



## **O'Donnell Construction Inc.**

559 W. Covina Boulevard  
San Dimas, CA. 91773-2911  
Phone 909-394-4510 Fax 909-394-4750

General Engineering Contractor

License #772905A

November 19, 2014

Mr. John McMillan  
Deputy Division Chief  
Office Engineer, MS 43  
Division of Engineering Services  
Department of Transportation  
P.O. Box 168041  
Sacramento, CA 95816-8041

Dear Mr. McMillan

RE: Contract No. 12-0J6404  
Ora-55, Bid Date 10/21/14

Please consider this letter to be a formal protest of the bid submitted by YAKAR on the above noted contract. O'Donnell Construction, Inc. is currently the 2<sup>nd</sup> ranked bidder.

The DBE goal for this contract is 10%, however, YAKAR's submitted DBE Commitment form indicates that only 4.7% of DBE participation was reached. Also, YAKAR did not submit any good-faith documentation for consideration by the state.

We hereby request the state find the bid submitted by YAKAR to be nonresponsive and award this contract to O'Donnell Construction, Inc.

Please contact me with any comments or questions.

Sincerely,

Neil T. O'Donnell  
President