

**TRICON CONSTRUCTION, INC.**  
DBA TRICON AQUATICS  
11419 SUNRISE GOLD CIRCLE, STE 6  
RANCHO CORDOVA, CA 95742  
Lic # 754506

(916) 638-9866 (OFFICE)  
(916) 638-9867 (FAX)

April 22, 2015

State of California Department of Transportation  
Division of Engineering Services  
Office of Engineer  
1727 30th Street  
Sacramento, CA 95816-8041

Attn: John C. McMillan

Re: Caltrans Contract 09-355604

Subject: Protest of Award of Contract to Re Com Development Company

Dear Mr. McMillan:

Tricon Aquatics hereby protest the award of Caltrans Contract No. 09-355604 to Re Com Development Company (RCDC) due to their improper bid listing of or lack of listing of the DVBE percentage within the allotted time frame. As noted in the Cal Trans rescission letter to RCDC they listed their DVBE electronically at bid time. According to RCDC's response to the Cal Trans rescission letter they state that they failed to list the percentage of the DVBE participant at time of bid and /or within the allotted time frame. This would make their bid non-responsive. Cal Trans has made determinations in the past finding contractors non-responsive for not listing or improperly listing subcontractor and / or DVBE percentages incorrectly in the past and Cal Trans must remain consistent with this requirement. The contract should be awarded to Tricon Aquatics, the lowest responsive and responsible bidder.

Please note- Cal Trans failed to properly and timely post the non-responsive letter to Re Com and the DVBE submittal for Re Com on the Cal Trans website.

Please see the attachment for clarification.

We appreciate your consideration of this matter. Please contact me if you have any questions.

Respectfully,

Thomas A. Reid  
President- Tricon Construction, Inc.

04/09/2015 10:07  
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Apr 9 2015 11 09am  
RECOM DEV

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**RE - COM DEVELOPMENT COMPANY**

2488 Dixon Lane - Bishop, CA 93514 - (760) 873-3301

Department of Transportation  
Division of Engineering Services  
Office Engineer  
PO Box 168041, MS-43  
Sacramento, CA 95816  
Fax 916-227-6282

Project Number 09-355604

Kelley or Irene,

At the time of the bid the DVBE was listed for this project but the percentage of participation was not shown. I am sending you the print out showing the percentage of participation as requested. Any further information required please let me know

Thank you.

Mike Ripley  
Owner

To follow: This cover and (2) pages.