

From: [Kurt Akabori](#)
To: [Silao, Andy](#); [Gest, Aaron](#); [Gest, Aaron](#)
Cc: joe.richardson@gcinc.com; [Corey Kirschner](#); [Bids Onyx](#)
Subject: RE: Bid Protest and Objection - Baker Boulevard and Park Avenue - Bid Opening June 27, 2024
Date: Tuesday, July 2, 2024 11:10:15 AM
Attachments: [image001.png](#)
[SPECIFICATIONS - BID BOND.pdf](#)

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Hello Andy,

Onyx Paving does not believe Granite's protest is with merit and should continue to be deemed as non-responsive.

The Project Specifications, Section 2-1.34 "Proposal Guaranty" clearly states (In Bold and Underlined) the requirements of the original bid security requirements. Please see attached.

Onyx Paving's proposal is responsive per the Specification requirements as well as including original Wet Signatures, Notaries & Seals.

Best Regards,

Kurtis Akabori

Chief Estimator/ Sr. Project Manager

2890 E. La Creseta Ave.

Anaheim, CA 92806

C: 909-479-4903

O: 714-632-6699



From: Richardson, Joe <Joe.Richardson@gcinc.com>

Sent: Tuesday, July 2, 2024 8:34:53 AM

To: Silao, Andy <asilao@dpw.sbcounty.gov>; aaron.gest@cc.sbcounty.gov
<aaron.gest@cc.sbcounty.gov>

Cc: Corey Kirschner <corey@onyxpaving.com>; Murray, Jordy <Jordy.Murray@gcinc.com>; Stinson, Ashley <Ashley.Stinson@gcinc.com>; Moore, Bill <Bill.Moore@gcinc.com>

Subject: Bid Protest and Objection - Baker Boulevard and Park Avenue - Bid Opening June 27, 2024

Hi Andy and Aaron,

In accordance with Section 3-1.04 Contract Award, Granite submits the attached correspondence which outlines our Bid Protest and objection to the finding of non-responsiveness on the Baker Boulevard and Park Avenue project with a bid opening date of June 27, 2024. Please confirm receipt by replying to this email.

Sincerely,

Joe Richardson

Chief Estimator - Desert Cities/Inland Empire

Direct: 760-578-3138

38000 Monroe Street, Indio, CA, 92203

graniteconstruction.com



NOTICE TO BIDDERS AND SPECIAL PROVISIONS FOR CONSTRUCTION ON

BAKER BOULEVARD AND PARK AVENUE

Baker Blvd from 0.86 miles West of SH127 to 2.60 miles East; Park Ave from Baker Blvd to 0.25 miles North

LENGTH: 2.85 mi
WORK ORDER: TX1814
AREA: Baker
ROAD NO.: 150500-010; 640175-010

For use in connection with the following publications of the State of California, Department of Transportation:

1. California Department of Transportation (Caltrans) 2015 Standard Specifications, including the Caltrans 2015 Revised Standard Specifications (Revisions through July 21, 2017), unless specified otherwise in these Special Provisions.
2. Caltrans Standard Plans dated 2015, including the 2015 Revised Standard Plans (Revisions through May 18, 2018), unless specified otherwise in these Special Provisions.
3. Labor Surcharge and Equipment Rental Rates effective on the date work is accomplished.
4. Signals and Lighting shall be per the 2018 Caltrans Standard Plans and Section 86 (Electrical System) and Section 87 (Electrical Work) of the Caltrans 2018 Standard Specification including 2018 Caltrans Revised Standard Specifications latest revisions.

***SAN BERNARDINO COUNTY
DEPARTMENT OF PUBLIC WORKS
-- TRANSPORTATION --***



Delete section 2-1.33A, "General."

Delete section 2-1.33B, "Bid Form Submittal Schedules."

Replace section 2-1.34, "BIDDER'S SECURITY," with:

2-1.34 PROPOSAL GUARANTY

- All bids/proposals shall be presented either under sealed cover or submitted through the San Bernardino County Electronic Procurement Network (ePro) and accompanied by one of the following forms of bidder's security:

Cash, a cashier's check, a certified check, or a bidder's bond executed by an admitted surety insurer, made payable to San Bernardino County.

- The security shall be in an amount equal to at least 10 percent of the amount of bid. A bid / proposal will not be considered unless it is accompanied by one of the forms of bidder's security, in accordance with what is stated below.
- The bidder's bond shall conform to the bond form labeled as "Bid Bond" in the "Proposal" section of these Special Provisions, and shall be properly filled out and executed. The "Bid Bond" form provided in the "Proposal" section of these Special Provisions may be used. Upon request, copies of the "Bid Bond" forms may be obtained from the Department.

If the bid is submitted through the ePro, bidder shall scan the bid security (bid bond) and submit the scanned copy with the bid submittal in ePro. **In addition, bidder shall mail or submit in person the original bid security, in a separate sealed envelope labeled "Bid Bond" with the title of the work and the name of the bidder clearly marked on the outside, to: Department of Public Works, 825 E. 3rd Street, Front Reception, San Bernardino, California, 92415-0835. Any mailed or submitted bid security must be received on or before the time set for the opening of the bids.**

Any bid/proposal that fails to include an original paper submission of the bidder's security in a separately sealed mailed or otherwise submitted envelope shall be considered nonresponsive. Bidder's attention is directed to Section 2-1.33, "ePro," of these Special Provisions for further details.

Delete the 1st paragraph of section 2-1.40, "BID WITHDRAWAL."

Replace section 2-1.43, "BID OPENING," with:

2-1.43 PUBLIC OPENING OF THE BID

Bids (both paper and ePro) will be opened and read aloud publicly at the place and time set for the opening of bids in the Notice to Bidders or as revised in an Addendum. All bids submitted to the Public Works Department in sealed envelopes will be opened and read. All bids submitted in the ePro system will be opened from the system's "encrypted lock box" and read. The bid summary sheet referencing both paper bids and ePro bids will be available through ePro and/or the Public Works Department for all bidders to view.

Failure of the bidder to fulfill the requirements of the Special Provisions for submittals required to be furnished after bid opening, including but not limited to escrowed bid documents, where applicable, may subject the bidder to a determination of the bidder's responsibility in the event it is the apparent low bidder on future public works contracts.