



**Beador
Construction
Company, Inc.**

June 6, 2016

Department of Transportation
Division of Engineering Services
Office Engineer
1727 30th Street, MS-43
P.O. Box 168041
Sacramento, CA 95816-8041

Attention: Mrs. Jill Y. Sewell
Office Chief

RE: Bid Protest – Civil Rights Evaluation
CalTrans Contract 08-1F1104

Mrs. Sewell:

Beador Construction Company Inc. protests the civil rights evaluation done for BRM. It is inconceivable that the State would allow supplying reinforcing steel and a "portion" of a pre-engineered and manufactured building to be used in a DVBE submittal. Beador Construction has had the State throw out reinforcing steel DVBE supplier credit as the supplier (Sam's Equipment with similar designations as First Vanguard) was not a reinforcing steel supplier or fabricator and would have to only be acting as a pass-through. Second and again, page 45 of the special provisions requires "a pre-engineered steel building." The specifications require and state a "Pre-engineered steel building must be of the rigid frame type with non-tapered columns and MUST INCLUDE structural steel framing, permanent lateral bracing, anchor rods, base plate ties, fasteners, ROOF PANELS, WALL PANELS, sealants et al...". There is no way a pre-engineered and manufactured building supplier would release the siding and roofing portion to another vendor. It could and would only be done as a "pass-through".

Beador requests the State contact suppliers of pre-engineered buildings similar to this projects requirements to see if they would allow a GC and better yet, a random vendor to select, size and source their own siding and roofing materials to supply to one of their pre-engineered buildings. We can recommend you contact Mr. Joel Davis of Empire Steel Buildings, phone 800-905-3443 to verify this information. Joel has been looking at and helping CalTrans design this project for some time.

We again, respectfully request the State disallow these items from the DVBE submittal of BRM. Should you have questions or comments, please feel free to call.

Sincerely,

Beador Construction Company, Inc.

David A. Beador
David A. Beador
President
REF: 08-1F1104

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Award status for 08-1F1104

Bid opening date: 05/12/2016

Processing award for		BRM		
Award recommendation	Requested	05/12/2016	Received	05/20/2016
Civil rights evaluation	Requested	05/24/2016	Received	06/03/2016
Funding certification	Requested	05/16/2016	Received	
	Award date		Approval date	

A note on the Caltrans award process:

We have several major milestones we process when preparing a project for award.

- Bid opening: This is the event that triggers the award process. Once a bid has opened, we immediately begin looking at the results to process the contract award.
- Award recommendation: The district responsible for designing the project will take a look at all the bids submitted and determine whether or not it is in the department's best interest to award the contract, by taking a look at the item prices submitted and the working schedule, if necessary. This can involve calls to the bidders to determine if there were any problems with bids or the contract itself.
- Civil rights evaluation: Our Office of Business and Economic Opportunity reviews the UDBE or DVBE submittals on all projects to determine if the project goals have been achieved, or if a good faith effort has been obtained.
- Funding certification: Once we have determined a low bidder, we begin an analysis that determines how much of the allocated funding will need to be used to award the contract, and in the case of projects where funding has multiple fund sources, we determine what portion of each allocation will go toward paying for construction.

Once all milestones have been achieved for the bidder we are processing the award for, the contract will be ready to award. We will proceed with the contract award and contract approval. In the event that there is a re-ranking of bidders, both the funding certification and civil rights evaluation will need to be re-processed for the new bidder.