



# Contra Costa County Public Works Department

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March 1, 2016

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Carone and Company, Inc.  
5009 Forni Drive, Suite A  
Concord, CA 94520

RE: On-Call Contract(s) For Various Road and Flood Control Maintenance Work  
Project No.: 0672-6U2009

Our department has reviewed the bid submitted by your firm for the above project. Based upon our review, we have determined that your firm's bid is non-responsive for failure to submit good faith effort documentation of your firm's compliance with the requirements of Contra Costa County's Outreach Program, as specified in Section 2-1.12 of the project specifications, and failure to meet the Mandatory Subcontracting Minimum (MSM) requirements listed in the Notice to Bidders. Specifically, we have identified the following deficiencies:

1. Your firm did not submit any good faith effort documentation, as required by Section 2-1.12A(5) of the project specifications. As stated in Section 2-1.12A(6), a positive and adequate demonstration that a good faith effort to include MBE/WBE/OBE/SBE/LBE subcontractors' participation was made is a condition for eligibility for award of the contract. Because of your firm's failure to submit the required good faith effort documentation, there is no evidence that your firm complied with the Outreach Program steps and requirements and your firm's bid was non-responsive to the project specifications.
2. Your firm did not provide the necessary documentation to verify that you met the 10% MSM participation level for this project. In the list of subcontractors/suppliers/manufacturers/truckers submitted with your firm's bid proposal, seven companies were listed – De La Torre Trucking (trucking), County Asphalt (supplier), Syer Industries (supplier), Sugar City (supplier), Carone & Co. dba Diablo Valley Rock (supplier), Roberts & Brune Company (supplier) and Old Castle Precast (supplier). Since no dollar amounts of subcontracts were provided for any of the suppliers, the submitted form did not show compliance with the MSM requirements. As stated in Section 2-1.12B, failure to list the subcontractors and subcontracting amounts with the bid on the form provided in the proposal, sufficient to meet or exceed the required MSM, may cause the bid to be rejected as non-responsive.

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The County will be awarding two contracts for this project. Based upon the identified deficiencies in your firm's bid, we plan to recommend that your firm's bid be deemed non-responsive for failure to comply with the Outreach Program and MSM requirements and that the contract be awarded to the first and the fourth lowest bidders, Gradetech, Inc. and Hess Concrete Construction Co. Inc., which have fully complied with those requirements.

Should your firm disagree with our determination, you may appeal it in writing to David J. Twa, County Administrator, c/o County Administrator's Office, 651 Pine Street, 10<sup>th</sup> Floor, Martinez, CA 94553. Your firm's appeal must be received at that address no later than 5:00 p.m. on March 8, 2016, and must describe in detail all facts and arguments on which you rely.

It is anticipated that the contract will be awarded by the Board of Supervisors at its meeting on Tuesday, March 15, 2016, which begins at 9:30 a.m. If you wish, you may appear at the Board meeting to comment on this matter. Any comments to the Board will be limited to the facts and arguments set forth in your firm's appeal

Sincerely,



Kevin Emigh  
Division Manager  
Design/Construction Division

KE:AH:sr

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Flood Control Maintenance Work - WO2009\GFE DOCS\Carone 03.01.16.docx

c: D. Twa, County Administrator  
D. Schmidt, County Counsel  
A. Wilson, Affirmative Action Office  
J. Bueren, Public Works Director  
C. Lau, Public Works  
A. Huerta, Public Works  
J. Dowling, Public Works