July 6, 2022

Dennis Yum, President
ACCU Construction
2098 South Grand Avenue, Suite A
Santa Ana, CA 92705

Dear Mr. Yum:

The Department of Transportation (Caltrans) received a letter dated June 6, 2022, from ACCU Construction (ACCU), protesting the bid submitted by Martinez Landscape Co., Inc. (Martinez), for the above-referenced contract. The protest alleges that the bid submitted by Martinez is nonresponsive because Martinez does not hold the required contractor licenses. Additionally, ACCU alleges that Martinez failed to list any subcontractor(s) for the following:

Bid Item 65 which requires a C-13 Fence license
Bid Items 68 - 73 which require a C-10 Electrical license

Caltrans directs ACCU’s attention to the “Notice to Bidders” for the above contract which states: “The Contractor must have either a Class A license or the following Class C license which constitutes a majority of the work: C-27.” (Emphasis added).

As part of the review process, Caltrans verifies the status of various license(s) using the Contractors State License Board (CSLB) portal. Caltrans finds that Martinez holds, among other licenses, a class C-27 Landscaping License, which meets the license requirements per the Notice to Bidders. Therefore, the issues raised in ACCU’s protest regarding the licensing of Martinez are not issues of bid responsiveness. Rather, such are potential contract administration issues to be monitored and addressed by the Resident Engineer in the field.

Based on the above, ACCU’s protest will have no bearing on the award of this contract. Caltrans will proceed to award this contract to the lowest responsive and responsible bidder, provided that all requirements have been met.

The Resident Engineer will receive a copy of this letter for contract administration and compliance.

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If you have any questions, please contact Juan Loera, Contract Awards Branch Chief, at (916) 227-5964.

Sincerely,

Sid Pedaballi
Office Chief
Program/Project Management & Office Engineer
Construction Contract Awards
Division of Engineering Services

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