



STEVE MANNING CONSTRUCTION, INC.

GENERAL ENGINEERING CONTRACTOR
CA LIC #754230

March 1, 2016

State of California Department of Transportation
Office Engineer, MS 43
1727 30th Street
Sacramento, CA 95816-8041

Attn: John McMillan, Deputy Division Chief

Re: Rebuttal to McCullough Construction Bid Protest
Contract No. 01-0A4904
01-Hum-299-R25.0/R25.9

Dear Mr. McMillan,

Steve Manning Construction, Inc. ("SMCI") disputes the false claims presented in the Bid Protest submitted by McCullough Construction ("McCullough"). Please see our responses to each of the claims presented.

1st Claim: SMCI failed to list any work codes on its DBE Commitment form.

- The omission of the work category codes does not affect price, quantity, quality or delivery. Further SMCI submits that the listing of the work category codes is not mandatory evidenced by the State of California, Department of Transportation Contract No. 08-0Q2304 bid opening 01/20/16. Vance Corporation, the Low bidder, omitted work category codes on their DBE Commitment form. The Contract Award Status shows the Civil rights evaluation was accepted on 02/26/16 (see Exhibit A.) Due to these reasons SMCI feels that the omission of work category codes does not constitute a "material" variance in our bid.

2nd Claim: SMCI listed Charlie's Custom Excavating, Inc. ("Charlie's") for Work Category Codes that Charlie's doesn't possess.

- Charlie's is a valid DBE contractor that holds a California class A General Engineering License and is able to be listed as a DBE performing work for Item# 39 Weed Control Mat and Item# 43 Compost Sock as evidenced by the following:

Item# 43 - Compost sock falls under the C1901 Roadway Excavation and the C1940 Ditches Excavation category codes. This work consists of finish grading/excavating the cut slopes in the areas where compost sock is to be installed as well as stockpiling the

P.O. BOX 491660 • REDDING, CALIFORNIA 96049 • OFFICE (530) 222-0810 • FAX (530) 222-4908

compost onsite to fill the 12" socks. This work is within the roadway and is a permanent feature.

Item# 39 – Weed Control Mat is work that falls under the C1901 Roadway Excavation category code. This work consists of finish grading/excavating around the guardrail posts and roadside signs to place the product. This work is within the roadway and is a permanent feature. C1901 Roadway Excavation is described as “consist of all excavation involved in the grading and construction of the roadway”.

Per the DBE Good Faith Efforts Documentation form the contractor is to list items that have been broken down into economically feasible units to facilitate DBE participation. SMCI did not receive a quote for these items from our other listed Subcontractors. SMCI broke down these items and offered to our valid DBE subcontractor Charlie's for more DBE participation.

SMCI made a Good Faith Effort (GFE") to meet the 12% DBE goal for this project. SMCI received DBE quotes that were not particularly competitive in term of price, since SMCI had exceeded the contract goal, we did not have to show good faith by using subcontractors with higher bids. SMCI was able to provide a more competitive bid than McCullough while nonetheless meeting the contract goal. Not only did SMCI meet the goal, we also made a bona fide GFE in addition.

It appears the McCullough is trying to interpret the work category codes as they see fit. Upon review of McCullough's DBE Commitment form there are several items of work which are improperly categorized as well as several items that are categorized as work codes that McCullough is not certified for (see exhibit B.) For example: McCullough listed bid item# 8 – Job Site Management as work code C8776, per the Unified Certification Program McCullough is not certified in the work category code C8776. Please see Exhibit B for McCullough's Unified Certification as well as a complete breakdown of their DBE Commitment form.

3rd Claim: SMCI failed to describe the exact portion of items that DBE's will perform.

- This claim is false as McCullough has misinterpreted the bid item dollar amount listed for each item as evidence of percentage of work performed. The prime contractor is required to list the percentage of work performed for each bid item, not the percentage of the dollar amount paid to the subcontractor for each bid item amount. There is no requirement that a prime contractor must list a bid item amount for the exact price of a subcontractors quote. SMCI is not performing any actual work on these items. Therefore SMCI correctly listed on the Subcontractor form the actual percentage of work being performed by each subcontractor for each item. SMCI also correctly listed the description of each item of work as specified on the DBE Commitment form.

4th Claim: Bid Inconsistency and unfair advantage.

- McCullough's claim of inconsistency and mistakes in SMCI's bid contains no merit and is based upon their own flawed assumptions. McCullough is assuming that SMCI's bid item prices have to match bid item amounts from SMCI's subcontractor quotes. As stated

above, there is no requirement that a prime contractor must bid an item at the exact amount that they are quoted from a Subcontractor. SMCI bid item list amounts were clearly and correctly submitted.

5th Claim: SMCI incorrectly completed DBE Confirmation Forms.

- This claim is false, McCullough is using the misinterpretation of dollar amount vs work performed listed in claim #3 as evidence that the percentage of work being performed on several items is not 100%. Using this misinterpretation they are claiming that SMCI has failed to list the exact portion of work being performed. SMCI has correctly listed the description of work as specified on the DBE Confirmation form based on the actual work being performed by the DBE 's for each item. See response to the 3rd claim above.

6th Claim: SMCI Inflated Charlie's traffic control system bid.

- SMCI listed Charlie's for 100% of bid item #3 Traffic Control Systems. Charlie's quote is for a quantity of 80, this is true. Page 1 paragraph 11 of the Contract clearly states 80 working days (see Exhibit C.) This claim is lacking any merit.

The bid protest of McCullough utterly lacks merit and disregards actual facts and applicable law. As such, SMCI respectfully requests that McCullough's bid protest be disregarded. Please do not hesitate to contact the undersigned should you have any questions or concerns.

Thank you for your assistance in this matter.

Very truly yours,

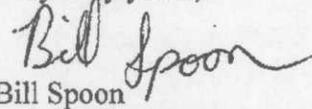

Bill Spoon
Project Manager

EXHIBIT A

Low Bidder

01-26-16A10:33 RCVD

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
 DES-OE-0102.10D (REV 12/2014)

CONTRACT NO: **08-0Q2304**

BID AMOUNT: **\$ 753,268.80**

BID OPENING DATE: _____

BIDDER'S NAME: **Vance Corporation** **1-20-16**

DBE GOAL FROM CONTRACT %: **15%**

DBE PRIME CONTRACTOR CERTIFICATION¹: _____

TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE): **4**

TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE): **\$ 373,394.00**

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBEs (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
2, 4	Construction Area Signs / CMS Boards		Maneri Traffic Control DBE# 38078 P: (951) 695-5104	16,938.00
17 (Partial)	QC Services		Sequoia Consultants DBE# 35308 P: (714) 974-6316	8,805.00

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Pub Cont Code § 4100 et seq.).

Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

³Use Work Category Codes from the California Unified Certification Program database.

Total Claimed Participation: **\$ 25,743.00**

3.4 %

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

Vern E Thomas
 Signature of Bidder

01/21/2016 909-355-4333
 Date (Area Code) Tel. No.

Verner E. Thomas
 Person to Contact (Please Type or Print)

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Contract No. 08-0Q2304
 1

[Home](#) → [Contract Awards and Services](#) → [Contract Awards Status Result](#)

Award status for 08-0Q2304

Bid opening date: 01/20/2016

Processing award for		VANCE CORPORATION		
Award recommendation	Requested	01/20/2016	Received	01/27/2016
Civil rights evaluation	Requested	02/01/2016	Received	02/26/2016
Funding certification	Requested	01/24/2016	Received	
	Award date		Approval date	

A note on the Caltrans award process:

We have several major milestones we process when preparing a project for award.

- **Bid opening:** This is the event that triggers the award process. Once a bid has opened, we immediately begin looking at the results to process the contract award.
- **Award recommendation:** The district responsible for designing the project will take a look at all the bids submitted and determine whether or not it is in the department's best interest to award the contract, by taking a look at the item prices submitted and the working schedule, if necessary. This can involve calls to the bidders to determine if there were any problems with bids or the contract itself.
- **Civil rights evaluation:** Our Office of Business and Economic Opportunity reviews the UDBE or DVBE submittals on all projects to determine if the project goals have been achieved, or if a good faith effort has been obtained.
- **Funding certification:** Once we have determined a low bidder, we begin an analysis that determines how much of the allocated funding will need to be used to award the contract, and in the case of projects where funding has multiple fund sources, we determine what portion of each allocation will go toward paying for construction.

Once all milestones have been achieved for the bidder we are processing the award for, the contract will be ready to award. We will proceed with the contract award and contract approval. In the event that there is a re-ranking of bidders, both the funding certification and civil rights evaluation will need to be re-processed for the new bidder.

EXHIBIT B

Back To Query Form

Search Returned 1 Records

Tue Mar 01 14:53:49 PST 2016

Query Criteria

Firm ID: 27969
Area Code: 707
District: 01
County: HUMBOLDT
Ethnicity: NAT AM
Licenses: A General Engineering Contractor
Firm Type: DBE

Firm ID	27969
Firm/DBA Name	MC CULLOUGH CONSTRUCTION INC
Address Line1	57 ALDERGROVE ROAD
Address Line2	
City	ARCATA
State	CA
Zip Code1	95521
Zip Code2	
Mailing Address Line1	57 ALDERGROVE RD
Mailing Address Line2	
Mailing City	ARCATA
Mailing State	CA
Mailing Zip Code1	95521
Mailing Zip Code2	
Certification Type	DBE
E-Mail	denamccullough@mcculloughconstructioninc.com
Contact Name	MACKY MCCULLOUGH
Area Code	(707)
Phone Number	825-1014
Alt Area Code	()
Alt Phone Number	
Fax Area Code	(707)
Fax Phone Number	825-1769
Agency Name	DEPARTMENT OF TRANSPORTATION
Counties	00;
Districts	00;
DBE NAICS	212321; 221310; 237310; 237990; 238120; 238910; 532412; 541330; 561730;

ACDBE NAICS

Work Codes

B1440 SAND & GRAVEL; C1201 TRAFFIC CONTROL SYSTEM; C1575 REMOVE BRIDGE ITEM; C1580 MODIFY BRIDGE ITEM; C1601 CLEARING & GRUBBING; C1701 DEVELOP WATER SUPPLY; C1901 ROADWAY EXCAVATION; C1920 STRUCTURE EXCAVATION; C1930 STRUCTURE BACKFILL; C1940 DITCHES EXCAVATION; C6501 STEEL STRUCTURES; C6570 STEEL CRIB WALL; C9907 CONSTRUCTION EQUIPMENT RENTAL; C9908 HEAVY EQUIPMENT RENTAL (OWNED EQUIP ONLY); C9980 DEMOLITION; E4940 WATER SUPPLY; E4970 IRRIGATION SYSTEMS;
A General Engineering Contractor; C27 Landscaping Contractor;

Licenses

Trucks

Gender

Ethnicity

Firm Type

M
NATIVE AMERICAN
DBE

Back To Query Form

Second Bidder

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
 DES-CE-0102.10D (REV 12/2014)

CONTRACT NO:

01-0A4904

BID AMOUNT:

\$ 3,640,554.00

BID OPENING DATE:

2-18-16

BIDDER'S NAME:

McCullough Construction Inc.

DBE GOAL FROM CONTRACT %

12.9%

DBE PRIME CONTRACTOR CERTIFICATION¹

27969

TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE)

4

TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE)

\$ 1,548,120.90

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBEs (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
2	Construction Signs	C1201	McCullough Construction Inc. 57 Alder Grove Road Arcata, CA 95521	\$279,694,200.00
3	Traffic Control	C1201	"	\$88,100.00
6	Remove Channelizer	C1201	"	\$380.00
7	Portable Changeable Sign	C1201	"	\$25,000.00
8	Job Site Management	C1940 C1701	"	\$22,500.00
9	Prepare Water Pollution Prog.	C1940	"	\$1,500.00

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Pub Cont Code § 4100 et seq.).

¹Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

²If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

³Use Work Category Codes from the California Unified Certification Program database.

McCullough is not certified for code
 up to Caltrans Interpretation

Total Claimed Participation

Continued
 Continued

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

A.M. McCullough
 Signature of Bidder

2-22-16
 Date

707-825-1014
 (Area Code) Tel. No.

Denise McCullough 707-825-1014
 Person to Contact (Please Type or Print)

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Contract No. 01-0A4904

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
 DES-OE-0102.10D (REV 12/2014)

CONTRACT NO. 01-0A4904
 BID AMOUNT: \$ 3,640,554.00
 BID OPENING DATE: 2-18-16
 BIDDER'S NAME: McCullough Construction Inc.
 DBE GOAL FROM CONTRACT %: 12%
 DBE PRIME CONTRACTOR CERTIFICATION¹: 27969 TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE): 4 TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE): \$ 1,548,120.90

BID ITEM NO	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBEs (Must be certified on the data, bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
10	Rain Event Action Plan	C8852	McCullough Construction Inc. 57 Alder Grove Road 707-825-1014 Arcata, CA 95521 # 27969	\$30,500.00
11	Storm Water Sampling	C8852	" "	\$12,000.00
12	Storm Water Annual Report	C8852	" "	\$6,500.00
14	Temp. Hydraulic Model prep	C2030, C2020, C11001, C1901, C2021	" "	\$800.00
15	Temp. Cover	C2030, C2020	" "	\$6,000.00
16	Temp. Check Dam	C2060, C2022 C1901	" "	\$18,550.00

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE showing stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

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³Use Work Category Codes from the California Unified Certification Program database.

Total Claimed Participation

\$ Continued
Continued

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (48 CFR 26.53).

J.M. McCullough
Signature of Bidder

2-22-16
Date

707-825-1014
(Area Code) Tel. No.

Dena McCullough 707-825-1014
Person to Contact (Please Type or Print)

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Contract No. 01-0A4904

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
 DES-0E-0102.F0D (REV 12/2014)

CONTRACT NO: 01-0A4904
 BID AMOUNT: \$ 3,640,554.00
 BID OPENING DATE: 2-18-16
 BIDDER'S NAME: McCullough Construction Inc.
 DBE GOAL FROM CONTRACT %: 12.9%
 DBF PRIME CONTRACTOR CERTIFICATION¹: 27969 TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE): 4 TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE): \$ 1,548,120.90

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBES (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
17	Temp. drainage inlet	C1940 C1920	McCullough Construction Inc. 57 Alder Grove Road 707-825-1014 Arcata, CA 95521 # 27969	\$ 3,000.00
18	Temp. Fiber Roll	C2066 C2030	" "	\$ 19,500.00
19	Temp. Gravel Bag Berm	C1975 C1980	" "	\$ 26,250.00
20	Temp. large Sediment barrier	C2066 C2030	" "	\$ 1,650.00
21	Temp. Reinforced Silt fence	C2066 C2030	" "	\$ 2,400.00
22	Temp. Silt fence	C2066 C2030	" "	\$ 15,600.00

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

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³Use Work Category Codes from the California Unified Certification Program database.

Total Claimed Participation

\$ Continued
Continued

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

A. M. McCullough Jr.
Signature of Bidder

2-22-16
Date

707-825-1014
(Area Code) Tel. No.

Dena McCullough 707-825-1014
Person to Contact (Please Type or Print)

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Contract No. 01-0A4904

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
 DES-05-0102.100 (REV 12/2014)

CONTRACT NO: 01-0A4904
 BID AMOUNT: \$ 3,640,554.00
 BID OPENING DATE: 2-18-16
 BIDDER'S NAME: McCullough Construction Inc.
 DBE GOAL FROM CONTRACT %: 12.9%

DBE PRIME CONTRACTOR CERTIFICATION ¹	TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE)	TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE)
<u>27969</u>	<u>4</u>	<u>\$ 1,548,120.90</u>

B/D ITEM NO	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBE: (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
23	Temp. Construction Entrance	C2000	McCullough Construction Inc. 57 Alder Grove Road 707-825-1014 Arcata, CA 95521 #27969	\$10,500.00
24	Street Sweeping	C2000	"	\$20,000.00
25	Temp. Concrete Washout	C2000 (C1920)	"	\$1,200.00
26	Treated Wood Waste disposal/hauling	C9900, C9907, C9670	"	\$3,225.00
27	Destroy Well	C9980	"	\$10,000.00
28	Remove Guardrail Traffic Control	(C120)	"	\$5,495.00

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

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³Use Work Category Codes from the California Unified Certification Program database.

Total Claimed Participation

⁵ Continued
Continued
%

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

H.M. McCullough Jr
Signature of Bidder

2-22-16
Date

707-825-1014
(Area Code) Tel No.

Dena McCullough 707-825-1014
Person to Contact (Please Type or Print)

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Contract No. 01-0A4904

DBE - COMMITMENT

DES-OE-0102.100 (REV 12/2014)

CONTRACT NO:

01-0A4904

BID AMOUNT:

\$ 3,640,554.00

BID OPENING DATE:

2-18-16

BIDDER'S NAME:

McCullough Construction Inc.

DBE GOAL FROM CONTRACT %:

12%

DBE PRIME CONTRACTOR CERTIFICATION¹:

27969

TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE):

4

TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE):

\$ 1,548,120.90

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBEs (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
29	Traffic Control for Remove Thermo. Stripe	C1201 E2105	McCullough Construction Inc. 57 Alder Grove Road 707-825-1014 Arcata, CA 95521 # 27969	\$ 835.00
30	Remove Roadside Sign	C1920 C1201	" "	\$ 2,800.00
31	Remove Inlet	C1920 C1930	" "	\$ 2,250.00
33	Clearing and Grubbing	C1601 C1701	" "	\$ 65,000.00
34	Develop Water Supply	E4940	" "	\$ 25,000.00
35	Dust Palliative	C1801	" "	\$ 12,000.00

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE showing that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

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Total Claimed Participation

Continued
Continued

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

A.M. McCullough
Signature of Bidder

2-22-16
Date

707-825-1014
(Area Code) Tel. No.

Dena McCullough 707-825-1014
Person to Contact (Please Type or Print)

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Contract No. 01-0A4904

DBE - COMMITMENT

DES-0E-0102.100 (REV 12/2014)

CONTRACT NO:

01-0A4904

BID AMOUNT:

\$ 3,640,554.00

BID OPENING DATE:

2-18-16

BIDDER'S NAME:

McCullough Construction Inc.

DBE GOAL FROM CONTRACT %:

12%

DBE PRIME CONTRACTOR CERTIFICATION ¹	TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE)	TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE)
27969	4	\$ 1,548,120.90

BID ITEM NO	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBEs (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
36	Rock Excavation	C1930, C1901	McCullough Construction Inc. 57 Alder Grove Road 707-825-1014 Arcata, CA 95521 # 27969 # 930,300.00	\$ 930,300.00
37	Shoulder Backing	C1940, C1930	" "	\$ 39,500.00
38	Ditch Excavation	C1940, C1601, C1901	" "	\$ 1,500.00
40	Imported Biofiltration Soil Preparation	"	" "	\$ 400.90
42	Hydromulch preparation	C2021, C2030, C1901	" "	\$ 1,680.00
43	Compost Sock	C2030	" "	\$ 12,000.00

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

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Total Claimed Participation

\$ Continued
Continued
%

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

A. M. McCullough
Signature of Bidder

2-22-16
Date

707-825-1014
(Area Code) Tel. No

Denise McCullough 707-825-1014
Person to Contact (Please Type or Print)

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 445-1233, TTY 711, or write to Records and Forms Management, 1120 N Street, MS-09, Sacramento, CA 95814.

Contract No. 01-0A4904

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
 DES-CE-0102.100 (REV 12/2014)

CONTRACT NO: 01-0A4904
 BID AMOUNT: \$ 3,640,554.00
 BID OPENING DATE: 2-18-16

BIDDER'S NAME: McCullough Construction Inc.

DBE GOAL FROM CONTRACT % 12%

DBE PRIME CONTRACTOR CERTIFICATION ¹ <u>27969</u>	TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE) <u>4</u>	TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE) <u>\$ 1,548,120.90</u>
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BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBEs (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
44	Straw preparation and traffic control	C2030 (C1201)	McCullough Construction Inc. 57 Alder Grove Road 707-825-1014 Arcata, CA 95521 # 27969	\$ 3,360.00
45	Hydroseed preparation + traffic control	"	"	\$ 5,040.00
46	Compost preparation	C2030 (C2030)	"	\$ 2,223.00
47	Incorporate Materials preparation	"	"	\$ 119.70
48	Class 2 Aggregate Base	C2402, C2507, B1440 (C1930)	"	\$ 247,800.00
51	Hot Mix Asphalt (Type A)	C3901, C3930 (C9908, C9907)	"	\$ 2,740.00

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Pub Cont Code § 4100 et seq.).

¹Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

²If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

³Use Work Category Codes from the California Unified Certification Program database.

Total Claimed Participation

\$ Continued
Continued
%

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

H.M. McCullough Jr.
Signature of Bidder

2-22-16
Date

707-825-1014
(Area Code) Tel. No.

Denae McCullough 707-825-1014
Person to Contact (Please Type or Print)

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Contract No. 01-0A4904

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
 DES-CE-0102.10D (REV 12/2014)

CONTRACT NO.

01-0A4904

BID AMOUNT:

\$ 3,640,554.00

BID OPENING DATE:

2-18-16

RIDDER'S NAME:

McCullough Construction Inc.

DBE GOAL FROM CONTRACT %:

12%

DBE PRIME CONTRACTOR CERTIFICATION ¹	TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE)	TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE)
27969	4	\$ 1,548,120.90

BID ITEM NO	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBEs (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors):	AMOUNT (\$)
52	Equipment Rent for Rubberized Hot Mix Asphalt	C 9907, C 9908, C 2912	McCullough Construction Inc. 57 Alder Grove Road 707-825-1014 Arcata, CA 95521 # 27969	\$ 8,370.00
53	Asphalt Binder, traffic	(C1201) C 2912	" "	\$ 400.00
55	Shoulder Rumble Strip, traffic	(C1201) C 2912	" "	\$ 210.00
56	Center Line Rumble Strip, traffic	(C1201) C 2912	" "	\$ 180.00
58	Place Hot Mix Dike (A)	C 2912	" "	\$ 180.00
59	Place Hot Mix Dike (D)	C 2912	" "	\$ 16,050.00

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Total Claimed Participation

\$ Continued
Continued %

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

A. M. McCullough
Signature of Bidder

2-22-16
Date

707-825-1014
(Area Code) Tel. No.

Dena McCullough 707-825-1014
Person to Contact (Please Type or Print)

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Contract No. 01-0A4904

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
 DES-0E-0102.10D (REV 12/2014)

CONTRACT NO: 01-0A4904
 BID AMOUNT: \$ 3,640,554.00
 BID OPENING DATE: 2-18-16

BIDDER'S NAME: McCullough Construction Inc.

DBE GOAL FROM CONTRACT %: 12%

DBE PRIME CONTRACTOR CERTIFICATION¹: 27969 TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE): 4 TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE): \$ 1,548,120.90

BID ITEM NO	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBEs (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
600	Place Hot Mix Asphalt (Misc.)	C1201	McCullough Construction Inc. 57 Alder Grove Road 707-825-1014 Berkeley, CA 94704 # 27969	\$ 7,600.00
602	Tack Coat-traffic Control	(C1201)	" "	\$ 3,500.00
603	Minor Concrete	C1105	" "	\$ 12,500.00
604	Road Side Sign	(C1201)	" "	\$ 1,125.00
605	Install Road Side Sign	(C1201)	" "	\$ 2,250.00
606	Furnish Sign	(C1201)	" "	\$ 600.00

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³Use Work Category Codes from the California Unified Certification Program database

Total Claimed Participation

\$ Continued
 Continued %

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

H. M. McCullough Jr.
 Signature of Bidder

2-22-16
 Date

707-825-1014
 (Area Code) Tel No.

Dena McCullough 707-825-1014
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Contract No. 01-0A4904

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
 DES-DE-0102 100 (REV 12/2014)

CONTRACT NO:

01-0A4904

BID AMOUNT:

\$ 3,640,554.00

BID OPENING DATE:

2-18-16

BIDDER'S NAME:

McCullough Construction Inc.

DBE GOAL FROM CONTRACT %:

12%

DBE PRIME CONTRACTOR CERTIFICATION¹

27969

TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE)

4

TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE)

\$ 1,548,120.90

BID ITEM NO	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBEs (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
67	Furnish Sign (1.00)	C5620	McCullough Construction Inc. 57 Alder Grove Road 707-825-1014 Arcata, CA 95521 #27969	\$ 3,000.00
68	Retroreflective Sheeting	C5620	" "	\$ 1,560.00
69	8" Corrugated Steel Pipe	C6450, C1901, C1920, C5501	" "	\$ 1,750.00
70	18" Corrugated Steel Pipe	C5501, C1920, C6650, C1901	" "	\$ 2,100.00
71	36" Corrugated Steel Pipe	C5501, C1920, C6650, C1901	" "	\$ 7,000.00
72	Iron & Steel (Misc)	C5501	" "	\$ 4,645.00

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Total Claimed Participation

\$ Continued
Continued
%

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

A. M. McCullough Jr.
Signature of Bidder

2-22-16
Date

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(Area Code) Tel. No.

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Contract No. 01-0A4904

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
 DES-DE-0102.10D (REV 12/2014)

CONTRACT NO: 01-0A4904
 BID AMOUNT: \$ 3,640,554.00
 BID OPENING DATE: 2-18-16
 BIDDER'S NAME: McCullough Construction Inc.
 DBE GOAL FROM CONTRACT %: 12%
 DBE PRIME CONTRACTOR CERTIFICATION¹: 27969 TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE): 4 TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE): \$ 1,548,120.90

BID ITEM NO	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBEs (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
73	Delineator (class 2)	(C1201) traffic control	McCullough Construction Inc. 57 Alder Grove Road 707-825-1014 Arcata, CA 95521 #27969	\$ 210.00
75	Marker (Culvert)	preparation C5020	" "	\$ 40.00
76	Mid West Guardrail System	traffic control (C1201)	" "	\$ 6,900.00
77	End Anchor Assembly	traffic control (C1201)	" "	\$ 750.00
80	Pavement Marker	traffic control (C1201)	" "	\$ 915.00
81	Mobilization	C 9907, C 9908, C 1201, B 1440, C 1601, C 1901, C 1940, C 5501, C 1920, C 1930, C 1201, C 2030, B 1440, C 2501, C 7300, C 1201	" "	\$ 321,800.00
Total Claimed Participation				\$ 2,092,433.16
				57%

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

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H. M. McCullough Jr.
 Signature of Bidder

2-22-16
 Date

707-825-1014
 (Area Code) Tel No.

Dena McCullough 707-825-1014
 Person to Contact (Please Type or Print)

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Contract No. 01-0A4904

EXHIBIT C

NOTICE TO BIDDERS

Bids open Thursday, February 18, 2016

Dated January 11, 2016

General work description: Widen roadway, construct HMA and RHMA overlay, drainage and MGS

The Department will receive sealed bids for CONSTRUCTION ON STATE HIGHWAY IN HUMBOLDT COUNTY ABOUT 13 MILES WEST OF WILLOW CREEK FROM 0.4 MILE EAST TO 1.3 MILE EAST OF CHEZEM ROAD.

District-County-Route-Post Mile: 01-Hum-299-R25.0/R25.9

Contract No. 01-0A4904

The Contractor must have either a Class A license or a combination of Class C licenses which constitutes a majority of the work.

The DBE Contract goal is 12 percent.

Federal-aid project no.:

ACHSSTPNH-P299(196)E

Bids must be on a unit price basis.

→ Complete the work within 80 working days.

The estimated cost of the project is \$3,740,000.

No prebid meeting is scheduled for this project.

The Department will receive bids until 2:00 p.m. on the bid open date via Bid Express web site. Bids received after this time will not be accepted. For more information refer to the Electronic Bidding Guide at the Bidders' Exchange web site.

The Department will open and publicly read the bids at 1727 30th Street, Bidders' Exchange, MS 26, Sacramento, CA 95816 immediately after the specified closing time.

District office addresses are provided in the *Standard Specifications*.

Present bidders' inquiries to the Department and view the Department's responses at:

http://www.dot.ca.gov/hq/esc/oe/inquiry/bid_inquiries.php

Questions about alleged patent ambiguity of the plans, specifications, or estimate must be asked before bid opening. After bid opening, the Department does not consider these questions as bid protests.

Submit your bid with bidder's security equal to at least 10 percent of the bid.

Prevailing wages are required on this Contract. The Director of the California Department of Industrial Relations determines the general prevailing wage rates. Obtain the wage rates at the DIR Web site, <http://www.dir.ca.gov>, or from the Department's Labor Compliance Office of the district in which the work is located.

The federal minimum wage rates for this Contract as determined by the United States Secretary of Labor are available at <http://www.dot.ca.gov/hq/esc/oe/federal-wages>.

Contract No. 01-0A4904

1

