



PETERSON-CHASE

GENERAL ENGINEERING CONSTRUCTION, INC
1792 KAISER AVE., IRVINE, CA 92614
PH# (949) 252-0441 FAX#: (949) 252-0266

TO: State of California Department of Transportation
Caltrans

FROM: Dick W. Vogels

DATE: March 9, 2015

EMAIL:

SUBJECT: Protest of Bid Submitted by O'Donnell
Construction Inc., Contract 08-1C9004,
Bid Date 2/24/15

ATTN: OFFICE ENGINEER

JOB#: **CONTRACT#:** 08-1C9004

PH#:

FAX#: 227-6282

PH#: (949) 252-0441

FAX#: (949) 252-0266

Peterson Chase hereby protests the low bid submitted by O'Donnell Construction for Contract 08-1C9004 for the following reason:

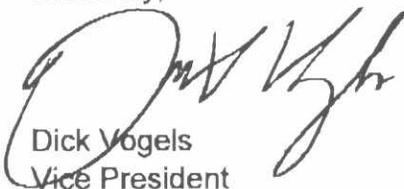
- O'Donnell submitted the "DBE Commitment" listing "Quality Traffic Control" for Item 3 - "Attenuator Vehicle with Operator" in the amount of \$18,200.00. Quality Traffic Control was not listed as a subcontractor by O'Donnell for Item 3 - Traffic Control in their bid submitted on 2/24/15.

As indicated on the DBE backup documentation provided by O'Donnell, Quality Traffic Control is providing services for Item 3, traffic control, with one "Impact Attenuator Vehicle with Driver" for 20 each 8 hour shifts for the total of \$18,200.00. The traffic control labor (operator of the attenuator vehicle) is being provided by Quality Traffic Control, and they would be classified as a subcontractor.

Since Quality Traffic Control was not listed as a subcontractor, Quality Traffic Control cannot perform traffic control work on this contract, and the \$18,200.00 DBE contribution to the goal must be disallowed. O'Donnell's bid for Contract 08-1C9004 should be declared as "non-responsive".

Please call if questions arise.

Sincerely,


Dick Vogels
Vice President

1 of 3

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DBE COMMITMENT
 DES-OE-0102.100 (REV 11/2014)

Low Bidder

02-27-15P01:53 RCV0

CONTRACT NO. 08-1C9004

BID AMOUNT \$ 737,784.50

BID OPENING DATE 02/24/15

BIDDERS NAME O'DONNELL CONSTRUCTION, INC.

DBE GOAL FROM CONTRACT (%) 11%

DBE PRIME CONTRACTOR CERTIFICATION <u>N/A</u>	TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE) <u>6</u>	TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE) <u>\$ 111,275.50</u>
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BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED	WORK CATEGORY CODES	NAME OF DBE <small>(Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and 3rd lines for subcontractors)</small>	AMOUNT (\$)
<u>2</u>	<u>CONSTRUCTION AREA SIGNS</u>	<u>C1200</u>	<u>E-NOR INNOVATIONS INC. CERT. #37718 16213 ILLINOIS AVE. PARAMOUNT, CA 90723 (310) 513-6209</u>	<u>13,500.00</u>
<u>29,31</u>	<u>REBAR</u>	<u>C5201</u>	<u>AMERICAN STEEL PLACERS, INC. #39825 603 S. ARROWHEAD AVE. SAN BERNARDINO, CA 92408 (909) 884-6031</u>	<u>38,724.50</u>
<u>11,33,34</u>	<u>SUPPLY CONCRETE PATCH AND</u>	<u>C0900</u>	<u>RUPERT CONSTRUCTION SUPPLY #032786 12405 GOLD FLAKE CT. RANCHO CORDOVA, CA 95741</u>	<u>10,934.82</u>
<u>35,36,37</u>	<u>JOINT SEAL MATERIAL</u>	<u>C5190</u>	<u>QUALITY TRAFFIC CONTROL #42283 (925) 219-5577</u>	
<u>3</u>	<u>ATTENUATOR VEHICLE WITH DRIVER</u>	<u>C1201</u>	<u>13940 ROSE AVE. FONTANA, CA 92337 (909) 276-5682</u>	<u>18,200.00</u>

NOT LISTED AS A SUBCONTRACTOR

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the Contract to perform the specific work shown for the specific amount agreed to.	Total Claimed Participation	<u>\$ 81,359.32</u>
The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Pub Cont Code § 4100 et seq.).		<u>11.0 %</u>

¹Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

²If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of item to be performed or furnished.

³Use Work Category Codes from the California Unified Certification Program database.

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the Contract goal (49 CFR 26.83).

Signature of Bidder [Signature]

Date 2/26/15 (Area Code) Phone Number 909 394-4510

Person to Contact Neil O'Donnell (Type or Print Name)

To: O'Donnell Construction Page 1 of 4

2015-02-24 01:17:05 (GMT)

18888399857 From: Quality Equipment Rental

Quality Traffic Control
13940 Rose Avenue, Fontana CA 92337
Phone (909) 276-5582 Fax (888)839-9857
www.QualityTrafficControl24-7.com

C1201

We are DBE Certified (#42283), Contractor License #992622 (C-31), Union Signatory

To: Estimator
Job#: Caltrans 08-1C9004
Bid Date: 2/24/15

ITEM	DESCRIPTION	COST
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X	**Traffic Control System**	
1	Impact attenuator vehicle with driver per 8 hr shift, M-F	20 shifts * \$910 = \$18,200 ✓
2	Lanes, one direction, two man crew, 2 miles only	\$1425
	Each additional Lane or mile added	\$100
	Additional laborer, per 8 hr shift, M-F	\$635

****Rental Only-Subject to availability****

Portable CMS	\$95 daily, \$380 weekly, \$900 monthly
Flashing Arrow Signs	\$40 daily, 160 weekly, 480 monthly
Portable Light Towers	\$80 daily, 240 weekly, 600 monthly
Attenuator Truck w/out driver	\$300 daily, 1050 weekly, 2850 monthly
\$50 charge each direction per unit (delivery/pickup)	

****Traffic Control Notes****

1. Cancellations made less than 6 hours prior to requested show up time will be charged at 40% of quoted rates, all cancellations MUST be received in written form, via fax or e-mail.
2. Quality Traffic Control charges portal to portal for 1 driver per truck, unless Contractor provides secure yard for traffic truck and equipment.
3. Impact attenuator vehicle and traffic control crews are subject to availability.
4. Time starts when first piece of equipment is placed and ends when last piece of equipment is picked up. Please allow 30-60 minutes on each side of shift for placing and removing equipment. Depending on equipment needed actual closures may take longer.
5. If contractor elects to use the 1 man closure option, contractor must supply Quality Traffic Control with a qualified and certified traffic control tech to help set out and pick up equipment.
6. Standard 2 Man traffic crew with truck is equipped with equipment for 2 lane closure in 1 direction including 2 flashing arrow signs
7. Quality Traffic Control does not charge additional fees for additional closures within the shift. We will set up and take down as needed within the work shift for the price quoted with the equipment provided in quote. Fuel surcharge will be \$50 per night if multiple closures are required and distance between closures is greater than 10 miles.
8. All overtime will be charged at \$110.00 per hour, per laborer
9. All Saturday traffic control rates multiply by 1.38
10. All Sunday traffic control rates multiply by 1.75
11. All rental vehicles are charged \$0.45 per mile, portal to portal

* INCLUDES LABOR (DRIVER FOR ATTENUATOR)
3 OF 3 NOT LISTED AS A SUB CONTRACTOR