

O'Donnell Construction Inc.

559 W. Covina Boulevard
San Dimas, CA. 91773-2911
Phone 909-394-4510 Fax 909-394-4750

General Engineering Contractor

License #772905A

April 21, 2015

Mr. John McMillan
Deputy Division Chief
Office Engineer, MS 43
Division of Engineering Services
Department of Transportation
P.O. Box 168041
Sacramento, CA 95816-8041

Dear Mr. McMillan

RE: Contract No. 07-4T7404
LA-134, Bid Date 04/08/15

Please consider this letter to be a formal protest of the bid submitted by Peterson-Chase Gen. Eng. Const. Inc. on the above noted contract.

See attached the bid day quote from DBE subcontractor LA Steel Services for reinforcing steel work, totaling \$23,000.00. O'Donnell Construction listed LA Steel as a subcontractor on bid day and then again in our DBE Submittal.

Peterson-Chase did not list LA Steel Services as a subcontractor on bid day, as required for subcontracted work over \$10,000.00, however, they have now submitted LA Steel for \$23,000.00 of DBE credit. See attached the modified quote that has been submitted as part of their DBE Commitment. This is merely a revised, after-the-fact quote that has conveniently been chopped up into a calculated material purchase order portion and a subcontract portion, skirting bidding and DBE requirements.

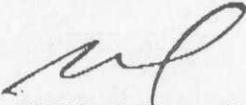
We hereby request the State give no credit to Peterson-Chase on the DBE Commitment form for "Item 26-Rebar Fabrication For Barrier-LA Steel Services-\$23,000.00" and lower their participation to 9.2%.

Upon review of the Peterson-Chase DBE Commitment submittal, with the above facts considered, it should be considered insufficient by the State.

We hereby request this contract be awarded to O'Donnell Construction.

Please contact me with any comments or questions.

Sincerely,



Neil T. O'Donnell
President

Bid day quote



1760 California Avenue, Corona, CA 92881
Phone: 951-393-2013
Fax: 951-340-2712
Contractor's License #998917
DIR # 1000012901
DBE/SBE Certified

BID/OFFER

CONTRACTOR:		BID DATE:	4/8/2015
ATTENTION:	Estimating	BID TIME:	2:00 PM
PROJECT NAME:	07-4T7404 In Los Angeles at Harbor Dell	ESTIMATE #:	15-0018 Revised
LOCATION:	Los Angeles, CA		

LA Steel Services, Inc. (DBE/SBE Certified CUCP No. 42683, Metro File #6818) is pleased to submit the following offer/agreement for the above referenced project, subject to the terms and conditions specified herein. Performance of this Bid/Offer shall be governed by and in compliance with the Concrete Reinforcing Steel Institute Manual of Standard Practice. This offer represents the full scope and intent on the part of LA Steel Services to provide services and materials to Contractor.

This bid is submitted subject to and expressly conditioned upon all of the terms and conditions set forth below.

PLANS AND SPECIFICATIONS:

Specifications: 2010 Cal Trans Standard Plans	Addenda: #1
Plans/Drawings: Sheets 1 to 21 of 21 sheet Bid Set	Architect/Engineer: Cal Trans

PRICING CONDITIONS:

- Prices, as quoted, will remain firm for thirty (30) calendar days, after which time LA Steel Services reserves the right to revise this quotation.
- Prices / Bid items quoted are not for separate acceptance without prior approval.
- Seller reserves the right to renegotiate additional price increases, for any shipments and/or placing after per spec.
- LA Steel Services' price is based on detailing, fabricating, and placing on a normal five (5) day, forty (40) hour work week (all Union contract and nationally recognized holidays are observed). Performance will be based on conventional construction, timely receipt of two (2) complete printed sets of plans, specifications (in addition to CADD files) and adequate written schedules to which LA Steel Services has agreed. Contractor shall furnish design information, locations of pour joints, and construction schedules in sufficient time to allow for preparation and approval of submittals, plus seven (7) working days for fabrication and delivery. Additional lead-time will be required for special mill rolling, spirals, epoxy coating, and/or special mesh. Contract delays of more than forty-five (45) days may result in additional cost of materials.

*Bid day
Quote*

SCOPE OF WORK/PRICE

BID ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
26	CONCRETE BARRIER (TYPE 736B) Night Work Included (Must be done in 5 consecutive days)	540 LF	\$ 42.5926	\$ 23,000.00

HOISTING/LOWERING:

Contractor shall furnish, without charge, suitable equipment fully operated for hoisting/lowering reinforcing steel, wire mesh, etc., including unloading trucks, staging of reinforcing to points of installation (into foundations and onto elevated decks, etc...) setting of columns/cages and/or assemblies, and power placing of individual bars that LA Steel Services may require. (Hours and/or price provided do not include hoisting/lowering for F.O.B. trucks jobsite material and/or setting of tied and stockpiled cages or mats).

SPECIAL NOTES:

1. Night work is excluded except by additive quote.

SCOPE OF WORK EXCLUSIONS

LA Steel Services' Scope of Work excludes:

1. All testing and inspection and/or any related costs thereof other than mill test reports. (Rebar, mechanical couplers and/or welded hoop test bar samples to be provided F.O.B. trucks jobsite).
2. As-Built Drawings (Shop Drawings).
3. Plain (smooth) round bars or dowels, threaded bars, form savers, rods, sleeves, sheathing, anchors, studs, bolts (anchor & misc.), and inserts.
4. Wrapping, coating, painting and/or greasing of reinforcing steel and/or wire mesh.
5. Supplying, installing, and /or maintaining any form of rebar cap or safety device on installed reinforcing steel or reinforcing steel on the ground/stored (per latest OSHA Standards).
5. Cost of pour watchman.
7. All permits and licenses, other than city/county business licenses and State Contractor's license, required for the work.
3. Cutting, burning, cleaning, straightening and/or bending of existing steel and/or improperly placed drill and grout/bond dowels.
3. Drilling, grouting, and dry packing/placing bars in drilled holes
10. Payment and/or Performance Bonds. (Material Bond may be provided if available.)
11. Furnishing and/or welding of dowels/anchors to miscellaneous steel and/or structural steel
12. Metal tags (LA Steel Services or fabricators standard tags will be used to identify steel).
13. Any and all reinforcing steel, and/or wire mesh not shown on drawings unless specifically included in Scope of Work/Price.
14. Placing or Shop Drawings prepared, reviewed, sealed or stamped by a licensed engineer.
15. Providing and/or laying out holes in structural steel for reinforcing bars to pass.
16. All electrical bonding and/or grounding material (i.e. welding for cathodic protection).
17. All welding.
18. Masonry Steel.
19. Epoxy Coated/Galvanized deformed and/or plain bars and/or wire mesh.

Peterson Chase Submittal



1760 California Avenue, Corona, CA 92881
Phone: 951-393-2013
Fax: 951-340-2712
Contractor's License #998917
DIR # 1000012901
DBE/SBE Certified

BID/OFFER

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Revised Quote

SCOPE OF WORK/PRICE

BID ITEM	DESCRIPTION	QUANTITY	MATERIAL UNIT	LABOR UNIT	UNIT PRICE	TOTAL
26	CONCRETE BARRIER (TYPE 736B) Night Work Included (Must be done in 5 consecutive days)	540 LF	\$ 24,444	\$ 18,148	\$ 42,592	\$ 23,000.00

MATERIAL 20

SUBCONTRACT

\$ 13,200.00

\$ 9,000.00

HOISTING/LOWERING:

Contractor shall furnish without charge, suitable equipment fully operated for hoisting/lowering reinforcing steel, wire mesh, etc. including unloading trucks, staging of reinforcing to points of installation (into foundations and onto elevated decks, etc.) setting of columns/cages and/or assemblies, and power placing of individual bars that LA Steel Services may require. (Hours and/or price provided do not include hoisting/lowering for F.O.B. trucks jobsite material and/or setting of tied and stockpiled cages or mats).

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2. As-Built Drawings (Shop Drawings).
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6. Cost of pour watchman.
7. All permits and licenses, other than city/county business licenses and State Contractor's license, required for the work.
8. Cutting, burning, cleaning, straightening and/or bending, of existing steel and/or improperly placed drill and grout/bond dowels.
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14. Placing or Shop Drawings prepared, reviewed, sealed or stamped by a licensed engineer.
15. Providing and/or laying out holes in structural steel for reinforcing bars to pass.
16. All electrical bonding and/or grounding material (i.e. welding for cathodic protection).
17. All welding.
18. Masonry Steel.
19. Epoxy Coated/Galvanized deformed and/or plain bars and/or wire mesh.
20. Field bending of rebar other than by additive quote.
21. The cost of reworking, rehabilitating and/or replacing reinforcing steel damaged or lost as a result of flood conditions. If storm damage should occur, responsibility for steel fully or partially in place, and for steel stored in locations designated