

# V A P Construction Inc.

General Engineering Contractor

Monday, February 15, 2016

To,  
 Dept. of Transportation  
 OFFICE ENGINEER  
 ATTN: JOHN C. McMILLAN  
 1727 30<sup>th</sup> Street, MS - M3  
 Sacramento, CA 95816  
 Fax: 916-227-6282

## BID PROTEST-2 FOR CONTRACT 08-1C9104

Dear Sir/Madam,

V A P CONSTRUCTION INC hereby protests the award of the above mention contract to the lowest bidder JABRE.

### CASE 1 - UNBALANCED BID

- a) This project has 21 working day. JABRE Contracting Inc. bid item # 3 for \$118,000.00 and listed Maneri Traffic Control to do 40% of bid item totaling \$47,200.00. Jabre Listed Maneri Traffic Control, in the DBE Goal Calculation to do 21 days of traffic control which is 100% of the work based on number of days for the project. If Maneri is doing only 40% that is only 8.4 days of Traffic control. Maneri's quote includes labor, equipment and material required for the Traffic control operation.
- b) Jabre Contracting Inc. bid item #10 and 11 @ 10.25 per station which is just the portion of the job. They did not bid for the removal, cleanup, hauling of milled material and fog seal of the rumble strip which constituted 100% of the job They listed Pavement Recycling to do 100% of the work but as per Pavement Recycling's Quote it does not include removal cleanup, hauling and fog seal of the rumble strip. Pavement Recycling's Quote to do 100% of the work totals \$19.71/station. See Quote attached.

### CASE -2 - BID DOES NOT FULFILL 24% DBE GOAL BASED ON CASE 1

Based on CASE 1a, 8.4 days @ \$2,250.00 totals only \$18,900.00 Jabre does not fulfill the DBE Goal of 24%.

DBE CLAIMED FOR TRAFFIC CONTROL = \$ 47,250.00

Actual claim amount based on 8.4 days = \$ 18,900.00

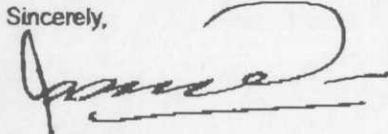
Over bid amount = \$ 28,350.00

Therefore the total New Total DBE Claimed Amount should be \$ 76,500.00(as claimed) - \$28,350.00(over bid amount) = \$48,150.00 which is ONLY 15.28%

Hence they do not fulfill the DBE GOAL of 24%

Jabre Contracting Inc's bid is imbalanced and does not fulfill the DBE Goal of 24%. Based on these reasons V A P CONSTRUCTION INC requests that CALTRANS rule JABRE's bid Non-Responsive and award the contract to the responsive and responsible bidder.

Sincerely,



Arvind Prasad  
 President / C.E.O.

Encl: Quote from Maneri Traffic Control and Jabre Contracting's DBE Goal Calculation, Notice to Bidders and quote from Pavement Recycling.

Feb 03 16 02:33p

MANERI TRAFFIC CONTROL

951-695-5105

p.1

# MANERI TRAFFIC CONTROL

CONTRACTOR LICENSE # 892008  
 SMALL BUSINESS CERTIFIED (OSDS REF # 53767)  
 DBE CERTIFIED (FIRM #38078)  
 DIR # 1000011349  
 UNION SIGNATORY



## SIGN AND TRAFFIC QUOTE

PROJECT: 08-1C9104  
 BID DATE: 2/03/16

TO: JABRE  
 ATTN: ESTIMATOR

TO ESTIMATOR:

CONSTRUCTION AREA SIGNS: (ITEM #2)  
 ITEM #2 \$8,500.00 WITH USE OF MTC FOR ITEM #3

8500-

ADDITIONAL ITEMS:

ITEM #4 \$775.00 EA PER MONTH (\$150.00 DELIVERY FEE & \$150.00 PICK-UP FEE APPLIES)

TRAFFIC CONTROL: (ITEM #3)

LUMP SUM, 2 LABORERS, 1 TRUCK AND EQUIPMENT (1-8 HOURS)-\$1,550.00  
 PILOT CAR OPERATION, 3 LABORERS (1-8 HOURS)- \$2,250.00

x 21 days = 47,250  
 55,750-

PLEASE SEE ATTACHED QUOTE ALL OTHER PRICES.

IF YOU HAVE ANY QUESTIONS REGARDING ANY PORTION OF THIS QUOTE, PLEASE DO NOT HESITATE TO CALL (760) 535-7881. THANK YOU FOR YOUR TIME AND CONSIDERATION.

SINCERELY,

*Johnny Maneri*

**NOTE:** CONSTRUCTION AREA SIGNS ESTIMATE INCLUDES DELIVERY, INSTALLATION, AND REMOVAL. THE PRICE DOES NOT INCLUDE MAINTENANCE, CHANGES OF DATES, RELOCATION, OR REPLACEMENTS. ALL SIGNS BECOME THE PROPERTY OF MANERI TRAFFIC CONTROL UPON COMPLETION OF THE JOB. FUNDING SIGNS ARE \$850.00, UNLESS NOTED IN THIS BID. MANERI TRAFFIC CONTROL EXCLUDES THE COVERING OF THE G84 SIGN.

MANERI TRAFFIC CONTROL EXCLUDES ALL INSTALLATION AND REMOVAL OF OVERHEAD SIGNS.

ANY ADDITIONAL LICENSE FEES WILL BE THE CONTRACTORS RESPONSIBILITY. IF CONTRACTOR REQUIRES A BOND, A SURETY RATE OF 3% OF THE BOND AMOUNT, PLUS A SBA FEE OF .75% OF THE TOTAL BOND AMOUNT WILL BE ADDED TO THE TOTAL CONTRACT AMOUNT.

**MANERI TRAFFIC CONTROL DOES NOT DO TRAFFIC CONTROL PLANS.**

## NOTICE TO BIDDERS

Bids open Thursday, January 21, 2016

Dated December 21, 2015

General work description: Ground-in rumble strips, center and edge of pavement

The Department will receive sealed bids for CONSTRUCTION ON STATE HIGHWAY IN SAN BERNARDINO COUNTY NEAR NEEDLES FROM WEST JUNCTION ROUTE 40 TO NEVADA STATE LINE.

District-County-Route-Post Mile: 08-SBd-95-R57.2/80.5

Contract No. 08-1C9104

The Contractor must have either a Class A license or one of the following Class C licenses: C-32.

The DBE Contract goal is 24 percent.

Federal-aid project no.:

ACHSNHPG-P095(029)E

Bids must be on a unit price basis.

Complete the work within 21 working days.

The estimated cost of the project is \$370,000.

No prebid meeting is scheduled for this project.

The Department will receive bids until 2:00 p.m. on the bid open date via Bid Express web site. Bids received after this time will not be accepted. For more information refer to the Electronic Bidding Guide at the Bidders' Exchange web site.

The Department will open and publicly read the bids at 1727 30th Street, Bidders' Exchange, MS 26, Sacramento, CA 95816 immediately after the specified closing time.

District office addresses are provided in the *Standard Specifications*.

Present bidders' inquiries to the Department and view the Department's responses at:

[http://www.dot.ca.gov/hq/esc/oe/inquiry/bid\\_inquiries.php](http://www.dot.ca.gov/hq/esc/oe/inquiry/bid_inquiries.php)

Questions about alleged patent ambiguity of the plans, specifications, or estimate must be asked before bid opening. After bid opening, the Department does not consider these questions as bid protests.

Submit your bid with bidder's security equal to at least 10 percent of the bid.

Prevailing wages are required on this Contract. The Director of the California Department of Industrial Relations determines the general prevailing wage rates. Obtain the wage rates at the DIR Web site, <http://www.dir.ca.gov>, or from the Department's Labor Compliance Office of the district in which the work is located.

The federal minimum wage rates for this Contract as determined by the United States Secretary of Labor are available at <http://www.dot.ca.gov/hq/esc/oe/federal-wages>.

The Road To Smart Solutions



An Employee Owned Company

Proposal and Contract

Pavement Recycling Systems, Inc

CA License# 569352  
OR License# 185556

DIR # 100003363  
UT License#6982390-5501

NV License# 0036728  
AZ License# 183900

10240 San Sevalne Way, Junupa Valley, CA 91752  
Phone: (951) 682-1091 Fax: (951) 682-1094

From: John Karagas

Email: jkaragas@pavementrecycling.com

To: ARVIND  
VAP CONSTRUCTION  
16425 Illusion Way  
LA MIRADA, CA 90638  
arvind@vapci.com

Quote No: 1600090  
Phone: (714) 253-3270  
Fax: (714) 551-9420  
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
17	PAVEMENT MARKER (RETROREFLECTIVE-RECESSED)	4,540	EA	4.680	\$21,247.20
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
		<b>TOTAL OF *</b>		<b>= \$19.71</b>	
		<b>TOTAL OF **</b>		<b>= \$19.71</b>	

Rumble Strip Conditions

- Items 10 & 11 Includes: Grind for Rumble-strip and leave the milled material in place, with one move on and off the project.
- Item A includes: Clean up rumble strip millings and haul off site.
- Item B includes: Furnish and apply fog seal over rumble strips.
- 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.
- Production at 4 shifts, utilizing 2 rumble strip machines.
- 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 Britny is 951 934-4715. Thank you.
- Excludes USA notification, location and marking. Please see "General Conditions".
- Requires: All utilities within the mill area are to be located and marked by the Customer.

Recessed Marker Conditions

- Item 17 includes: Grind for Recessed Markers, with one move on and off the project.
- Item 17 excludes: Traffic control, water/water truck, loading and hauling of milled material, sweeping, pcc grinding, areas inaccessible to the machine, layout for recessed marker milling, marker installation and maintenance of the project.
- Production at 8 shifts.
- 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 dial number for Britny is 951 934-4715. Thank you.

General Conditions

ACCEPTANCE of this bid/proposal/question (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-up except those reserved by the owner to 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 4226) of Chapter 2.1 of Division 5 of Title 1 of the California Government Code.

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