

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
1727 30th STREET, MS-43
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6299
FAX (916) 227-6282
www.dot.ca.gov



*Flex your power!
Be energy efficient!*

November 15, 2013

Facsimile: (310) 720-0277

Bob Collins, President
Jabre Contracting
1950 E. 220th Street, Suite 101
Long Beach, CA 90810

09-353304
09-Mno-395-34.1
B. O. 10/9/2013

Dear Mr. Collins:

The Department of Transportation (Caltrans) received the attached third protest letter dated November 7, 2013, at 11:51 a.m. from Jabre Contracting (Jabre) requesting that Herback General Engineering (Herback) be found non-responsive. Jabre's protest states that Herback failed to submit back up or price quotes for items 41, 49, and 52 on Herback's Certified DVBE Summary.

Caltrans does not respond to protests after the contract is awarded. Contract 09-353304 was awarded on November 7, 2013, and Jabre's protest was received on November 7, 2013, at 11:51 a.m., after the contract was awarded.

If you have any questions please contact Mulissa Smith, Contract Awards Branch Chief, at (916) 227-6228.

Sincerely,



JOHN C. McMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

Attachment

JABRE CONTRACTING

1950 220th Suite 101, St. Long Beach, CA 90810
License #698556 A, Small Business #1744323

November 7, 2013

Department of Transportation
Office Engineer MS 43
1727 30th Street,
Sacramento, CA 95816-8041

Attn: Mulissa Smith
Contracts Awards Branch Chief
Fax (916) 227-6282

Sub: Rebuttal for Caltrans Contract # 09-353304

Dear Ms. Smith,

Jabre Contracting is contesting the findings of the CEU in that Herback General Engineering met the goal for the require 5% DVBE in a responsive manner per contract documents.

As stated in our Bid Protest #1, the DVBE Summary states that " if 100% of an item is not performed or supplied by the DVBE's describe the exact part, including planned location of work to be performed, of item to be performed or supplied by DVBE".

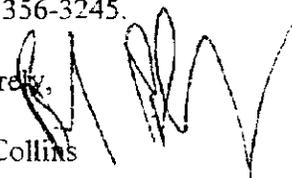
Gold and Sons trucking was listed for \$12,052.00 of items 41, 49, and 52. Herback also listed a supplier in Supply Patriot for \$42,950.00 for item 52. Neither the trucker nor supplier performed or supplied 100% of the items they were list for which meant that Herback should have submitted back up showing the performed work (truckers rate and hours used), and a price quote from Supply Patriot for materials with prices of those materials showing how they arrived at \$42,950. Jabre Contracting received a price for the same materials from Ultra Block for \$19,291.00. (see attached)

It is for this reason that Caltrans should find Herback Engineering nonresponsive and award the job to the next responsible bidder Jabre Contracting.

If you have any further questions please feel free to call me at (310) 720-0277. Or fax to (310) 356-3245.

Sincerely,

Bob Collins



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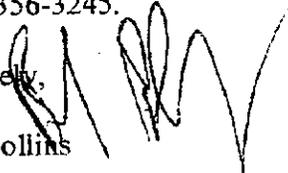
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Sincerely,


Bob Collins



815 NE 172nd Avenue Vancouver, WA 98684
360-694-0141 office * 800-377-3877 toll-free * 360-694-0281 fax

Fax

To: Estimator From: Ultrablock, Inc

Fax: _____ Pages: _____

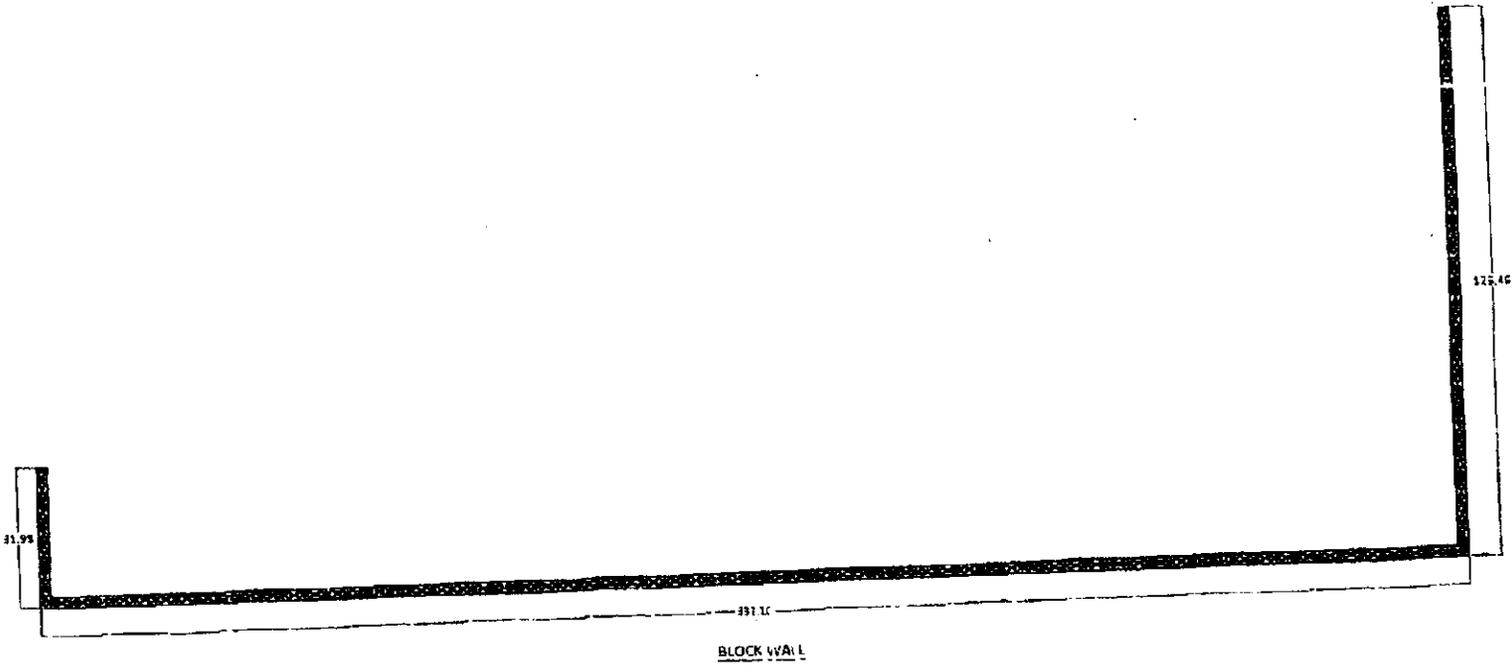
Phone: _____ Date: 10/7/13

Re: _____ CC: _____

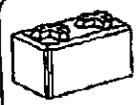
- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

* Lock-Block Retaining wall System

****Profile view shown from face of wall (as-built)****
Plans to be verified by engineer / contractor prior to construction



DEPT UNIT:



ULTRABLOCK, INC.

815 N.E. 172nd Ave.
VANCOUVER, WA 98684
800-377-3877 PH
360-694-0281 FAX

****ULTRABLOCK PLANS ARE BASED OFF OF CONTRACT PLANS****
**** PRELIMINARY -BLOCK LAYOUTS TO BE APPROVED BY ENGINEER****
****ALL ELEVATIONS TO BE FIELD VERIFIED BY CONTRACTOR****

TITLE: CALTRANS 09-353304

DRAWN BY:
AMD

DATE: 10/03/13
SCALE: NTS

SHEET #: UB-01

10/07/2013 09:01 FAX 1 360 694 0281

ULTRA BLOCK

ESTIMATE

ULTRABLOCK OF CALIFORNIA, INC.

815 NE 172nd Avenue
Vancouver, WA 98684

Phone: (360) 694-0141 Fax: (360) 694-0281
1-800-377-3877

Email: estimating@ultrablock.com

ESTIMATE DATE: 10/4/2013

ESTIMATE NUMBER: 0002250

MATERIAL SPECIFICATIONS:
Y: YES N: NO

SPEC POUR

N

AIR ENTRAINED

N

GRID / TIEBACKS REQUIRED

N

HAMMER TESTING

N

ITEM NUMBER	WHSE CODE	WHSE CONTACT / FAX	UNIT	QUANTITY	PRICE	AMOUNT
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Job Bids: 10/09/13
To: Estimator

Job: Caltrans 09-3553304
Site: Crestview, Mono County, CA

Engineer: Brad Larson @ Caltrans

ULTRABLOCK AS SPECIFIED

All blocks to be poured using surplus concrete.
Compressive strength will vary 2200 psi - 5800 psi

BLOCK WALL: 489.54 LF x 2.5' max ht

00131ZZZZ	---		EACH	96	60.00	5,760.00
Full Size Block Quarry Stone						
00133ZZZZ	---		EACH	2	75.00	150.00
Full Size Block Quarry Stone Front and Right Face						
00231ZZZZ	---		EACH	1	60.00	60.00
Half Block Quarry Stone						
DEPT UNITS PER SPECS:						
00131ZZZZ	---		EACH	4	60.00	240.00
Full Size Block Quarry Stone						
TOTAL BLOCK COUNT: 103						
FRTBLK	---		EACH	103	127.00	13,081.00
Freigh: Per Block						

CONTINUED

10/07/2013 09:02 FAX 1 360 694 0281

ULTRA BLOCK

ESTIMATE

ULTRABLOCK OF CALIFORNIA, INC.

815 NE 172nd Avenue
Vancouver, WA 98684
Phone: (360) 694-0141 Fax : (360) 694-0281
1-800-377-3877
Email: estimating@ultrablock.com

ESTIMATE NUMBER: 0002250 ESTIMATE DATE: 10/4/2013

MATERIAL SPECIFICATIONS: Y: YES N: NO	SPEC POUR <input type="checkbox"/> N	AIR ENTRAINED <input type="checkbox"/> N	GRID / TIEBACKS REQUIRED <input type="checkbox"/> N	HAMMER TESTING <input type="checkbox"/> N
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ITEM NUMBER	WHSE CODE	WHSE CONTACT / FAX	UNIT	QUANTITY	PRICE	AMOUNT
DESCRIPTION						

NOTES:

- Special pour, hammer test, and architectural additional \$\$ per block - call for new quote.
- Contractor to verify all locations, elevations, dimensions and qtls of blocks.
- Engineering estimate not included.
- Customer responsible for off-loading.
- FREIGHT: Regular Trucks = 4R' Flat Beds
- Freight offered only on paved roads. Assuming site access has place to off load and turn around.
- Site has 1/2hr to offload-stand by fees will apply.
- Production may be required at time of order.

Net Order:	19,291.00
Less Discount:	0.00
Sales Tax:	0.00
Materials Total	19,291.00
Engineering Estimate if Needed	0.00
Order Total:	19,291.00

**** Transmit Conf. Report ****

P.1
CALTRANS CONTR AWARDS Fax 916-227-6282

Nov 15 2013 04:11pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
913105136299	Normal	15:04:10pm	1'05"	7	# O K	

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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