



## INTEROFFICE MEMO Purchasing Department

**Date:** June 20, 2008  
**To:** Dr. Sadiq B. Ikhara, Vice Chancellor of General Services  
**Cc:** Mark Sennette, Director of Capital Projects  
 Eva Chiu, Buyer  
**From:** John Banisadr, Purchasing Compliance Manager  
**Subject:** Recommendation for Bid 07-08/43 COA Building C and D Toilet Room Renovations

After review of the above mentioned bid, and the protest from Hung Construction, I recommend we uphold Hung's protest and award the bid to Hung Construction. The basis for my recommendation is as follows:

On June 16, 2008, the District received four bids for this project, as follows:

<u>Bidder</u>	<u>Bid Amount</u>
KLW Construction	\$129,000
S and H Construction	\$186,200
Hung Construction	\$197,800
MCH Inc	\$198,500

Both the apparent low bidder and the second low bidder indicated in their bids that they were going to self-perform the entire project under their general contractor's (Class "B") license. Both bidders indicated they had no sub-contractors for this project. In discussion with the Project Manager (Olivia Rocha of Olive CM), and the Architect of record for this project (Lisa Gelfand of Gelfand Partners), it is clear that there is significant plumbing and electrical work associated with this project, that will require a C-36 and C-10 license, respectively. Since the plumbing and electrical work exceeds 1/2 of 1 percent of the total contract price, under Public Contract Code 4101, the contactors should have either listed a licensed sub-contractor for this work, or possessed the proper license to self-perform the work. Neither KLW Construction or S and H Construction have the required C-36 and C-10 license; thus, their bids are consider non-responsive, and as such, disqualified.

Hung Contraction's bid did properly identify licensed C-36 and C-10 sub-contractors; and as such, should be recommended to the Board of Trustees for award of a contract.

Thank you.

Enclosure: Hung Construction Bid Protest Dated June 18, 2008