



Contra Costa County Public Works Department

Warren Lai, Director

Deputy Directors
Stephen Kowalewski, Chief
Allison Knapp
Carrie Ricci
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March 26, 2024

UPS Overnight: 1Z9703140194846958

Fax: 925-621-5799

A. Teichert & Son, Inc. dba Teichert Construction
5200 Franklin Dr., Ste. 115
Pleasanton, CA 94588

Re: Walnut Creek Desilt Project
Project No.: 7520-6B8334

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

As indicated in the List of Subcontractors/Suppliers/Manufacturers/Truckers submitted with your bid, your firm failed to meet the 19% Mandatory Subcontracting Minimum (MSM) for this project, having achieved subcontractor participation of only 6.5% (\$268,271.00). In addition, your firm's Good Faith Effort documentation did not comply with the requirements of Contra Costa County's Outreach Program, as specified in Section 2-1.12 of the project specifications. Your firm achieved 70 points out of 100 points (75 minimum required). We have identified the following deficiencies:

1. Your firm did not provide documentation of written (either faxed or mailed) notices indicating your interest in receiving sub-bids. While your firm did submit a master email notification showing that emails were sent to subcontractors, section 2-1.12A(4) Good Faith Effort Documentation, Indicator #5 specifies that only copies of faxes or letters are acceptable documentation (Indicator #5, 0 out of 10 points).
2. No copies of the required documentation on follow-up to initial solicitation to potential subcontractors were provided. (Indicator #6, 0 out of 10 points).
3. No copies of letters sent to outreach agencies to request assistance in recruiting MBES, WBEs, OBEs, SBEs, LBEs and DVBES were submitted (Indicator #8, 0 out of 10 points).

Based on your firm's failure to comply with the MSM requirement and to demonstrate 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, Gordon

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255 Glacier Drive Martinez, CA 94553-4825
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N. Ball Inc., which has fully complied with these requirements.

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 April 2, 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 April 9, 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
S. Kowalewski, Public Works
R. Sanders, Public Works
K. Dahl, Public Works