

**Dreambuilder**

1361 E. Lawson Ln, Placentia, Ca 92870  
Ph (714) 646-3697, fax (714) 646-3698

Civil Engineering Construction

**Bid Protest Letter**

Department of Transportation  
Office Engineer MS 43  
1727 30<sup>th</sup> Street, Sacramento, Ca 95816  
**Ph: 916-227-6280 Fax: 916-227-6282**  
**Attn: Office Engineer**

Date: 11/06/2015

**Sub: Bid protest for Caltrans Contract # 11-408004**  
**Bid open on 9/29/2015 @ 2:00PM in Sacramento**  
Reference: Caltrans bid proposal for Contract # 11-408404

Dear Sir / Madam,

We bid this project and we are 3rd bidder on this project. We are filing formal bid protest as follows:

1. Bid proposal was submitted by 1<sup>st</sup> apparent low bidder Pal General Engineering Inc, and at time bid they listed wrong bid item # 112 for mobilization and they also listed 100% for subcontractor Safeguard Fence Inc., but they did revision in subcontract listing and revised added item # 55 in DBE commitment and also at the time of bid they listed 100% mobilization for Safe Guard Fence Inc, but they change and reduced work % from 100% (\$61,000.00 to \$5,500) to 9% of bid item.  
Please see attached DBE submittal from Pal General Engineering Inc as underlined.  
But as per bid document special provision no changes in permitted in subcontractor listing after bid opening; hence their bid is non responsive bid.

2. Bid proposal submitted by 2nd bidder Peterson-Chase General Engineering Construction, Inc. on subcontractor listing, they listed Rouch Rebar for item # 38 for 1 %, but on DBE Commitment, they changed contract item # 49 and bid % is also changed from 1% to 88%. (1% of item # 38 is \$429.00 but they claimed \$3780.00)  
But as per bid document special provision no changes in permitted in subcontractor listing after bid opening; hence their bid is also non responsive bid.

Caltrans also rejected our bid due to our wrong listing of contract item # for contract 08-0P8204 (Please see attached Caltrans decision for non responsive bid for this contract for Dreambuilder). We request to follow same criteria for these mistakes done by PGE Inc & Peterson-Chase and award contract to Dreambuilder.

Both bidders' bid is non responsive bid and therefore bid should be awarded to Dreambuilder.  
Thank you for your consideration.

Yours truly,

  
Alex Singh  
Project Coordinator

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!

October 14, 2014

Facsimile: (714) 646-3697

3697

Anurag Singh, President  
Dreambuilder  
1324 E. Lawson Lane  
Placentia, CA 92870

08-OP2804  
08-Riv-60-1.6  
B.O. 09/24/2014

Dear Mr. Singh:

The Department of Transportation (Caltrans) received a bid from Dreambuilder on contract 08-OP2804 on September 24, 2014. Dreambuilder listed All American Asphalt (AAA) to perform bid items 24, 25 and 30 (Remove Pavement Marker, Remove Roadside Sign and Clearing and Grubbing) on its Subcontractor's List form. Dreambuilder provided a description of the work to be performed as Hot Mix Asphalt and Rubberized Asphalt (paving only partial).

Caltrans reviewed the bid documents as submitted and determined that the given bid item numbers do not correspond to the description of work to be performed by AAA. As such, Caltrans was unable to interpret the bid as submitted and finds the bid nonresponsive.

Caltrans will proceed to award this contract to the lowest responsive 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



648 GREENGATE ST. CORONA, CA. 92879 SAFEGUARD FENCE (951)-741-0854 office (951)-281-5144 fax

C-13 LICENSE # 849995

**DIR REGISTRATION #1000013581**

BID DATE: 29-Sep-15

RFP/CONTRACT# 11-408000

LOCATION: Rte. 79, San Diego County

ADDENDUMS: #1

ITEM #	DESCRIPTION	Qty	UM	Unit Price	Extension
16	Treated Wood Waste (Guardrail Only)	19500	Lbs	\$ 0.17	\$ 3,315.00
17	Remove Guardrail	1040	LF	\$ 6.75	\$ 7,020.00
44	Guardrail Delineators	84	Ea.	\$ 15.00	\$ 1,260.00
45	Midwest Guardrail	1400	LF	\$ 43.00	\$ 60,200.00
46	W8-31	16	EA	\$ 4,450.00	\$ 71,200.00
47	In-Line Terminal	6	EA	\$ 4,500.00	\$ 27,000.00
48	Flared Terminal	10	Ea.	\$ 3,550.00	\$ 35,500.00
49	ST-10 Bridge Rail	777	LF	\$ 357.00	\$ 277,389.00
112	Mobilization	1	LS	\$ 5,500.00	\$ 5,500.00
<b>TOTAL BID</b>					<b>\$ 488,384.00</b>

SURVEY, STAKING, GRADING, CLEARING, GRUBBING, GROUNDING, POY ROLLING, CONCRETE WORK, BONDS,  
 BOND and PERMIT FEES, LIABILITY FOR UTILITIES NOT MARKED BY DIG ALERT, ENGINEERING, PAINTING  
 CONCRETE FLAT WORK  
 WAIVER OF SUBRIGATION, TRAFFIC CONTROL

NOTE 1: Two Mobilization Included, Additional Mob's at a cost of \$2750 Ea.

**WE ARE A CERTIFIED DBE, WBE**

Prepared by: *Mike Williams*  
 Mike Williams, Partner, Safe Guard Fence  
 951-741-0854 cell  
 951-281-5144 fax  
[mike.safeguardfence@outlook.com](mailto:mike.safeguardfence@outlook.com)

11-408004  
11-SD-79-0  
09/29/15

BID211  
PAGE 5  
11/04/15

LIST OF SUB CONTRACTORS

BIDDER ID	NAME AND ADDRESS	LICENSE NUMBER	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED
08	SAFEGUARD FENCE CO. CORONA CA	849895	ITEM 49 (100%)
	SAFEGUARD FENCE CO. CORONA CA	849895	MIDWEST GUARDRAIL SYSTEM
	SAFEGUARD FENCE CO. CORONA CA	849895	MOBILIZATION
	SAFEGUARD FENCE CO. CORONA CA	849895	REMOVE GUARDRAIL
	SAFEGUARD FENCE CO. CORONA CA	849895	TRANSITION RAILING TYPE WB-31
	SAFEGUARD FENCE CO. CORONA CA	849895	TREATED WOOD WASTE
	TRAFFIC LOOP CRACKFILLING INC ANAHEIM CA	652956	ITEM 53 (100%)
	TRAFFIC LOOP CRACKFILLING INC ANAHEIM CA	652956	ITEM 54 (100%)
	TRAFFIC LOOP CRACKFILLING INC ANAHEIM CA	652956	MAINTAIN EXISITING TMS ELEMENTS
	TRAFFIC LOOP CRACKFILLING INC ANAHEIM CA	652956	MODIFY TRAFFIC MONITORING STATION

61,000  
 Reduced  
 only \$5,000

# Third Bidder <sup>10-02-15A11:11 RCVD</sup>

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**DBE - COMMITMENT**  
 DEB-0E-0102.10D (REV 12/2014)

CONTRACT NO: **11-408004**

BID AMOUNT: **\$ 1,278,560.10**

BID OPENING DATE: **September 29, 2015**

BIDDER'S NAME: **Peterson-Chase General Engineering Construction, Inc.**

DBE GOAL FROM CONTRACT %: **11%**

DBE PRIME CONTRACTOR CERTIFICATION:	TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE)	TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE)
N/A	5	\$317,724.20

*originally listed for items 38, 49 listed on DBE Form for*

ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED <sup>1</sup>	WORK CATEGORY CODES <sup>2</sup>	NAME OF DBEs (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
49	Rebar	C5201	Rough Rebar #39473 5120 Clark Ave Ste 205 Lakewood, CA 90712 (562) 788-0401	\$3,780.00
32, 33	Compost; Incorporate Mat'ls	C1910	Deverilled Landscape #6022 21790 Bundy Cyn Rd Wildomar, CA 92593 (951) 248-1888	\$18,103.00
1 (Prtn), 55 (Prtn) 4, 5, 18, 19, 50-52	Portions LCP & Mobilization Pavement Delineation & Removal	C8405 C8406	Payco Specialties #102 120 N. Second Ave. Chula Vista, CA 91910 (619) 423-9204	\$36,184.00
49	Furnish Steel Railing (60%)	C0655	G & C Equipment Corp. #820 1875 W. Redondo Beach Blvd. #207 Gardena, CA 90249 (310) 515-8715	\$144,082.80
3	Traffic Ctl Equip Rentals	C1201	Quality Traffic Control #42289 13840 Rosa Ave Fontana, CA 92337 (909) 376-8882	\$12,420.00

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Pub Cost Code § 4100 et seq.).

<sup>1</sup>Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

<sup>2</sup>If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

<sup>3</sup>Use Work Category Codes from the California Unified Certification Program database.

Total Claimed Participation	\$157,601.68
	12.33 %

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

*Dick W. Vogels*  
 Signature of Bidder  
 9/30/2015 Date (949) 252-0441 (Area Code) Tel. No.

Dick W. Vogels  
 Person to Contact (Please Type or Print)

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 445-1255, TTY 711, or write to Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.