

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!*

June 3, 2014

Facsimile: (530) 243-0787

Mr. Bob Towne
W. Jaxon Baker, Inc.
1643 Tahoe Court
Redding, CA 96003

06-0R2404
06-Fre-5/37.1/41.7,44.9/46.5
B.O. 4/23/14

Dear Mr. Towne:

The Department of Transportation (Caltrans) received a bid submitted by W. Jaxon Baker, Inc. for Contract No. 06-0R2404 on April 23, 2014. By this letter, Caltrans notifies W. Jaxon Baker, Inc. that its bid is nonresponsive since W. Jaxon Baker, Inc. did not comply with Contract Special Provision Section 2-1.03, DISABLED VETERAN BUSINESS ENTERPRISES, which states in part:

“... Meet the goal shown on the Notice to Bidders.”

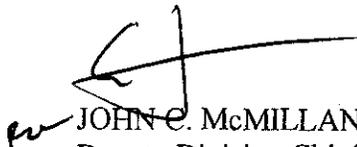
The DVBE contract goal is 5 percent. W. Jaxon Baker, Inc. claimed 10.69 percent participation. The Office of Business and Economic Opportunity, Contract Evaluation Branch evaluated the DVBE submittal and found that DCP Logistics does not perform a Commercially Useful Function. As a result, the claimed participation has been disallowed and therefore, W. Jaxon Baker, Inc., does not meet the goal and is no longer eligible for award of this contract.

Caltrans will award the contract to the lowest responsive bidder.

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 pm, 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,

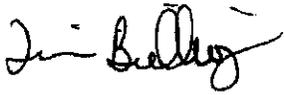

JOHN C. McMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

Attachment

Memorandum

*Serious drought.
Help Save Water!*

To: EARL SEABERG, Chief
Office of Contracts Awards and Services
Division of Engineering Services (OE)

From: TIM BULLIVANT, Branch Chief 
Contract Evaluation Branch (CEB)
Office of Business and Economic Opportunity

Subject: CONTRACT NO.: 06-0R2404

Date: May 19, 2014

The bid submitted by W. Jaxon Baker, Inc. (Jaxon) for contract number: 06-0R2404, which listed DCP Logistics (DCP) as a Disabled Veterans Business Enterprise (DVBE) subcontractor, has been evaluated by the CEB. The documentation received with the bid indicates DCP will be buying or supplying 130 tons of PG 64-16 for this project.

Upon review of this contract, DCP did not "carry out the obligation by actually performing, managing, or supervising the work involved that contribute to the fulfillment of the contract requirements" under the MILITARY AND VETERANS CODE SECTION 999-999.13, section (I) (aa). In addition, under the section (I) (ii) "the subcontractor's or supplier's role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of a disabled veteran business enterprise participation."

After further review of the work items provided by the DCP, CEB staff determined the DCP did not perform a Commercially Useful Function. As a result, their participation cannot be counted towards the DVBE goal.

If you have questions regarding this determination, please contact Steve Lu, CEB Analyst, at (916) 324-0888 or steve.lu@dot.ca.gov.

Please notify the prime contractor and the subcontractor.

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

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CALTRANS CONTR AWARDS Fax 916-227-6282

Jun 3 2014 12:10pm

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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