



Ghilotti Bros., Inc.

525 JACOBY STREET • SAN RAFAEL, CA 94901

P 415.454.7011 • F 415.454.8376

STATE CONTRACTORS LICENSE # 132128

July 20, 2016

Jill Sewell, Office Chief  
Department of Transportation, Div of Engineering Services  
Office Engineer, MS 43  
1727 30th Street  
P.O. Box 168041  
Sacramento, CA 94581-08041

RE: Contract No. 04-1SS594  
Highway 580 in Marin County near San Quentin at San Quentin Street Undercrossing  
**Bid Protest Follow Up**

Dear Ms. Sewell:

This letter is a follow up to the Dreambuilder's July 11, 2016 letter provided to Caltrans in response to our bid protest.

We noted in our protest letter that Dreambuilder identified Sambrano Traffic Control (STC) as performing only 24 EA out of the contract required 29 EA Construction Area Signs. Dreambuilder's response to this issue in its letter states that STC will be performing 100% of Item #2 work. This statement conflicts with their identification of the subcontractor installing only 24 of the 29 construction area signs. That is not 100%. Dreambuilder in its response letter has provided additional evidence that their bid is non-responsive.

STC's DVBE declaration verifies their scope of work to be "Traffic Control Services" and Dreambuilder states in its response letter that STC will be performing traffic control for the K rail work. STC was not listed on the bid submittal to perform traffic control. Dreambuilder has expanded the scope of work for STC and therefore changed its subcontractor listing. Changes to a subcontractor listing after submitting a bid proposal are never allowed by Caltrans. Dreambuilder attempts to justify the change by noting that Caltrans has not provided a specific traffic control bid item and the value of STC's traffic control is under the subcontractor threshold amount. Neither of these arguments justifies their change.

If STC is to perform traffic control for the K rail as Dreambuilder notes in their letter, then this scope of work must be included on their bid subcontractor listing of STC. Dreambuilder failed to do so as they only listed STC for Construction Area Sign work. Dreambuilder also advises that they did not need to list STC for Traffic Control because the value of the work is less than the threshold amount. Caltrans is fully aware that once a subcontractor is listed, their entire scope must be included on the subcontractor listing. Dreambuilder has misapplied the subcontractor threshold amount as it has no relevance for a listed subcontractor.

Dreambuilder's bid should be deemed non-responsive for making changes to its subcontractor listing after submitting its bid proposal. We hereby request the project be awarded to our firm as the lowest responsive bidder.

Sincerely,

Thomas G. Barr  
Vice President of Estimating

Faxed to 916-227-6282 and emailed to [jill.sewell@dot.ca.gov](mailto:jill.sewell@dot.ca.gov)