

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6280
FAX (916) 227-6282
TTY 711



*Flex your power!
Be energy efficient!*

March 4, 2013

Facsimile: (714) 769-7031

John Korb, Treasurer
Autobahn Construction, Inc.
P.O. Box 11238
Santa Ana, CA 92711-1238

08-0M8804
08-SBd-15-14.6
B.O. 1/17/13

Dear Mr. Korb:

The Department of Transportation (Caltrans) received the attached letter dated February 7, 2013, from Autobahn Construction, Inc. (Autobahn), protesting Traffic Development Services' (Traffic Development) DBE Commitment form. The protest states that Traffic Development cannot use Sam's Equipment and Supplies (Sam's Equipment) to furnish electrical materials.

The Office of Business and Economic Opportunity Contract Evaluation Unit conducted an investigation of this protest and determined that Traffic Development will be allowed to use Sam's Equipment for partial supply of electrical materials. Traffic Development will still meet goal after partial disallowance.

Based on the finding listed above, Caltrans finds that Autobahn's protest has no bearing on the award of this contract. The contract will be awarded to the lowest responsive bidder.

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 "John C. McMILLAN", written over a horizontal line.

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

Attachment



February 7, 2013

Department of Transportation
Division of Engineering Services
Office Engineer, MS 43
1727 30th Street
Sacramento, CA 95816-8041

Attention: Mr. John McMillan
Deputy Division Chief
Fax 916 227-6282

RE: Contract No. 08-0M8804
Bid Date: January 17, 2013

Dear Mr. McMillan:

We are hereby protesting Traffic Development Services DBE Commitment and have attached a copy of their DBE and the supplier in question.

Also attached is a copy of the McCain electrical supply quote. Sam's Equipment and Supplies has always quoted inlet protection, fiber rolls, etc. They are not an electrical supply house. It is obvious that this quote to TDS is a pass through in order to obtain the 12% DBE that is required. Therefore, we are asking that the DBE goal be rejected and recalculated using the Traffic Loops & Crackfilling of 4.28%, which does not be the 12% goal.

If you have any questions, please do not hesitate to contact me.

Sincerely,

John Korb
Treasurer

/cp
Attachments

VALTRANS BIDDING - DBE - CONTRACT # 08-088804
DEB-08-0102108 (NEW 08/2012)

Second Bidder

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 Special Provisions. Failure to submit the required DBE information will be grounds for finding the proposal nonresponsive.

CONTRACT NO.:

BID AMOUNT:

\$ 229,500

BID OPENING DATE:

1-17-13

BIDDER'S NAME:

TRAFFIC DEVELOPMENT SERVICES

DBE GOAL FROM CONTRACT, %:

12

DBE PRIME CONTRACTOR CERTIFICATION:

CONTRACT ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICE TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED	FOR CALTRANS USE ONLY	NAME OF DBE (Must be certified on the date bids are opened. Include Caltrans verification #, DBE address and phone number) (Indicate DBE and leave for subcontractors)	DOLLAR AMOUNT DBE
PARTIAL 23	INSTALL LOOPS		TRAFFIC LOOP AND CROCKFORD 946 S. EMERALD ST. ANAHEIM, CA 92804 714-520-4026 38033	9815
PARTIAL 23 & 24	FURNISH EXIST. MARK.		SPAIN'S EQUIPMENT AND SUPPLY P.O. BOX 37197 FRESNO, CA 93747 559-252-0354 34419	30,367.15

IMPORTANT: Identify all DBE firms being claimed for credit against the name of the Firm. The DBE Subcontractors and their respective ratings of work listed above must be consistent, where applicable, with the names and firms 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 finished by DBE, describe exact portion of item to be performed or finished.
- See Section titled "Disadvantaged Business Enterprise" in Section 2 "Bidding" of the special provisions for information on credit allowed for DBE firms.

Submit to:

895C 48
OFFICE ENGINEER
DEPARTMENT OF TRANSPORTATION
1727 30TH STREET
SACRAMENTO, CA 95816-7000

Total Contract Participation

\$ ~~40,367.15~~ 9815

~~17.5~~ = 4.28%

Signature of Bidder

1-17-13
Date

905-989-3421
(Area Code) Tel. No.

STEPHEN JACKSON
Person in Contact

(Please Type or Print)

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 954-6410 or TDD (916) 954-3880 or write Records and Forms Management, 1120 N Street, 043-00, Sacramento, CA 95834.

Contract No. 08-088804

Sam's Equipment & Supplies

P.O. Box 7797
 Fresno, California 93747-7797
 Phone (559) 252-0264
 Fax (559) 251-1119
 S.B./D.V.B.E./D.B.E./U.D.B.E./S.M.B.E./S.D.V.O.S.B.C.



Quotation: 2013017

Date Submitted: January 17, 2013

To:
 Attn: Estimating Department

Project: Caltrans #08-099804
 In San Bernardino Co
 near Rialto at Rte 18 NB
 Ramps & Glen Helen

Phone:
 Fax:

Bid Date: January 17, 2013

Item	Quantity	Description	Unit	Total
23	1 LB	VEHICLE SIGNALS	5,088.35	5,088.35
	1 LB	POLES, ANCHOR BOLTS, HPS LUMINAIRES *DOES NOT INCLUDE REGULATORY SIGNS	22,616.86	22,616.86
24	1 LB	FLASHING BEACON SIGNALS W/FBCA & SIGN LIGHT FIXTURE	326.80	326.80
	1 EA	TYPE 15FBS POLE W/ ANCHOR BOLTS	1,849.05	1,849.05
TOTAL				\$30,369.16

*THIS WAS AN EXACT
 COPY FROM MCCAIN WHICH
 IS THE "REAL SUPPLIER"*

FOB JOBSITE. SHIPPED IN FULL TRUCKLOAD QUANTITIES.
 SALES TAX NOT INCLUDED. QUOTED PRICES ARE VALID FOR 30 DAYS.
 QUOTATION IS FOR SUPPLY ONLY.
 TERMS: NET 10TH OF FOLLOWING MONTH. NO RETENTION IS TO BE WITHHELD.
 THE ABOVE QUANTITY IS ESTIMATED ONLY. INSTALLATION IS BY OTHERS.
 UNLOADING IS BY OTHERS. ADDITIONAL FREIGHT CHARGES
 WILL APPLY ON PARTIAL SHIPMENTS AND SUPPLEMENTAL ORDERS.
 IT IS THE CUSTOMERS RESPONSIBILITY TO VERIFY THAT MATERIALS AND
 QUANTITIES MEET PLANS AND SPECIFICATIONS.

Terms: Net 10th Prox.

Conditions: This is not a contract. Prices quoted are current prices subject to applicable sales tax, prior sales and change without notice. Prices quoted are valid for 30 days. All agreements are contingent upon strikes, accidents and other conditions beyond our control. Quantities are approximate-unit price prevails. See attached terms and conditions.

Accepted by:

Company _____ Date _____

By _____

Purchase Order No. _____



1.17.13 Revised @ 7:48am. Added Type 15SB Pole w/Luminaire to BI# 23

QUOTATION

Quote #: SAC0117A

Estimator: Shellie Campbell

Agency: Caltrans

(760)734-5031

Job Name: 08-0M8804 Rte 15 Glen Helen Parkway

scampbell@mccain-inc.com

Bid Date: 1/17/13

Bid Item	Description	Price
	Signal & Lighting, BI# 23 Vehicle Signals	1,700,000
	Batteries and External BBS Cabinet with Tech Support for State furnished BBS.	2,000,000
Revised	Poles, Anchor Bolts, HPS Luminaires, Service and RSNS. *Does NOT include Regulatory Signs*	2,200,000
	Flashing Beacon Sys BI# 24 Flashing Beacon Signals w/FBCA and Sign Light Fixture	1,000,000
	Qty 1, Type 15FBS Pole with Anchor Bolts	2,000,000

NO other material is included with this bid

NO BID on Ethernet Comm System

Includes Caltrans State Inspection w/8.3 Welding QCP. Does NOT include Caltrans Traveling Expenses.

Complies to Buy America requirements for this project

Current lead-time is 12-14 weeks for delivery

This quote valid for 30 days.

Reference Total-Revised ~~10,900,000~~

Prices firm for 30 days. Freight included. Add sales tax. Sale is subject to McCain's standard terms and conditions.

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or legally privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited.

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

P.1
CALTRANS CONTR AWARDS Fax 916-227-6282

Mar 5 2013 09:23am

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STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr. Governor

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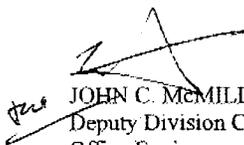
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