

50 Marguerite Dr.
Hollister, CA. 95023
Cell # 831-902-7471
e-mail: billm@sbcglobal.net
Small Business Lic. # 1374760
Calif. State Contractor Lic. # 851190
Sellers Id # SR GHC 102-220008

BRM CONSTRUCTION

May 25, 2016

Department of Transportation
Division of Engineering Services
Office Engineer
1727 30th Street MS-43
P.O. Box 168041
Sacramento, CA 95816-8041

Attention: Jill Sewell

Dear Ms. Sewell,

Re: Caltrans Project # 04-4J6304
Bid Protest Response to CE Green Protest letter Dated 05/20/2016

Dear Ms. Sewell,

BRM respectfully submits the attached letter and Sample Invoice as backup to our response to this protest.

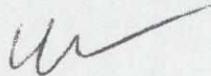
BRM has worked with First Vanguard previously on multiple Caltrans Projects. First Vanguard is a reputable DVBE supplier that has helped us immensely in estimating, sourcing, stocking, and delivering materials and rental equipment on our projects.

Their letter substantially refutes the claim by CE Green that First Vanguard is only a "Pass Through" supplier.

Based on the information in First Vanguard's Letter we request that Caltrans find BRM's proposal as a responsive and award Project # 04-4J6504 to BRM.

Sincerely Yours,

William Opp
Contract Administrator



Attachments:
First Vanguard Response Letter
Sample Invoice of Roofing and Metal Products Sold to the State of California



First Vanguard Rentals & Sales Inc.

Phone#: (707) 673-2165 Email: estimating@1stvg.com

Fax#: (707) 673-2789 www.1stvg.com

408 Union Ave. Suite A.

Fairfield, CA 94533

DVBE/SBE: #1769627 SDVOSB Certified

RE: 04-4J6304

The bid protest mentions First Vanguard Rentals & Sales Inc. does not possess the proper classifications to sell roofing and siding materials. State of California certifications use UNSPSC codes to categorize suppliers. Our firm has appropriate UNSPSC codes for our type of business, according to our certification officer.

First Vanguard Rentals & Sales Inc. is not a "pass through". We have a 2 story office, a warehouse filled with material, and a yard for our equipment. We are on a NET30 accrual accounting system, with multiple vendors.

The California Military and Veterans Code, Section 999(b)(5) states that a DVBE is deemed to perform a "commercially useful function" if it does all of the following:

- Is responsible for the execution of a distinct element of the work of the contract.

We source products from vendors daily. We fulfill our commercial useful function by finding a reliable vendor to work with (if we do not already have an existing account with that company), opening an account with them (which often involves signing personal guarantees and money upfront from us)

- Carries out the obligation by actually performing, managing, or supervising the work involved.

We did a takeoff on the plans with my estimating staff, requested pricing from our vendors and getting our customers the best price we can. We then formulate a quote, buy the material and deliver the material if we get the work.

We also must manage the order after delivery, we have to ensure the product is correct, delivered on time, communicate any changes on schedule or ETA's and receive and bill on time. If there are problems, it is our job to ensure the customer is taken care of and we have to work with the manufacturer or factory to resolve an issue. Additionally, much of the material we sell is stored here in our warehouse

- Performs work that is normal for its business services and function.

This is what we do every day. We are a material supplier and rental company. We pride ourselves on our ability to find the hard to find items to the mundane



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everyday items. In fact, we recently quoted the DGS directly on two separate roofing supply opportunities. (Please see attached)

- Is not further subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices.

We are not subcontracting a portion of the work that is greater than that expected to be subcontracted by normal industry practices

Sincerely,

Robert Merwin

President, First Vanguard Rentals & Sales Inc.

408 Union Ave. Suite A Fairfield, CA



First Vanguard Rentals & Sales Inc.

**408 Union Ave
Suite A
Fairfield, CA 94533**

DVBE/SBE #1769627

Estimate

Date	Estimate #
3/15/2016	2510

Name / Address
RES-Construction Services Branch OFS, Program Support Accounting Section 707 3rd Steet, 9th Floor MS 413 West Sacramento, CA 95605

Ship To
DCU 1421 N Market Blvd Sacramento CA 98534

Description	Terms	Expires	Rep	Project
	Qty	U/M	Rate	Total
	Net 45	4/29/2016	LR	
GAF EVERGUARD TPO UN-55 DETAIL MEMB 24"X50' WHT	1	ea	317.80	317.80T
TRI-BUILT RX REPAIR TAPE 6"X50' WHITE	10	ea	79.50	795.00T
CHEMLINK F1212 SEALANT 10.1OZ CLEAR	48	ea	7.50	360.00T
Freight / Delivery			50.00	50.00

Thank You for the chance at quoting your business! Signature _____	Subtotal	\$1,522.80
	Sales Tax (8.5%)	\$125.19
	Total	\$1,647.99

Phone #	Fax #	E-mail	Web Site
707-673-2165	707-673-2789	admin@1stvg.com	www.1stvg.com



First Vanguard Rentals & Sales Inc.

**408 Union Ave
Suite A
Fairfield, CA 94533**

DVBE/SBE #1769627

Estimate

Date	Estimate #
2/11/2016	2443

Name / Address
RES-Construction Services Branch OFS, Program Support Accounting Section 707 3rd Steet, 9th Floor MS 413 West Sacramento, CA 95605

Ship To
Matt Piona matt.piona@dgs.ca.gov ADD AND INVITE 9164379054 m 9165678023 O

Description	Qty	U/M	Rate	Total	Terms	Expires	Rep	Project
					Net 45	3/27/2016	LR	
6" Track 20GA 10' Slotted-Slip - per ea	4	ea	16.18	64.72T				
3-5/8" Track 20GA 10' Slotted-Slip - per ea	6	ea	15.19	91.14T				
3-5/8" Track 20GA 10' 1-1/4 Leg - per ea	10	ea	6.47	64.70T				
6" Stud 20GA 14' 1-1/4 FLG - per ea	30	ea	12.74	382.20T				
3-5/8" Stud 20GA 10' 1-1/4 FLG - per ea	60	ea	6.54	392.40T				
DW 5/8" FC Type X 4'x8' - per piece	30	ea	11.28	338.40T				
6" Flat Strap 16GA 10' - per ea	6	ea	18.37	110.22T				
L Angle - 1-1/2" x 1-1/2" - 20GA 10' - per ea	20	ea	6.59	131.80T				
PT 10 x 3/4 Zinc PH MOD Truss S/D 5M - per box	1	ea	76.85	76.85T				
PT 6 X 1-1/4" Blk PHOS PH BGL HD S/D 8M - per box	1	ea	95.54	95.54T				
WP HMLT 18200 Blue DOT Taping Compound - per ea	1	ea	11.60	11.60T				
WP HMLT 18200 Green DOT Topping (Tinted) - per ea	1	ea	11.60	11.60T				
Wallboard Tape Red Label 500' - per roll	1	ea	4.96	4.96T				
WP HMLT 22166 LT WGHT SMTH/FASTSET 40Min - per bag	1	ea	10.13	10.13T				
Freight / Delivery - from the greater south bay (San Jose) as far north as Auburn. (PER TRUCK) Areas outside of this range please ask for delivery cost.			85.00	85.00				
Final quantities and Total will be on as needed basis								

Thank You for the chance at quoting your business! Signature _____	Subtotal	\$1,871.26
	Sales Tax (0.0%)	\$0.00
	Total	\$1,871.26

Phone #	Fax #	E-mail	Web Site
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