

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
1727 30th STREET, MS-43
P.O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6299
FAX (916) 227-6282
TTY 711
www.dot.ca.gov



*Serious drought.
Help save water!*

March 25, 2016

Facsimile: (760) 727-8701

Rudy C. Zavalani, President
Pave-Tech, Inc.
2231 La Mirada Drive
Vista, CA 92081

07-2W9304
07-Ven-33-40.0/42.0
B.O. 3/1/2016

Dear Ms. Zavalani:

The Department of Transportation (Caltrans) received a letter dated March 9, 2016, from Pave-Tech, Inc. (Pave-Tech), protesting the bid submitted by Griffith Company (Griffith). The protest alleges that Griffith's Disabled Veteran Business Enterprises (DVBE) Summary and Subcontractor List are inconsistent since Griffith listed Titan DVBE (Titan) to perform work described as bid items 2, construction area signs and 3, traffic control systems on its Subcontractor's List; however, added portable changeable message boards (PCMS) on its DVBE Summary. Also, the amounts listed on the DVBE Summary for bid items 2 and 3 are inconsistent with the amounts listed on the bid item list. Lastly, Griffith did not meet the 3 percent goal and should be found nonresponsive.

As the protest relates to the DVBE Summary, Griffith was not required to list PCMS, since PCMS is a rental and is not defined by the Business and Professions Code for that of a contractor and is not considered an item of work subject to Public Contract Code 4100.

In regards to the inconsistencies between the bid item and DVBE Summary amounts; Caltrans does not perform calculations at bid time of the percentages listed on the Subcontractor's List with regard to the amount listed for a particular item. The percentages of each bid item are not always a one for one match with the dollar amounts listed on the DVBE Summary, since the total bid amount and even individual bid items may include the contractors profit and overhead.

Based on the above, Caltrans finds Pave-Tech's protest does not have merit and will proceed to award the contract to the lowest responsive bidder, provided that all requirements have been met.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff DeFevere", with a long horizontal line extending to the right.

JEFF DEFEVERE
Office Chief
Office Engineer, Construction Contract Awards
Division of Engineering Services

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

P. 1
CAL/TRANS PLANS COUNTER

Mar 25 2016 03:27pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
917607278701	Normal	25:03:26pm	0' 40"	1	OK	

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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