



TRANSMISSION VERIFICATION REPORT

TIME : 03/21/2016 14:00  
NAME : OE AWARDS  
FAX : 9162276320  
TEL : 9162276299  
SER. # : BROM3J484361

DATE, TIME	03/21 14:00
FAX NO. /NAME	917145789672
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STATE OF CALIFORNIA--CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF ENGINEERING SERVICES  
OFFICE ENGINEER

1727 30th STREET, MS-43  
P.O. BOX 168041  
SACRAMENTO, CA 95816-8041  
PHONE (916) 227-6299  
FAX (916) 227-6282  
TTY 711  
[www.dot.ca.gov](http://www.dot.ca.gov)



*Serious drought.  
Help save water!*

March 21, 2016

Facsimile: (714) 578-9672

Dennis Ganse, General Manager  
Sully-Miller Contracting Co.  
135 S. State College Blvd. Suite 400  
Brea, CA 92821

08-1F5204  
08-Sbd-40-0.0/R10.0  
B.O. 2/4/2016

Dear Mr. Ganse:

The Department of Transportation (Caltrans) received a letter dated March 14, 2016, from Sully-Miller Contracting Co. (Sully-Miller), protesting the bid submitted by Calmex Engineering, Inc. (Calmex) for the above referenced contract. The protest alleges that Calmex did not meet the Disadvantaged Business Enterprises (DBE) goal required for this project and did not submit a Good Faith Effort per the specifications. Sully-Miller has based its allegations on alleged errors on Calmex's DBE Commitment form, specifically that Calmex listed LMS Transport to supply liquid asphalt, but the amount indicated is overstated and the mixture of asphalt rubber binder Calmex used is incorrect for this project.

The Office of Business and Economic Opportunity, Contract Evaluation Branch conducted an evaluation of the DBE Commitment form submitted by Calmex and approved the participation for LMS Transport. As a result, Calmex met the contract goal. The issues raised in the protest regarding the overstated amount of liquid asphalt and the mixture of asphalt rubber binder are not bid responsiveness issues and neither issue has given Calmex an unfair competitive advantage. These are instead contract administration issues and will be