

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER, MS 43

1727 30th STREET

P. O. BOX 168041

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6280

FAX (916) 227-6282

TTY 711

*Serious drought.
Help save water!*

May 8, 2014

Facsimile: (805) 489-0248

Mr. Lee Wilson, President
Lee Wilson Electric Company
1151 El Camino Real
Arroyo Grande, CA 93421-0250

06-0Q4504
06-Ker-5-6.0/9.0
B.O. 04/09/2014

Dear Mr. Wilson:

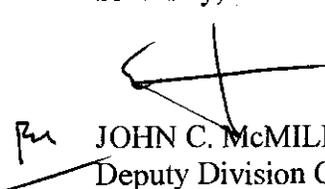
The Department of Transportation (Caltrans) received the attached letter dated May 5, 2014, from Lee Wilson Electric Company (Lee), protesting the bid submitted by Roadway Engineering Works, Inc. (Roadway) for contract 06-0Q4504 on April 9, 2014. The protest alleges that the Disadvantaged Business Enterprise (DBE) Commitment was signed by an unauthorized individual. The protest further alleges that the quote submitted by Cirimele appears to be unreasonable, given the bid item total for bid item 14, Traffic Control System. Lee requests Caltrans find the bid submitted by Roadway nonresponsive.

Caltrans has reviewed the bid documents for the bid documents as well as this protest, and determined that the DBE Commitment form was signed by the General Manager. As the protest pertains to the quote for Cirimele, the subcontractor was identified to perform work described as electrical (partial), Bid Item 14, Traffic Control System. The percentage of work to be performed is 3 percent and as such, is consistent with the listing on the DBE Commitment form.

Based on the above, Caltrans find that the protest submitted by Lee lacks merit and will proceed to award this contract to Roadway.

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

Sincerely,


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

Attachment



P.O. BOX 250 • ARROYO GRANDE, CALIFORNIA 93421-0250
1151 EL CAMINO REAL • PHONE (805) 489-4216 • FAX (805) 489-0248

May 5, 2014

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

Attention: Office Engineer

Re: Contract Number 06-0A4504
Bid Opened: April 9, 2014
Bid Protest of Roadway Eng Works Inc.

Dear Office Engineer,

Lee Wilson Electric hereby protests the award of the above mentioned project to Roadway Eng Works Inc (Roadway) due to errors with their bid documents.

After reviewing the final DBE bid documents we noticed a few details in Roadway's DBE commitment form that seem questionable.

Signature on DBE form

The signature on the DBE commitment form is signed by a different person than the original bid documents that were e-filed. The individual who signed the DBE commitment form is not an officer of the company or authorized to sign on behalf of the company. The DBE commitment form clearly states "signature of bidder". Randy Morisoli, which is who signed the DBE form, was not the "bidder" and is not authorized to sign on behalf of the company.

Cirimele's Quote

Upon further investigation of the quote by one of Roadway's OBE subcontractors (Cirimele) we find that the scope of the work seems unreasonable for the quoted price. The scope of work that Cirimele quoted is for all of item 14 which was bid by Roadway at \$560,000. How could Cirimele do the work for \$16,800?



P.O. BOX 250 • ARROYO GRANDE, CALIFORNIA 93421-0250
1151 EL CAMINO REAL • PHONE (805) 489-4216 • FAX (805) 489-0248

Lee Wilson Electric would like Caltrans to adhere to the strict guidelines that are put forth for fair and competitive bidding purposes, and would like to conclude that Roadway's bid is non-responsive and not eligible for award.

Sincerely,

A handwritten signature in black ink, appearing to be "L. Wilson", is written over a horizontal line.

Lee Wilson
President

Lee Wilson Electric Company, Inc.

5/6/2014

Personnel List - Contractor State License Board



DEPARTMENT OF CONSUMER AFFAIRS

Contractors State License Board

Contractor's License Detail (Personnel List)

Contractor License #: 845536

Contractor Name: ROADWAY ENGINEERING WORKS INC

Click on the person's name to see a more detailed page of information on that person

NAME	TITLE	ASSOCIATION DATE	DISASSOCIATION DATE	CLASS	MORE CLASS
ROBERT JOSEPH MC DEVITT	RMO	08/30/2004		A	More
DARLENE ANN CODDINGTON	CEO/PRESIDENT	08/30/2004			
MARLENE VIOLA MC DEVITT	OFFICER	08/30/2004			

[Conditions of Use](#) | [Privacy Policy](#)
Copyright © 2010 State of California

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
CALTRANS BIDDER - DBE - COMMITMENT
 DES-0E-0102.10C (NEW 06/2012)

#04-14-14A11:44 RCYD
Low Bidder

This information may be submitted with your bid proposal. If it is not, and you are the apparent low bidder or the second or third low bidder, it must be submitted and received as specified in section 2 of the specifications. Failure to submit the required DBE information will be grounds for finding the bid nonresponsive.

CONTRACT NO: **06-004504**

BID AMOUNT: **\$769,104**

BID OPENING DATE: **4-09-2014**

BIDDER'S NAME: **Roadway Engineering Works, Inc.**

DBE GOAL FROM CONTRACT, %: **8.**

DBE PRIME CONTRACTOR CERTIFICATION: **N/A**

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	FOR CALTRANS USE ONLY	NAME OF DBEs (Must be certified on the date bids are opened - include Caltrans certification #, DBE address and phone number) (Indicate 2nd and lower tier subcontractors)	DOLLAR AMOUNT DBE ³
2.	Construction Area Signs		Maneri Traffic Control 47423 Rainbow Canyon Temucula, CA 92592 951-695-5104 Cert # 38078	1,900 ⁻
3.	Traffic Control			41,150 ⁻
4.	PCMS Rental			2,400
14.	Electrical (partial)		Crimelle Electrical Works Inc. 607 Marina Way South. Richmond CA 94804 510-620-1153 Cert # 13624	16,800 ⁻

IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Names of the First Tier DBE Subcontractors and their respective item(s) of work listed above must be consistent, where applicable, with the names and items of work in the "Subcontractor List" submitted with your bid. Copies of the DBE quotes are required.

Total Claimed Participation
\$62,250
8.1 %

- DBE prime contractors must enter their certification number and indicate all work to be performed by DBEs including work performed by its own forces.
- If 100% of item is not to be performed or furnished by DBE, describe exact portion of item to be performed or furnished.
- See section 2-1.12 of the specifications to determine the credit allowed for DBE firms.

Randy Marisoli
 Signature of Bidder
4-10-2014 707-928-0147
 Date (Area Code) Tel. No.
Randy Marisoli
 Person to Contact (Please Type or Print)

Submit to:
 MSC 43
 OFFICE ENGINEER
 DEPARTMENT OF TRANSPORTATION
 1727 30TH STREET
 SACRAMENTO, CA 95810-7005

CIRIMELE

Cirimele Electric Works, Inc. UDDE 13624
 Lic # 583023
 Estimating: 510-620-1153

Project: Construction State: Highway
 Location: Kern County
 Date & Time: 4-9-14 @ 2PM
 Contract: 06-DQ4504

ITEM	Description	Quantity	Price	Total
14	(Partial) Provide and Install 17 Pull-Boxes	1.00	16,800.00	16,800.00
TOTAL				\$ 16,800.00

Scope of Work

YES	NO	
X		Addendum
	X	Staking and Layout
	X	Testing and Inspection Fees
	X	Permits and Bonds
	X	Traffic Control Including Flaggers
	X	Portable Changeable Message Boards
	X	Off haul of Spills
	X	Asphalt, Sidewalk and Concrete removal and replacment
	X	Removal/Demo of Existing Signal and Lighting Foundations
	X	Regulatory Signs and striping
	X	Handling of any hazardous materials and dust control
	X	Erosion Control and Storm Water Pollution Control Measures
	X	Set-up, removal & disposal of an environmentally approved wash out area for concrete
	X	Irrigation and/or landscape electrical or repair
X		Furnish and Install Signal and Lighting poles with Foundation
X		Pull-Box and Conduit Installation
X		Trenching and Backfill for our Conduits
X		Furnish and Install Conductors as shown on the Plans

- Clarification**
- 1 Proposal based on working std 40 hrs, 5 day work week and mutually acceptable schedule
 - 2 Monthly progress payments paid pursuant to Public Contract Code 10262 & 10262.5 and Section 7108.5 of the Business Professions Code
 - 3 Retention paid within 30 days after receiving payment for CEW's completed work, even if the other contract work is not complete and has not been accepted
 - 4 This proposal is to be attached and/or included to any subcontract agreement by amendment
 - 5 All plan revisions, changes and correspondence will be delivered to Cirimele main office
 - 6 CEW will have complete and unimpeded access to our entire work area
 - 7 CEW Standard insurance coverage's and does not include any special insurance rider's
 - 8 Any contact Maintenance period is not included
 - 9 No retention on Mobilization or Materials on Hand
 - 10 Retention to Equal amount withheld from Owner to GC

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner in accordance to standard construction practices to ensure economical and expeditious installation of the work. Any alteration or deviation for the above specifications and covenants will result in extra costs over and above the cost heretofore described.

607 Marine Way South - Richmond, CA 94804 - (510) 620-1153 - (510) 620-1153 - License 583023



P.O. BOX 250 • ARROYO GRANDE, CALIFORNIA 93421-0250
1151 EL CAMINO REAL • PHONE (805) 489-4216 • FAX (805) 489-0248

FAX TRANSMISSION COVER LETTER

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Office of Engineer FAX# (916) 227-6282

COMPANY: Caltrans

SENT FROM: Lee AT LEE WILSON ELECTRIC COMPANY

DATE: 5/6/14 TIME: 8:25

JOB NAME: Bid Protest

TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 6

PHONE: 805/489-4216

FAX: 805/489-0248

Please see attached bid protest

TRANSMISSION VERIFICATION REPORT

TIME : 05/08/2014 14:39
NAME : CONTRACT & AWARDS
FAX : 9162276282
TEL : 9162276282
SER. # : BROK4J974370

DATE, TIME : 05/08 14:38
FAX NO. /NAME : 918054890248
DURATION : 00:01:14
PAGE(S) : 07
RESULT : OK
MODE : STANDARD
ECM

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN, Jr., Governor

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER, MS 43

1727 30th STREET

P. O. BOX 168041

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6280

FAX (916) 227-6282

TTY 711



*Serious drought.
Help save water!*

May 8, 2014

Facsimile: (805) 489-0248

Mr. Lee Wilson, President
Lee Wilson Electric Company
1151 El Camino Real
Arroyo Grande, CA 93421-0250

06-0Q4504
06-Ker-5-6.0/9.0
B.O. 04/09/2014

Dear Mr. Wilson:

The Department of Transportation (Caltrans) received the attached letter dated May 5, 2014, from Lee Wilson Electric Company (Lee), protesting the bid submitted by Roadway Engineering Works, Inc. (Roadway) for contract 06-0Q4504 on April 9, 2014. The protest alleges that the Disadvantaged Business Enterprise (DBE) Commitment was signed by an unauthorized individual. The protest further alleges that the quote submitted by Cirimele appears to be unreasonable, given the bid item total for bid item 14, Traffic Control System. Lee requests Caltrans find the bid submitted by Roadway nonresponsive.

Caltrans has reviewed the bid documents for the bid documents as well as this protest, and determined that the DBE Commitment form was signed by the General Manager. As the protest pertains to the quote for Cirimele, the subcontractor was identified to perform work described as electrical (partial), Bid Item 14, Traffic Control System. The percentage of work to be performed is 3 percent and as such, is consistent with the listing on the DBE Commitment form.

Based on the above, Caltrans find that the protest is not valid and the bid submitted by Roadway is responsive.