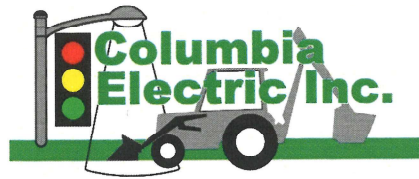


1980 Davis Street
San Leandro, CA 94577



Office 510.430.9505
Fax 510.430.1860

CA License No. 765902 A, C-10, DIR Contractors Registration #1000001478, WBE Certification 38529

October 11, 2024

***Via Overnight Delivery
and Electronic Submission***

Attn: Office Engineer (MS43)
Caltrans
1727 30th St.
Sacramento, California 95816
Email: Hung Do (hung.h.do@dot.ca.gov)
Fitsum Worrede (fitsum.worrede@dot.ca.gov)
Samuel Ray (Samuel.Ray@dot.ca.gov)
Gary Lai (gary.j.lai@dot.ca.gov)
Farshad Keshavarzi (farshad.keshavarzi@dot.ca.gov)

Re: NOTICE OF INTENT TO PROTEST BID
Contract Number: 04-1Q2004
Project ID: 0418000215

Dear Office Engineer,

Please allow this to serve as Columbia Electric, Inc.'s ("CEI") notice of its intent to protest the bid submitted by St. Francis Electric, Inc., the apparent low bidder with respect to the above-referenced contract and project. A formal bid protest will be submitted by no later than October 14, 2024.

This notice of intent to protest bid is submitted to alert Caltrans of CEI's intent. With respect to the timing for protest submittals, the project specifications simply indicate that any bid protests must be submitted to the Office Engineer "before contract award." See Project Spec. 3-1.04. It is unclear when "contract award" may occur, and no date has been specified. As such, CEI seeks to protect its right to protest, including by submitting this notice of intent.

While CEI reserves its right to include additional points and argument in its formal bid protest, the general basis of CEI's bid protest will be that:

- St. Francis Electric's bid was *not* responsive.
- The DBE requirement set forth in the notice to bidders and contained in the specifications necessitated that disadvantage business enterprises make up 22% of the successful bidder's total bid. If a bid failed to meet this requirement, the bidder must have demonstrated a good faith effort to have met the requirement.
- It is undisputed that St. Francis failed to meet the requirement, as only 16.6% of its bid was comprised of DBEs.

1980 Davis Street
San Leandro, CA 94577



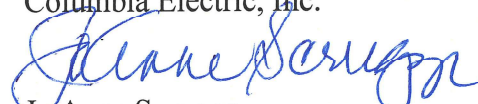
Office 510.430.9505
Fax 510.430.1860

CA License No. 765902 A, C-10, DIR Contractors Registration #1000001478, WBE Certification 38529

- It is undisputed that CEI (the second low bidder) submitted a bid that reflected 83.6% DBE involvement and vastly exceeded the 22% DBE requirement contained in the projects specifications. The third lowest bidder also greatly exceed the requirement at 50% DBE involvement.
- St. Francis failed to submit any documents or attachments reflecting a good faith effort to meet the DBE requirement. It simply submitted pages indicating that attachments were provided, but no attachments were in fact provided with its bid. It appears that St. Francis did little, if anything, to meet the DBE requirements for the project.
- St. Francis has identified a material supplier, LD Innovations, in support of nearly one-half of its DBE listings. There is no evidence that LD Innovations is a DBE “regular dealer” as that term is defined in the CFR and as such, and absent evidence that this company is a regular dealer, St. Francis’ DBE should be approximately 8% (as opposed to the 16.6% listed in the bid).
- St. Francis is not a responsive bidder.

Thank you for your attention to the above. CEI’s formal bid protest will be submitted shortly. In the interim, should have any questions, please feel free to contact the undersigned.

Very truly yours,
Columbia Electric, Inc.


Jo Anne Scruggs