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DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

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

June 26, 2024

Email: josh@empireequipmentservice.com

Joshua Steffy, President
Empire Equipment Service, Inc
8432 63rd Street
Jurupa Valley, CA 92509

08-1N5704
08-Riv-91-10.8/11.2
B.O. 5/22/2024

Dear Mr. Steffy:

The Department of Transportation (Caltrans) received a bid submitted by Empire Equipment Service, Inc (EESI), for the above project on May 22, 2024. By this letter, Caltrans notifies EESI that its bid is nonresponsive.

Caltrans established a Disabled Veteran Business Enterprise (DVBE) goal of 5 percent for this Non-Federal Aid Contract with an estimated cost of \$5 million or less. As such, Caltrans directs EESI's attention to the 2023 Revised Standard Specifications, Section 2-1.33B(3)(b)(ii), Bid Form Submittal [for a Non-Federal-Aid Contract with a DVBE Goal], which states in part: "[Submit the] Certified DVBE Summary ... No later than 4 p.m. on the 4th business day after bid opening."

EESI failed to submit the Certified DVBE Summary form by the required deadline of 4:00 p.m. on the 4th business day after bid opening. As such, EESI's bid is nonresponsive.

Additionally, Caltrans finds that at the time of its bid, EESI also selected the Non-Small Business Preference (NSBP) which requires a bidder to subcontract at least 25 percent of the value of its bid with Certified California Small Business(es). However, EESI then failed to submit the required NSBP form reflecting their commitment and selection. By EESI not submitting the NSBP form, EESI changed their bid after all other bids were revealed. Special Provisions, Section 2-1.18C, Non-Small Business Contractor Preference, states in pertinent part, "Failure to submit a completed Certified Small Business Listing for the Non-Small Business Preference form by 4 p.m. on the 4th business day after bid opening will result in a nonresponsive bid."

Based on the reasons set forth above, in addition to others, Caltrans will proceed to award this contract to the lowest responsive and responsible bidder, provided that all the requirements have been met.

Mr. Joshua Steffy
June 26, 2024
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If you have any questions, please contact Juan Loera, Contract Awards Branch Chief at (916) 227-5964.

Sincerely,

April Perez-Hollins

April Perez-Hollins
Office Chief
Construction Contract Awards
Program/Project Management & Office Engineer
Division of Engineering Service