



07-19-16A11:20 RCVD

CORPORATE OFFICE
3050 E. Birch Street
Brea, CA 92821
[714] 984-5500
Fax [714] 854-9754

July 18th 2016

CENTRAL REGION
1128 Carrier Parkway Ave.
Bakersfield, CA 93308
[661] 392-6640
Fax [661] 393-9525

Contract Awards
Department of Transportation
1727 30th St., MS 43
Sacramento, Ca 95816

SOUTHERN REGION
12200 Bloomfield Ave.
Santa Fe Springs, CA 90670
[562] 929-1128
Fax [562] 864-8970

RE: **Bid Protest:** Contract No. 07-288204

STRUCTURE DIVISION
3050 E. Birch Street
Brea, CA 92821
[714] 984-5500
Fax [714] 854-0227

To Whom It May Concern,

This letter will serve as our protest of bids submitted for contract 07-288204 on 7/7/2016 by the following contractors: Martinez Landscaping Co., Inc. and STL Landscape, Inc.

UNDERGROUND DIVISION
3050 E. Birch Street
Brea, CA 92821
[714] 984-5500
Fax [714] 854-0226

STL Landscape failed to follow Addendum No. 1 sent to bidders on June 29, 2016 which added the following to the end of "Section 2-1.09": "The Item total for minimum- bid plant establishment work must be at least \$450,000". If STL Landscape raised their bid item to meet the \$450,000 minimum required for item 26, STL would have placed third. STL Landscape has also failed to submit the DBE commitment required to be submitted no later than 4 business days after bid opening per Special Provisions Section "**2-1.33D(2)(b) Contracts with a DBE Goal**". Considering the above stated STL Landscape's bid should be deemed unresponsive.

LANDSCAPE DIVISION
3050 E. Birch Street
Brea, CA 92821
[714] 984-5500
Fax [714] 854-7843

Martinez Landscaping Co, Inc. failed to submit a DBE confirmation for their listed DBE subcontractor "Enor Innovations Inc." and it is now past the deadline which is 4 business days after bid opening per Special Provisions Section "**2-1.33D(2)(b) Contracts with a DBE Goal**". Martinez Landscape has also failed to submit their DBE Commitment on time (submitted on 7/14/16 at 8:50 am) as shown in the attached FEDEX Tracking Slip, which shows the Forms delivered after the 4th business day which is past the deadline per Special Provisions Section "**2-1.33D(2)(b) Contracts with a DBE Goal**". Considering the above stated Martinez Landscaping's bid should be deemed unresponsive.

CONCRETE DIVISION
12200 Bloomfield Ave.
Santa Fe Springs, CA 90670
[562] 929-1128
Fax [562] 864-8970

MATERIALS DIVISION
3050 E. Birch Street
Brea, CA 92821
[714] 984-5500
Fax [714] 854-0229

After reviewing the submitted bid books, DBE commitment forms, and attached back up. Apparent lowest bidder Martinez Landscaping and Apparent 2nd lowest bidder STL Landscaping should be deemed unresponsive and award Griffith Company as the Lowest Bidder.

www.griffithcompany.net

CA Contractors
License #88

NV Contractors
License #78889

AZ Contractors
License #292209

Sincerely,

Rick Carlson
Division Manager
Tel: (714) 984-5500
rcarlson@griffithcompany.net



STL LANDSCAPE

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
 Contract No.: 07-288204 Project ID: 0700021023
 Bidder Name: STL Landscape, Inc.

Bidder ID: VC0000108756

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
24	204038	PLANT (GROUP U)	108.0 EA	105.00	11,340.00
25	204096	MAINTAIN EXISTING PLANTED AREAS	LUMP SUM LS	LUMP SUM	5,000.00
26	204097	PLANT ESTABLISHMENT WORK (MINIMUM BID)	LUMP SUM LS	LUMP SUM	150,000.00
27	205035	WOOD MULCH	1,940.0 CY	40.00	77,600.00
28	206400	CHECK AND TEST EXISTING IRRIGATION FACILITIES	LUMP SUM LS	LUMP SUM	10,000.00
29	206402	OPERATE EXISTING IRRIGATION FACILITIES	LUMP SUM LS	LUMP SUM	5,000.00
30	206560	CONTROL AND NEUTRAL CONDUCTORS	LUMP SUM LS	LUMP SUM	150,000.00
31	206562	1" REMOTE CONTROL VALVE	44.0 EA	450.00	19,800.00
32	206564	1 1/2" REMOTE CONTROL VALVE	119.0 EA	475.00	56,525.00
33	206565	2" REMOTE CONTROL VALVE	27.0 EA	500.00	13,500.00
34	206757	16-18 STATION IRRIGATION CONTROLLER (WALL MOUNTED)	7.0 EA	7,000.00	49,000.00
35	206758	24-32 STATION IRRIGATION CONTROLLER (WALL MOUNTED)	10.0 EA	7,500.00	75,000.00

Min.
 Bid Req.
 \$450,000
 PER
 APPENDUM
 #1

**Bid Form Submittal Schedule for a
Federal-Aid Contract with a DBE Goal**

Form	Submittal deadline
Bid to the Department of Transportation	Time of bid except for the public works contractor registration number
Copy of the Bid to the Department of Transportation as submitted at the time of bid with the public works contractor registration number	10 days after bid opening
Subcontractor List	Time of bid except for the public works contractor registration number
Copy of the Subcontractor List as submitted at the time of bid with the public works contractor registration number	10 days after bid opening
Small Business Status	Time of bid
Opt Out of Payment Adjustments for Price Index	Time of bid
Fluctuations ^a	
DBE Commitment	No later than 4 p.m. on the 4th business day after bid opening
DBE Confirmation	No later than 4 p.m. on the 4th business day after bid opening
DBE Good Faith Efforts Documentation	No later than 4 p.m. on the 4th business day after bid opening

STL
DID NOT
SUBMIT



^a Submit only if you choose the option.

02-27-15

2-1.33D(2)(c) Contracts without a DBE Goal

Reserved

2-1.33D(2)(d)–2-1.33D(2)(h) Reserved

2-1.33D(3) Non-Federal-Aid Contracts

2-1.33D(3)(a) General

Section 2-1.33D(3) applies to non-federal-aid contracts.

2-1.33D(3)(b) Contracts with a DVBE Goal

Section 2-1.33D(3)(b) applies if a DVBE goal is shown on the *Notice to Bidders*.

Bid Form Submittal Schedule for a Federal-Aid Contract with a DBE Goal

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DBE Confirmation	No later than 4 p.m. on the 4th business day after bid opening
DBE Good Faith Efforts Documentation	No later than 4 p.m. on the 4th business day after bid opening

^aSubmit only if you choose the option.

MARTINEZ
DID NOT
SUBMIT
ON TIME

MARTINEZ
DID NOT
SUBMIT

02-27-15

2-1.33D(2)(c) Contracts without a DBE Goal

Reserved

2-1.33D(2)(d)–2-1.33D(2)(h) Reserved

2-1.33D(3) Non-Federal-Aid Contracts

2-1.33D(3)(a) General

Section 2-1.33D(3) applies to non-federal-aid contracts.

2-1.33D(3)(b) Contracts with a DVBE Goal

Section 2-1.33D(3)(b) applies if a DVBE goal is shown on the *Notice to Bidders*.

Low Bidder

07-14-16A11:52 RCVD

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
DES-OE-0102.10D (REV 12/2014)

Late

CONTRACT NO:
07-288204

BID AMOUNT:
\$ 2,369,499.05

BID OPENING DATE:
07/07/2016

BIDDER'S NAME:
Martinez Landscape Co., Inc

DBE GOAL FROM CONTRACT %:
11%

DBE PRIME CONTRACTOR CERTIFICATION ¹ : 30797	TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE) 3	TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE) 70,080.00
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BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ²	NAME OF DBEs (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
2	Construction Area Signs	3	Enor Innovations Inc	15,600.00
3	Traffic Control System	3	Enor Innovations Inc	35,000.00
4,10-60	Self Perform	1		2,299,419.05

No DBE CONFIRMATION SUBMITTED

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

Total Claimed Participation

\$ 2,350,019.05

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Pub Cont Code § 4100 et seq.).

99.2 %

¹Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

²If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

Signature of Bidder

07/11/2016

Date

(818)364-9188

(Area Code) Tel. No.

Salvador Martinez

Person to Contact

(Please Type or Print)

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 445-1233, TTY 711, or write to Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

MARTINEZ LANDSCAPE



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English

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801409413681

Ship date:

Wed 7/13/2016

KAG US

Delivered

Signed for by: L.PARRA

Actual delivery:
Thu 7/14/2016 8:50 am
CA US

LATE

Travel History

Date/Time	Activity	Location
- 7/14/2016 - Thursday		
8:50 am	Delivered	CA
7:57 am	On FedEx vehicle for delivery	SACRAMENTO, CA
7:14 am	Delivery exception Customer not available or business closed	SACRAMENTO, CA
6:54 am	On FedEx vehicle for delivery	SACRAMENTO, CA
6:39 am	At local FedEx facility	SACRAMENTO, CA
4:14 am	At destination sort facility	SACRAMENTO, CA
2:15 am	Departed FedEx location	OAKLAND, CA
- 7/13/2016 - Wednesday		
11:21 pm	Arrived at FedEx location	OAKLAND, CA
7:52 pm	Left FedEx origin facility	NORTH HILLS, CA
5:45 pm	Picked up	NORTH HILLS, CA

Shipment Facts

Tracking number	801409413681	Service	FedEx First Overnight
Delivered To	Mailroom	Terms	Shipper
Packaging	FedEx Envelope	Special handling section	Deliver Weekday



Search or tracking number

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