

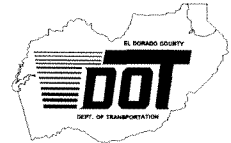


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**KIMBERLY A. KERR**  
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April 27, 2012

**Fax Transmittal (925)228-0477 – No hard Copy to Follow**

Mr. Steve Goldsworthy  
JFC Construction, Inc.  
4901 Pacheco Blvd.  
Martinez, CA 94553-4324

**Subject: Wentworth Springs Road at Gerle Creek – Bridge Replacement Project**  
**Contract No. PW 11-30573, CIP No. 77118**

This letter serves to respond to your April 24, 2012 letter received via email protesting the recommendation of award of the above referenced project to C.W. Fox Construction, Inc., the apparent low bidder, or to RNR Construction, Inc., the second low bidder.


Your protest contends that neither bidder met the requirements of the Subletting and Subcontracting Fair Practices Act because they failed to list on their Subcontractor Listing forms a crane company to set/install the pre-fabricated bridge into place.

The County of El Dorado Department of Transportation (Department) concludes from a review of C.W. Fox Construction, Inc.'s bid proposal and Public Contract Code Section 4104 et seq. that it will either self-perform the setting and installing of the pre-fabricated bridge, or rent equipment with or without an operator to perform this work. If after the award of the contract C.W. Fox Construction, Inc.'s subcontracts this work to a licensed contractor for an amount exceeding the limits provided by Public Contract Code Section 4104, C.W. Fox Construction will be subject to the penalties prescribed in Sections 4110 and 4111 of the Public Contract Code.

The Department also notes that any bidder that submits its bid proposal without the entire Contract Document package attached as required by Section 2-1.01 of the special provisions shall be deemed non-responsive. JFC Construction, Inc. submitted its bid proposal without the entire Contract Document package attached.

Consequently, your protest recommendation that the Department (sic) find the apparent low bid (C.W. Fox Construction, Inc.) and the apparent second low bid (RNR Construction, Inc.) non-responsive and award the contract to JFC Construction, Inc. is denied. As required by the County's protest procedures, the Department 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 May 1, 2012, at 9:00 a.m., at 330 Fair Lane, Placerville, CA 95667.

Sincerely,



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

PC:  
CW Fox Construction Inc. (888) 400-8169  
RNR Construction, Inc. (916) 379-0960  
Bowcon Company, Inc. (760) 736-8278