



The County of El Dorado

Chief Administrative Office

Procurement & Contracts Division

Phone (530)621-5830

May 14, 2026

Shane Brown Electric
100 Kentucky Avenue
Woodland, California 95695
Attn.: Shane Brown

SUBJECT: Bid Protest Response
 BID #2025-0156
 Install New Automated Weather Observing System (AWOS) on Existing
 Tower at the Placerville Airport

Dear Mr. Brown:

The County is in receipt of your correspondence dated May 6, 2026, submitting a formal protest regarding the County of El Dorado's Notice of Intent to Award for the above-referenced solicitation. This letter serves as the County's formal response.

The County of El Dorado, Chief Administrative Office, Procurement & Contracts Division advertised the AWOS project on behalf of the Airports Division and received three bids:

- Pacific Underground Services - \$208,420
- Shane Brown Electric - \$228,385
- Royal Electric - \$266,662

On May 1, 2026, the County issued the Notice of Intent to Award identifying Pacific Underground Services as the apparent lowest responsive and responsible bidder. As stated in the notice, the award recommendation will be presented to the Board of Supervisors for consideration.

In accordance with the protest procedures outlined in the solicitation, the five working-day protest period began on the date the Notice of Intent to Award was issued and concluded on May 8, 2026. The County received one timely protest—submitted by your firm on May 6, 2026.

Your protest raises two primary issues:

1. Incomplete Proposal Forms

- Allegations that the apparent low bidder's submittal contained incomplete sections, missing information, or placeholder entries.
- Allegations that these issues constitute material deviations rendering the bid non-responsive.

2. Failure to Submit a Complete Bid Package

- Allegations that omissions or incomplete entries prevented full evaluation of the bid.
- Assertions that such omissions are material defects that should not be waived.

The County has fully reviewed the issues raised, the solicitation requirements, applicable procurement rules, and all submitted bids. During this review, the County confirmed that the lowest bid contained an irregularity. After careful evaluation, the County determined that:

- The irregularity is non-material.
- Waiving the irregularity does not provide the bidder with a competitive advantage.
- Waiving the irregularity does not prejudice any other bidder.
- Waiver is explicitly permitted by multiple sections of the solicitation and is in the County's best interest.

The solicitation documents expressly reserve the County's discretion to waive irregularities, including the following provisions:

- **Instructions to Bidders – Section 15, Award of Contract:**
“The County reserves the right after opening bids to waive any irregularity in a bid.”
- **Instructions to Bidders – Section 20-09, Irregular Proposals** (last paragraph):
“The County reserves the right to waive technicalities if such waiver is in the best interest of the County and conforms to local laws and ordinances pertaining to the letting of construction contracts.”
- **Proposal, page 3, fifth paragraph:**
The solicitation acknowledges that not all omissions or inconsistencies can be anticipated in advance and affirms the County's discretion to determine how to treat irregularities in order to best protect the public interest.

“Any situation not specifically provided for will be determined in the discretion of the County... The decision of the County respecting... the existence or treatment of any irregularity in a bid, shall be final.”

In accordance with these authorities, the County has exercised its discretion and elected to waive the non-material irregularity identified in the lowest bid. This determination supports fair competition, upholds the County's procurement objectives, and ensures timely and cost-effective project delivery.

The County will therefore proceed with recommending Pacific Underground Services to the Board of Supervisors as the lowest responsive and responsible bidder.

Thank you for your participation in this competitive process and for your commitment to public contracting standards. If you have any additional questions, please feel free to contact the Procurement & Contracts Division.

A handwritten signature in blue ink, appearing to read "Michele Weimer", with a horizontal line underneath.

Michele Weimer, MPA, CPPO
Chief Administrative Office
Purchasing Agent