

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

1727 30th STREET, MS-43

P.O. BOX 168041

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

TTY 711

www.dot.ca.gov

*Serious Drought.
Help save water!*

September 18, 2015

Facsimile: (760) 200-9014

Julio Castro, President
Desert Concepts Construction, Inc.
77770 Country Club Drive, Suite D
Palm Desert, CA 92211

09-350604
09-Iny-168-16.8/17.5
B.O. 08/18/2015

Dear Mr. Castro:

The Department of Transportation (Caltrans) received a letter dated September 11, 2015, from Desert Concepts Construction, Inc. (Desert Concepts), protesting the Disadvantaged Business Enterprise (DBE) Commitment form submitted by Spiess Construction Company, Inc. (Spiess). The protest alleges that Spiess listed bid items 43-47 (partial) on its DBE Commitment form, but failed to provide the exact portion of work to be performed by Samrod Corporation. Desert Concepts further alleges that Spiess failed to indicate on its DBE Commitment form that Super Seal and Stripe (Super Seal) as performing Mobilization (partial). Furthermore, no quotes were submitted on company letterhead on the 4th business day after bid opening.

Caltrans has reviewed the bid documents submitted by Spiess and determined the following:

As the protest relates to Spiess not providing the exact portion of work to be performed for bid items 43-47, the DBE Commitment form clearly indicates Minor Concrete as a description of work for bid items 43-47.

As the protest relates to Super Seal not listing Mobilization (partial) on its DBE Commitment form, Caltrans assumes Mobilization is included.

Caltrans, Office of Business and Economic Opportunity, Contract Evaluation Branch has completed its evaluation and approved the DBE Commitment form submitted by Spiess.

Based on the above, Caltrans finds Desert Concepts' protest does not have merit and will proceed to award the contract to the lowest responsible bidder.

Mr. Castro
September 18, 2015
Page 2

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

Sincerely,



fr
JOHN C. McMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

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

P.1
CAL/TRANS PLANS COUNTER

Sep 18 2015 01:52pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
917602009014	Normal	18:01:51pm	0'53"	2	OK	

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
1727 30th STREET, MS-43
P.O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6299
FAX (916) 227-6282
TTY 711
www.dot.ca.gov



*Serious Drought,
Help save water!*

September 18, 2015

Facsimile: (760) 200-9014

Julio Castro, President
Desert Concepts Construction, Inc.
77770 Country Club Drive, Suite D
Palm Desert, CA 92211

09-350604
09-Iny-168-16.8/17.5
B.O. 08/18/2015

Dear Mr. Castro:

The Department of Transportation (Caltrans) received a letter dated September 11, 2015, from Desert Concepts Construction, Inc. (Desert Concepts), protesting the Disadvantaged Business Enterprise (DBE) Commitment form submitted by Spiess Construction Company, Inc. (Spiess). The protest alleges that Spiess listed bid items 43-47 (partial) on its DBE Commitment form, but failed to provide the exact portion of work to be performed by Samrod Corporation. Desert Concepts further alleges that Spiess failed to indicate on its DBE Commitment form that Super Seal and Stripe (Super Seal) as performing Mobilization (partial). Furthermore, no quotes were submitted on company letterhead on the 4th business day after bid opening.

Caltrans has reviewed the bid documents submitted by Spiess and determined the following:

As the protest relates to Spiess not providing the exact portion of work to be performed for bid items 43-47, the DBE Commitment form clearly indicates Minor Concrete as a description of work for bid items 43-47.

As the protest relates to Super Seal not listing Mobilization (partial) on its DBE Commitment form, Caltrans assumes Mobilization is included.

Caltrans, Office of Business and Economic Opportunity, Contract Evaluation Branch has completed its evaluation and approved the DBE Commitment form submitted by Spiess.

Based on the above, Caltrans finds Desert Concepts' protest does not have merit and will proceed to award the contract to the lowest responsible bidder.