



Mr. Bishop  
December 15, 2014  
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If you have any questions, please contact Mulissa Smith, Contract Awards Branch Manager,  
at (916) 227-6228.

Sincerely,

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

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

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

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CALTRANS CONTR AWARDS Fax 916-227-6282

Dec 15 2014 03:23pm

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF ENGINEERING SERVICES  
OFFICE ENGINEER  
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SACRAMENTO, CA 95816-8041  
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*Serious drought.  
Help save water!*

December 15, 2014

Facsimile: (805) 345-3538

Jesse Bishop, Vice President  
CalPortland Construction  
P.O. Box 1280  
Santa Maria, CA 93456

05-OR8304  
05-SB,SLO-1, 101, 135-Var  
B.O. 10/15/2014

Dear Mr. Bishop:

The Department of Transportation (Caltrans) received the attached letter dated November 26, 2014, from CalPortland Construction (CalPortland), protesting the bid submitted by Desert Concepts Construction, Inc. (Desert Concepts). The protest alleges that CalPortland listed Super Seal and Stripe (SSS) to perform work described as bid items 9,12,51,52,53,55 and 64 (Remove Yellow Thermoplastic Traffic Stripe (Hazardous Material), Remove Thermoplastic Pavement Marking, Thermoplastic Traffic Stripe, 6" Thermoplastic Traffic Stripe, Thermoplastic Pavement Marking, Pavement Marker (Retroreflective) and Mobilization). Desert Concepts identified the same items on its Disadvantaged Business Enterprise (DBE) Commitment Form, however a discrepancy exists in the costs. In addition, listed Veridico Group, Inc. (Veridico) on its DBE Commitment form as performing work described as Lead Compliance Plan for (Soil and Grinding/Cold Planing), Jobsite Management and Prepare Water Pollution Control Plan, bid items 1, 5, and 6, but failed to list Veridico on its Subcontractor's List form.

The Office of Business and Economic Opportunity's, Contract Evaluation Branch (CEB) reviewed the DBE Commitment Form and quote submitted for SSS and determined that Desert Concepts initially claimed DBE participation for SSS as \$17,181.00, however this amount included bid item 1, Lead Compliance Plan. CEB disallowed the dollar amount for this item, since SSS was not listed to perform this work. Therefore, the participation was reduced to \$14,305.00.

As the protest pertains to Veridico; Veridico is not performing services as defined by the Business and Profession Code for that of a contractor and these items of work are not considered items of work subject to the Public Contract Code 4100 (et.seq).