

# COUNTY OF EL DORADO DEPARTMENT OF TRANSPORTATION



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August 19, 2009

Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

**Agenda Title: DOT 8/25/09 Malcolm Dixon Road Overlay Project Award, Legistar # 09-0677**  
**Meeting Date: August 25, 2009**

Dear Members of the Board:

Transportation Department (Department) recommending the following pertaining to the Asphalt Concrete Overlay 2009 - Malcolm Dixon Road Contract PW 09-30417 (Project):

1. The Board award the contract to Granite Construction Company, Inc., (Granite) who submitted the third lowest bid of \$243,105.75.
2. The Board find the lowest bidder, Vintage Paving Company, Inc., and the second lowest bidder, A Teichert & Son Inc. dba Teichert Construction, non-responsive since neither acknowledged Addendum No.1 in their Proposals.

Reason for Recommendation:

On August 10, 2009, the Department opened bids for the Project. The Project is the second of three asphalt concrete overlay projects funded with American Recovery and Reinvestment Act (ARRA) funds. Four bids were received ranging from \$237,503 to \$251,708.11.

Neither the lowest bidder, Vintage Paving Company, Inc. nor the second lowest bidder, A Teichert & Son Inc. dba Teichert Construction, acknowledged Addendum No.1 in their Proposals. In accordance with the Notice to Bidders it is the bidder's responsibility to check the Department's website for addendum; and per the addendum instructions, attach the addendum to the contract document booklet; and per the Proposal, acknowledge any addenda issued on the signature page of the Proposal. Not acknowledging the addendum is an irregularity that can not be waived, because absent this acknowledgment the Department can not ensure the bidder included all items proposed in the contract documents in its bid. Therefore, the Department recommends that the Board find the first and second lowest bidders non-responsive, find that Granite is the lowest, responsive, responsible bidder, and award the contract to Granite. Granite's bid is 85% of the Engineer's Estimate.

The Underutilized Disadvantaged Business Enterprise (UDBE) goal for the Project is 0.51%. Granite submitted a UDBE Commitment form which shows that Granite will subcontract 5% (rounded) of the work to a UDBE subcontractor, Chavez Trucking. The Department has reviewed Granite's UDBE Commitment form submittal and Good Faith Effort submittal and finds that Chavez Trucking is a certified UDBE under the California Unified Certification Program and that Granite has exceeded the contract goal of 0.51%.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Ware', with a long horizontal flourish extending to the right.

James W. Ware, P.E.  
Director of Transportation