

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

P. O. BOX 168041, MS-43

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6280

FAX (916) 227-6282

TTY 711

www.dot.ca.gov

*Serious drought.  
Help save water!*

June 24, 2015

Facsimile: (888) 715-0427

Khaled Darwiche, President  
Smart Tech Group, Inc.  
3972 Barranca Parkway, Suite J283  
Irvine, CA 92606

12-0N3504  
12-Ora-5,91,405-Var  
B.O. 04/15/2015

Dear Mr. Darwiche:

The Department of Transportation (Caltrans) received a letter dated April 23, and June 17, 2015, from Smart Tech Group, Inc. (Smart Tech) protesting the bid submitted by Pro Tech Engineering, Corp. (Pro Tech) for Contract 12-0N3504. The protest alleges that Pro-Tech's claimed participation for Dusty Diamond Enterprise (Dusty Diamond) is not consistent with the quote provided by the DVBE. The quote lists supplies for Bid Items 12 and 13 (Modify Ramp Metering System, Modify Lighting) totaling \$135,614. Pro-tech claimed DVBE participation in the amount of \$35,000. Smart Tech also alleges that Pro Tech failed to list the DVBE telephone and certification numbers. Smart Tech requests Caltrans find Pro Tech nonresponsive.

The Office of Business and Economic Opportunity, Contract Evaluation Branch (CEB) certified Dusty Diamond's DVBE participation amount of \$35,000. CEB also determined the \$35,000 is representative of the sum of 100% of Bid Item 12, and 15.4% of Bid Item 13. Dusty Diamond is using McCain Traffic Supply Equipment (McCain Traffic) for the remaining 84.6% of Bid Item 13; however, McCain Traffic is not a certified DVBE subcontractor and therefore is not required to be listed on the Certified DVBE Summary form. In addition, the telephone and certification numbers missing on the Certified DVBE Summary form was determined to be a clerical error and did not materially change the bid and; therefore, can be waived by Caltrans.

Based on the above determination, this protest has no merit and will have no bearing on the award of this contract.

If you have any questions, please contact Mulissa Smith, Contract Awards 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

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

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CALTRANS CONTR AWARDS Fax 916-227-6282

Jun 24 2015 02:53pm

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN JR., Governor

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JOHN C. McMILLAN  
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