

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES

1727 30<sup>th</sup> Street, MS-43

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

www.dot.ca.gov/hq/esc/

Making Conservation  
a California Way of Life.

September 5, 2019

Facsimile: (510) 639-9116

Andrew Amador, Vice President  
St. Francis Electric, LLC  
975 Carden Street  
San Leandro, CA 94577

05-0N2004  
05-Mon-101-86.0/95.8  
B. O. 8/27/2019

Dear Mr. Amador,

The Department of Transportation (Caltrans) received a bid submitted by St. Francis Electric, LLC (St. Francis), for contract number 05-0N2004 on August 27, 2019. By this letter, Caltrans notifies St. Francis that its bid is nonresponsive.

Under California Code of Regulations, Title 2, Section 1896.6 (b)(1), "(b) Non-small business bidders will be granted a five percent (5%) non-small business subcontracting preference on a bid evaluation by an awarding department when a responsible non-small business has submitted the lowest-priced responsive bid or a bid that has been ranked as the highest scored bid pursuant to a solicitation evaluation method described in §1896.8, and when the non-small business bidder: (1) Has included in its bid a notification to the awarding department that it **commits to subcontract with at least twenty-five percent (25%)** of its net bid price with one (1) or more small business . . . ." (emphasis added).

When a bidder selects the Non-Small Business Preference (NSBP) and commits to make 25 percent of the value of its bid available to one or more small businesses, section 2-1.18C of the 2018 Revised Standard Specifications states in part, "Failure to submit a **completed** Certified Small Business Listing for the Non-Small Business Preference form by 4 p.m. on the 2nd business day after bid opening will result in a nonresponsive bid." A completed NSBP listing form, in part, is one that demonstrates the bidder's fulfillment of its commitment to make 25 percent of the value of its bid available to one or more small businesses in compliance with the regulation and bid commitment.

At the time of its bid, St. Francis selected the NSBP, and was required to submit a completed NSBP listing form. St. Francis submitted the NSBP listing form with only a 10 percent commitment to Small Business, which is incomplete, inconsistent

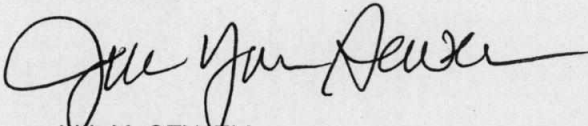
Mr. Andrew Amador  
September 5, 2019  
Page 2

with its bid commitment, and contrary to the regulation. Therefore, pursuant to section 2-1.18C of the 2018 Revised Standard Specifications, St. Francis's bid is nonresponsive.

Based on the above, Caltrans will proceed to award this contract to the lowest responsive bidder, provided that all requirements have been met.

If you have any questions, please contact Irene Beckham, Acting Contract Awards Branch Manager, at (916) 227-6284.

Sincerely,



JILL Y. SEWELL  
Office Chief  
Construction Contract Awards  
Program/Project Management & Office Engineer  
Division of Engineering Services

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

P.1  
CAL/TRANS PLANS COUNTER

Sep 6 2019 11:30am

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
915106399116	Normal	06:11:29am	0'48"	2	* O K	

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, Governor

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES  
1727 30<sup>th</sup> Street, MS-43  
SACRAMENTO, CA 95816-8041  
PHONE (916) 227-6299  
FAX (916) 227-6282  
www.dot.ca.gov/hq/esc/



*Making Conservation  
a California Way of Life.*

September 5, 2019

Facsimile: (510) 639-9116

Andrew Amador, Vice President  
St. Francis Electric, LLC  
975 Carden Street  
San Leandro, CA 94577

05-0N2004  
05-Mon-101-86.0/95.8  
B. O. 8/27/2019

Dear Mr. Amador,

The Department of Transportation (Caltrans) received a bid submitted by St. Francis Electric, LLC (St. Francis), for contract number 05-0N2004 on August 27, 2019. By this letter, Caltrans notifies St. Francis that its bid is nonresponsive.

Under California Code of Regulations, Title 2, Section 1896.6 (b)(1), "(b) Non-small business bidders will be granted a five percent (5%) non-small business subcontracting preference on a bid evaluation by an awarding department when a responsible non-small business has submitted the lowest-priced responsive bid or a bid that has been ranked as the highest scored bid pursuant to a solicitation evaluation method described in §1896.8, and when the non-small business bidder: (1) Has included in its bid a notification to the awarding department that it **commits to subcontract with at least twenty-five percent (25%)** of its net bid price with one (1) or more small business . . . ." (emphasis added).

When a bidder selects the Non-Small Business Preference (NSBP) and commits to make 25 percent of the value of its bid available to one or more small businesses, section 2-1.18C of the 2018 Revised Standard Specifications states in part, "Failure to submit a **completed** Certified Small Business Listing for the Non-Small Business Preference form by 4 p.m. on the 2nd business day after bid opening will result in a nonresponsive bid." A completed NSBP listing form, in part, is one that demonstrates the bidder's fulfillment of its commitment to make 25 percent of the value of its bid available to one or more small businesses in compliance with the regulation and bid commitment.

At the time of its bid, St. Francis selected the NSBP, and was required to submit a completed NSBP listing form. St. Francis submitted the NSBP listing form with only a 10 percent commitment to Small Business, which is incomplete, inconsistent