



April 7, 2016

Department Of Transportation
Division Of Engineering Services
Office Engineer
PO Box 168041, MS-43
Sacramento, CA 95816-8041
(916) 227-6280 – Phone
(916) 227-6282 – Fax

RE: Secondary Bid Protest For 06-0S6004 (Bid Date 3/30/16)

Gentlemen:

After further review of the electronic Bid Book postings, it would appear that Beador Construction Company (Beador) failed to select/list a striping subcontractor for Bid Items 28, 29, 30, 31, 32, although Beador did select/list Mallard Construction Inc. (striping subcontractor) for Bid Items 1, 10, 11, 12, 27, 33, 34. As all the listed removal and re-striping work has overlapping scope with those items not listed, it can only be surmised that in the Caltrans ebids subcontractor listing fields, the yes/no toggle was not shifted to "yes" as it relates to the Bid Items that were not listed for Mallard Construction Inc.

Also, and as it relates to the above, Beador's DVBE commitment form indicates that Mallard Construction Inc. is the only associated DVBE firm from which Beador is gaining commitment, and Beador has listed Bid Items 28, 29, 30, 31, and 32 (which were not listed as subcontracted as per above). Subtracting the value of these 5 items from the DVBE commitment form would place Beador's DVBE commitment percentage under the 5% goal.

Based on matters presented herein and in the prior protest, ETIC requests that the State find Beador's bid unresponsive and award the contract to the next lowest responsive bidder.

Best Regards,

A handwritten signature in black ink, appearing to read "Chris Ellis", is written over a light blue horizontal line.

Chris Ellis, PE
Construction Program Manager
ETIC Engineering



Fax

To:	19162276282	From:	Courtney Aubert
Fax:	19162276282	Date:	04-07-2016 11:56 AM
		Pages:	2

Re: Caltrans Project No. 06-OS6004 - Bid Protest No. 2

Comments: Good Afternoon,

Included in this message please find ETIC's bid Protest number 2, for Caltrans Project No. 06-OS6004 (Bid Date: 3/30/2016) This protest is in regards to the bid submitted by Beador Construction Company, Inc. The following page includes our official protest. Please do not hesitate to contact us should you have any questions. Thank you!

Best,

Courtney Aubert
Executive Coordinator – Corporate Support

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