

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
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*Serious drought.
Help save water!*

December 19, 2014

Facsimile: (858) 453-6034

Colleen Coffman, President
Coffman Specialties, Inc.
9685 Via Excelencia, Suite 200
San Diego, CA 92126

11-275504
11-SD-67-R0.0/R5.9
B.O 10/16/2014

Dear Ms. Coffman:

The Department of Transportation (Caltrans) received a letter dated October 27, 2014, from Hazard Construction (Hazard) protesting the bid submitted by Coffman Specialties, Inc. (Coffman), on contract 11-275504. The protest alleges the following issues;

1. On bid day, Coffman identified Statewide Traffic Safety & Signs as performing work described as Construction Area Signs and Roadside Signs. On the 24 hour submittal, Coffman listed bid items 4, 9, 10, 17, 23, 26, 27, 49-56, 64 as being performed by Statewide Traffic Safety & Signs. Hazard alleges that Bid items 9 and 10 (Temporary Crash Cushion Module and Temporary Alternative Crash Cushion System) are not bid items associated with work described as Construction Area Signs and Roadside Signs. Therefore, Hazard alleges that Coffman enlarged the scope of work by including items 9 and 10 on its 24 hour subcontractor listing.
2. On bid day, Coffman listed Ace Fence Corp. (Ace) to perform work described MBGR/Fence. On the 24 hour submittal Coffman listed bid items 17, 18-20, 65, 66-73 as being performed by Ace Fence Corp. Hazard alleges that Bid item 65 (Alternative Crash Cushion) is not included in the description of work for MBGR/Fence. Therefore, Hazard alleges that Coffman enlarged the scope of work by adding bid item 65. In addition, Hazard alleges that Coffman reduced the scope of work by omitting bid item 64, Guard Railing Delineator.
3. Coffman identified Ace for the aforementioned items in (2) however, submitted its Disadvantaged Enterprise Commitment form (DBE) listing Ace for bid items 17-20, 64-73. Hazard therefore alleges that the Subcontractor list submitted by Coffman does not match the DBE list as required.

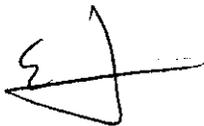
Caltrans evaluated the bid documents submitted by Coffman and determined;

1. Bid Items 9, 10 (Temporary Crash Cushion Module and Temporary Alternative Crash Cushion System), are covered under the elements of work described in the 2010 Revised Standard Specifications, Section 12 Temporary Traffic Control. During this same evaluation, Caltrans also found that Coffman included bid item 64 (Guardrail Delineator) in the work described as Construction Area Signs and Roadside Signs. The Guardrail Delineator is covered under Section 82, Markers and Delineators and as such, these items are not Construction Area Signs or Roadside Signs. Therefore, Caltrans agrees that Coffman improperly expanded the scope of work given to Statewide Traffic Safety & Signs making its bid nonresponsive on this basis.
2. Alternative Crash Cushions are covered under the elements of work described in the 2010 Revised Standard Specifications, Section 83, Railings and Barriers. As such, Caltrans determined that the scope of work described as MBGR/Fence is relative to bid item 65. Furthermore, Caltrans does not require the contractor to subcontract all elements of the work, only that portion that he/she will not be self performing. Therefore, Caltrans finds that the inclusion of bid item 65 did not improperly expand the work given to Ace Fence Corp. and the bid is responsive on this issue.
3. Caltrans has determined that the listing of bid item 64, Guardrail Delineator on the DBE Commitment form is a clerical error. As such, the DBE participation for Ace fence will be reduced by this item. In addition, the error itself does not materially affect the bid and can therefore be waived by Caltrans.

Based on these findings, Caltrans finds the bid submitted by Coffman nonresponsive. Caltrans will proceed to award the contract to 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 Manager, at (916) 227-6228.

Sincerely,



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

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

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

Dec 19 2014 04:50pm

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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