the bid the name, the location of the place of business, the California contractor license number, and the portion of work of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater.

The Bidder must submit within 24 hours of the bid opening the bid item numbers with percentages of the portion of work subcontracted.

a Not required on contracts with Federal-Aid.

List this sub? Yes

1) Business Name PC & N
Location City Byron State CA
California Contractor License Number (a) 529261
Description of Portion of Work

MBGR & Railing

Bid Item Numbers

28,29

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted