FUTURE DB
INTERNATIONAL INC.

October 8, 2D13

California Department of Transportation
Attn: John C. McMillan
1727 30th Street
Sacramento, CA 95816

Sent via facsimile (916) 227-6282
Sent Via Certified US Mail

Reference: Caltrans Contract No. 08-0K5204

Dear Mr. McMillan,

Reference is made to Coffman Specialties Inc. response letter dated October 4, 2013. The letter has no basis to declare Future DB as a nonresponsive bidder. The following is our response to Coffman's allegations.

1. Future DB received Rialto Concrete Products' bid on the day of the bid. Their bid was the lowest bid and we listed them. There was no requirement for audit of manufacturing facilities prior to the bid or contract award. See attached Caltrans specification control of material section 6-3.05I Authorized Facility Audit Lists. Coffman's misleading statement about the facility audit has no basis. Rialto Concrete Products is one of the largest precast concrete fabricators in the state and a major supplier for Caltrans projects. Rialto Concrete Products have assured us of their compliance with the bid documents in regards to precast culvert manufacturing. In fact, Caltrans auditors have already conducted their audit prior to the bid and will issue their certification on October 17, 2013 prior to the award.

2. Rialto Concrete Products does comply with all Caltrans provisions as listed in the bid documents and Caltrans Standard Specification 6-3.05I Authorized Facility Audit Lists.

3. Coffman did not list **any** precast manufacturer or supplier at all. How would Future DB's listing of a manufacturer who is in full compliance with the bid requirements be grounds to disqualify our company while Coffman did not comply with the listing requirements at all? If it is okay for Coffman to shop for the precast manufacturer then Future DB should have the same right.

4. Coffman is misstating the fact that Rialto Concrete Products is not a subcontractor. Rialto Concrete Products is Future DB's subcontractor who will supply the precast on the job. See attached Section 4113 Subletting and Subcontracting. Future DB has no intention of replacing Rialto Concrete Products as per Coffman's speculation.

5. Future DB did submit its subcontractors list within 24 hours making Coffman's statement inaccurate and misleading.

6. Future DB's bid complies with the DVBE requirements. Coffman's discount of our supplier's quote due to the fact that they are a supplier has no basis. DVBE suppliers get 100% credit for DVBE participation dollars.

Based on the above, Coffman's protest has no basis and Future DB is the low responsive bidder per the public contract code.

Thank you,
Future DB International Inc.

Bisher Aljazzar
President

6-3.05D Job Site Inspection and Testing

Section 6-3.05D applies if a material is to be inspected or tested at the job site.

The material must be authorized for use before it is incorporated into the work.

6-3.05E Certificates of Compliance

Section 6-3.05E applies (1) where a certificate of compliance is specified and (2) if any material is produced outside the U.S.

Submit a certificate:

1. Before the material is incorporated into the work.
2. For each lot of the material. Identify the lot on the certificate.
3. Signed by the producer of the material and stating that the material complies with the Contract.

6-3.05F Test Data, Test Reports, and Evaluation Reports

Reserved

6-3.05G Test Samples

Section 6-3.05G applies where a test sample is specified or if a test sample is requested.

Notify the Engineer 10 days before taking a sample.

Submit material to be tested with a *Sample Identification Card*. For the card, go to the METS Web site.

Restore work immediately after sampling.

6-3.05H Reserved

6-3.05I Authorized Facility Audit Lists

Section 6-3.05I applies where a facility is specified to be on an Authorized Facility Audit List.

An audit authorized by the Department not more than 3 years before completion of the fabrication process is acceptable if the Department determines the audit was for the same type of work to be performed. For procedures to be included on an Authorized Facility Audit List, go to the METS Web site.

6-3.05J Quality Control Plans

Reserved

6-3.05K Authorized Material Lists

Section 6-3.05K applies where a material is specified to be on an Authorized Material List.

The material must be on an Authorized Material List before it is incorporated into the work.

For procedures to be included on an Authorized Material List, go to the METS Web site.

6-3.05L Authorized Material Source Lists

Section 6-3.05L applies where a material is specified to be on an Authorized Material Source List.

The material source must be on an Authorized Material Source List before the item from the source is incorporated into the work.

For procedures to be included on an Authorized Material Source List, go to the METS Web site.

6-3.06 GUARANTEE

Guarantee that work remains free from substantial defects for **1** year after Contract acceptance except for work portions for which you were relieved of maintenance and protection. Guarantee each of these relieved work portions for 1 year after the relief date.

The guarantee excludes damage or displacement caused by an event outside your control, including:

1. Normal wear and tear
2. Improper operation

Failure to Comply No Defense

4112. The failure on the part of a contractor to comply with any provision of this chapter does not constitute a defense to the contractor in any action brought against him by a subcontractor.

Subcontractor Defined

4113. As used in this chapter, the word "subcontractor" shall mean a contractor, within the meaning of the provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, who contracts directly with the prime contractor.

"Prime contractor" shall mean the contractor who contracts directly with the awarding authority.

Counties With Population of 6,000,000 or More; Delegation of Awarding Authority; Procedure

4114. In counties with a population of 6,000,000 or more, the county board of supervisors, when it is the awarding authority, may delegate its functions under Sections 4107 and 4110 to a hearing officer designated by the board.

The hearing officer shall make a written recommendation to the board of supervisors. The board of supervisors may adopt the recommendation without further notice or hearing, or may set the matter for a de novo hearing before the board.

(Added by Stats. 1982, Chapter 362.)