

# Dreambuilder

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

Civil Engineering Construction

## Bid Protest Letter # 1

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

Date: 2/3/2014

**Sub: Bid protest for Caltrans Contract # 04-3G7404**

**Bid open on 1/28/2014 @ 2:00PM in Sacramento, Ca**

**Reference: Caltrans bid proposal for Contract # 04-3G7404**

Dear Sir / Madam,

We bid this project and we were 2<sup>nd</sup> bidder on this project.

After reviewing bid document submitted by Drill Tech Drilling and Shoring Inc. for this project and posted on line, we have following bid protest regarding DBE Commitments and not meeting

A. DBE goal for this contract by Drill Tech Drilling and Shoring Inc:

1. This project has DBE goal 8% & Drill Tech Drilling and Shoring Inc listed their subcontractor SJD Construction Inc for \$100,300 for performing structural concrete for contract item # 30 to meet DBE goal for this project.
2. But as per DBE certification for SJD Construction Inc ( Certification # 7799) only following ACDBE NAICS Work codes are allocated to perform and to get credit for DBE goal:

a. C1200, C1201, C1601, C1901, C1920, C1930, C1940, C5501 AND C5570

None of these allocated work codes matches with performing structural concrete work therefore claimed amount \$100,000 by Drill Tech Drilling & Shoring Inc to meet DBE goal for SJD Construction, Inc should be considered as \$0.00.

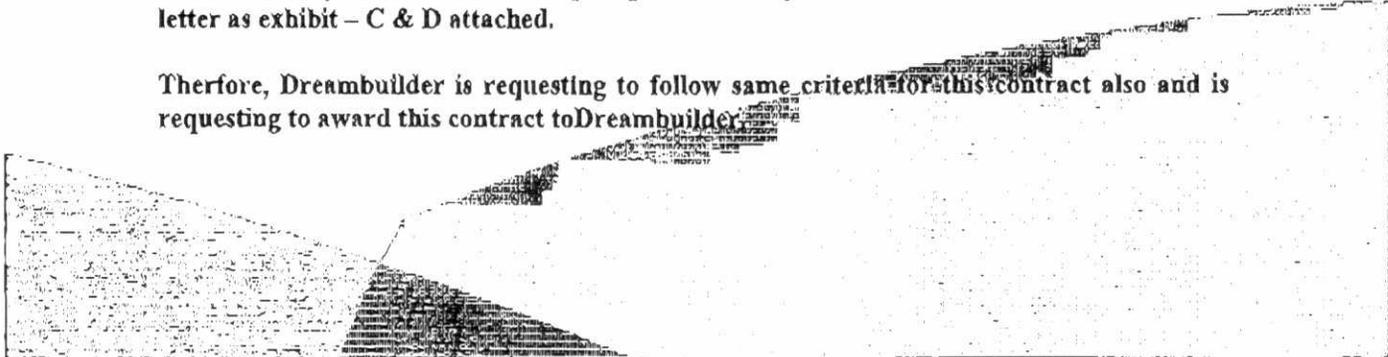
3. After consideration of \$0.00 participation by SJD Construction Inc., Drill Tech Drilling & Shoring Inc goal amount will be only \$20,987.80, which is 1.78% and Drill Tech is not meeting DBE goal for this contract and their bid should be considered as Non responsive bid.

For Caltrans Contract # 04-0G1304 bid on 9/11/2012,

On Same ground, DBE Contract Evaluation Unit reduced Dreambuilder's DBE participation claimed by Dreambuilder.

Originally at the time of bid, Dreambuilder claimed 66.6% for DBE goal ( for listed and non listed work codes on our DBE certification # 38712) but due to not meeting work codes for concrete and others items, Contrans DBE evaluation unit disallowed all non-listed work codes and they reduced our DBE participation to only 30.40%. Please see Caltrans award letter as exhibit - C & D attached.

Therefore, Dreambuilder is requesting to follow same criteria for this contract also and is requesting to award this contract to Dreambuilder.



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B. Dreambuilder is also requesting to consider our protest for Bid item # 32, Drill Tech & Drilling Inc. bid this item as 88LF @ \$5194.00/ LF = \$457,072.00 , which is approximately more than 60% lower than other bidders on this project. Which is unbalance bid.

As per special provision this item need to be perform by Pipe Ramming method, Dreambuilder submitted their bid according to special provision and will perform accordingly and looks like others bidder than Drill Tech did follow same.

Due to big price difference for this item, looks like Drill Tech has adopted different method of pipe installation than required special provision provision Pipe Ramming method and later they will submit cost reduction provision after awarding contract.

Also there was no addendum issued for changing Pipe Ramming method to any other method of installing 108" steel casing.

If this is the case, it will be unfair to others bidder for this project, since we have submitted our bid as per special provision requirements.

Thank you for your consideration.

Sincerely,



Alex Singh  
Project Coordinator.



Exhibit - A

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
CALTRANS BIDDER - DBE - COMMITMENT  
DES-02-0102.10C (NEW 06/2012)

01-31-14 12:50 111

The information may be submitted with your bid proposal. If it is not, and you are the separate bidder of the second (two) bidder, must be submitted and received as specified in section 2 of the specifications. Failure to submit the required DBE information will be grounds for rejecting the bid proposal.

Low Bidder

CONTRACT NO: 04-3G7404

BID AMOUNT: \$ 1,180,771

BID OPENING DATE: 1/28/14

BIDDER'S NAME: Drill Tech Drilling & Shoring Inc.

DBE GOAL FROM CONTRACT, %: 8%

DBE PRIME CONTRACTOR CERTIFICATION: N.A.

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED	FOR CALTRANS USE ONLY	NAME OF DBE (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
30	Structural Concrete Build Headwall/Wingwalls		SJD Construction, P.O. Box 12320, Oakland, CA 95361 209 847 8939 Cert: 7229	100,300
13, 20, 25, 26, 27, 28, 29	Temp. Mulch, ESA Fence, Duff, Rolled Erosion Control, Hydromulch, Fiber Rolls, Hydrosced		Nitta Erosion Control 3778 Del Mar Ave. Loomis, CA 95650 916 652 7459 Cert: 217	20,987.80
				20,987.80

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.

1. DBE prime contractors must enter their certification number and indicate all work to be performed by DBE 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.

Total Claimed Participation

\$ 121,287.80

10.27% 1.78%

*[Signature]*  
Signature of Bidder

1/29/14  
Date

925 978 2060  
(Area Code) Tel. No.

Tony Lynn  
Person to Contact (Please Type or Print)

Submit to:

M50 43  
OFFICE ENGINEER  
DEPARTMENT OF TRANSPORTATION  
1727 30TH STREET  
SACRAMENTO, CA 95816-7006

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Exhibit - B

**Search Returned 1 Records**

Sat Feb 01 20:16:52 PST 2014

**Query Criteria**

Firm/DBA Name: SJD CONSTRUCTION

Firm Type: DBE

Firm ID	7799
Firm/DBA Name	SJD CONSTRUCTION INC.
Address Line1	775 WAKEFIELD CT, STE B
Address Line2	
City	OAKDALE
State	CA
Zip Code1	95381
Zip Code2	1042
Mailing Address Line1	P.O.BOX 12320
Mailing Address Line2	
Mailing City	OAKDALE
Mailing State	CA
Mailing Zip Code1	95361
Mailing Zip Code2	1042
Certification Type	DBE
EMail	sjdlnc@att.net
Contact Name	SANDRA CUNNINGHAM
Area Code	( 209 )
Phone Number	847-8939
Fax Area Code	( 209 )
Fax Phone Number	847-0169
Agency Name	DEPARTMENT OF TRANSPORTATION
Counties	03; 04; 05; 06; 07; 09; 10; 20; 22; 24; 27; 28; 31; 34; 38; 39; 41; 48; 49; 50; 54; 55; 57; 58;
Districts	03; 04; 05; 06; 10;
DBE NAICS	237310; 238110; 238990;

**ACDBE NAICS**

Work Codes	C1200 CONSTRUCTION AREA SIGNS; C1201 TRAFFIC CONTROL SYSTEM; C1601 CLEARING & GRUBBING; C1901 ROADWAY EXCAVATION; C1920 STRUCTURE EXCAVATION; C1930 STRUCTURE BACKFILL; C1940 DITCHES EXCAVATION; C5501 STEEL STRUCTURES; C5570 STEEL CRIB WALL; A General Engineering Contractor;
Licenses	
Trucks	
Gender	F
Ethnicity	CAUCASIAN
Firm Type	DBE

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Feb. 4. 2014 12:51PM

Received

Feb 4 2014 12:55pm

No. 4754 P. 5/7

STATE OF CALIFORNIA

BUSINESS, TRANSPORTATION AND HOUSING AGENCY

JERRY BROWN, Governor

DEPARTMENT OF TRANSPORTATION  
DIVISION OF ENGINEERING SERVICES  
OFFICE ENGINEER, MS 43  
1727 30th STREET  
SACRAMENTO, CA 95816  
P.O. BOX 168041  
SACRAMENTO, CA 95816-8041  
PHONE (916) 227-6300  
FAX (916) 227-6151

Exhibit - C



04-0G1304  
04-SCI-82-20.9  
ACHSSTP-P082(022)E

DREAMBUILDER  
1324 E. LAWSON LANE  
PLACENTIA CA

92870

B.O. 9/11/12

Dear Contractor:

Your bid proposal for the above noted contract in the amount of \$590,061.00 was found to be acceptable and the contract has been awarded to you as indicated below by the Director of Transportation.

The description of the work and location are as follows:

Install signal and lighting, upgrade curb ramps. IN SANTA CLARA COUNTY IN MOUNTAIN VIEW AT CLARK AVENUE

A(n) 15 percent DBE goal was set for this project. Your firm was certified to achieve 30.4 percent DBE Participation.

If you have received this document by facsimile transmittal, the original document will be arriving in the mail along with forms and instructions to execute this contract. Please follow the instructions carefully. If you have questions relative to the execution of the contract, you may call our Contract Awards Section at (916) 227-6288.

A copy of the Engineer's Estimate (bid item) page(s), and Listing of Subcontractor page(s) from your proposal are attached, for your records.

Attachment(s)

Sincerely,

JOHN C. MCMILLAN  
Deputy Division Chief  
Office Engineer

By: Rebecca B. Annagel

Date: November 16 2012

*Dreambuilder  
Requested 66.3%  
DBE Goal, but  
Caltrans reduced  
30.4%  
due to not making  
work code*

Exhibit - D

2nd (In Bid Book)

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
CALTRANS BIDDER - DBE - COMMITMENT  
DBE-05-01(02.10B) (NEW 06/2012)

# Second 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 Special Provisions. Failure to submit the required DBE information will be grounds for finding the proposal nonresponsive.

CONTRACT NO: 04-0G1304

BID AMOUNT: \$ 590,061.00

BID OPENING DATE: 9-11-12

BIDDER'S NAME: Dreambuilder

DBE GOAL FROM CONTRACT, %: 15%

DBE PRIME CONTRACTOR CERTIFICATION#: 38712

CONTRACT ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED*	FOR CALTRANS USE ONLY	NAME OF DBE (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 <sup>2</sup>
<u>1 to 13, 14 (partial)</u>	<u>Item work as</u>		<u>Dreambuilder</u>	<u>392,775.00</u>
<u>15, 16, 17, 23, 22 (partial)</u>	<u>Per contract item</u>		<u>1324 E Lawson Ln Placenta, CA 95870 Ph-714-646-3697 Cert # 38712</u>	

IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Names of the first tier DBE subcontractors and their respective items(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: \$ 392,775.00  
66.5%

- DBE prime contractors must enter their certification number and indicate all work to be performed by DBEs including work performed by its own forces.
- If 100% of item is not to be performed or finished by DBE, describe exact portion of item to be performed or furnished.
- See Section titled "Disadvantaged Business Enterprises" in Section 2 "Bidding" of the special provisions to determine the credit allowed for DBE firms.

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

Anurag Singh  
Signature of Bidder

9-10-12 714-646-3697  
Date (Area Code) Tel. No.

ANURAG SINGH  
Person to Contact (Please Type or Print)

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1/10/12

Unified Certification Program

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**Search Returned 1 Records**

Mon Sep 10 08:24:21 PDT 2012

**Query Criteria**

Firm/DBA Name: Dreambuilder

Firm Type: DBE

Firm ID	38712
Firm/DBA Name	DREAMBUILDER
Address Line1	1324 E LAWSON LN.
Address Line2	
City	PLACENTIA
State	CA
Zip Code1	92870
Zip Code2	
Mailing Address Line1	
Mailing Address Line2	
Mailing City	
Mailing State	
Mailing Zip Code1	
Mailing Zip Code2	
Certification Type	DBE
EMail	dreambuilder.construction@gmail.com
Contact Name	ANURAG SINGH
Area Code	(714)
Phone Number	648-3697
Fax Area Code	(714)
Fax Phone Number	648-3698
Agency Name	DEPARTMENT OF TRANSPORTATION
Counties	01; 02; 03; 04; 05; 06; 07; 08; 09; 10; 11; 12; 13; 14; 15; 16; 17; 18; 19; 20; 21; 22; 23; 24; 25; 26; 27; 28; 29; 30; 31; 32; 33; 34; 35; 36; 37; 38; 39; 40; 41; 42; 43; 44; 45; 46; 47; 48; 49; 50; 51; 52; 53; 54; 55; 56; 57; 58;
Districts	01; 02; 03; 04; 05; 06; 07; 08; 09; 10; 11; 12;
DBE NAICS	237310;
ACDBE NAICS	
Work Codes	C3901 ASPHALT CONCRETE;
Licenses	A General Engineering Contractor;
Trucks	
Gender	M
Ethnicity	ASIAN SUBCONTINENT
Firm Type	DBE

C3901 ASPHALT CONCRETE;  
A General Engineering Contractor;

*At the time of bid we had work code only C3901, Evaluation Unit disallowed all other items claimed*

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