GRANITE™

April 19, 2013

Via Facsimile (916) 227-6282

State of California
Department of Transportation
Division of Engineering Services
Office Engineer, MS 43
1727 30th Street
Sacramento, CA 95816-7005
Facsimile: (916) 227-6282

Attn: Office of Contract Awards and Services

Re: Caltrans Contract No. 08-1C1204, Rt. 78 Overlay near Ripley
Bid Date April 11, 2013

Subject: DVBE/SBE Submittals – Bid Protest

Dear Gentleperson:

Granite has reviewed the DVBE and SBE forms submitted by the Low and Second Bidders on the above referenced Contract and would like to bring some items to the attention of the State.

Low Bidder – Skanska USA Civil West California District Inc.

1. In reviewing the Certified DVBE Summary submitted by Skanska, it appears that they have only achieved 0.9% DVBE credit. Per Section 2-1.15B of the 2010 Standard Specifications, for projects $5 million dollars or less the Bidder must meet the goal shown on the Notice to Bidders. The goal shown on the Notice to Bidders on this Contract is 3 percent. Skanska did not meet the mandatory DVBE goal.

2. Skanska submitted a Certified Small Business Listing for the Non-Small Business Preference. However, in their bid submitted on April 11, 2013, they did not sign the Request for Non-Small Business Preference. They did not request the preference and as a result, this form should be disallowed.

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Second Bidder – Hardy & Harper, Inc.

1. In reviewing the Certified Small Business Listing for the Non-Small Business Preference Form, it is noted that it was received by the State on 4/17/13 at 2:45 p.m. Section 2-1.18C of the 2010 Standard Specifications states that you may submit it such that is received at the Office Engineer no later than 4:00 p.m. on the 2nd business day after the bid opening. This project bid on April 11, 2013. Two business days after the bid opening would have been Monday, April 15, 2013. Hardy & Harper submitted it four days after the bid opening date on Wednesday, April 17, 2013. Since this form was submitted late, it should not be allowed by the State.

Bid Re-Ranking

Based upon the errors by both the Low and Second bidders, Granite should be re-ranked as the Low Bidder and awarded the Contract.

Bidder	Bid Submitted	Incentive	Bid for Comparison	Adjusted Bid Ranking
Granite	$1,185,520	($50,000)	$1,135,520	1
Skanska	$1,135,841	Not Claimed	$1,135,841	2
Hardy & Harper	$1,169,000	Late – Not Allowed	$1,169,000	3

If you have any questions or if I can be of further assistance please don't hesitate to contact me at (760) 391-6247.

Sincerely,

GRANITE CONSTRUCTION COMPANY

Joe Richardson
Construction Manager

38000 Monroe Street, Indio, CA 92203 | Telephone: 760.775.7500 | Facsimile: 760.775.8229

GRANITE™

Indio Area Office
38000 Monroe Street
Indio, CA 92203
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TO: Caltrans

DATE: April 19, 2013

COMPANY: Caltrans

FAX: (916) 227-6282

FROM: Joe Richardson

NUMBER OF PAGES (INCL. COVER SHEET): 2

COMMENTS:

BID PROTEST FOR 08-1C1204

Attached is our Bid Protest for the following project. If there are any issues please contact me at (760) 391-6247. Thank you.

Contract: 08-1C1204
Contractor: Granite Construction Company
Bid Date: April 11, 2013
Bid Time: 2:00 p.m.