

April 17, 2020

Doug Anderson  
County of Mendocino  
Executive Office – Facilities and Fleet Division  
851 Low Gap Road  
Ukiah, CA 95482

Regarding: **Bid Protest**

Subject: Bid 08-20 Administration Center  
Roof and HVAC Replacement Project Phase 2  
Bid Date: April 16, 2020 at 2:00 PM

Dear Mr. Anderson,

We respectfully submit this letter of Bid Protest related to the above subject Bid and request that you find the apparent low bidder submitted by Cupples & Sons Construction Inc. incomplete and non-responsive. Matrix HG, Inc. is requesting that County of Mendocino reject their bid for the following reasons:


Cupples & Sons Construction Inc. failed to abide by Public Contract Code Section 4104.A and **Public Contract Code Section 4105**, Instructions to Bid, Project Manual and Addendum #2 by not listing the specified Controls subcontractor ESI for the Delta Controls.

*In accordance with Public Contract Code Section 4104 any person making a bid or offer to perform work on a public project shall in his/her bid or offer set forth the name and location of the place of business of each subcontractor who will perform work or labor or render service in or about the construction of the work or a subcontractor licensed by the State of California, who under contract to the prime contractor specially fabricates and installs a portion of the work or improvement in an amount in excess of one-half (1/2) of one (1%) percent of the total bid and the portion of the work which will be done by each subcontractor. A bidder shall list only one subcontractor for each portion of work as defined by the bidder in his/her bid.*

**Section 4105 Circumvention by a general contractor who bids as a prime contractor of the requirement under Section 4104 for him or her to list his or her subcontractors, by the device of listing another contractor who will in turn sublet portions constituting the majority of the work covered by the prime contract, shall be considered a violation of this chapter and shall subject that prime contractor to the penalties set forth in Sections 4110 and 4111.**

Thank you for your immediate attention to this matter. If you have any questions, please feel free to contact me.

Sincerely,



Art Hoover  
President

cc: Cupples & Sons Construction Inc., 501 St. Mary's Ave., Hopland, CA 95449