



# Contra Costa County Public Works Department

Warren Lai, Director

Deputy Directors  
Stephen Kowalewski, Chief  
Allison Knapp  
Carrie Ricci  
Joe Yee

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May 31, 2024

**UPS Overnight: 1Z9703140195442909 and Fax [510-430-1860]**

Zara Construction  
2343 Donner Pass Ave  
Sacramento, CA 95835  
atiffza@gmail.com

**Re: Bixler Road & Regatta Drive Intersection Improvements  
Project No.: 0662-6R4030**

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 did not comply with the requirements of the County's Outreach Program and the project specifications, as described below.

Your firm's Good Faith Effort documentation did not comply with the requirements of the County's Outreach Program, as specified in Section 2-1.12 of the project specifications. Your firm achieved only 10 points out of 100 points (75 minimum required). We have identified the following deficiencies:

1. Although your firm apparently identified work for subcontractors, the notification to subcontractors (written notices or advertisements) was dated less than 10 days before the bid opening date or were otherwise deficient. The four written notices dated 5/15/2024, 5/17/2024 and 5/20/2024 were sent less than 10 days before bid opening and included no information about the potential subcontractor work or desired sub-bids. (Indicator #3, 0 out of 13 points)
2. Your firm did not provide documentation of an advertisement for sub-bids published at least 10 days before bid opening in a qualified newspaper, publication, or journal. (Indicator #4, 0 out of 9 points)
3. Your firm did not provide documentation that you sent letters or faxes to subcontractors indicating your interest in receiving sub-bids 10 days prior to bid opening. The notices provided were sent less than 10 days prior to bid opening. (Indicator #5, 0 out of 10 points)
4. Since your firm did not provide documentation of valid initial solicitation, the documentation of follow up was also invalid. (Indicator #6, 0 out of 10 points)

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5. Your firm did not provide documentation via an advertisement or written notices showing that your firm provided information to subcontractors about the plans, specifications, and project requirements. (Indicator #7, 0 out of 5 points)
6. Your firm did not provide documentation of requests for assistance in recruiting subcontractors sent to outreach agencies at least 15 days prior to bid opening. (Indicator #8, 0 out of 10 points)
7. Your firm did not perform the necessary outreach to obtain sub-bid participation and therefore did not provide documentation of negotiation in good faith. (Indicator #9, 0 out of 26 points)
8. Your firm did not provide documentation via an advertisement or written notices for information about the bidder's efforts to assist with bonds, lines of credit, and insurance. (Indicator #10, 0 out of 7 points).

Based on your firm's failure to document an adequate Good Faith Effort, we plan to recommend that your firm's bid be rejected as non-responsive and that the contract be awarded to the second lowest bidder, FBD Vanguard Construction, Inc., which has fully complied with those requirements, including the 24% Mandatory Subcontracting Minimum (MSM).

Should your firm disagree with our determination, you may appeal it in writing to Monica Nino, County Administrator, c/o County Administrator's Office, 1025 Escobar Street, Martinez, CA 94553, Martinez, CA 94553. Your firm's appeal must be received at that address no later than 5:00 p.m. on June 7, 2024, and must describe in detail all facts and arguments on which your firm relies.

It is anticipated that the contract will be awarded by the Board of Supervisors at its meeting on June 25, 2024, 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

AH:RS:kr

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Cc: M. Nino, County Administrator  
T. Ewell, County Administrator's Office  
D. Schmidt, County Counsel  
L. Strobel, County Administrator's Office  
A. Wilson, Human Resources  
W. Lai, Public Works Director  
J. Yee, Public Works  
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