

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 4, 2014

Facsimile: (949) 276-4874

Mike Saghafi
M.S. Construction Management Group
General Engineering Contractors
32565B Golden Lantern, #475
Dana Point, CA 92629

08-1C4104
08-SBd-15, 40, 127, 58, 95 and 247-Varies
B.O. 05/22/2014

Dear Mr. Saghafi:

The Department of Transportation (Caltrans) received a bid from M.S. Construction Management Group (M.S. Construction) on Contract 08-1C4104 on May 22, 2014.

M.S. Construction listed Bid Item 26, Asphaltic Emulsion (Fog Seal Coat) for a Unit Price of \$67.80 per ton for an item total of \$27,865.80. However, the intended bid amount for this item was \$678.00 per ton, for an item total of \$278,658.00 and an overall bid amount of \$2,498,176.53. On May 28, 2014, M.S. Construction requested a relief of bid due to inadvertent clerical error.

In accordance with M.S. Construction's request, Caltrans finds that M.S. Construction has met the elements of Public Contract Code Sections 5101 and 5103. Therefore, M.S. Construction is hereby relieved of their bid without forfeiture of its bid bond.

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

Sincerely,

A handwritten signature in black ink, appearing to read "John C. McMILLAN".

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

Attachment

Relief of Bid Determination Report

(Ref. Public Contract Code 5100 et Seq.)

Contract No. 08-1C4104

Bidder Name: M S Construction Management

Bid Opening Date: 5/22/14

License No. 721738

- ✓ I have reviewed the attached relief of bid request and documentation and find that the bidder has met the elements of Public Contract Code Sections 5101 and 5103. The bidder is hereby relieved of their bid without forfeiture of the bid bond.

I have reviewed the attached relief of bid request and documentation and find that the bidder failed to meet the elements of Public Contract Code Sections 5101 and 5103, The request for relief of bid is denied.



Deputy Division Chief
Office Engineer
Division of Engineering Services

6-4-14
Date

Recommended for Approval by: Allan Lue

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
RELIEF OF BID REQUEST
DES-OE-0141 (REV 01/2010)

Contract No. 08-1C4104
Bid Opening Date: MAY 22, 2014

Bidder's Name: M.S. CONSTRUCTION MGMT, GR
License No. 721738

Requirements:

To be relieved of your bid you must demonstrate all of the following to the Department. You are not relieved of your bid until notified by the Department in writing.

- A mistake was made in your bid.
- You submitted written notice of the mistake to the Department within 5 business days of bid opening, specifying in detail how the mistake occurred.
- The mistake made the bid materially different than what you intended.
- The mistake was made in filling out the bid and not due to an error in judgement or to carelessness in inspecting the site of work or in reading the plans or specifications.

Instructions:

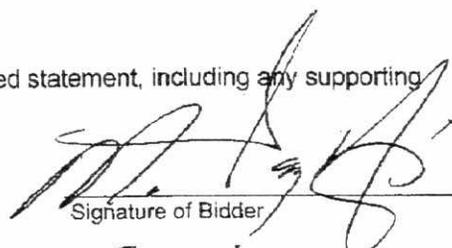
Attach a statement and supporting documentation that describes the following in detail:

1. The mistake in your bid and how it was made.
2. How the mistake made the bid materially different than intended.
3. How the mistake was made in filling out the bid.
4. Sign the certification below.
5. Fax this completed form, the statement and supporting documentation to (916) 227-6282. Attention: Office Engineer.

Certification:

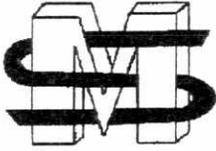
By my signature on this form, I certify, under penalty of perjury that the attached statement, including any supporting documents, are true and correct.

Date: May 27, 2014



 Signature of Bidder
PRESIDENT

 Title



M.S. Construction Mgmt. Group
General Engineering Contractors

License # 721738
Commercial - Residential

May 28, 2014

California Department of Transportation (Caltrans)
Central Region Construction Office
855 M Street Suite 200
Fresno, Ca. 93721

VIA E-MAIL

Re: **Bridge Rehab, Shoulder & Ramp Seal, Install G-11s and Guardrail- project number-08-1C4104**
Bid Date: 5/22/14 @ 2:00 P.M.
Request to withdrawal of submitted bid

Dear Sir/Mam,

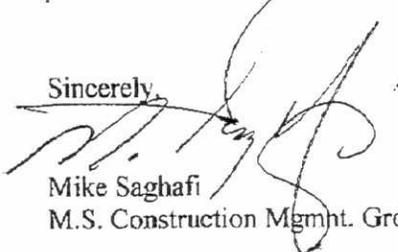
As you are aware, on May 22, 2014 at 2:00 AM the California Department of Transportation (Caltrans) held a bid opening for the above captioned project, resulting in M.S. Construction Mgmt. Group's bid, in the amount of \$2,247,384.33, as the apparent low bidder.

Please accept this letter as our formal request to withdraw our bid proposal for the following reasons:

1. A mistake was made during entering the unit price for line item #26 from our work sheet column of our spread sheet to the submitted price column work sheet on the computer.
2. After Careful review of our bid cost breakdown, we regrettably discovered that there has been a major arithmetic error made in our line item #26- ASPHALTIC EMULSION (FOG SEAL COAT) unit price. The unit price amount should have been \$678.00/Ton, however, it was entered on to our submitted price column of our spread sheet as \$67.80/Ton. Therefore, the calculated total amount for this line item resulted to be \$27,865.80 in lieu of \$278,658.00. This resulted in an arithmetic error in the amount of \$250,792.20 for line item #26.
3. Due to the above entering error, Our total bid price amount was changed from \$2,498,176.53 to \$2,247,384.33

We appreciate your understanding in this matter, and apologize for any inconvenience that this matter may have caused the California Department of Transportation (Caltrans). Should you have any questions, please do not hesitate to contact me at your convenience.

Sincerely,



Mike Saghafi
M.S. Construction Mgmt. Group

Cc. File

BID *Work SHEET*

BID ITEM LIST
08-1C4104

PAGE ①

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	2,260
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	39,408.75
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	9,605.00
4	128851	PORTABLE CHANGEABLE MESSAGE SIGN (EA)	EA	4	2,825	
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	5,085.00
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	28,250.00
7	140003	ASBESTOS COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	13,560.00
8	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	6,500	.85	
9	141120	TREATED WOOD WASTE	LB	8,000	.36	
10	150310	RAPID SETTING CONCRETE (PATCH)	CF	80	11.30	
11	150661	REMOVE GUARDRAIL	LF	325	33.90	
12	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	7,300	.85	
13	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	5,600	2.26	
14	150722	REMOVE PAVEMENT MARKER	EA	17,600	.62	
15	150771	REMOVE ASPHALT CONCRETE DIKE	LF	400	22.60	
16	150857	REMOVE ASPHALT CONCRETE SURFACING	SQFT	6,804	2.26	
17	BLANK				—	
18	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	13,800	5.09	
19	153223	REMOVE UNSOUND CONCRETE	CF	80	2.26	
20	153225	PREPARE CONCRETE BRIDGE DECK SURFACE	SQFT	153,872	.17	

5
REPLACED PER ADDENDUM NO. 1 DATED MAY 6, 2014

BID WORK SHEET

(2)

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	153227	FURNISH POLYESTER CONCRETE OVERLAY	CF	3,556	77.97	
22 (F)	153228	PLACE POLYESTER CONCRETE OVERLAY	SQFT	31,530	4.72	
23 (F)	153233	TREAT BRIDGE DECK	SQFT	122,342	.68	
24	153234	FURNISH BRIDGE DECK TREATMENT MATERIAL	GAL	1,533	.79	
25	153237	REMOVE CHIP SEAL	SQFT	96	11.30	
26	374002	ASPHALTIC EMULSION (FOG SEAL COAT)	TON	411	6.78	
27	377501	SLURRY SEAL	TON	1,260	84.75	
28	390132	HOT MIX ASPHALT (TYPE A)	TON	3,110	107.36	
29	394077	PLACE HOT MIX ASPHALT DIKE (TYPE F)	LF	400	14.86	
30	397005	TACK COAT	TON	5	56.50	
31	510502	MINOR CONCRETE (MINOR STRUCTURE)	CY	45	197.75	
32	511118	CLEAN EXPANSION JOINT	LF	1,516	28.25	
33	519088	JOINT SEAL (MR 1")	LF	884	53.11	
34	519091	JOINT SEAL (MR 1 1/2")	LF	574	107.35	
35	519100	JOINT SEAL (MR 2")	LF	50	135.60	
36	519102	JOINT SEAL (TYPE AL)	LF	8	135.60	
37	560248	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED)	SQFT	754	15.54	
38	566011	ROADSIDE SIGN - ONE POST	EA	121	316.40	
39	027204	PAINT BRIDGE NAME AND NUMBER	EA	80	119.78	
40	802100	4' CHAIN LINK GATE (TYPE CL-4)	EA	3	2,135.70	

CORRECT
Amount
←
INSTEAD
OF ITEM
UNIT PRICE

BID WORK SHEET

3

BID ITEM LIST
08-1C4104

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	832007	MIDWEST GUARDRAIL SYSTEM (WOOD POST)	LF	100	58.76	
42	839543	TRANSITION RAILING (TYPE WB-31)	EA	4	4,126.76	
43	839578	END CAP (TYPE TC)	EA	4	171.76	
44	839584	ALTERNATIVE IN-LINE TERMINAL SYSTEM	EA	4	3,667.98	
45	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	6,000	3.39	
46	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LF	1,560,000	.15	
47	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	530	2.26	
48	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	17,400	3.39	
49	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	42,940
50	860806	INDUCTIVE LOOP DETECTOR (EA)	EA	4	1,299.50	
51	860890	MODIFY TRAFFIC MONITORING STATION (COUNT)	LS	LUMP SUM	LUMP SUM	39,154.50
52	BLANK				-	
53	420203	GRIND EXISTING BRIDGE DECK	SQYD	1040	20.34	
54	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	135,600

TOTAL BID:

\$

Project: Contract No.08-1C4104

BUDGET- \$2,520,000

item No.	Item Description	Meas Unit	App. QTY	UNIT PRICE	G. TOTAL
1	LEAD COMPLIANCE PLAN	LS	1	\$ 2,260.00	\$ 2,260.00
2	CONSTRUCTION AREA SIGNS	LS	1	\$ 39,408.75	\$ 39,408.75
3	TRAFFIC CONTROL SYSTEM	LS	1	\$ 96,050.00	\$ 96,050.00
4	PORTABLE CHANGEABLE MESSAGE SIGN (EA)	EA	4	\$ 2,825.00	\$ 11,300.00
5	JOB SITE MANAGEMENT	LS	1	\$ 50,850.00	\$ 50,850.00
6	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	1	\$ 28,250.00	\$ 28,250.00
7	ASBESTOS COMPLIANCE PLAN	LS	1	\$ 13,560.00	\$ 13,560.00
8	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	6500	\$ 0.85	\$ 5,508.75
9	TREATED WOOD WASTE	LB	8000	\$ 0.36	\$ 2,892.80
10	RAPID SETTING CONCRETE (PATCH)	CF	80	\$ 11.30	\$ 904.00
11	REMOVE GUARDRAIL	LF	325	\$ 33.90	\$ 11,017.50
12	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	7300	\$ 0.85	\$ 6,186.75
13	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	5800	\$ 2.26	\$ 12,656.00
14	REMOVE PAVEMENT MARKER	EA	17600	\$ 0.62	\$ 10,938.40
15	REMOVE ASPHALT CONCRETE DIKE	LF	400	\$ 22.60	\$ 9,040.00
16	REMOVE ASPHALT CONCRETE SURFACING	SQFT	6804	\$ 2.26	\$ 15,377.04
17	BLANK			\$ -	\$ -
18	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	13800	\$ 5.09	\$ 70,173.00
19	REMOVE UNSOUND CONCRETE	CF	80	\$ 226.00	\$ 18,080.00
20	PREPARE CONCRETE BRIDGE DECK SURFACE	SQFT	153872	\$ 0.17	\$ 26,081.30
21	FURNISH POLYESTER CONCRETE OVERLAY	CF	3556	\$ 77.97	\$ 277,261.32
22	PLACE POLYESTER CONCRETE OVERLAY	SOFT	31530	\$ 4.72	\$ 148,928.80
23	TREAT BRIDGE DECK	SOFT	122342	\$ 0.68	\$ 82,947.88
24	FURNISH BRIDGE DECK TREATMENT MATERIAL	GAL	1533	\$ 0.79	\$ 1,212.60
25	REMOVE CHIP SEAL	SOFT	96	\$ 11.30	\$ 1,084.80
26	ASPHALTIC EMULSION (FOG SEAL COAT)	TON	411	\$ 67.80	\$ 27,865.80

← ERROR LINE ITEM
p.7

27	SLURRY SEAL	TON	1260	\$ 84.75	\$ 106,785.00
28	HOT MIX ASPHALT (TYPE A)	TON	3110	\$ 107.35	\$ 333,858.50
29	PLACE HOT MIX ASPHALT DIKE (TYPE F)	LF	400	\$ 14.86	\$ 5,943.80
30	TACK COAT	TON	5	\$ 56.50	\$ 282.50
31	MINOR CONCRETE (MINOR STRUCTURE)	CY	45	\$ 197.75	\$ 8,898.75
32	CLEAN EXPANSION JOINT	LF	1516	\$ 28.25	\$ 42,827.00
33	JOINT SEAL (MR 1")	LF	884	\$ 53.11	\$ 46,949.24
34	JOINT SEAL (MR 1 1/2")	LF	574	\$ 107.35	\$ 61,618.90
35	JOINT SEAL (MR 2")	LF	50	\$ 135.60	\$ 6,780.00
36	JOINT SEAL (TYPE AL)	LF	8	\$ 135.60	\$ 1,084.80
37	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063" THICKNESS)	SOFT	754	\$ 15.54	\$ 11,715.28
38	ROADSIDE SIGN - ONE POST	EA	121	\$ 316.40	\$ 38,284.40
39	PAINT BRIDGE NAME AND NUMBER	EA	80	\$ 119.78	\$ 9,582.40
40	4' CHAIN LINK GATE (TYPE CL-4)	EA	3	\$ 2,135.70	\$ 6,407.10
41	MIDWEST GUARDRAIL SYSTEM (WOOD POST)	LF	100	\$ 58.76	\$ 5,876.00
42	TRANSITION RAILING (TYPE WB-31)	EA	4	\$ 4,126.76	\$ 16,507.04
43	END CAP (TYPE TC)	EA	4	\$ 171.76	\$ 687.04
44	ALTERNATIVE IN-LINE TERMINAL SYSTEM	EA	4	\$ 3,667.98	\$ 14,671.92
45	THERMOPLASTIC PAVEMENT MARKING	SOFT	6000	\$ 3.39	\$ 20,340.00
46	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LF	1560000	\$ 0.15	\$ 229,164.00
47	PAVEMENT MARKER (NON-REFLECTIVE)	EA	530	\$ 2.26	\$ 1,197.80
48	PAVEMENT MARKER (RETROREFLECTIVE)	EA	17400	\$ 3.39	\$ 58,986.00
49	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	1	\$ 42,940.00	\$ 42,940.00
50	INDUCTIVE LOOP DETECTOR (EA)	EA	4	\$ 1,299.50	\$ 5,198.00
51	MODIFY TRAFFIC MONITORING STATION (COUNT)	LS	1	\$ 39,154.50	\$ 39,154.50
52	BLANK	0	0	\$ -	\$ -
53	GRIND EXISTING BRIDGE DECK	SQYD	1040	\$ 20.34	\$ 21,153.60
54	MOBILIZATION	LS	1	\$ 135,600.00	\$ 135,600.00
TOTAL					\$ 2,242,329.06

M.S. CONSTRUCTION MGMT. GROUP
32565B GOLDEN LANTERN #475 – DANA POINT, CA. 92629
(949)276-5589 | (949)276-4874 |

fax

TO: OFFICE ENGINEER

FROM: MIKE SAGHAFI

STATE OF CALIFORNIA-DEPARTMENT OF
TRANSPORTATION- CALTRANS

FAX: (916)227-6282

PAGES: 8

PHONE: (916)654-6410

DATE: 5/28/2014

RE: RELIEF OF BID REQUEST -

CC:

CONTRACT NO: 08-1C4104

Urgent

For Review

Please Comment

Please Reply

Please Recycle

Comments: ENCLOSED, PLEASE FIND A COPY OF OUR RELIEF OF BID REQUEST, AND ASSOCIATED LETTER AND DOCUMENTATIONS.

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

P.1
CALTRANS CONTR AWARDS Fax 916-227-6282

Jun 4 2014 12:52pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
919492764874	Normal	04:12:49pm	3'27"	10	OK	

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
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Sincerely,

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

Attachment