



PETERSON-CHASE

GENERAL ENGINEERING CONSTRUCTION, INC
1792 KAISER AVE., IRVINE, CA 92614
PH# (949) 252-0441 FAX#: (949) 252-0266

TO: Department of Transportation Division of Engineering Services, Office Engineer MS 43, 1727 30th St / PO Box 168041 Sacramento CA 95816-8041	FROM: Dick W. Vogels
EMAIL:	DATE: July 26, 2013
ATTN: JOHN MCMILLAN, DEPUTY DIVISION CHIEF	SUBJECT: Response to Bid Protest Contract 12-0L7504 Bid Date: 6/20/13
JOB#: CONTRACT#: 12-0L7504	
PH#: (916) 227-6228 FAX#: (916) 227-6282	PH#: (949) 252-0441 FAX#: (949) 252-0266

Dear Mr. McMillan:

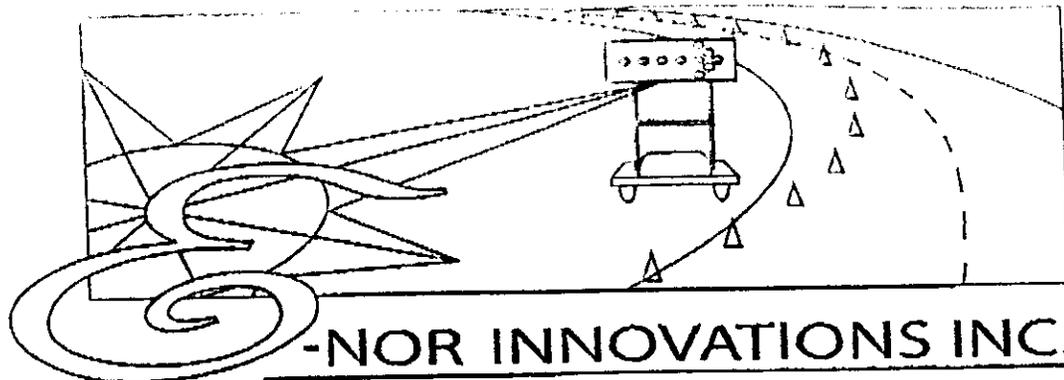
Peterson Chase (PC) has reviewed the enclosed letter dated July 25, 2013, from Caltrans regarding a bidder protest from Highland Construction Inc. (Highland) against our bid submitted for Contract 12-0L7504. We respond as follows:

- The basis of Highland's protest is that PC allegedly failed to list E-Nor Innovations (E-Nor) as a subcontractor for construction signs and traffic control. E-Nor is intentionally not listed as a subcontractor. E-Nor is only furnishing traffic control rental equipment to PC for Contract 12-0L7504. Accordingly, the bid protest is not valid, and should be denied.
- Attached is a copy of E-Nor's bid received by PC on the day of the bid opening. PC noted on the bid the specific rental equipment that would be utilized to achieve the DBE participation for this contract. There is no labor associated with the items PC utilized towards the DBE goals. Since we listed E-Nor for equipment rental only, there is no requirement to list them as a subcontractor. Again, the basis of the bid protest is not valid, and should be denied.

In summary, PC listed E-Nor towards the DBE goals for renting traffic control equipment and signs. Accordingly, since E-Nor is not providing any labor, there is no requirement to list E-Nor as a subcontractor for equipment rental. The basis of Highland's protest is not valid, and this contract should be awarded to Peterson Chase. Please call if questions arise.

Sincerely,

Dick W. Vogels, PE
Vice President



-NOR INNOVATIONS INC.

DVBE/SBE CERTIFIED CO. LIC. #931953
 (310)513-6209 Ph 310-513-6299 Fax

DVBE/SBE# 37084 *U DBE/MBE/SBE CUCP #37718*

GENERAL A, C31/D42 STATE LICENSE #931953

UNION CONTRACTOR

6/20/13

Bidding Estimator

PROJECT: Ramp Widening

PROJECT NUMBER 12-0L7504

BID DATE 6/20/13 BID TIME 2PM

DVBE/SBE #37084 DISABLED VETERAN

ITEM	DESCRIPTION	COST
TRAFFIC CONTROL SYSTEMS		PER DAY.
1	ONE LANE, ONE DIRECTION, TWO MAN CREW ONE MILE, ONLY 8HR SHIFT PRICE INCLUDES 150 CONES, 1 ARROWBOARD 3 AWS, 4 C30, 1 BEACON	\$ 1,650
2	FOR EACH ADDITIONAL LANE ADD	\$ 200
3	FOR EACH ADDITIONAL MILE ADD	\$ 200
4	ADDITIONAL RAMP CLOSURE ADD	\$ 200
5	CITY STREET LANE CLOSURE 8HR SHIFT 75 CONES, 3 AWS, 2 C30, 1ARROWBOARD	\$ 1,650
6	RAMP CLOSURE 1-4 RAMP PER LOCATION 8HR SHIFT 150 CONES, 8C2, 8 PLAIN BARRICADES, 4 R3-2, 4 R3-1, 2 W20-3.	\$ 1,650
7	SHOULDER CLOSURES 8HR SHIFT 100 CONES, 3AWS, 3 SMALL SIGNS	\$ 1,650
8	DETOUR RAMP CREW 8HRSHIFT 25 FRWY DETOUR.	\$ 1,650
9	ATTENUATOR TRUCK WITH DRIVER 8HR SHIFT	\$ 976
10	3MAN WITH PILOT CAR 8HR SHIFT	\$ 2,550
10	PER DEIM CHARGE WILL BE CHARGED FOR OVERNIGHT STAYS PER DAY	\$ 230

11. ATTENUATOR TRUCK DAILY \$400, WEEKLY \$1,300, 4 WEEK RENTAL \$4,000
 Mileage \$0.49 per mile

55 EACH DAILY @ \$ 400 = \$ 22,000

12. CMS UNIT RENTAL

2 EACH, 1 MONTH @ \$1,200 = \$ 2,400

13. ARROWBOARD RENTAL
DAILY \$40 EA

WEEKLY \$240 EA MONTHLY \$600 EA

2 EACH ARROW X \$40 X 55 SHIFTS @ \$4,400⁰⁰

14. DELIVERY/PICK UP EACH WAY

ADDITIONAL FRWY DETOUR SIGNS WILL BE BILLED AT EACH PER DAY

5 EA EQUIPMENT X 2 WAYS X \$ 100
\$ 5

\$1,000⁰⁰

ALLOW 1HR SET UP / 1 HR PICK UP

TOTAL \$ 29,800⁰⁰

ALL PROVISIONS: WILL BE ADDED AS PART OF CONTRACT BEFORE PROCEEDING.
NO CONTRACT WILL BE SIGNED UNLESS ALL PROVISION ARE INCLUDED.

- A. OVERTIME WILL BE BILLED AT \$108 EACH MAN-PER-HOUR AFTER 8HRS SHIFT.
DOUBLETIME WILL BE BILLED AT \$125 EACH MAN PER HOUR AFTER 12HR SHIFT.
- B. MULTIPLY RATES BY 1.5 FOR SATURDAYS AND 2 FOR SUNDAYS AND HOLIDAYS
AND AFTER 12 HOURS OF WORK.
- C. E-NOR INNOVATIONS INC. IS A UNION CONTRACTOR.
- D. PAYMENT IS DUE WITHIN 30 DAYS FROM INVOICE DATE 1.5% MONTHLY FINANCE
CHARGE AFTER 30 DAYS.
- E. IF REQUIRED ADDITIONAL EQUIPMENT (I.E. CHANGEABLE MESSAGE SIGN,
ATTENUATOR TRUCK) TO BE PROVIDED BY E-NOR INNOVATIONS INC AT
ADDITIONAL CHARGES.
- F. PRIME CONTRACTOR IS RESPONSIBLE TO OBTAIN ALL PERMITS REQUIRED FROM
CITIES INVOLVED.
- G. PRIME CONTRACTOR IS RESPONSIBLE TO COORDINATE AND PAY FOR HIGHWAY
PATROL UNIT.
- H. ADDITIONAL 3 1/2 PERCENT INCREASE ADDED EVERY YEAR ON JUNE 30TH.
THIS PROPOSAL WILL BECOME PART OF ANY CONTRACT.
- I. IF SPECIAL WORDING INSURANCE IS NEEDED THE AMOUNT TO BE PAID BY
CONTRACTOR ALONG WITH WAIVERS OF SUBROGATION INSURANCE THE 3 %
OF PAYROLL WILL BE CHARGED TO CONTRACTOR. IF NOTARY SERVICES ARE
REQUIRED, PRIME CONTRACTOR IS RESPONSIBLE FOR THOSE CHARGES.
- K. EXCLUDES SPECIAL INSURANCE REQUIREMENTS. (I.E. INCREASED GENERAL
LIABILITY FOR RAILROAD INSURANCE)
- L. IF EQUIPMENT IS RENTED FOR SET UP ONLY, CONTRACTOR IS RESPONSIBLE
FOR CLOSURE UNTIL E-NOR INNOVATIONS INC. PICKS UP CLOSURE.
- M. ALL SIGN AND MARKER LOCATION / MARK-OUT TO BE DONE BY OTHERS AND
MUST BE COMPLETED PRIOR TO E-NOR INNOVATIONS, INC. STARTING WORK. INC.
IS NOT RESPONSIBLE FOR DAMAGE TO UNDERGROUND FACILITIES, NOT SHOWN
ON PLANS OR, NOT MARKED OUT BY OTHER AGENCIES. (IE. CALTRANS)
- N. ALL CHANGE ORDER WORK MUST BE APPROVED BY AGENCY / OWNER PRIOR TO

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6280
FAX (916) 227-6282
TTY 711



*Flex your power!
Be energy efficient!*

July 25, 2013

Facsimile: (949) 252-0266

Greg Chase
Peterson-Chase General
Engineering Construction Inc.
1792 Kaiser Avenue
Irvine, CA 92614

12-0L7504
12-Ora-91-R0.3/R0.3
B.O. 6/20/2013

Dear Mr. Chase:

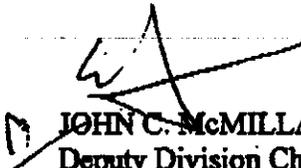
The Department of Transportation (Caltrans) received the enclosed letter dated July 23, 2013, from Highland Construction Inc. (Highland) protesting the bid submitted by Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase). The protest alleges that the Subcontractor List and the Disadvantaged Business Enterprise (DBE) Commitment form submitted by Peterson-Chase contain irregularities. Specifically, Highland's protest alleges that Peterson-Chase failed to list a subcontractor for Item 2, Construction Area Signs, and Item 3, Traffic Control Systems, on the Subcontractor List, and claimed DBE participation in the amount of \$29,742.08 by listing E-Nor Innovations to perform work described as "Various" Traffic Control and Construction Area Signs.

As such, Highland requests that Caltrans uphold their protest and find Peterson-Chase nonresponsive.

Please provide your response to Highland's protest no later than July 30, 2013.

If you have any questions, please contact Mulissa Smith, Contract Branch Chief, at (916) 227-6228.

Sincerely,


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

Enclosure