PAPICH
CONSTRUCTION, INC.
GENERAL ENGINEERING CONTRACTOR
CAL. LIC. #767055
P.O. BOX 2210, PISMO BEACH, CA 93448
(805) 473-3016 OFFICE - (805) 481-5966 FAX

March 19, 2014

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

Phone (916) 227-8300
Fax (916) 227-6282

Attn: Mr. John C. McMillan, Deputy Division Chief

RE: 05-1A4604

Subject: Bid Protest 2

Dear Mr. McMillan,

Please accept this letter as a formal protest of the award of the above referenced project to Granite Construction (Granite). For the following reasons Papich Construction Co. Inc (PCI) has submitted what is the lowest responsible and responsive bid on this project.

On Granite's subcontractor listing form, they failed to list "partial" next to the subcontractors that are doing less than 100% of the work, as outlined in the Caltrans document "How to submit a responsive bid"(Attachment 1). Granite listed Safety Striping Service (SSS) on bid day for; Traffic Control, Lead Compliance Plan, Stripe Removal, and Striping & Markers. (Attachment 2)

On the 24 hour submission they listed SSS for bid item 1 – Lead Compliance Plan, they committed to using SSS for 95% of the work; they failed to list "partial" next to this bid item. Next, Granite listed SSS for the Traffic Control System bid item. On the 24 hour listing, they committed to using SSS for 20% of bid item 3; Granite failed to list "partial" for this item. Granite listed APCO for Place AC Dike at the time of bid. On the 24 hour listing, they listed the percentage of work subcontracted to APCO as 96%; Granite failed to list this work as "partial".

Granite also did not complete the 24 hour listing correctly. On multiple subcontracts they failed to list the percentage for each bid item and Granite listed one percentage for multiple bid items.

Lastly it appears that Granite's 24 hour subcontract listing was received after the 24 hour period had elapse. On the top of the page there is a time of 2:16p.m. on 2/27/2014. Also on the fax confirmation sheet (page 4 of 4) there is a date and time of 2/28 8:02 PM. Either way their 24 hour submission was sent in well after the rules allow. (Page 4 of Attachment 2)

PCI is pointing out the violations of the rules that are established by Caltrans. For these reasons Granite's bid should be deemed non responsive. The project should then be awarded to the next responsive and responsible bidder, which is Papich Construction Co. Inc.

Thank you for your consideration,

Respectfully,

David Cruce
Area Manager

559-344-8101
559-242-5050
dcruce@papichco.com

Attachment A

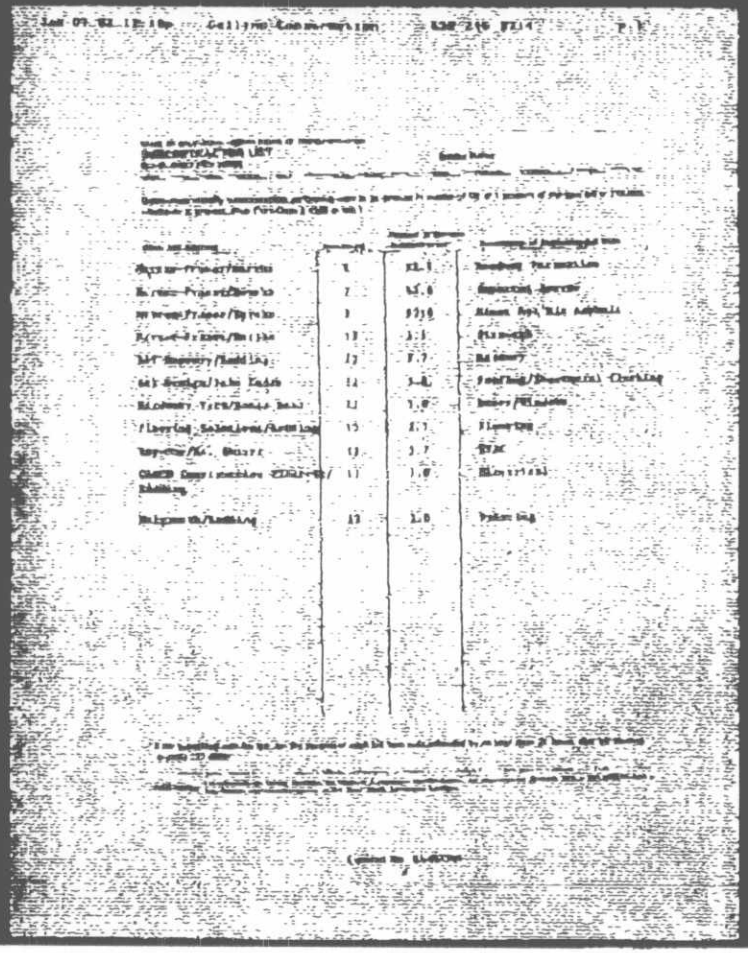
Public Contract Code 4104 requires listing of 1st tier subcontractors with the bid

- performing at least ½ of 1 percent of the bid total or $10,000, whichever is greater
- It is not necessary to list suppliers or truckers

The form must include subcontractor names, cities, percentages & items

For partial items, write "partial" and include work description

Group items by firm



Item	Deadline
Bid	2:00 pm on date specified
SB Preference	With your bid
Non SB Preference	With your bid
CC Preference	With your bid
Subcontractor List	With your bid
Subcontractor Percentages	2:00 pm. 24 hours after bid
Subcontractor Substitution	4:00 pm. 2 business days after bid
Cert. SBE List for Non SB Preference	4:00 pm. 2 business days after bid
UDBE & Good Faith Efforts forms Or DVBE form	4:00 pm. 4 business days after bid
Relief of Bid Request	4:00 pm. 5 business days after bid

02/27/2014 2:15PM FAX Received Feb 27 2014 01:13pm 0001/0004

GRANITE™

FAX

P.O. BOX 8744
SANTA BARBARA, CA 93160
Phone: 805-964-5951
Fax: 805-964-7661
BID FAX: 805-967-1431

To: Cathrine Kelly	From: Dianne
Company:	Date: 2/27/2014
Fax: 916 227 6282	Total Pages (including cover page): 4
Phone:	Sender's Reference Number:
RE: 05-1A4604	Your Reference Number:

☒ Urgent ☐ For Review ☐ Please Comment ☐ Confirm Receipt

Notes and Comments:

Please contact me 805 879 5308
to confirm receipt
2nd attempt, see
Fax confirmation sheet

Dianne
805 879 5308

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

Contract No.: 05-1A4604 Project ID: 0500020341
Bidder: VC0000000213 - Granite Construction Company

SUBCONTRACTOR LIST

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or $10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete business name, location, and description of subcontracted work and submit with the bid. Complete bid item numbers and percentage of bid item subcontracted and submit with the bid, or fax to (916)227-6282 within 24 hours after the bid opening. Failure to provide complete information in all areas within the time specified will result in a nonresponsive bid.

List this sub? Yes
1) Business Name:DMS Fence, Inc
City:Arcadia State:CA
Description of Subcontracted Work:
Treated Wood Waste,Remove Guardrail,Guardrail Delineator,Guardrail,related work
Bid Item Numbers:
7
Percentages of Bid item Subcontracted:
100
Bid Item Numbers:
8
Percentages of Bid item Subcontracted:
100
Bid Item Numbers:
28 29 30 31 32 33 34
Percentages of Bid item Subcontracted:
100
Bid Item Numbers:

Missing bid item percentages

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

List this sub? Yes
2) Business Name:Safety Striping Service, Inc.
City:Goshen State:CA
Description of Subcontracted Work:
Traffic Control, Lead Compliance Plan, Stripe Removal, Striping & Markers
Bid Item Numbers:
1
Percentages of Bid item Subcontracted:
85
Bid Item Numbers:
2
Percentages of Bid item Subcontracted:
20
Bid Item Numbers:
9 10

Percentages of Bid item Subcontracted:
100 ← Missing bid item percentages
Bid Item Numbers:
35 36 37
Percentages of Bid item Subcontracted:
100 ← Missing bid item percentages
Bid Item Numbers:

Percentages of Bid item Subcontracted:

List this sub? Yes
3) Business Name:APCO
City:Goshen State:CA
Description of Subcontracted Work:
Place AC Dike
Bid Item Numbers:
22 23 24 25
Percentages of Bid item Subcontracted:
96 ← Missing bid item percentages
Bid Item Numbers:

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

Send Results

Sending is complete.

Job No.	1748
Address	918162276282
Name	
Start Time	02/28 05:02 PM
Call Length	00'45
Sheets	2
Result	OK

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

Contract No.: 05-1A460G Project ID: 0500020341
Bidder: VC0000000213 - Granite Construction Company

SUBCONTRACTOR LIST

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or $10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete business name, location, and description of subcontracted work and submit with the bid. Complete bid item numbers and percentage of bid item subcontracted and submit with the bid, or fax to (916)227-6282 within 24 hours after the bid opening. Failure to provide complete information in all areas within the time specified will result in a nonresponsive bid.

List this sub? Yes
1) Business Name:DMG Fence, Inc
City:Arcadia State:CA
Description of Subcontracted Work:
Treated Wood Waste,Remove Guardrail,Guardrail Delineator,Guardrail,related work
Bid Item Numbers:
7
Percentages of Bid item Subcontracted:
100
Bid Item Numbers:
8
Percentages of Bid item Subcontracted:
100
Bid Item Numbers:
28 29 30 31 32 33 34
Percentages of Bid item Subcontracted:
100
Bid Item Numbers:

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

List this sub? Yes

PAPICH CONSTRUCTION CO., INC.

CAL. LIC. #767055
P.O. BOX 2210, PISMO BEACH, CA 93448
(805) 473-3018 OFFICE • (805) 481-5966 FAX

FACSIMILE TRANSMITTAL SHEET

TO: John McMillan	FROM: David Cruce
COMPANY: Caltrans	DATE: 03/19/14
FAX NUMBER: 916-227-6282	TOTAL NO. OF PAGES INCLUDING COVER: 9
PHONE NUMBER: 916-227-8300	SENDER'S REFERENCE NUMBER:
RE: Bid Protest 2	YOUR REFERENCE NUMBER:

☐ URGENT ☑ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE READ

Mr. McMillan

Please see the attached bid protest for 05-1A4604.

Received
1:13pm
2/27
24hr sublist