



COUNTY OF MENDOCINO
Executive Office
Central Services Division

CARMEL J. ANGELO
CHIEF EXECUTIVE OFFICER
PURCHASING AGENT

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March 2, 2018

James T. Gardner
Southwest Construction and Property Management
1213 San Mateo Ave.
San Bruno, CA 94066

RE: RFB # 81-17 – Mendocino County Administration Center (South Wing) Roof and HVAC Replacement Project – BID Protest

Dear Mr. Gardner:

On December 13, 2017, you submitted a letter of protest regarding the bid of Matrix HG, Inc. (“Matrix”), on the Mendocino County Administration Center (South Wing) Roof and HVAC Replacement Project. The letter protest alleged (in summary) that:

1. On their Subcontractor Listing Form, Matrix listed the firm ALB, Inc. for the portion of work labeled “General Contracting.” You assert that the firm licensed as only an A and B contractor with no specific trade listed cannot be utilized on the project.
2. On their Subcontractor Listing Form, Matrix listed Vince Segal Electric for “Electrical” who did not have a valid DIR registration under that name.
3. On their Subcontractor Listing Form, Matrix listed Central Valley Environmental for “Roof & Ductwork Demo,” who did not possess a C39 license as required to perform roof demolition.

In your subsequent response to the response by Matrix, to your first letter, you further alleged:

4. Matrix did not list a contractor for hazardous abatement work.

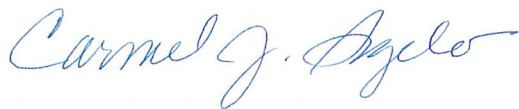
The County has reviewed the Bid Protest letters and the response provided by Matrix and has found that even if the concerns you raise do involve a California State License Board (CSLB) licensing issue or the Department of Industrial Relations (DIR) registration problem for the contractor and/or his subcontractors in the performance of this contract, these are matters for the CSLB and/or DIR and do not present the County with grounds for rejecting the bid. Matrix and their subcontractors all appear to have valid California licenses that pertain to the portion of work listed, and active DIR registration numbers. In addition Matrix has a listed subcontractor with valid ASB and C22 licensure as required for abatement work.

In making a determination of award, the County must consider whether any alleged errors or informalities in the bid provided the contractor with an unfair advantage on the bid. The County finds that the informalities noted in your protest letter are not material, thus they may be waived and the contract can be awarded to Matrix.

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The Mendocino County Board of Supervisors will be considering the award of RFB # 81-17, the Mendocino County Administration Center (South Wing) Roof and HVAC Replacement Project at their next regularly scheduled meeting on March 13, 2018, at a time to be determined. You may appeal the County's finding for Award to Matrix HG, Inc. at this meeting. If you intend to appeal, please let me know of your intent to do so by Wednesday March 7, 2018, so an appropriate time can be allocated for this matter on the Agenda.

Sincerely,

A handwritten signature in blue ink that reads "Carmel J. Angelo". The signature is written in a cursive style with a large initial 'C'.

Carmel J. Angelo
Chief Executive Officer/Purchasing Agent
County of Mendocino

cc: County Counsel
Executive Office-Facilities and Fleet Division