

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER, MS 43

1727 30<sup>th</sup> 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!*

May 17, 2013

Facsimile: (714) 769-7031

John Korb, Treasurer  
Autobahn Construction  
P.O. Box 11238  
Santa Ana, CA 92711-1238

12-0M3804  
12-Ora-Var-Var  
B.O. 3/28/13

Dear Mr. Korb:

The Department of Transportation (Caltrans) received the attached letter dated April 15, 2013, from Autobahn Construction (Autobahn) protesting the bid submitted by Truesdell Corporation (Truesdell). The protest alleges that Truesdell listed two contractors to perform the work described as Traffic Control. In addition, on the Disabled Veteran Business Enterprise (DVBE) summary Truesdell claimed DVBE participation in the amount of \$29,775.00 for bid item 8, Public Safety Plan, which was incorrectly listed as bid item 6 for which Truesdell bid \$10,000.00. Autobahn requests that Caltrans find the bid submitted by Truesdell nonresponsive.

Caltrans has reviewed the protest submitted by Autobahn and finds that its protest has merit. As such, the bid submitted by Truesdell is nonresponsive.

Based on the above determination, Caltrans will proceed to award the contract to the lowest responsible and responsive bidder provided all requirements are met.

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

Sincerely,

A handwritten signature in black ink, appearing to read "John C. McMILLAN".

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

Attachment



April 15, 2013

Department of Transportation  
Division of Engineering Services  
Office Engineer, MS 43  
1727 30<sup>th</sup> Street  
Sacramento, CA 95816-8041

Attention: Mr. John McMillan  
Deputy Division Chief  
Fax 916 227-6282

RE: Contract No. 12-0M3804  
Bid Date: March 28, 2013

Dear Mr. McMillan:

We are hereby protesting Truesdell Corporation's bid and DVBE Commitment. We are listed as the third place bidder on the Caltrans website, but because we qualify for a 5% advantage as a small business, we would be in second place.

Truesdell's subcontractor list shows Maneri Traffic Control as completing 100% of item #3, traffic control system. Their DVBE Summary states, in the description column, that Global Environmental Network is providing the traffic control system. It is our understanding that two contractors cannot do the same item of work.

Bid item #8 is the public safety plan. Truesdell shows that item to be \$10,000 on the bid item list. Yet on their DVBE summary, they list it as item #6 and show Global Environmental Network as completing the work for \$29,775.00. We feel that the discrepancy in dollar amount is grounds for a non-responsive bid. But, even if Global Environmental were doing \$29,775.00 worth of work, they should have been listed on the subcontractor page because it is over 1/2 of 1% of the total bid or \$10,000, whichever is greater.

We are requesting that this bid be deemed unresponsive based on the above factors. If you have any questions, please do not hesitate to contact me.

Sincerely,

John Korb  
Treasurer

Attachments

Low Bidder

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
CERTIFIED DVBE SUMMARY  
DE 9-OE-0102.5 (REV 3/2008)

# Low Bidder

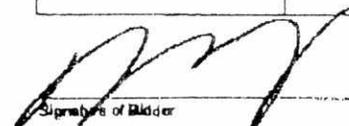
DISTRICT-COUNTY-ROUTE: 12 - Orange County - Var Routes  
CONTRACT NO.: 12-0M3804  
TOTAL BID: \$6,178,178.00  
BID OPENING DATE: 3/29/2013  
BIDDER'S NAME: Tweedell Corporation  
DVBE PRIME CONTRACTOR CERTIFICATION: N/A

Bid Item Number	Description of Work to Be Subcontracted to DVBE or Materials to Be Supplied by DVBE <sup>1</sup>	For Caltrans Only	DVBE (Name, Telephone No., and Certification No.)	\$ Amount
1	Lead Compliance Plan		Global Environmental Network, Inc. (714) 992-1199 #24785	\$ 1,385.00
3	Traffic Control System		Global Environmental Network, Inc. (714) 992-1199 #24785	\$ 17,600.00
4	Portable Changeable Message Sign		Global Environmental Network, Inc. (714) 992-1199 #24785	\$ 6,100.00
5	Prepare Water Pollution Control Program		Global Environmental Network, Inc. (714) 992-1199 #24785	\$ 785.00
6	Public Safety Plan		Global Environmental Network, Inc. (714) 992-1199 #24785	\$ 28,775.00
Names of first tier DVBE subcontractors and their items of work listed must be consistent with the names and items of work in the Subcontractor List (Pub. Cont Code § 4100 et seq.) submitted with the bid. Identify second and lower tier subcontractors on this form.				\$ <u>See Next Page</u> %
				Total Claimed Participation

1. DVBE prime contractors must enter their DVBE reference number or their DBA name as listed with Department of General Services (DVBE prime contractors are credited with 100 percent DVBE participation and need not complete this above table).  
2. If 100% of an item is not performed or supplied by the DVBEs, describe the exact part, including the planned location of work to be performed, of item to be performed or supplied by DVBE.

Submit to:

MSC 43  
OFFICE ENGINEER  
DEPARTMENT OF TRANSPORTATION  
1727 30TH STREET  
SACRAMENTO, CA 95816-7005

  
Signature of Bidder  
Date: 3/29/2013  
(602) 437-1711  
(Area Code) Telephone Number  
Mark Long, V.P. of Const  
Contact Person (Type or Print)

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 854-0410 or TDD (916) 854-3080 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SUBCONTRACTOR LIST**  
DES-05-0102.1 (REV 3/2011)

Bidder Name: Trescott Corporation of California, Inc

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6292 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
Maneri Traffic Control Temecula, CA	2	100%	CAS Traffic Control
	3	100%	CAS Traffic Control
ABSL Hayward, CA	11	66%	Remove Concrete Deck
Patriot Reinforcing Steel Riverside, CA	18	18%	Rebar
	19	5%	Rebar
Orange County Striping Orange, CA	24 thru 33	100%	Permanent Striping & Pavement Marking & Markers

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Contract No. 12-0M3804  
5

## BID ITEM LIST

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	5,000-
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	20,000-
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	79,990-
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	15,000-
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	500-
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	15,000-
7	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	17,700	1.00	17,700-
8	150100	PUBLIC SAFETY PLAN	LS	LUMP SUM	LUMP SUM	10,000-
9	150310	RAPID SETTING CONCRETE (PATCH)	CF	110	35.00	3,850-
10	150722	REMOVE PAVEMENT MARKER	EA	2,230	1.00	2,230-
11	150870	REMOVE CONCRETE DECK SURFACE	SQFT	13,800	2.90	40,020-
12	153223	REMOVE UNSOUND CONCRETE	CF	110	35.00	3,850-
13	153225	PREPARE CONCRETE BRIDGE DECK SURFACE	SQFT	484,235	0.13	62,950.55
14	153227	FURNISH POLYESTER CONCRETE OVERLAY	CF	2,653	100-	265,300-
15 (F)	153228	PLACE POLYESTER CONCRETE OVERLAY	SQFT	42,450	1.00	42,450-
16 (F)	153233	TREAT BRIDGE DECK	SQFT	441,785	0.12	53,014.20
17	153234	FURNISH BRIDGE DECK TREATMENT MATERIAL	GAL	6,314	50.00	315,700-
18	510087	STRUCTURAL CONCRETE, APPROACH SLAB (TYPE R)	CY	18	1,250-	22,500-
19	510800	PAVING NOTCH EXTENSION	CF	10	200-	2,000-
20	511118	CLEAN EXPANSION JOINT	LF	720	15-	10,800-

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

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

May 17 2013 04:47pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
917147697031	Normal	17:04:46pm	0'50"	5	# 0 K	

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF ENGINEERING SERVICES  
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