PK Construction

Certified DBE, SBE #1740362

517 N. Holliston Pasadena California 91106 lic.#718670

November 23, 2013

Department of Transportation

Attention: Bid , Protest & Disputes Brach Chief

PK Construction would like to state that the sheet 9 of 12 and 10 of 12 of the proposal have been located on the online site under the DVBE submittals.

Upon review of the subcontractors list submitted by Dalke & Son Construction Inc. it is notice that all percentages have been submitted without a response. And no additional submittals after the bid were submitted according to the Department of Transportation's online site.

Dalke & Son Construction Inc. did not submit the percentage of subcontractors at the time of bid or within 24 hours window after bid opening, for this reason should be reconsidered and deem the proposal submitted as nonresponsive.

PK Construction points your attention to **project 07-1W3204 were as the Department found PK Construction to be non-responsive,** although the word partial or portion was stated as being used by the regular subcontractors . And for the DVBE PK Construction stated that not less than 5% would be subcontracted to WEI Industries the DVBE listed. The end result was that the bid submitted by PK Construction was viewed as non-responsive and has since, been awarded to the second low bidder..

We request that The Department of Transportation would find that the same rules and guidelines are applicable and in turn view the bid submitted by Dalke & Son Construction Inc. as nonresponsive, because the contractor failed to complete columns 2and 3 of the subcontract list form DES-OE-0102.2.

Please see page 4 titled subcontractors' list 2 pages submitted by Dalke & Son Construction Inc. of which none of the 2,3 columns are filled in.

Dalke & Son Construction Inc. have claimed SBE but have not signed the form DES OE-,0102.7 found on page 5 at the time of bid, nor has a response been sent within the 24 hours from the bid submission.

For this reason we request that The Department of Transportation not grant SBE preference to Dalke & Son Construction Inc. , failure to request small business for this particular bid proposal 07-1W5204 would be the grounds for not allowing the preference.

PK Construction

Zhan Paul King

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SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: Dalke & Sons Construction, Inc.

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
~~Tripple E Electrical~~ Arcadia			~~Electrical~~
Ed Graves & Associates Alta Loma			grading & site demo
Extreame line Painting Moreno Valley			Painting
Cardinal sheet metal Riverside			metal Roof & sheet metal
Charley Tuttles Custom welding Bonsall			structural steel
Kelly's Underground Apple Valley			site utilities
Scion Electric Yucaipa			electrical

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Rosecan Const Riverside			Concrete

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REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE

DES-OE-0102.7 (REV 02/2010)

CONTRACT NO. 07 - 1W5204

Complete one of the following:

- **Small Business Preference**

The undersigned requests small business preference and certifies, under penalty of perjury, that the firm meets the requirements of 2 CA Code of Regs § 1896 et seq. and is certified as a small business at the time and day of bid opening or has submitted a complete application to the Department of General Services (DGS) and is subsequently certified. The complete application and any required substantiating documentation must be received by DGS by 5:00 p.m. on bid opening date.

Small Business Certification (Reference) Number: _____

Date: _____ Signature: _____

- **Non-Small Business Preference**

The undersigned requests non-small business preference and notifies the Department on the Certified Small Business Listing for the Non-Small Business Preference form that it commits to subcontract at least 25 percent of its bid amount with one or more firms that meets the requirements of 2 CA Code of Regs § 1896 et seq. and the firms are certified as small businesses at the time and day of bid opening or have submitted a complete application and are subsequently certified by the Department of General Services (DGS). The complete application and any required substantiating documentation must be received by DGS by 5:00 p.m. on bid opening date. List these firms on the Certified Small Business Listing for the Non-Small Business Preference form.

Date: _____ Signature: _____

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