GOLDEN
STATE
BRIDGE, INC.
Engineers & Contractors

December 31, 2015

State of California
Department of Transportation
1727 30th Street, Bidder Exchange, MS 43
Sacramento, CA 95816

Attn: John C. McMillan, Deputy Division Chief, Office Engineer.

RE: Contract No. 05-0F7004
Route 68 Near Salinas from .2 mile east of Reservation Road UC to Spreckles Blvd. UC.
Protest letter #3.

Mr. McMillan,

Please consider this letter a third formal protest of the bid submitted by Viking Construction Company (Viking) in connection with Contract No. 05-0F7004. This third protest letter is also in reference to Viking's response to GSB's second protest.

Viking's second letter states in part: "Viking accurately described Malcolm's scope of work in its Subcontractor List and merely identified the incorrect bid item numbers for that work. Vikings reference to the wrong bid item numbers when read with the actual description stated in the subcontractor listing for this subcontractor,..." , and "Furnishing pile concrete is incidental to placing concrete and Malcolm's scope was correctly listed by Viking for bid items 79 and 81." These statements only serve to prove that Malcolm was indeed incorrectly listed. We do not agree that furnishing pile concrete is incidental to placing concrete – and Caltrans cannot agree with this statement as the "furnish" and "place" are clearly defined as different bid items.

In its Bid Viking listed Malcolm for 40% of bid items 79 and 81 and describing the scope as "Drill piles, set cages, place concrete". It should be noted that furnishing concrete was NOT described, nor was Furnish and place seal course described in Viking's bid.

In Vikings response to GSB's first protest letter Viking included the quote received by Malcolm which clearly stated Malcolm's actual scope as:

1. Machine drill and clean the inside of the CISS. (items 80 and 82)*
2. Furnish and place seal course. (items 80,82, and possibly 84)*
3. Place rebar cage. Material furnished by others. (items 80 and 82)*
4. Furnish and place concrete. (Items 79,80,81, and 82)*
5. Furnish concrete pump as required. (items 80,82 and possibly 84)*

Clearly the above is inclusive of at least 4 (79, 80, 81, and 82) bid items, and possibly 5 (as "furnish and place seal course" is not defined, and there is a separate bid item for work matching this description as defined by bid item 84 on this project), and clearly the above scope taken from Malcolm's quote is a significantly enlarged scope from Viking's description of "Drill piles, set cages, place concrete".

3701 Mallard Drive
Benicia, CA 94510
(925) 372-8000
Fax (925) 372-8001

Further, the only scope that is taken from Malcolm's quote and scope that would be associated with the bid items originally listed by Viking (79 and 81) for Malcolm's work would be the furnishing of the pile concrete - which was NOT in any way work described in Vikings original bid.

Viking's subcontractor list is incorrect and Non-Responsive.

Again, for the reasons listed above, Golden State Bridge, Inc. respectfully requests that Viking's bid be rejected as non-responsive, and that the project be awarded to Golden State Bridge, Inc. the lowest responsive bidder on this project.

Sincerely,

David Riccitiello, President

*information in parenthesis added for clarity.

3701 Mallard Drive
Benicia, CA 94510
925-372-8000
925-372-8001 Fax

Golden State Bridge, Inc.

Fax

To: JOHN C. McMILLAN
MELISSA SMITH

From: DAVE RICCITIELLO

Fax: 916 227 6282

Pages: 3

Phone:

Date: 12/31/15

Re: 05-OF7004

cc:

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