

**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  
TTY 711  
www.dot.ca.gov



*Serious drought.  
Help save water!*

March 6, 2015

Facsimile: (951) 657-1993

Lucio S. Collado, Chief Operations Officer  
Ybanag Realty and Development Corporation  
dba D'Ybanag Construction Co.  
4293 N. Webster Avenue  
Perris, CA 92571

07-2W6504  
07-LA-57, 60, 71-Var  
B.O. 2/5/15

Dear Mr. Collado:

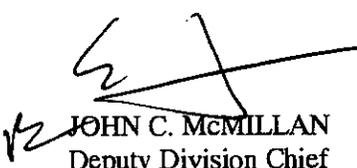
The Department of Transportation (Caltrans) received a letter dated February 17, 2015 from Ybanag Realty and Development Corporation dba D'Ybanag Construction Company (D'Ybanag) for Contract 07-2W6504. D'Ybanag requests Caltrans to disregard the submittal of a revised listing of the Subcontractor List form which added a subcontractor after the bid day submittal.

As you are aware from our previous correspondence to you dated February 17, 2015, the addition of a subcontractor or a modification to the 24-hour Subcontractors List form constitutes an improper change, which is in violation of the bidding instructions, as well as the Public Contract Code.

Caltrans, in order to preserve the integrity of the bidding process, cannot make assumptions regarding the intent of the contractor, and awards contracts to those bidders who have met the requirements of the contract and are responsive. Each bid is accepted and each contract is awarded based on the face of the contract. Once a bid is submitted, it cannot be changed. A basic rule of competitive bidding is that bids must conform to specifications and if a bid fails to do so, it may not be accepted.

As such, the bid by D'Ybanag was found nonresponsive because of the addition of Extreme Pressure Systems to its 24 hour Subcontractors List form and based on this finding; Caltrans has not changed its position regarding the nonresponsive finding.

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

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

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

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CALTRANS CONTR AWARDS Fax 916-227-6282

Mar 6 2015 03:10pm

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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