

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

1727 30th STREET, MS-43

P.O. BOX 168041

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www.dot.ca.go

*Serious drought.  
Help save water!*

June 24, 2016

Facsimile: (209) 408-0427

Dave Pimley, Chip Seal Division Manager  
American Pavement Systems, Inc.  
1012 11<sup>th</sup> Street, Suite 1000.  
Modesto, CA 95354

08-1G0604  
08-Riv-177-0.0/27.0  
B.O. 5/24/2016

Dear Mr. Pimley:

The Department of Transportation (Caltrans) received a letter dated June 2, 2016, from American Pavement Systems, Inc. (APS), protesting the bid submitted by VSS International, Inc. (VSS) for the above referenced contract. The protest alleges that on its Subcontractor List form, VSS listed VHBC, Inc. (VHBC) to perform work described as bid item 7, contractor-supplied biologist; however, the Contractor's License number 058085 listed for VHBC is not valid. In addition, the protest is requesting that Caltrans review the bid submitted by VSS and reject its bid.

Caltrans has reviewed the bid submitted by VSS, along with the protest and determined that the work identified to be performed by VHBC does not require a Contractor's License. In addition, this item of work was not required to be listed on the Subcontractor List form since a contractor-supplied biologist is a considered a service related item and is not defined by the Business and Professions Code for that of a contractor, and this item of work is not considered an item of work subject to Public Contract Code 4100.

Based on the above, Caltrans finds APS's protest lacks merit and will proceed to award the contract to the lowest responsive bidder, provided all requirements have been met.

If you have any questions, please contact Mulissa Smith, Branch Chief at (916) 227-6228.

Sincerely,

A handwritten signature in black ink that reads "Jill Y. Sewell".

JILL Y. SEWELL

Office Chief

Office Engineer, Construction Contract Awards

Division of Engineering Services

**\*\* Transmit Conf. Report \*\***

P. 1  
CAL/TRANS PLANS COUNTER

Jun 24 2016 12:47pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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