



**CONSTRUCTION DIVISION**  
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June 21, 2011

## **Fax Transmittal – No hard Copy to Follow**

Mr. Clinton W. Myers  
Myers and Sons Construction, L.P.  
2554 Millcreek Drive  
Sacramento, CA 95833

**Subject: Ice House Road Bridges Maintenance Project  
(Contract PW 09-30469, CIP No. 77121)  
Response to Myers Rejection of Bids Protest**

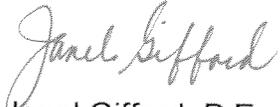
This letter serves to respond to your June 20, 2011 letter received via fax requesting that El Dorado County reconsider the rejection of your bid.

You stated in your letter that "the intent of El Dorado County's amended Section 2-1.01 is to affirm that the bidder has received all of the documents related to the bid." You further stated that it was your understanding "that Section 2-1.01 of the Special Provisions was amended to its current language due to bidders not purchasing plans and specifications from the County directly, but instead purchasing them from builders' exchanges or downloading them from the internet." Section 2-1.01 of El Dorado County Department of Transportation's (Department's) Special Provisions which in part states, "A Proposal shall be deemed 'Non-Responsive' if the Proposal is submitted without the entire Contract Document package attached," has been in place and has been the policy of El Dorado County for a number of years.

You provided proof of your purchase of the plans and specifications from the County, stating that you have met the intent of section 2-1.01. The responsiveness of your bid lies not in whether you purchased plans and specifications from El Dorado County, but in whether you submitted your Proposal attached to the bound Contract Document package that you purchased from the County. Submitting the Proposal attached to the bound Contract Documents is essential because it confirms that the bidder's Proposal is reflective of the work described in the Contract Documents. Consequently, your protest of the rejection of your bid is denied. As required by the County's protest procedures, we will include the details of this protest in our report to the Board of Supervisors. The Board of Supervisors will take comment from the bidder, staff, and members of the public who wish to speak on the item on June 28, 2011, at 9:00 a.m., at 330 Fair Lane, Placerville, CA 95667.

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Ice House Bridges Maintenance Project  
Contract No. PW 09-30469, CIP No. 77121  
Response to Myers and Sons Construction, LP protest letter  
June 21, 2011

Sincerely,

A handwritten signature in cursive script that reads "Janel Gifford".

Janel Gifford, P.E.  
Senior Civil Engineer  
Office Engineer/Contract Service Unit

PC: Victory Engineers, Inc  
American Civil Constructors West Coast, Inc