Contra Costa County
Public Works
Department

Warren Lai, Director
Deputy Directors
Stephen Kowalewski, Chief
Allison Knapp
Sarah Price
Carrie Ricci
Joe Yee

April 23, 2025

Via Email and UPS Overnight: 1Z9703141396669507

MCK Services, Inc.
865 Howe Rd
Martinez, CA 94553
jmoffat@mckpaving.com

RE: 2025 Walnut Creek Overlays Project
Project No.: 0672-6U2122

Dear Mr. Moffat:

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 identified ten (10) distinct work items available for subcontracting, as listed in your written notice and paid advertisement: Lead Compliance Plan, Portable Changeable Message Signs, Clearing and Grubbing, HM (Type), Cold Plane Asphalt Concrete (0.25"), Detectable Warning Surface, Minor Concrete (Valley Gutter and Curb Ramp), Set Survey Monuments, Thermoplastic Striping, and Trucking. Despite this, the written notices were sent to only nine (9) firms and the firms you contacted were only capable of performing six (6) of the ten (10) identified work items (specifically: Lead Compliance Plan, Set Survey Monuments, Portable Changeable Message Signs, Minor Concrete, Thermoplastic Striping, and Trucking). As a result, your outreach did not adequately cover all scopes of work you identified as available for subcontracting (Indicator #3, 0 out of 13 points).

2. Your firm did not include the County Project Number or the availability of project specifications in the paid advertisement (Indicator #4, 0 out of 9 points).

3. Your firm did not include information on the availability of specifications in the written notices. (Indicator #5, 0 out of 10 points).

4. Your firm did not include the name of the person who performed the follow-up in the phone log. (Indicator#6, 0 out of 10 Points).

5. Your firm did not include information on the availability of specifications and requirements in the advertisement, or written notices (Indicator #7, 0 out 5 points).

6. Although your firm contacted recruitment/placement organizations to request assistance in recruiting MBEs, WBEs, OBEs, SBEs, LBEs, and DVBEs it was done less than 15 calendar days before the bid due date. (Indicator #8, 0 out of 10 points).

Based upon these 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 43 points out of 100 points (75 minimum required). Therefore, we plan to recommend that your firm's bid be rejected as non-responsive for failure to comply with the Outreach Program requirements and that the contract be awarded instead to the second lowest bidder, Bay Cities Paving & Grading, Inc., which has fully complied with those requirements, including the 25% MSM, and scored a 90 out of 100 points.

Should your firm disagree with our determination, you may appeal it in writing to the County Public Works Director. Your firm's appeal must be received no later than 5:00 p.m. on May 1, 2025, and must describe in detail all facts and arguments on which your firm relies.

It is anticipated that the contract will be awarded to the lowest responsive bidder, Bay Cities Paving & Grading, Inc., who has complied with the requirements of the contract by the Board of Supervisors at its meeting on May 13, 2025, which begins at 9:00 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,

Adelina Huerta
Division Manager
Design/Construction Division

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c: M. Nino, County Administrator
T. Ewell, County Administrator Office
D. Schmidt, County Counsel
L. Strobel, County Administrator Office
A. Wilson, Human Resources
W. Lai, Public Works Director
J. Yee, Deputy Director
A. Huerta, Division Manager, Design/Construction
K. Rodriguez, Design/Construction Division
K. Dahl, Design/Construction Division