

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

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www.dot.ca.gov

*Serious drought.
Help save water!*

November 5, 2015

Facsimile: (925) 682-6122

Bret Taber, President
Taber Construction, Inc.
P.O. Box 1309
Martinez, CA 94553

04-4A4804
04-Ala-260-RO.8R2.0
B.O. 7/30/2015

Dear Mr. Taber:

The Department of Transportation (Caltrans) received a letter dated August 14, 2015, from Taber Construction, Inc. (Taber) protesting the bid submitted by Gordon N. Ball, Inc. (Gordon Ball) for Contract 04-4A4804 on July 30, 2015. The protest alleges that Gordon Ball lacked the required qualifications to perform the work required under Section 1.7, Quality Assurance, A, Historic Treatment Specialist, and in addition failed to make a good faith effort (GFE) and did not make work available to Disadvantage Business Enterprises (DBE) firms.

While Caltrans acknowledges that it received the bid protest, through an inadvertent error did not provide a response to Taber's allegations that Gordon Ball lacks the required qualifications to perform work involving historic treatment. The "Notice to Bidders and Special Provisions", states the Contractor must have either a Class A license or one of the following Class C licenses: C-10, C-29. Caltrans confirmed that Gordon Ball has an active "Class A" license and meets the licensing requirement of this contract.

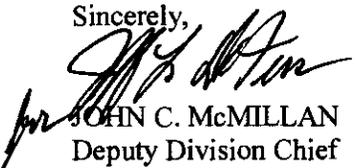
The Office of Business and Economic Opportunity evaluates and reviews all DBE submittals and determined that Gordon Ball did not meet the goal and did not make a good faith effort to meet the goal. However, in accordance with Code of Federal Regulation 49, Gordon Ball was offered administrative reconsideration to address those findings. The Reconsideration Committee made a decision that Gordon Ball did make a good faith effort to meet the goal for this contract.

Based on the above, Caltrans awarded the contract to the lowest responsible bidder as all the requirements were met. Gordon Ball's satisfactory performance of the work required by this contract is a contract administration issue, not an award issue.

The Resident Engineer will receive a copy of this letter for Contract Administration Compliance.

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

Nov 5 2015 03:50pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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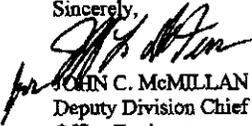
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