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January 31, 2025

CONSTRUCTION
CONTRACT AWARDS
California Department of Transportation
Division of Engineering Services
1727 30th Street, MS-43
Sacramento, CA 95816-8041
Phone # : (916) 227-6299
Fax # : (916) 227-6282

via fax & e-mail

Attn: April Perez-Hollins, Office Chief
Contract #: 04-2Q4404
Bid Opening: 1/9/2025
Re: Bid Protest

A handwritten signature in black ink, appearing to be "A" followed by a checkmark-like flourish.

Ms. Perez-Hollins,

By this letter, American Civil Constructors West Coast (ACCWC) is protesting the bid of the apparent low contractor, Gordon N. Ball (GNB), for failure to properly identify Bid Item Numbers as required on the Certified DVBE Summary form. By not outlining specific bid item numbers, the DVBE participation in question should not be accepted. When deducting the value of the vague DVBE participation, GNB's bid falls short of the required goal which would render their bid non-responsive.

Contract 04-2Q4404 has a 3% DVBE requirement. Upon reviewing GNB's Certified DVBE Summary form, under the 'Bid Item Number' column, Zucchi Trucking is listed for "Various Items (Partial)" totaling \$15,000.00 (Exhibit A).

The Certified DVBE Summary form requires specifics. Caltrans allows four (4) business days after the bid opening for contractors to clearly outline and submit their DVBE participation plan. By listing Zucchi Trucking for "Various Items (Partial)", Caltrans would be unable to determine which bid item number(s), which construction operation, what type of trucks, etc., this trucking credit applies towards.

It is ACCWC's belief that such a vague listing of "Various Items (Partial)" should not be credited towards GNB's DVBE goal. Deducting \$15,000.00 from GNB's claimed DVBE participation of \$110,779.90 would result in \$95,779.90 (or 2.8%) being claimed, which falls short of the 3% DVBE requirement.

We look forward to reviewing Caltrans' determination on this matter.

Sincerely,

A handwritten signature in blue ink, appearing to be "A. Keough".
Andrew Keough
Estimator
American Civil Constructors West Coast LLC

JAN 15 2025

J.C.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
CERTIFIED DVBE SUMMARY
DES-OE-0102.5 (REV 3/2008)

DISTRICT-COUNTY-ROUTE: 04 - Son - 121
CONTRACT NO.: 04-2Q4404
TOTAL BID: \$3,378,400.00
BID OPENING DATE: 1/9/2025
BIDDER'S NAME: Gordon N. Ball, Inc.
DVBE PRIME CONTRACTOR CERTIFICATION ¹ N/A

Low Bidder

Bid Item Number	Description of Work to Be Subcontracted to DVBE or Materials to Be Supplied by DVBE ²	For Caltrans Only	DVBE (Name, Telephone No., and Certification No.)	\$ Amount
10	Portable Radar Speed Feedback Sign System		Road-Tech Safety Services, Inc. 4151 South Shingle Rd Ste #1 Shingle Springs, CA 95682 530.672.0222 DVBE#22833	\$35,800.00
13			Roll 'N Rock Construction Inc. 5527 Truck Village Dr Mount Shasta, CA 96067 530.925.1408 DVBE#1750745	\$47,600.00
7(Partial) Traffic Control System			Zucchi Trucking 16390 Woodland Hill Ln Royal Oaks, CA 95076 831.359.1502 DVBE#2013277	\$15,000.00
Various Items (Partial) Trucking				
				\$ 110,779.90
Total Claimed Participation				3.3 %

Various Items (Partial) Trucking

Names of first tier DVBE subcontractors and their items of work listed must be consistent with the names and items of work in the Subcontractor List (Pub Cont Code § 4100 et seq.) submitted with the bid. Identify second and lower tier subcontractors on this form.

- DVBE prime contractors must enter their DVBE reference number or their DBA name as listed with Department of General Services (DVBE prime contractors are credited with 100 percent DVBE participation and need not complete the above table).
- If 100% of an item is not performed or supplied by the DVBEs, describe the exact part, including the planned location of work to be performed, of item to be performed or supplied by DVBE.

Submit to:
MSC 43
OFFICE ENGINEER
DEPARTMENT OF TRANSPORTATION
1727 30TH STREET
SACRAMENTO, CA 95816-7005

Signature of Bidder  Date 1/14/2025
925.838.5685
(Area Code) Telephone Number

Hal Stober - President, Secretary, & Treasurer
Contact Person (Type or Print)

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LETTER OF TRANSMITTAL

West Coast

2990 Bay Vista Court, Suite D
Benicia, CA 94510-1246
(707) 746-8028 Fax (707) 747-0593

Date:	01/31/25	Job:	
Attention:	Office Engineer		
RE:	Bid Protest of Apparent Low Bidder Caltrans #04-2Q4404, Bid Date 1/9/25		

TO: **MSC 43**
Office Engineer, Department of Transportation
1727 30th Street
Sacramento, CA 95816-7005

Fax: **(916) 227-6282**

WE ARE SENDING YOU Attached Under separate cover via _____
the following items:

Shop Drawings Prints Plans Samples Specifications

Copy of letter Change Order _____

Copies	Date	No.	Description
1	31-Jan		Bid Protest of Apparent Low Bidder (Caltrans Contract 04-2Q4404)

THESE ARE TRANSMITTED as checked below:

For approval Approved as submitted Resubmit _____ copies for approval

For your use Approved as noted Submit _____ copies for distribution

As requested Returned for corrections Return _____ corrected prints

For review and comment _____

FOR BIDS DUE _____ 20 _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS: **Please find the attached submittals.**
If you need additional information or have any questions, please contact us.
Andrew Keough
ACC West Coast
707-746-8028 x422

COPY TO: File

SIGNED:

If enclosures are not as noted, kindly notify us at once...