

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
P.O. BOX 168041, MS-43
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6299
FAX (916) 227-6282
TTY 711
www.dot.ca.gov



*Serious drought.
Help save water!*

August 15, 2014

Facsimile: (707) 747-0593

Andrew Keough, Estimator
American Civil Constructors
3701 Mallard Drive
Benicia, CA 94510-1246

10-0W6904
10-SJ-4, 5, 99, 205-Var
B.O. 07/23/2014

Dear Mr. Keough:

The Department of Transportation (Caltrans) is in receipt of a letter dated August 5, 2014, from American Civil Constructors (ACC) protesting the bid submitted by Truesdell Corporation of California, Inc. (Truesdell) on July 23, 2014 for Contract Number 10-0W6904. The protest alleges that Truesdell made impermissible revisions to their Subcontractor List form post bid and submitted a Disadvantaged Business Enterprise (DBE) Commitment form that is inconsistent with its Subcontractors List form.

Caltrans reviewed the electronic bid-submittal file, as well as the post bid documents and determined the following:

1. Bid item numbers are not required to be submitted on bid day; however are required on the second submission, 24 hours after the initial submittal. On bid date Truesdell submitted the description of work to be subcontracted as well as the corresponding bid item numbers. A review of the Electronic bid file indicates that the bidder committed a clerical error while entering the bid item numbers which forced the entries to appear under the Percentage of Bid Item Subcontracted. The error itself does not materially change the bid and is an error that can therefore be waived by Caltrans.
2. On the 24 hour submission, Truesdell submitted the original bid document as it appeared on bid date, and included the percentage of work to be performed by each corresponding bid item number. It is clear that the bidder committed a clerical error while entering bid item numbers which forced the entries to appear under the Percentage of Bid Item Subcontracted. The error does not materially change the bid and can therefore be waived by Caltrans.
3. As this protest pertains to the DBE Commitment form, Truesdell listed KRC Safety to perform work described as bid item 3, Traffic Control. Truesdell correctly listed this subcontractor on its Subcontractor List form as performing this same item of work. Once again, it is clear that the bidder committed a clerical error while entering bid item numbers, which forced the entries to appear under the Percentage of Bid Item Subcontracted. The error does not materially change the bid and can therefore be waived by Caltrans.

Mr. A. Keough
August 15, 2014
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Based on the above review, it is the opinion of Caltrans that the bid submitted by Truesdell is responsive and Caltrans will proceed to award this contract to Truesdell, the lowest responsive and responsible bidder, provided that all requirements have been met.

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

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

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

Aug 15 2014 03:15pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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Caltrans reviewed the electronic bid submittal file, as well as the post bid documents and determined the following:

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