

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

P.O. BOX 168041, MS-43

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

TTY 711

www.dot.ca.gov



Serious drought.  
Help save water!

June 5, 2014

Facsimile: (916) 614-9520

Clinton Myers, Vice President  
Myers & Sons Construction  
4600 Northgate Boulevard, Suite 100  
Sacramento, CA 95834

04-3E5104  
04-Ala-VAR-VAR  
B.O. 05/20/2014

Dear Mr. Myers:

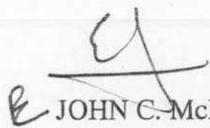
The Department of Transportation (Caltrans) received the attached letter dated June 2, 2014 from Myers & Sons Construction, LP (Myers) protesting the bid submitted by Peterson Chase General engineering Construction, Inc, (Peterson Chase) for Contract 04-3E5104.

The protest states that Peterson Chase failed to list a rebar subcontractor and rebar is over the required listed threshold and therefore, should have been listed as Peterson Chase is not signatory to the ironworkers and has no ability to self-perform the work. Myers requests that the contract for the project be awarded to Myers.

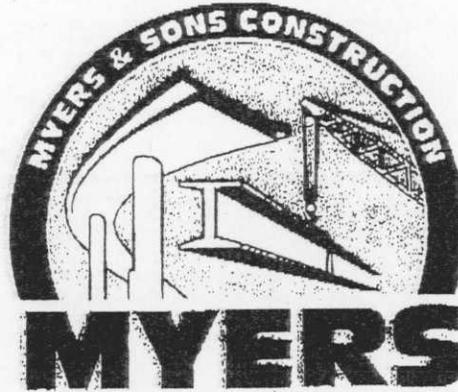
Caltrans has reviewed the bid documents submitted by Peterson and Chase and has concluded that Peterson Chase meets the requirement for award of this contract. Furthermore, whether or not the bidder is signatory to an entity is not a requirement or condition of award.

Therefore, the protest submitted by Myers, will have no bearing on the award of this contract. Caltrans will proceed to award this contract to Peterson Chase.

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

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

Attachment



June 2, 2014

Department of Transportation  
Office Engineer MS 43  
1727 30<sup>th</sup> Street  
Sacramento, CA 95816  
P: 916-227-6280  
F: 916-227-6282

ATTN: Contracts Awards Unit

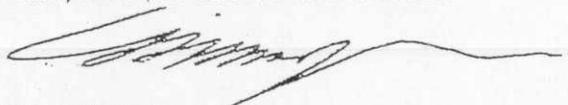
**RE: BID PROTEST CALTRANS CONTRACT #04-3E5104 AND REQUEST TO AWARD THIS CONTRACT TO MYERS AND SONS CONSTRUCTION, LP**

Mr. Earl Seaberg,

As you know Myers and Sons Construction, LP ("Myers") submitted the second lowest monetary bid for the above referenced project. The lowest monetary bid was submitted by Peterson Chase General Engineering Construction, Inc. ("Peterson Chase"). For the reason stated in this letter, Myers objects to any award of the contract to Peterson Chase, because Peterson Chase failed to list a Rebar subcontractor on bid day.

On the Subcontractor List page 6 of the bid book, Peterson Chase failed to list a rebar subcontractor. Myers listed Harris Rebar and ACC rebar was in Anozira sub listing. Rebar is over the required listed threshold and therefore should have been listed by Peterson Chase. Peterson Chase is not signatory to the ironworkers and has no ability to self-perform the work. Myers respectfully request that the contract for the project be awarded to Myers.

Thank you for your attention to this matter.



Clinton W. Myers  
Vice-President  
Myers and Sons Construction, LP

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

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CALTRANS CONTR AWARDS Fax 916-227-6282

Jun 5 2014 01:02pm

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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

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