

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

P.O. BOX 168041, MS-43

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

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www.dot.ca.gov

*Serious drought.  
Help save water!*

October 7, 2015

Facsimile: (714) 635-6357

Thomas Puett, Estimator  
Techno Coatings, Inc.  
1391 S. Allec Street  
Anaheim, CA 92805

06-0N9604  
06-Ker-204-5.4/6.7  
B.O. 7/28/15

Dear Mr. Puett:

The Department of Transportation (Caltrans) received letters dated September 25<sup>th</sup>, and October 1, 2015, from Techno Coatings, Inc. (Techno) in response to a nonresponsive bid finding for contract 06-0N9604. Caltrans provided a response to Techno on September 24, 2015, and did not address the attached correspondence individually since the aforementioned correspondence already provided the explanation for the finding.

The process of bidding is very competitive and as you are aware, each bid and each contract is awarded based on the face of the bid. Caltrans strives to protect the integrity of the bidding process by ensuring the conformity in all bid documents. In this case, the Subcontractors Listing submitted on bid date was not consistent with the Disadvantaged Business Enterprise (DBE) Commitment form submitted on July 31, 2015, which included an additional item of work that was not listed at the time of bid. The additional item expanded the scope of work. This change was in violation of the bidding instructions as well as the Public Contract Code. To allow a contract to be awarded under a known violation would circumvent the competitive bidding process and would be a material benefit to Techno.

Caltrans has reviewed Techno's request for reconsideration of this issue and upholds the original nonresponsive finding. Furthermore, this contract has already been awarded to American Civil Constructors West Coast, Inc., on September 24, 2015.

If you have any questions, please contact Mulissa Smith, Contract Awards Manager, at (916) 227-6228.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. McMillan".

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

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

P. 1  
CAL/TRANS PLANS COUNTER

Oct 7 2015 10:01am

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN, Jr., Governor

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Sincerely,

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