

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

1727 30<sup>th</sup> STREET, MS-43

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

www.dot.ca.gov/hq/esc/oe

*Serious drought.  
Help save water!!*

November 5, 2014

Facsimile: (925) 838-5915

Hal Stober, President  
Gordon N. Ball, Inc.  
333 Camille Avenue  
Alamo, CA 94507

04-4S0504  
04-SCI-09-4.2  
B.O 10/8/2014

Dear Mr. Stober:

The Department of Transportation (Caltrans) received a letter dated October 31, 2014, from Gordon N. Ball, Inc. (Gordon Ball) for Contract No. 04-4S0504 on October 8, 2014. The protest alleges that the bid submittal by Gordon Ball was not recognized by the Bidder's Exchange website and should reject all bids and re-bid the project.

Caltrans reviewed the Notice to Bidders and Special Provision for the project 04-4S0504.

Notice to Bidders:

*The Department will receive bids until 2:00 p.m. on the bid open date via Bid Express web site. Bids received after this time will not be accepted. For more information refer to the Electronic Bidding Guide at the Bidder's Exchange web site.*

*The Department will open and publicly read the bids at 1727 30th Street, Bidders' Exchange, MS 26, Sacramento, CA 95816 immediately after the specified closing time.*

Caltrans determined that Caltrans followed the proper procedures to ensure all bidders have had the same information available to successfully submit a bid. Records show that Gordon Ball initiated bid submitted at 2:00:14 p.m., on October 8, 2014, for project 04-4S0504 and was completed at 2:00:28 p.m. We have attached the screen shot of Bid Express webpage showing the bid opening and cut-off time showing 2:00:00 p.m., for 04-4S0504.

Caltrans finds that the protest from Gordon Ball will have no bearing on the award of this contract. Caltrans will proceed to award this contract to the lowest responsive and responsible bidder.

Based on the above, Caltrans will proceed to award the contract to the lowest responsible bidder.

If you have any questions, please contact Irene Beckham, Contract Award Analyst, at (916) 227-6284.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. McMILLAN", written over a horizontal line.

JOHN C. McMILLAN  
Deputy Division Chief  
Office Engineer  
Division of Engineering Services

Attachment

Screen shot: 04-4S0504, October 8, 2014

CALTRANS: Letting of October 8, 2014 - Windows Internet Explorer  
https://www.bids.com/ca/letting/lettingId=04-4S0504c

File Edit View Favorites Tools Help  
Favorites CALTRANS: Letting of October ...  
Find: 04-4s0504 Previous Next Options

**BidExpress**  
Secure Internet Bidding

Welcome Irene.Beckham@dot.ca.gov!  
Logout MyBidx Messages Admin Help

CALTRANS Lettings Search Advantage Bid Tab Analysis Small Business Network  
October 23, 2014 03:08 PM PDT

California Department of Transportation  
List of Lettings > October 8, 2014 [Contact Bid Express](#)

Manage this Letting

◀ Letting of October 8, 2014 ▶

Letting ID: 04-4S0504c  
Opening Time: 02:00:00 PM PDT  
Cut-Off Time: 02:00:00 PM PDT

The letting has ended.

Also Available

- Apparent Bids
- Bid Summary
- Caltrans Electronic Bidding Guide
- Caltrans Electronic Bidding Website
- Caltrans advertised projects

Export (csv) | Export (tab)

Proposal	Call Order	Items	Amendments	Plan Sheets	Counties
04-4S0504	1	81	3		Santa Clara

CONSTRUCTION ON STATE HIGHWAY IN SANTA CLARA COUNTY NEAR SARATOGA AT 0.8 MILE WEST OF SANBORN ROAD. In District 04 on Route 09

(1 Active Proposal)

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Internet | Protected Mode: Off  
125%  
3:08 PM

**\*\* Transmit Conf. Report \*\***

P.1  
CALTRANS CONTR AWARDS Fax 916-227-6282

Nov 5 2014 03:54pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
919258385915	Normal	05:03:53pm	0'45"	2	# 0 K	

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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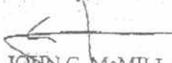
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JOHN C. McMILLAN  
Deputy Division Chief  
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