

## Jabre Contracting Inc.

1813 Manzanita Lane, Manhattan Beach, CA 90266  
License #981190 A, Small Business #1760592  
Phone # 310 720-0277, Fax # 310 356-3245

February 16<sup>th</sup>, 2016

Department of Transportation  
Office Engineer  
1727 30<sup>th</sup> St.,  
Sacramento, CA 95816  
Attn: John McMillan

Sent VIA FAX 916 227-6282

Re: 08-1C9104

Sub: Rebuttal to VAP Construction Inc. Bid protest 1

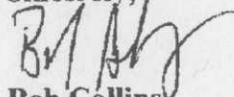
Dear Mr. McMillan,

Jabre Contracting Inc. disputes the false claims by VAP Construction as to Jabre not listing PRS for doing all of items 10 and 12. (Jabre did not list PRS for item 12) PRS did not quote the clean up or fogseal as part of their bid as most of us prime contractors has the equipment and material to perform this work ourselves. They quoted supplement items for those contractors such as VAP who cannot perform this type of work. No other subcontractors that quoted the rumble strip work included the cleanup nor fogseal in their quotes either. PRS bids to each prime contractor their needs for each item. Jabre Contracting did not need PRS to quote item 17 as they did to VAP as well.

VAP has also misinterpreted Sec 39-1.03K Hot Mix ASPHALT in stating that a vacuum must be in the removal of the ground material. As the section points out that the Engineer orders grinding or removal and replacement of "*noncompliant rumble strip to bring them within tolerances.*" PRS does anticipate being out of compliance and will not require any grinding or vacuuming as Jabre will handle the cleanup.

It is for these inaccurate accusations, that the state disregard this bid protest by VAP Construction Inc. and award the project to Jabre Contracting Inc. who is the low responsible bidder.

Sincerely,



Bob Collins  
President

**Proposal and Contract**

The Road To Smart Solutions

**Pavement Recycling Systems, Inc**



An Employee Owned Company

CA License# 569352  
OR License# 185556

DIR # 1000003363  
UT License#6982390-5501

NV License# 0036228  
AZ License# 183900

10240 San Sevaive Way, Jurupa Valley, CA 91752

Phone: (951) 682-1091 Fax: (951) 682-1094

**From:** John Karagas

**Email:** jkaragas@pavementrecycling.com

**To:** Bob Collins  
JABRE Contracting  
1950 220th Street  
Long Beach, Ca 90266  
jabrecontracting@aol.com

**Quote No:** 1600057  
**Phone:** (310) 720-0277  
**Fax:** (310) 513-6299  
**Bid Date:** 1/21/2016

We propose to furnish you with labor and material per your representation of job requirements as follows:

**08-1C9104 RTE 95 NEAR NEEDLES**

Item No	Description	Quantity	UOM	Unit Price	Total Price
<b>Schedule 1</b>					
10	CENTERLINE RUMBLE STRIP (HMA, GROUND-IN INDENTATIONS)	1,240	ST	10.250	\$12,710.00
11	SHOULDER RUMBLE STRIP (HMA, GROUND-IN INDENTATIONS)	2,470	ST	10.250	\$25,317.50
A	CLEAN UP RUMBLE MILLINGS	3,710	ST	4.920	\$18,253.20
B	FOG SEAL RUMBLE STRIPS	3,710	ST	4.540	\$16,843.40

*No Item #17 NEEDED*

**Rumble Strip Conditions**

- 1 Items 10 & 11 includes: Grind for Rumble strip and leave the milled material in place, with one move on and off the project.
- 2 ~~Item A includes: Clean up rumble strip millings and haul off site.~~
- 3 ~~Item B includes: Furnish and apply fog seal over rumble strips.~~
- 4 ~~Items 10 & 11 excludes: Traffic control, water/water truck, loading and hauling of milled material, sweeping, pcc grinding, areas inaccessible to the machine, fog seal, layout for rumble strip placement and maintenance of the project.~~
- 5 Production at 4 shifts, utilizing 2 rumble strip machines.
- 6 DISPATCH NOTE: Should you elect to utilize PRS services, I would like to extend our thanks. For the most efficient service in scheduling/dispatch and job set up the direct number for Brittny is 951 934-4715. Thank you.
- 7 Excludes USA notification, location and marking. Please see "General Conditions".
- 8 Requires: All utilities within the mill area are to be located and marked by the Customer.

*Handwritten note: a Jabre work*

**General Conditions**

ACCEPTANCE of this bid/proposal/quotation (Bid) from PAVEMENT RECYCLING SYSTEMS, INC. (PRS) requires that the PRICING, SPECIAL CONDITIONS and the GENERAL CONDITIONS of this Bid be included in any subcontract or purchase order agreement (Contract) and the Bid terms and conditions take precedence over any conflicting terms. PRS will not surrender any portion of extra work or force account mark-ups except those reserved by the owner for the General Contractor. California prompt pay statutes shall be enforced. Unless otherwise defined in the SPECIAL CONDITIONS of this bid PRS excludes from the services quoted her all: MAINTENANCE AND PROTECTION OF THE MILLED SURFACE, TRAFFIC CONTROL, SURVEYING, LAYOUT, SAWCUTTING AND TEMPORARY TAPERS. Upon completion of each segment of the designated work by PRS the work shall be deemed accepted and approved and the Customer shall assume maintenance and protection of the work. All utilities, obstructions, and foreign objects in the work zone must be marked and located by the Customer prior to PRS's work. PRS excludes any damage to unmarked or improperly located obstructions in the zone of work. PRS excludes notification to any underground alert service, marking or location of underground utilities. By accepting the Bid the Customer accepts sole responsibility for, and all subsequent liabilities coincident with the following requirements of the regional notification center law pursuant to Article 2 (commencing with Section 4216) of Chapter 3.1 of Division 5 of Title 1 of the California Government Code. Any indemnity and defense obligation required from PRS shall be proportional and limited to the extent PRS's acts, omissions, fault or negligence contribute to any alleged or actual claims or damages. Insurance included in this Bid: Commercial Liability \$1MM per occurrence / \$2MM aggregate; \$2MM Products and Completed Operations Aggregate; \$1MM Personal and Advertising Injury; \$1MM Commercial Auto; Worker's Compensation coverage per statute.

Date:

Accepted By:

Page 1 of 1

From: John Karagas