

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

1727 30th STREET MS- 43

P. O. BOX 168041

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6280

FAX (916) 227-6282

TTY 711

*Flex your power!
Be energy efficient!*

June 10, 2013

Facsimile: (909) 356-1299

Mike Powell, President
Powell Constructors Inc.
8555 Banana Ave
Fontana, CA 92335

12-0M9304
12-ORA-57-11.0/15.6
B.O. 5/2/13

Dear Mr. Powell:

Powell Constructors Inc. (Powell) submitted the low bid on contract 12-0M9304 on May 2, 2013. By your letter dated May 8, 2013, Powell requests relief from its bid.

Public Contract Code (PCC) Section 5101 et seq. permits the California Department of Transportation (Caltrans) to relieve a bidder of its bid because of a mistake. Caltrans concludes that the information provided by Powell meets the requirements of PCC Sections 5101 and 5103. Accordingly, Caltrans relieves Powell of its bid. However, pursuant to PCC Section 5105 Powell is prohibited from further bidding on this contract.

If you have any questions please contact Earl Seaberg, Chief, Office of Contract Awards and Services, at (916) 227-6280.

Sincerely,

A handwritten signature in black ink, appearing to read "John G. McMILLAN", written over a printed name.

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

Attachments

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
RELIEF OF BID REQUEST
DES-OE-0141 (REV 01/2010)

Contract No. 12-OM 9304
Bid Opening Date: 5/2/13

Bidder's Name: POWELL CONSTRUCTORS INC
License No. 845305 A

Requirements:

To be relieved of your bid you must demonstrate all of the following to the Department. You are not relieved of your bid until notified by the Department in writing.

- A mistake was made in your bid.
- You submitted written notice of the mistake to the Department within 5 business days of bid opening, specifying in detail how the mistake occurred.
- The mistake made the bid materially different than what you intended.
- The mistake was made in filling out the bid and not due to an error in judgement or to carelessness in inspecting the site of work or in reading the plans or specifications.

Instructions:

Attach a statement and supporting documentation that describes the following in detail:

1. The mistake in your bid and how it was made.
2. How the mistake made the bid materially different than intended.
3. How the mistake was made in filling out the bid.
4. Sign the certification below.
5. Fax this completed form, the statement and supporting documentation to (916) 227-6282. Attention: Office Engineer.

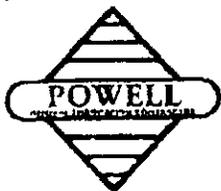
Certification:

By my signature on this form, I certify, under penalty of perjury that the attached statement, including any supporting documents, are true and correct.

Date: 5/8/2013


Signature of Bidder

Title: PRESIDENT



CONSTRUCTORS INC.

POWELL CONSTRUCTORS
INC.8555 BANANA AVE. FONTANA, CA. 92335
PHONE (909) 356-8880 FAX (909) 356-1299
LICENSE #B45305A

May 8, 2013

Department of Transportation
1727 30th Street
Sacramento, Ca, 95826.

Attn: Office Engineer

Re: 12-0M9304 (Bids opened May 2, 2013)

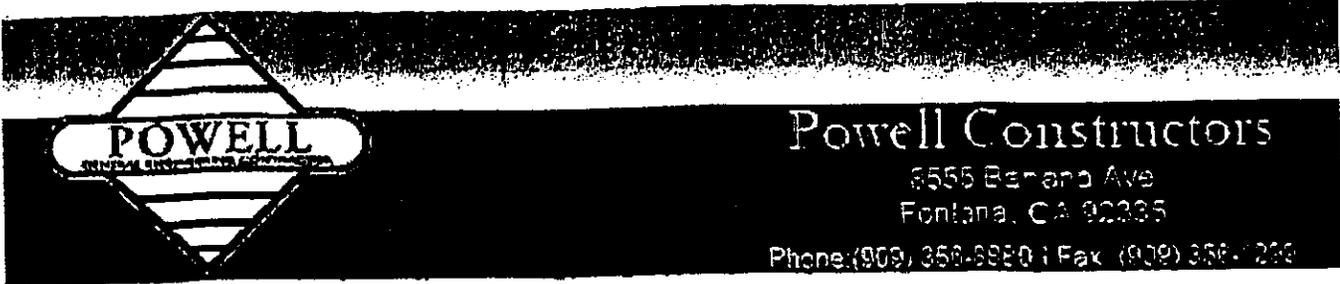
To whom it May concern,

Please consider this our request for Relief of from our submitted bid in accordance with Public contract code Section 5103 for the reason stated below.

On May 2, 2013 we submitted our bid for contract # 12-0M9304 in the amount \$1,055,125. Upon examination of the Bid Summary published by Caltrans it was discovered that a clerical error was made by our bid runner when entering unit price for Bid Item 20 CRASH CUSHION (TYPE COMPRESSOR). We inadvertently entered the unit price as \$35,000 ea. The unit price for Bid Item 20 that was intended to be entered was \$45,000.00. Bid Item 20 had Bid Item Quantity of 5 Ea associated with it, This \$10,000.00 per unit error equates to \$50,000.00 that was omitted from the bid that was not intended to be absent and materially changes the bid as we intended it to be. Thank you for your consideration, Should you have any questions please contact our office.

Best Regards,

Mike Powell
President



Item Price Summary Report

Project Name: Crash Cushions Various Locations 12-DM9304 Caltrans	Customer: CALTRANS
Job Number:	Billing Address: 3347 Michelson Dr., Suite 100 Irvine, CA 92612
Bid As:	Phone:
Estimator:	Contact:
Project Address: Orange County	
Completion Date:	

Pay Items

Description	Job Cost ID	Bid Quantity	UM	Unit Bid Price	Total Bid Price
1 - CONSTRUCTION AREA SIGNS		1.00	LS	\$10,000.00	\$10,000.00
2 - TRAFFIC CONTROL SYSTEM		1.00	LS	\$70,000.00	\$70,000.00
3 - CHANNELIZER (SURFACE MOUNTED)		270.00	EACH	\$30.00	\$8,100.00
11 - REMOVE CRASH CUSHION		8.00	EACH	\$1,500.00	\$12,000.00
4 - PORTABLE CHANGEABLE MESSAGE SIGN (LS)		1.00	LS	\$7,000.00	\$7,000.00
5 - TEMPORARY RAILING (TYPE K)		3,100.00	LF	\$15.00	\$46,500.00
6 - TEMPORARY CRASH CUSHION MODULE		190.00	EACH	\$250.00	\$47,500.00
7 - JOB SITE MANAGEMENT		1.00	LS	\$4,000.00	\$4,000.00
8 - PREPARE WATER POLLUTION CONTROL PROGRAM		1.00	LS	\$2,000.00	\$2,000.00
9 - REMOVE METAL BEAM GUARD RAILING		490.00	LF	\$10.00	\$4,900.00
10 - REMOVE ASPHALT CONCRETE SURFACING		2,850.00	SF	\$0.50	\$1,425.00
12 - REMOVE CRASH CUSHION (SAND FILLED)		7.00	EACH	\$800.00	\$5,600.00
13 - REPLACE ASPHALT CONCRETE SURFACING		6.00	CY	\$100.00	\$600.00
14 - METAL BEAM GUARD RAILING (WOOD POST)		1,100.00	LF	\$26.00	\$28,600.00
15 - TRANSITION RAILING (TYPE WB)		4.00	EACH	\$2,800.00	\$11,200.00
16 - RAIL TENSIONING ASSEMBLY		4.00	EACH	\$550.00	\$2,200.00
17 - CRASH CUSHION (REACT 9CBB)		1.00	EACH	\$45,000.00	\$45,000.00
18 - CRASH CUSHION (REACT 9SCBS)		1.00	EACH	\$47,000.00	\$47,000.00
19 - CRASH CUSHION (REACT 62B060)		1.00	EACH	\$60,000.00	\$60,000.00
20 - CRASH CUSHION (TYPE COMPRESSOR)		5.00	EACH	\$45,000.00	\$225,000.00
21 - CRASH CUSHION (TYPE SCI 100GM)		4.00	EACH	\$29,000.00	\$116,000.00
22 - CRASH CUSHION (TYPE REACT 350 WIDE (96"))		3.00	EACH	\$70,000.00	\$210,000.00
23 - MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION		1.00	LS	\$500.00	\$500.00
24 - MOBILIZATION		1.00	LS	\$90,000.00	\$90,000.00
Pay Items Total:					\$1,055,125.00

UNIT PRICE
AS INTENDED
(Signature)

12-0M9304
12-ORA-57-1
05/02/13

CONTRACT PROPOSAL OF LOW BIDDER

BID211
PAGE 6
05/06/13

ITEM NO.	ITEM CODE	ITEM DESCRIPTION	UNIT OF MEASURE	ESTIMATED QUANTITY	BID	AMOUNT
1	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	10,000.00	10,000.00
2	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	70,000.00	70,000.00
3	120165	CHANNELIZER (SURFACE MOUNTED)	EA	270	30.00	8,100.00
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	7,000.00	7,000.00
5	129000	TEMPORARY RAILING (TYPE K)	LF	3,100	15.00	46,500.00
6	129100	TEMPORARY CRASH CUSHION MODULE	EA	190	250.00	47,500.00
7	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	4,000.00	4,000.00
8	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	2,000.00	2,000.00
9	150662	REMOVE METAL BEAM GUARD RAILING	LF	490	10.00	4,900.00
10	150857	REMOVE ASPHALT CONCRETE SURFACING	SQFT	2,850	.50	1,425.00
11	156585	REMOVE CRASH CUSHION	EA	8	1,500.00	12,000.00
12	156590	REMOVE CRASH CUSHION (SAND FILLED)	EA	7	800.00	5,600.00
13	390095	REPLACE ASPHALT CONCRETE SURFACING	CY	6	100.00	600.00
14	832003	METAL BEAM GUARD RAILING (WOOD POST)	LF	1,100	26.00	28,600.00
15	839541	TRANSITION RAILING (TYPE WB)	EA	4	2,800.00	11,200.00
16	839561	RAIL TENSIONING ASSEMBLY	EA	4	550.00	2,200.00
17	839604	CRASH CUSHION (REACT 9CBB)	EA	1	45,000.00	45,000.00
18	839605	CRASH CUSHION (REACT 9SCBS)	EA	1	47,000.00	47,000.00
19	839606	CRASH CUSHION (REACT 62B060)	EA	1	60,000.00	60,000.00
20	025513	CRASH CUSHION (TYPE COMPRESSOR)	EA	5	35,000.00	175,000.00
21	025514	CRASH CUSHION (TYPE SCI 100GM)	EA	4	29,000.00	116,000.00
22	025515	CRASH CUSHION (TYPE REACT 350 WIDE (96"))	EA	3	70,000.00	210,000.00
23	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	500.00	500.00
24	999990	MOBILIZATION	LS	LUMP SUM	90,000.00	90,000.00
					TOTAL	1,605,125.00

CLERICAL ERROR
MADE, INTENDED TO BE
\$45,000 EA

May 8 2013 08:39am

POWELL

Received
9093561299

05/06/2013 09:38

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

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

Jun 10 2013 04:58pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
919093561299	Normal	10:04:57pm	0'51"	6	# 0 K	

STATE OF CALIFORNIA--BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

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OFFICE ENGINEER
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