

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

**RELIEF OF BID REQUEST**

DES-OE-0141 (REV 01/2010)

Contract No. 06-0L3404Bidder's Name: EMMETT'S EXCAVATION, INC.Bid Opening Date: 05/24/2016License No. 579845**Requirements:**

To be relieved of your bid you must demonstrate all of the following to the Department. You are not relieved of your bid until notified by the Department in writing.

- A mistake was made in your bid.
- You submitted written notice of the mistake to the Department within 5 business days of bid opening, specifying in detail how the mistake occurred.
- The mistake made the bid materially different than what you intended.
- The mistake was made in filling out the bid and not due to an error in judgement or to carelessness in inspecting the site of work or in reading the plans or specifications.

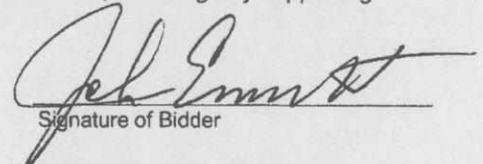
**Instructions:**

Attach a statement and supporting documentation that describes the following in detail:

1. The mistake in your bid and how it was made.
2. How the mistake made the bid materially different than intended.
3. How the mistake was made in filling out the bid.
4. Sign the certification below.
5. Fax this completed form, the statement and supporting documentation to (916) 227-6282. Attention: Office Engineer.

**Certification:**

By my signature on this form, I certify, under penalty of perjury that the attached statement, including any supporting documents, are true and correct.

Date: 05/25/2016  
Signature of BidderJOHN EMMETT - PRESIDENT

Title

**Emmett's Excavation Inc.**

6207 East Clinton Ave. Fresno, CA 93727  
Tel: (559) 347-9188 Fax: (559) 348-9272  
California License # 579845

May 26, 2016

State of California  
Department of Transportation  
1727 30<sup>th</sup> Street, MS-43  
Sacramento, CA 95816-8041

Attention: Office Engineer

Reference: CT#06-0L3404 – Construct Roundabout at Intersection – Prather  
Bid Date: May 24<sup>th</sup>, 2016 @ 2:00 pm

Subject: Request for Bid Relief

To Whom It May Concern,

Please consider this as Emmett's Excavation, Inc. request for bid relief for the above referenced project as a result of an inadvertent clerical error in our bid proposal. The clerical error has subjected our bid proposal to be materially different than what our firm intended it to be. The clerical error was made in completing our bid proposal and is not due to error in judgement or carelessness in inspecting the work site or in reading the plans or specifications.

The error occurred while providing closure to the bid proposal utilizing our bid software HCSS Heavybid. In one of the Job Cost Activities specifically dealing with Construction Water we had a crew of 5 water trucks with operators hauling water to the site. Unfortunately the crew time was meant to be entered at 500 hours crew time resulting in a total of \$237,700.00 of Construction Water cost. Due to clerical error during the entry of hours, the total crew time was entered at 5 hours resulting in only the amount of \$7,327.00 of cost for that item. To move forward with our submitted bid would be at a detriment to our firm, and could affect our bonding capabilities in the future.

Emmett's Excavation, Inc. respectfully requests that our bid proposal be withdrawn from consideration of award due to clerical error. Please accept our sincere apology for any inconvenience this may have caused and we appreciate your understanding with this important matter. Should you have any questions or concerns, please do not hesitate to contact me at (559) 347-9188, or email me at [emmetts@eei78.com](mailto:emmetts@eei78.com).

Sincerely,  
Emmett's Excavation, Inc.

A handwritten signature in black ink, appearing to read "John Emmett". The signature is fluid and cursive, written over a horizontal line.

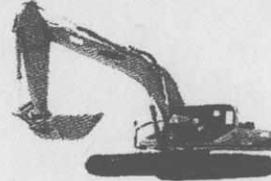
John Emmett – President



6207 E. Clinton  
Fresno, CA 93727  
Phone (559) 347-9188  
Fax (559) 348-9282  
emmetts@eei78.com

**Emmett's  
Excavation, Inc.**

# Fax



**To:** Office Engineer

**From:** John Emmett

**Phone:**

**Pages:** 4 (including cover sheet)

**Fax:** 916-227-6282

**Date:** May 26, 2016

**Re:** Relief of Bid Request

**Urgent**     **For Review**     **Please Comment**     **Please Reply**     **Please Recycle**

See attached Relief of Bid Request