



Contra Costa County  
**Public Works**  
Department

Julia R. Bueren, Director

Deputy Directors  
Brian M. Balbas, Chief  
Mike Carlson  
Stephen Kowalewski  
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May 4, 2017

**UPS OVERNIGHT** - 1Z9703140192301058

**Fax:** (925) 443-6800

Sposeto Engineering, Inc.  
4558 Contractors Place  
Livermore, CA 94551

**Re: Main Street, Byron Sidewalk Improvement Project**  
**Project No.: 0662-6U4123**

Our office has reviewed the bid and good faith effort documentation submitted by your firm on the above project. Based upon our review, we have determined that your firm's good faith effort documentation does not comply with the requirements of Contra Costa County's Outreach Program, as specified in Section 2-1.12 of the project specifications. We have identified the following deficiencies:

1. Your firm did not attend the pre-bid meeting on March 30, 2017 or submit a copy of a previous attendance sheet from a pre-bid meeting within the last year (Indicator #2, 0 out of 10 points).
2. Although your firm identified work items to be performed by subcontractors, the items were not identified in a timely advertisement or via timely faxed/mailed notices (Indicator #3, 0 out of 13 points).
3. The paid advertisement was inadequate as it was placed less than 10 calendar days prior to the April 18, 2017 bid opening (Indicator #4, 0 out of 9 points).
4. The notices indicating your interest in receiving sub-bids were inadequate because the notices were sent on April 13, 2017, less than 10 calendar days prior to the April 18, 2017 bid opening (Indicator #5, 0 out of 10 points).
5. Although your firm followed-up with subcontractors, the follow-up is invalid because the initial written notices were untimely (Indicator #6, 0 out of 10 points).
6. Although your firm provided information to subcontractors about plans, specifications, and project requirements, the advertisement and/or notices that provided the information were untimely (Indicator #7, 0 out of 5 points).

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7. Although your firm did contact recruitment/placement agencies to request assistance in recruiting MBEs, WBEs, OBEs, SBEs, LBEs, and DVBEs, the outreach was inadequate because the notices were sent on April 13, 2017, less than 15 calendar days prior to the April 18, 2017 bid opening (Indicator #8, 0 out of 10 points).
8. Although your firm provided information to subcontractors about assistance with bonds, lines of credit, and insurance, the advertisement and/or notices that provided the information were untimely (Indicator #10, 0 out of 7 points).

Based upon these identified deficiencies, we have determined that your firm has not documented an adequate good faith effort to comply with the Outreach Program requirements, having achieved only 26 out of 100 points (75 minimum required). Therefore, we plan to recommend that your firm's bid be deemed non-responsive for failure to comply with the Outreach Program requirements and that the contract be awarded instead to the third (3<sup>rd</sup>) lowest bidder, Kerex Engineering, Inc., which has 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 May 11, 2017, 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 May 23, 2017, which begins at 9:00 a.m. If you wish, your firm 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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