



DIRT & AGGREGATE
INTERCHANGE, INC.

Friday, March 01, 2013

Sent via Facsimile: 916-227-6282
and U.S. Postal Service Regular Mail

Mr. John C. McMillan
Department of Transportation
Division of Engineering Services
Office Engineer, MS 43
P.O. Box 168041
Sacramento, CA 95816-8041

Re: Nonresponsive Bid 05-0M9804 Letter

Dear Mr. McMillan:

This letter is in response to the letter received by Dirt and Aggregate Interchange, Inc (D&A) dated February 27, 2013.

On 2/9/13 Federal Express delivered D&A's complete bid package to our bid runner, State Capital Bid Service, for submission to Caltrans, in Sacramento, on the bid day of 2/13/13. When we received Addendum No. 1 from Caltrans on 2/11/13, we immediately acknowledged the addendum on the signature page of the bid documents and Federal Expressed the new signature page to our bid runner to incorporate in our bid documents. A copy of our transmittal, signature page and Federal Express receipt showing delivery are attached hereto. The Federal Express receipt shows that delivery was made to State Capital Bid Service on 2/12/13 with our acknowledgement of the addendum.

After receiving your February 27, 2013 letter, we immediately contacted State Capital Bid Service. They acknowledged receipt of our addendum and that they have simply failed to include the revised signature page into our bid book. D&A at all times received the addendum, examined the addendum prior to bid, acknowledged the addendum, and at all times intended to be bound by the addendum.

Although D&A's bid was not the low bid, D&A respectfully requests that its bid not be deemed non-responsive, as it did, in fact, acknowledge receipt of the addendum on 2/11/13 and sent that acknowledgement to its bid running service on that same day, and was in full agreement with the

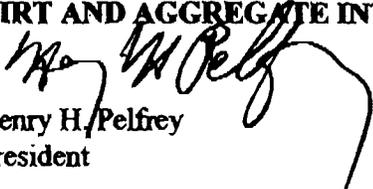
Mr. John C. McMillan

March 1, 2013

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addendum. D&A is certainly anxious for Caltrans' electronic bidding system to be expanded, so that issues like this can be avoided in the future. Thanks for your consideration.

DIRT AND AGGREGATE INTERCHANGE, INC.


Henry H. Pelfrey
President

Enclosures

STATE OF CALIFORNIA BUSINESS TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
1727 30th Street MS-43
P.O. BOX 168041
SACRAMENTO, CA 95816-8041
FAX (916) 227-6214
TTY 711



*Flex your power!
Be energy efficient!*

February 11, 2013

05-SCr-1-26.8/36.3
05-0M9804
Project ID 0500000204
ACSTPG-P001(575)E

Addendum No. 1

Dear Contractor:

This addendum is being issued to the contract for CONSTRUCTION ON STATE HIGHWAY IN SANTA CRUZ COUNTY AT VARIOUS LOCATIONS FROM 0.9 MILE NORTH OF LAGUNA ROAD TO WADDELL CREEK BRIDGE.

Submit bids for this work with the understanding and full consideration of this addendum. The revisions declared in this addendum are an essential part of the contract.

Bids for this work will be opened on Wednesday, February 13, 2013.

In the Special Provisions, Section 10-1.02 "ORDER OF WORK," the third paragraph is revised as follows:

"Attention is directed to "NONHIGHWAY FACILITIES (INCLUDING UTILITIES)" of these special provisions regarding underground utilities.

The work to install guardrail within railroad right of way at PM 29.04 to 29.07 shall not begin before July 15, 2013. However, the Contractor can request an earlier start by submitting a written request to the Engineer and upon the approval of the Engineer."

In the Special Provisions, Section 4 "BEGINNING OF WORK, TIME OF COMPLETION AND LIQUIDATED DAMAGES," is revised as follows:

"The 1st working day is the earlier of (1) the 35th day after contract approval or (2) the day you start work other than the measurement of controlling field dimensions or the location of utilities.

Do not start work at the job site until the Engineer approves your submittal for Water Pollution Control Program (WPCP)

You may enter the job site only to measure controlling field dimensions and locating utilities. Do not start other work activities until all the submittals from the above list are approved and the following information is submitted:

1. Notice of Materials To Be Used
2. Contingency plan for reopening closures to public traffic.

You may start work at the job site before the 35th day after contract approval if:

1. You obtain required approval for each submittal before the 35th day
2. The Engineer authorizes it in writing.

Addendum No. 1
Page 2
February 11, 2013

05-SCR-1-26.8/36.3
05-0M9804
Project ID 0500000204
ACSTPG-P001(575)E

The Department grants a time extension if a delay is beyond your control and prevents you from starting work at the job site on the 1st working day.
Complete the work within 90 working days."

To Bid book holders:

Inquiries or questions in regard to this addendum must be communicated as a bidder inquiry and must be made as noted in the Notice to Bidders section of the Notice to Bidders and Special Provisions.

Indicate receipt of this addendum by filling in the number of this addendum in the space provided on the signature page of the Bid book.

Submit bids in the Bid book you now possess. Bidders who have already sealed their book will be contacted to arrange for the return of their book.

Inform subcontractors and suppliers as necessary.

This addendum is available for the Contractors' download on the Web site:

http://www.dot.ca.gov/hq/esc/ne/project_ads_addenda/05/05-0M9804

If you are not a Bid book holder, but request a book to bid on this project, you must comply with the requirements of this letter before submitting your bid.

Sincerely,


REBECCA D. HARNAGEL
Chief, Office of Plans, Specifications & Estimates
Office Engineer
Division of Engineering Services

Dirt and Aggregate Interchange, Inc.


Henry B. Peiffer, President 2-11-13
Date

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
BID TO THE DEPARTMENT OF TRANSPORTATION
DES-0E-002-1 (REV. 3/2011)

- 2.6. For a lump-sum based bid, the item total is the bid amount the Department uses for bid comparison.
For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.
For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.

2.7. The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addenda:

One (1)

4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:

Cash \$ _____, Cashiers Check, Certified Check, **Bidder's Bond**

5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

- 5.1. Criminal prosecution
- 5.2. Rejection of the bid
- 5.3. Rescission of the award
- 5.4. Termination of the Contract

BY (Author's Signature)

DATE SIGNED (Do not type)

2-11-13

PRINTED NAME AND TITLE OF PERSON SIGNING

Henry H. Pelfrey, President

ADA Notice

For individuals with hearing disabilities, this document is available in alternate formats. For information call (916) 864-6410 or TDD (916) 864-3888 or write Records and Public Information, 1725-N Street, SAC-03, Sacramento, CA 95814.

FedEx

<https://www.fedex.com/fedextrack/index.html?tracknumbers=877084>

IMPORTANT:

Midwest winter storms are causing delays in AR, IL, IA, KS, MO, NE, NM, OK, TX and WI. [Learn More](#)



Ship (P/U) date:
Mon 2/11/2013 1:28 pm
US



Delivered
Signature not required

Actual delivery:
Tues 2/12/2013 7:59 am
CA US

Travel History

Date/Time	Activity	Location
- 2/12/2013 - Tuesday		
7:59 am	Delivered Left at front door. Package delivered to recipient address - release authorized	CA
8:53 am	On FedEx vehicle for delivery	SACRAMENTO, CA
8:50 am	At local FedEx facility	SACRAMENTO, CA
8:20 am	At destination sort facility	SACRAMENTO, CA
- 2/11/2013 - Monday		
10:42 pm	Arrived at FedEx location	OAKLAND, CA
9:41 pm	Left FedEx origin facility	PORTLAND, OR
1:28 pm	Picked up	PORTLAND, OR

Local Scan Time

Shipment Facts

Tracking number	977084101510	Service	FedEx First Overnight
Delivered To	Residence	Total pieces	1
Packaging	FedEx Envelope	Special handling	Deliver Weekday, Residential Delivery
		Special handling	Residential Delivery



DIRT & AGGREGATE INTERCHANGE, INC.

DATE: March 1, 2013

OUR FAX NO.: (503) 669-1192

TO: Caltrans, Dept of Transportation

FAX NO.: 916-227-6282

ATTN: John C McMillan, Deputy Division Chief - Office Engineer

This is a FAX transmittal consisting of 209 pages including this cover sheet. Please advise if you do not receive this transmittal complete.

RE: Caltrans - 05-0M9804 - Bid Date 2/13/13

- Certificates
- Insurance Certs.
- Purchase Order
- Copy of letter
- Quotation
- Original to be mailed
- For Approval
- For Your Information
- As Requested
- Approved as Submitted
- Approved as Noted
- Other

Comments: Response to your letter dated 2/27/13

Thank you for your consideration.

DIRT & AGGREGATE INTERCHANGE, INC.

Signed: _____

CC: _____

20005 NE SANDY BLVD., FAIRVIEW, OREGON 97024 (503) 661-5093 FAX (503) 669-1192
CCB #26589