Received Jan 20 2014 03:45pm

WFC
Windsor Fuel Co.

General Engineering Contractors – Paving, Chip Seal, Oil Spreading

1150 Willow Pass Road • Pittsburg, CA 94565 • TELEPHONE (925) 427-5266 FAX (925) 427-1216

STATE CONTRACTORS LICENSE # 776848

January 20, 2014

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

Regarding: Caltrans Contract No. 06-0Q8404, 06-Ker-43, 58, 223-Var
B/O 01/07/2014
WFC Bid No. 13180

Attention: John C. McMillan

Dear Mr. McMillan,

Windsor Fuel Company is in receipt of your determination on the above referenced project. After review WFC is taking exception to the determination and we are requesting to extend the award while resolving this matter. In the interim of award, we offer the following additional explanation for your review and consideration. We are additionally requesting a meeting to discuss and resolve this matter.

Regarding the Listing of Subcontractor KRC Safety, WFC is only required to list subcontractor in excess of ½ of 1 percent of the total bid ($2,143,622.50 = $10,718.11) or $10,000.00.

**Bid Item # 2** Construction Area Signs is the only item of work that KRC would be considered a Subcontractor and the amount of that item is as shown $7,550.00.

**Bid Item # 3** Traffic Control - this work should not be considered subcontracted work. Windsor Fuel Company would be performing all traffic control work on this contract with exception to the striping subcontractor's portion (Pacific Coast Markings) which is represented on the subcontractor listing form. KRC Safety Company's utilization would only be to augment Windsor Fuel's own forces. Furthermore a contractor cannot specify more than one subcontractor for an Item of work (WFC Listed PCM for Bid Item # 3 Traffic Control) and could not list another per Public Contracting Code 4106. WFC specifically stated partial-devices under the traffic control listing for KRC.

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**Bid Item # 4** is for Portable Changeable Message Boards, and again this is not subcontracted work, as stated on the quotation. This is for rental only. Rental work and does not apply to Section 4100 of the Public Contracting Code.

WFC achieved the stated goal 5% utilizing Certified DBE firms and listed the appropriate subcontractor listing per the Caltrans Specifications and Public Contracting Codes, and as such is the lowest responsible and responsive bidder and should be considered eligible for award of this Contract.

Thank you in advance for this help, we trust you will work with us in the successful completion of this matter and will strive to help us accomplish this goal.

Sincerely,

Mike Fain
Operations Manager

CC: Mike Telfer, Karl Meyers, Dan Frankel

Received Jan 20 2014 03:45pm

P.O. Box 1029
Pittsburg, CA. 94565
925 427-5266
925 427-1218 Fax

Windsor Fuel Company

# Fax

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|---|---|---|---|
| **To:** | Mr. John C. McMillan | **From:** | Mike Fain |
| **Fax:** | 916 227-6282 | **Pages:** | 3 |
| **Phone:** | 916 227-6299 | **Date:** | 1/20/14 |
| **Re:** | Contract Award 06-0Q8404 | **cc:** | |

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

• **Comments:**

Please find enclosed our letter of exception.

Thank You,
Mike Fain