

Date: 11-05-13

Agency/Owner: Department of Transportation
Address: 1727 30th St. Sacramento, CA 95818-7005

Attention: John McMillan

Regarding: **Bid Protest- Bid No. 07-272404**

Dear Mr. McMillan,

Please consider this letter Marina Landscape Inc. formal protest pertaining to Caltrans contract 07-272404 that bid on 10-31-13.

Upon review of the bid documents submitted by Future D B Inc, Marina Landscape finds that the bid documents were not executed properly.

On page 2 of the bid form, the printed name and the title of the person signing the bid documents is Bisher Aljazzar, identified as the President of the company. California State Contractor's License Board shows Future D B International Inc. CEO and President as Abdullah Arabi-Katbi. Mr. Bisher Aljazzar is not listed as an officer of the company. (Please see attachment)

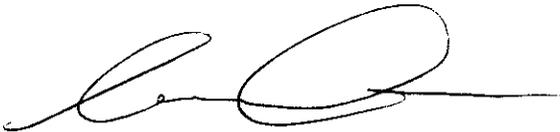
In reference to section 2.137 Bid Submittal, if an agent other than the authorized corporation officer or a partnership member signs the bid, they must file a power of attorney with the Department before or with the bid. Otherwise, the bid may be non-responsive.

We find that the bidder Future D B International Inc. did not properly execute the bid form and declare their bid non-responsive. We would request that the Department award to the apparent low responsible/responsive bidder, Marina Landscape, Inc.

Please contact me at your convenience, should you have any questions in the matter.

Sincerely,
MARINA LANDSCAPE, INC

Thanh Ta
Estimator



MARINA LANDSCAPE, INC.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
BID TO THE DEPARTMENT OF TRANSPORTATION
DES-OE-0102.1 (REV. 3/2011)

C-6

CONTRACT NO. 07 - 272404

NAME OF BIDDER Future DB International Inc.
BUSINESS P.O. BOX _____
CITY, STATE, ZIP _____
BUSINESS STREET ADDRESS 8707 Research Drive
(include even if P.O. Box used)
CITY, STATE, ZIP Irvine, CA 92618
TELEPHONE NO: AREA CODE (949) 390-2111
FAX NO: AREA CODE (949) 732-4355
CONTRACTOR LICENSE NO. 976670

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the *Notice to Bidders*.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.

2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non-plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:

- 2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails except:

- 2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.

- 2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.

- 2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.

- 2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.

- 2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.

- 2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
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- 2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.
For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.
For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.
- 2.7. The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addenda:

1, 2

4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:

Cash \$ _____, Cashiers Check, Certified Check, Bidder's Bond

5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

- 5.1. Criminal prosecution
- 5.2. Rejection of the bid
- 5.3. Rescission of the award
- 5.4. Termination of the Contract

BY (Authorized Signature)



DATE SIGNED (Do not type)

10/31/13

PRINTED NAME AND TITLE OF PERSON SIGNING

Bisher Aljazzar, President

bond of qualifying individual is **not** required.

Effective Date: 09/14/2012

WORKERS' COMPENSATION

This license has workers compensation insurance with
SENTINEL INSURANCE COMPANY LTD

Workers' Compensation

Policy Number: 57WECDQ0426

Effective Date: 02/27/2012

Expire Date: 02/27/2014

Personnel listed on this license (current or disassociated) are listed on other licenses.

Personnel List	Other Licenses
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DEPARTMENT OF CONSUMER AFFAIRS

Contractors State License Board

Contractor's License Detail (Personnel List)

Contractor License #: 976670

Contractor Name: FUTURE D B INTERNATIONAL 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
KATBI SAMER ARABI	RMO	09/14/2012		A	More
ABDULLAH ARABI-KATBI	CEO/PRESIDENT	09/14/2012	07/30/2013		

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DEPARTMENT OF CONSUMER AFFAIRS

Contractors State License Board

Contractor's License Detail (Other Licenses)

Contractor License #: 976670

Contractor Name: FUTURE D B INTERNATIONAL INC

Select the license name you would like to check for additional status details

CONTRACTOR'S NAME	LICENSED WITH	STATUS
KATBI SAMER ARABI	<u>FEC FUTURE CONTRACTORS & ENGINEERS</u>	Inactive
	<u>FEC FUTURE CONTRACTORS AND ENGINEERS INC</u>	Active

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