

**PTM General Engineering Services, Inc.**  
**5942 Acorn St.**  
**Riverside, CA 92504**  
**951.710.1000**

December 17, 2014

Department of Transportation  
Division of Engineering Services, Office Engineer  
1727 30<sup>th</sup> St.—MS -43  
Sacramento, CA 95816

FAX, Email & overnight mail

516 227 6282

916.227.6228

pages: 5

Reference: Caltrans Contract No. 07-3X9204  
Subject: Objection to intent to award project to YAKAR

Attention: Ms. Mulissa Smith, Office Engineer

Ms. Smith:

PTM General Engineering, Inc., ("PTM") acknowledges Caltrans correspondence dated December 15, 2014, and while disappointed in the State's rejection of PTM's protest, PTM believes that an award to YAKAR is not appropriate. PTM suggests that the proper solution is for the State to reject all bids and re-advertise the project.

PTM objects to the State's intent to award contract 07-3X9204 to the fourth bidder, YAKAR. PTM has reviewed the available information posted on the Caltrans' website and offers the following:

Subcontracting:

PTM reviewed BI 3 & 4 of YAKAR's Subcontractor listing submitted with its bid proposal. YAKAR submitted \$35,000 for BI 3, Construction Signs and \$350,000 for BI 4 Traffic Control. YAKAR listed Maneri Traffic Control for 90% of BI 4, or \$315,000. However, on the DBE listing submittal, page 2, YAKAR lists Maneri for \$417,000. Why is there a \$102,000 difference?

It is clear on page 6 of YAKAR's bid proposal that on bid day they intended to subcontract 90% of \$350,000 or \$315,000 to Maneri for BI 4 work.

Maneri's subcontract portion of YAKAR's bid is only  $\$315,000 + \$40,500 = \$355,000.00$ .

Crosstown Electric also named Maneri Traffic Control for BI 4, at 75% of its bid of \$600,000, or \$450,000, which included labor and equipment.

Bidders 1, 2 & 3 average price for BI 4, Traffic Control is \$636,636. One could conclude that YAKAR unbalanced its bid.

**PTM General Engineering Services, Inc.**  
**5942 Acorn St.**  
**Riverside, CA 92504**  
**951.710.1000**

DBE Goal of 11%

On bid day, October 30, 2014, YAKAR did not submit the DBE Prime Contractor Certification, which was required as part of the bid proposal. This form was required of all bidders.

YAKAR's DBE submittal lists Maneri Traffic Control as the only DBE firm to be utilized on the project. On page 2, YAKAR listed Labor and equipment at \$417,000. (5.14%)

Also on page 2, the following amounts are listed under equipment rentals, \$71,200, \$88,000, \$20,000 and \$228,000 = \$407,200. However, when evaluating the goal at the amount of \$407,000 is credited at 60% or \$224,320. (3.01%)

Therefore, YAKAR's total commitment is \$641,320, not \$854,180 as listed on the DBE form. PTM also requests confirmation of the date of submittal of the DBE information. It is patently unfair to allow bidders several weeks to review their documents. It should be noted that other bidders had no difficulty meeting the goal, which should raise the issue of YAKAR's good faith efforts.

Based on YAKAR's bid of \$8,114,354.50, their DBE commitment is 8.15%, well short of the 11% goal.

PTM is available to discuss these comments.

Please acknowledge receipt of this document by return email to: [elizabeth@ptm-eng.com](mailto:elizabeth@ptm-eng.com)

Sincerely,

Elizabeth Mendoza-McRae, President

Enclosures:

Highlighted portions of YAKAR DBE submittal with comments (pages 1-3)

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**CALTRANS BIDDER - DBE - COMMITMENT**  
DES-UE-0702-10C (NEW 05/2012)

This information may be submitted with your bid proposal. If it is not, and you are the apparent low bidder or the second or third low bidder, it must be submitted and received as specified in section 2 of the specifications. Failure to submit the required DBE information will be grounds for finding the bid nonresponsive.

CONTRACT NO: 07-3X9204  
BID AMOUNT: \$114,354.00  
BID OPENING DATE: 10/30/14  
BIDDER'S NAME: YAKAR  
DBE GOAL FROM CONTRACT, %: 11  
DBE PRIME CONTRACTOR CERTIFICATION:

Yakar's dbe claimed participation is actually 8.51%  
8.51% and his supposedly 10.53 is not 11% as required.  
Maneri Traffic Control's subcontractor portion and material can  
be verified by comparing it to what Crossstow had included in their bid.  
It only confirms the material portion should be 60% in Yakar's submission.

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED	FOR CALTRANS USE ONLY	NAME OF DBE (Must be certifier on the date bids are opened - include Caltrans certification #, DBE address and phone number. Indicate 2nd and lower tier subcontractors)	DOLLAR AMOUNT DBE
3,4	Construction Area Signs Traffic Control System		Maneri Traffic Control #38078 47423 Rainbow Canyon Temecula, CA 92592 Tel-951-695-5104	854,180
	Yakar's dbe commitment should be as follows: Ptn. Bid Item 3 & 4: Portion of construction area signs and traffic control system.		Maneri Traffic Control	446980.00
	This portion of dbe participation involves labor and therefore must be and is included in their subcontractor listing. Dollar value is 29900.00 plus 417000.00 = 446980.00: claimed participation is 5.5%			
	Ptn. Bid Item 3 & 4: Portion of material for bid items.			
	This portion is inclusive of material to be purchased: 71200+88000+20000+228000 = 407200.00			407200.00
	407200.00 x 60% = 244320.00 = claimed participation 3.01%			691300.00
			Total Claimed Participation	8.51%
				10.53%

IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Names of the first tier DBE Subcontractors and their respective tier(s) of work listed above must be consistent, where applicable, with the names and tier of work in the "Subcontractor List" submitted with your bid. Copies of the DBE quotes are required.

- DBE prime contractors must enter their certification number and indicate all work to be performed by DBEs including work performed by its own forces.
- If 100% of item is not to be performed or furnished by DBE, describe exact portion of item to be performed or furnished.
- See section 2-1.12 of the specifications to determine the credit allowed for DBE firms.

Signature of Bidder: [Signature]  
Date: 10/30/14  
Phone: 909)599.1612  
(Area Code) Tel. No.  
Name: Maneri Traffic Control / Joseph Khudib  
(Please Type or Print)

Submit to:  
MSC 43  
OFFICE ENGINEER  
DEPARTMENT OF TRANSPORTATION  
1727 30TH STREET  
SACRAMENTO, CA 95816-7036

Oct 29 14 12:05p

MANERI TRAFFIC CONTROL

9516955105

p.1

**MANERI TRAFFIC CONTROL**  
CONTRACTOR LICENSE # 892008  
SMALL BUSINESS CERTIFIED (OSDS REF # 53767)  
DBE CERTIFIED (FIRM #38078)  
UNION SIGNATORY



**SIGN AND TRAFFIC QUOTE**

PROJECT: 07-3X9294

BID DATE: 10/30/14

TO: PLANHOLDER  
ATTN: ESTIMATOR

TO ESTIMATOR:

~~CONSTRUCTION AREA SIGNS: (ITEM #3)  
ITEM #3 \$29,980.00 WITH USING MTC FOR ITEM #4  
(ITEM #3 PRICE INCLUDES TWELVE TYPE II FUNDING SIGNS)~~

CONSTRUCTION AREA SIGNS: (ITEM #3)  
ITEM #3 \$35,031.00 WITHOUT USING MTC FOR ITEM #4  
(ITEM #3 PRICE INCLUDES TWELVE TYPE II FUNDING SIGNS)

ADDITIONAL ITEMS:

TRAFFIC CONTROL: (ITEM #4)  
LUMP SUM, 2 LABORERS, 1 TRUCK AND EQUIPMENT (1-8 HOURS)-\$1,390.00  
YEARLY INC REASE OF \$30.00 FOR TRAFFIC CONTROL (LUMP SUM) BEGINNING JULY 1<sup>ST</sup>  
PLEASE SEE ATTACHED QUOTE ALL OTHER PRICES.

IF YOU HAVE ANY QUESTIONS REGARDING ANY PORTION OF THIS QUOTE, PLEASE DO NOT  
HESITATE TO CALL (760) 535-7881. **THANK YOU** FOR YOUR TIME AND CONSIDERATION

SINCERELY,

*Johnnie Maneri*

NOTE: CONSTRUCTION AREA SIGNS ESTIMATE INCLUDES DELIVERY, INSTALLATION, AND REMOVAL. THE  
PRICE DOES NOT INCLUDE MAINTENANCE, CHANGES OF DATES, RELOCATION, OR REPLACEMENTS. ALL SIGNS  
BECOME THE PROPERTY OF MANERI TRAFFIC CONTROL UPON COMPLETION OF THE JOB. FUNDING SIGNS ARE  
\$800.00, UNLESS NOTED IN THIS BID. MANERI TRAFFIC CONTROL EXCLUDES THE COVERING OF THE 684 SIGN.  
MANERI TRAFFIC CONTROL EXCLUDES ALL INSTALLATION AND REMOVAL OF OVERHEAD SIGNS.  
ANY ADDITIONAL LICENSE FEES WILL BE THE CONTRACTORS RESPONSIBILITY. IF CONTRACTOR REQUIRES A  
BOND, A SURETY RATE OF 3% OF THE BOND AMOUNT, PLUS A SBA FEE OF 75% OF THE TOTAL BOND AMOUNT  
WILL BE ADDED TO THE TOTAL CONTRACT AMOUNT.  
MANERI TRAFFIC CONTROL DOES NOT DO TRAFFIC CONTROL PLANS.

47423 RAINBOW CANYON  
TEMECULA, CA 92592

OFFICE: 951-695-5104  
FAX: 951-695-5105

Oct 29 14 12:06p

MANERI TRAFFIC CONTROL

9516955105

p.2

**MANERI TRAFFIC CONTROL**  
**CONTRACTOR LICENSE # 892008**  
**SMALL BUSINESS CERTIFIED (OSDS REF # 53767)**  
**DBE CERTIFIED (FIRM #38078)**  
**UNION SIGNATORY**



BID DATE: 10/30/14  
PROJECT: 07-3X9204

LUMP SUM, 2 LABORERS, 1 TRUCK AND EQUIPMENT (1-8 HOURS).....	\$1,390.00	<i>Est. 417,000</i>
COMPLETE FREEWAY CLOSURE, 1 DIRECTION, 2 LABORERS (1-8 HOURS).....	\$1,500.00	
FLAGGING OPERATION, 2 LABORERS (1-8 HOURS).....	\$1,490.00	
FLAGGING OPERATION, 2 LABORERS (1-8 HOURS) WITH RUMBLE STRIPS.....	\$1,790.00	
PILOT CAR OPERATION, 3 LABORERS (1-8 HOURS).....	\$2,050.00	
PILOT CAR OPERATION, 3 LABORERS (1-8 HOURS) WITH RUMBLE STRIPS.....	\$2,450.00	
ONE LABORER W/ TRUCK AND EQUIPMENT (1-8 HOURS).....	\$890.00	
ADDITIONAL LABORER (1-8 HOURS).....	\$650.00	
RAMP NOTIFICATION SIGN (EACH).....	\$190.00	
<b>PCMS BOARDS:</b>		
DAILY.....	\$185.00	
WEEKLY.....	\$350.00	
MONTHLY.....	\$890.00	<i>712.00</i>
<b>ARROW BOARDS:</b>		
DAILY.....	\$50.00	
WEEKLY.....	\$185.00	
MONTHLY.....	\$550.00	<i>83,000</i>
<b>EQUIPMENT:</b>		
DELIVERY (EACH).....	\$100.00	<i>80,000</i>
PICK-UP (EACH).....	\$100.00	

THE FOLLOWING RATES ARE FOR A SCORPION 100K ATTENUATOR TRUCK RENTAL  
 THERE IS **NO MILEAGE CHARGE**

ATTENUATOR TRUCK W/ DRIVER (1-8 HOURS).....	\$890.00
<b>ATTENUATOR TRUCK W/OUT DRIVER:</b>	
DAILY.....	\$325.00
WEEKLY.....	\$990.00
MONTHLY.....	\$2,850.00

*NOTE: CONTRACTOR ASSUMES FULL RESPONSIBILITY FOR BOARD PLACEMENT AND ANY DAMAGES INCURRED THEFT AND VANDALISM INCLUDED.*

ADDITIONAL TIME AFTER 8 HOUR SHIFT WILL BE CHARGED AT THE RATE OF \$115.00 PER HOUR PER LABORER. FIRST 8 HOURS ON A SATURDAY OR SUNDAY ADD \$295.00 PER LABORER FOR OVERTIME RATE DIFFERENCE.

<b>CANCELLATIONS:</b>	
4 HOURS PRIOR TO SHOW UP.....	NO CHARGE
SHOW UP TIME PER LABORER.....	2 HOURS
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*NOTE: MINIMUM OF 1 HOUR FOR SET UP AND 1 HOUR FOR PICK UP ABOVE PRICES. DO NOT INCLUDE RETENTIONS*

47423 RAINBOW CANYON  
 TEMECULA, CA 92592

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 FAX: 951-695-5105

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December 17, 2014

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Division of Engineering Services, Office Engineer  
1727 30<sup>th</sup> St.—MS -43  
Sacramento, CA 95816

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*516 227.6282*

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*pages 5*

Reference: Caltrans Contract No. 07-3X9204  
Subject: Objection to intent to award project to YAKAR

Attention: Ms. Mulissa Smith, Office Engineer

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Therefore, YAKAR's total commitment is \$641,320, not \$854,180 as listed on the DBE form. PTM also requests confirmation of the date of submittal of the DBE information. It is patently unfair to allow bidders several weeks to review their documents. It should be noted that other bidders had no difficulty meeting the goal, which should raise the issue of YAKAR's good faith efforts.

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Sincerely,

Elizabeth Mendoza-McRae, President

Enclosures:

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Oct 25 14 12:06p

MANERI TRAFFIC CONTROL

9516955105

21

**MANERI TRAFFIC CONTROL**  
**CONTRACTOR LICENSE # 892008**  
**SMALL BUSINESS CERTIFIED (OSDS REF # 53767)**  
**DBE CERTIFIED (FIRM #38078)**  
**UNION SIGNATORY**



**SIGN AND TRAFFIC QUOTE**

**PROJECT: 07-3X9204**  
**BID DATE: 10/30/14**

**TO: PLANHOLDER**  
**ATTN: ESTIMATOR**

TO ESTIMATOR:

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SINCERELY,

*Thomas Maneri*

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 TEMECULA, CA 92592

OFFICE: 951-695-5104  
 FAX: 951-695-5105

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**CALTRANS BIDDER - DBE - COMMITMENT**  
 DES-02-0702.10C (NEW 06/2012)

This information may be submitted with your bid proposal. If it is not, and you are the apparent low bidder or the second or third low bidder, it must be submitted and received as specified in section 2 of the specifications. Failure to submit the required DBE information will be grounds for finding the bid nonresponsive.

CONTRACT NO: 07-3X9204

BID AMOUNT: \$ 714,354<sup>50</sup>

BID OPENING DATE: 10/30/14

BIDDER'S NAME: YAKAR

DBE GOAL FROM CONTRACT, %: 11

DBE PRIME CONTRACTOR CERTIFICATION:

Yakar's dbe claimed participation is actually 8.51%  
 8.51% and his supposedly 10.53 is not 11% as required.  
 Maneri Traffic Control's subcontractor portion and material can  
 be verified by comparing it to what Crosstown had included in their bid.  
 It only confirms the material portion should be 60% in Yakar's submission.

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED <sup>2</sup>	FOR CALTRANS USE ONLY	NAME OF DBE (Must be certified on the date bids are opened - include Caltrans certification #, DBE address and phone number) (Indicate 1st and lower tier subcontractors)	DOLLAR AMOUNT DBE <sup>3</sup>
<u>3,4</u>	<u>Construction Area Signs Traffic Control System</u>		<u>Maneri Traffic Control #38078 47423 Rainbow Canyon Terrellville, LA 92592 Tel-951-695-5104</u>	<u>354,180</u>

Yakar's dbe commitment should be as follows:  
 Prin. Bid Item 3&4: Portion of construction area signs and traffic control system. Maneri Traffic Control 446980.00  
 This portion of dbe participation involves labor and therefore must be and is included in their subcontractor listing. Dollar value is 29900.00 plus 417000.00 = 446980.00; claimed participation is 5.5%  
 Prin. Bid Item 3&4: Portion of material for bid items: 407200.00  
 This portion is inclusive of material to be purchased: 71200+88000+20000+228000 = 407200.00  
 $407200.00 \times 60\% = 244320.00 = \text{claimed participation } 3.01\%$

<p>IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Names of the First Tier DBE Subcontractors and their respective tier(s) of work stated above must be consistent, where applicable, with the names and tiers of work in the "Subcontractor List" submitted with your bid. Copies of the DBE queries are required.</p>	<p>Total Claimed Participation</p> <p>8.51%</p> <p><u>10.53%</u></p>
---	--

- DBE prime contractors must enter their certification number and indicate all work to be performed by DBEs including work performed by its own forces.
- If 100% of work is not to be performed or furnished by DBE, describe exact portion of work to be performed or furnished.
- See section 2-1.12 of the specifications to determine the credit allowed for DBE firms.

Submit to:  
 MSC 43  
 OFFICE ENGINEER  
 DEPARTMENT OF TRANSPORTATION  
 1727 30TH STREET  
 SACRAMENTO, CA 95815-7005

Signature of Bidder: [Signature]  
 Date: 10/30/14  
 (Area Code) Tel. No.: 909/599-1612  
 Person to Contact: Maneri Traffic / Joseph Khatib  
 Please Type or Print:

Oct 29 14 12:06p

MANERI TRAFFIC CONTROL

9516955105

02

**MANERI TRAFFIC CONTROL**  
**CONTRACTOR LICENSE # 892008**  
**SMALL BUSINESS CERTIFIED (OSDS REF # 53767)**  
**DBE CERTIFIED (FIRM #38078)**  
**UNION SIGNATORY**



**BID DATE: 10/30/14**  
**PROJECT: 07-3X9204**

LUMP SUM, 2 LABORERS, 1 TRUCK AND EQUIPMENT (1-8 HOURS)	\$1,390.00	
COMPLETE FREEWAY CLOSURE, 1 DIRECTION, 2 LABORERS (1-8 HOURS)	\$1,500.00	4/17, 0.00
FLAGGING OPERATION, 2 LABORERS (1-8 HOURS)	\$1,490.00	
FLAGGING OPERATION, 2 LABORERS (1-8 HOURS) WITH RUMBLE STRIPS	\$1,790.00	
PILOT CAR OPERATION, 3 LABORERS (1-8 HOURS)	\$2,050.00	
PILOT CAR OPERATION, 3 LABORERS (1-8 HOURS) WITH RUMBLE STRIPS	\$2,450.00	
ONE LABORER W/ TRUCK AND EQUIPMENT (1-8 HOURS)	\$890.00	
ADDITIONAL LABORER (1-8 HOURS)	\$650.00	
RAMP NOTIFICATION SIGN (EACH)	\$190.00	
<b>PLMS BOARDS:</b>		
DAILY	\$185.00	
WEEKLY	\$350.00	
MONTHLY	\$890.00	44 x 20 = 880
<b>ARROW BOARDS:</b>		
DAILY	\$50.00	
WEEKLY	\$185.00	
MONTHLY	\$550.00	5 x 20 = 100
<b>EQUIPMENT:</b>		
DELIVERY (EACH)	\$100.00	2 x 100 = 200
PICK-UP (EACH)	\$100.00	

THE FOLLOWING RATES ARE FOR A SCORPION 100K ATTENUATOR TRUCK RENTAL

**THERE IS NO MILEAGE CHARGE**

ATTENUATOR TRUCK W/ DRIVER (1-8 HOURS)	\$890.00
<b>ATTENUATOR TRUCK W/ OUT DRIVER</b>	
DAILY	\$325.00
WEEKLY	\$990.00
MONTHLY	\$2,890.00

NOTE: CONTRACTOR ASSUMES FULL RESPONSIBILITY FOR BOARD PLACEMENT AND ANY DAMAGES INCURRED (THEFT AND VANDALISM INCLUDED)

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**CANCELLATIONS:**

4 HOURS PRIOR TO SHOW UP	NO CHARGE
SHOW UP TIME PER LABORER	2 HOURS
DIRECTLY AFTER SET UP PER LABORER	4 HOURS

NOTE: MINIMUM OF 1 HOUR FOR SET UP AND 1 HOUR FOR PICK UP ABOVE PRICES. DO NOT INCLUDE RETENTIONS.

47423 RAINBOW CANYON  
 TEMECULA, CA 92592

OFFICE: 951-695-5104  
 FAX: 951-695-5105

La Firma Inc.

DBE 39322

715 Ridge Road  
 Nipomo, CA 93444  
 Phone: 805-748-8576  
 Fax: 805-929-0501  
 E-Mail:  
 estimating@theswpppfirm.com  
 Web: [www.theswpppfirm.com](http://www.theswpppfirm.com)

December 17, 2014

Project: 07-3X4504

Reconstruct rock slope protection.

07-LA-1-41.8/42.1

We are pleased to provide you with a bid for the items listed below based on plans, specifications, and (1) addenda.

## Bid Item.

Item	Code	Description	Unit	Quantity	Unit Price	Total
12	130300	Prepare Storm Water Pollution Prevention Program.	LS	LS	\$2,000.00	\$2,000.00
13	130310	Rain Action Event Plan	EA	18	\$300.00	\$5,400.00
15	130330	Strom Water Annual Report	EA	2	\$1,000.00	\$2,000.00

Exclusions and qualifications.

1. Special testing and permits not in contract.
2. Price includes (1) electronic copy and (7) printed copies.

THANK YOU FOR YOUR TIME AND CONSIDERATION,

  
 VICENTE BRAVO.  
 CPESC QSD/P #305