



Contra Costa County  
**Public Works**  
Department

Julia R. Bueren, Director

Deputy Directors  
R. Mitch Avalon  
Brian M. Balbas  
Stephen Kowalewski  
Stephen Silveira

November 6, 2012

*Via Fax (415-665-9470) and U.S. Mail*

Mr. David Rebling  
Business Development Officer  
Agbayani Construction Corporation  
88 Dixon Court  
Daly City, CA 94014

**Re: Chiller Replacement Project at the Martinez Detention Facility, 1000 Ward Street, Martinez (WH198B)**

Dear Mr. Rebling:

On November 1, 2012, the County's Project Manager, Ramesh Kanzaria, notified your firm by phone of deficiencies in your firm's good faith effort documentation for the above project. Pursuant to Section 1.E of Division E, this letter is being sent to follow up on the phone call and to afford your firm an opportunity to present further evidence.

As mentioned by Mr. Kanzaria, your firm's bid does not comply with the project specifications because your good faith effort documentation does not meet the requirements of the County's Outreach Program. Specifically, your good faith effort documentation:

1. does not identify and list specific work items to be performed by subcontractors for this project, as required per Indicator 3 in Division E;
2. does not include a copy and proof of publication of an advertisement with the specified content published in a newspaper, publication, journal, or other media specified by the County, as required per Indicator 4 in Division E;
3. does not include a copy and proof of mailing or faxing of written notices to subcontractors, as required per Indicator 5 in Division E;
4. does not provide information about project plans, specifications, and requirements in a proper advertisement or written notice to subcontractors, as required per Indicator 7 in Division E;
5. does not include any information regarding your firm contacting recruitment/placement organizations, as required per Indicator 8 in Division E;
6. does not include copies of all bids or quotes received, a summary sheet listing bids received, and information regarding your firm negotiating in good faith, as required per Indicator 9 in Division E; and
7. does not provide information about bonds, lines of credit, and insurance in a proper advertisement or written notice to subcontractors, as required per Indicator 10 in Division E.

As a result of these deficiencies, our department has determined that your firm's bid is non-responsive and, therefore, is subject to rejection by the County. In your firm's October 30, 2012 letter, you admitted that your firm's documentation of good faith effort did not meet the requirements of Division E, pages 6-8.

At the Board of Supervisors' meeting on Tuesday, December 4, 2012, our department will recommend that the Board reject your firm's bid due to non-responsiveness, exonerate your bid bond, and award the

contract to Vila Construction Company, the lowest responsive and responsible bidder for the project. If you disagree with our department's evaluation of your firm's bid, you may submit to me by close of business on Tuesday, November 13, 2012, a written response describing in detail all facts and arguments on which you rely. You may also appear at the Board meeting on December 4, 2012, which begins at 9:30 am in the Board Chambers, County Administration Building, 651 Pine Street, First Floor, Martinez, CA. Any comments to the Board will be limited to the facts and arguments set forth in your written response.

If you should have any questions, please feel free to contact the Project Manager, Ramesh Kanzaria, at the phone number below.

Sincerely,



Rob Lim, P.E.

Capital Projects Division Manager

cc: Public Works Department

R. Kanzaria

File: 250-1205/B.4

G:\Capital Projects\CPMShare\JobDocs\2012\2501205\12L00526r.doc