

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

1727 30th STREET, MS 43

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

www.dot.ca.gov/hq/esc/oe

*Flex your power!
Be energy efficient!*

January 16, 2014

Facsimile: (925) 427-1216

Mike Fain, Operations Manager
Windsor Fuel Company
P.O. Box 1029
Pittsburg, CA 94565

06-0Q8404
06-Ker-43, 58, 223-Var
B.O. 01/07/2014

Dear Mr. Fain:

The Department of Transportation (Caltrans) received a bid submitted by Windsor Fuel Company (Windsor) for Contract No. 06-0Q8404 on January 7, 2014. By this letter Caltrans notifies Windsor that its bid is nonresponsive because of an inconsistent Disadvantaged Business Enterprise (DBE) Commitment form and Subcontractor List form.

The Caltrans Bidder-DBE-Commitment form states in part, "... *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.*"

On the DBE Commitment form submitted on January 10, 2014 by Windsor, KRC Safety Inc. (KRC) was listed to perform bid items 2, 3, and 4. However, Windsor failed to list KRC on the Subcontractor List form submitted with its bid. The addition of KRC on the DBE Commitment form is a violation of the subcontractor listing laws.

Based on the above, Caltrans will proceed to award the contract to the lowest responsible bidder, provided that all requirements have been met.

Your attention is directed to Section 3-1.04 of the 2010 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to extend your bid while resolving a nonresponsive finding you must send your request to the Office Engineer no later than 4:00 p.m., two business days prior to the expiration of your bid.

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

Sincerely,

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

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

Attachment

SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: Windsor Fuel Co.

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 columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
Pacific Coast Markings PO Box 294906 Phelan CA 92329	1	100	Lead Compliance Plan
	3	.07	Traffic Control (Partial)
	7	100	Remove Thermo. Stripes
	8	100	Remove Thermo. Markings
	16	100	4" Thermo. Traffic Stripes
	17	100	8" Thermo Traffic Stripes
	18	100	Thermo. Markings
	19	100	4" Thermo. Stripes (12-3)
	20	100	4" Thermo. Stripes (36-12)
	21	100	Retn - Reflective Driveway Markers

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3680 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

Contract No. 06-0Q8404

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: 06-0Q8404

BID AMOUNT: \$ 2,143,622.50

BID OPENING DATE: JANUARY 7, 2014 07-10-14 P11:57

BIDDER'S NAME: WINDSOR FUEL COMPANY

DBE GOAL FROM CONTRACT, %: 5%

DBE PRIME CONTRACTOR CERTIFICATION¹: 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
11, 14, 10	BUY, HAUL + DELIVER FLUSH COATS EMULSION & HMA FOR AC REPAIRS, SMO		DRAGON TRANSPORT INC P.O. BOX 27800 FARMSIDE, CA 95941-351-8822 CERT # 31444	\$ 78,085.92
2	CONSTRUCTION AREA SIGNS		KRC SAFETY INC P.O. BOX 6356 UISALIA, CALIF 95941-752-0393 CERT # 447	\$ 31,100.00
3	TRAFFIC CONTROL (PARTIAL), DEVICES			
4	PORTABLE CHANGEABLE MESS. SIGNS			
2	WPCP		ESWOPP 902 CORT, WY CT WILMINGTON, CA 95791 925-451-1337 CERT # 35275	\$ 600.00

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.

- 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.

Submit to

MSC 43
 OFFICE ENGINEER
 DEPARTMENT OF TRANSPORTATION
 1727 30TH STREET
 SACRAMENTO, CA 95816-7005

Total Claimed Participation \$ 109,785.00

M. N. Armstrong 5.1 %
 Signature of Bidder

JANUARY 9 2014 925-427-5266
 Date (Area Code) Tel. No.

MARC N. ARMSTRONG
 Person to Contact (Please Type or Print)

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01-10-14 P1:55 IN

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

P. 1
CALTRANS CONTR AWARDS Fax 916-227-6282

Jan 16 2014 01:44pm

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

EDMUND G. BROWN Jr., Governor

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DIVISION OF ENGINEERING SERVICES
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Sincerely,


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

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