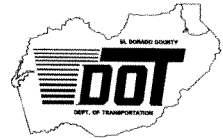




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March 12, 2012

**Fax transmittal 2 pages, No Hard Copy to Follow**

To: All Bidders

**Subject: All Bidders Letter for the Energy Retrofitting Project – West Slope (WS) Interior Lighting and Fixture Replacement (Contract No. PW 11-30625, CIP No. 90058)**

We thank you for your interest and bid on the Energy Retrofitting Project - West Slope (WS) Interior Lighting and Fixture Replacement. As you are aware, the bid opening took place on Friday, March 9, 2012. The Department of Transportation (Department) intends to recommend to the Interim Director of the Department of Transportation, Kimberly Kerr that the contract for the Energy Retrofitting Project - West Slope (WS) Interior Lighting and Fixture Replacement be awarded to Vanden Bos, Electric, Inc. as having been the apparent lowest responsive, responsible bidder.

The Bid Summary is posted on the Department's website. ([www.edcgov.us/Government/DOT/Bids.aspx](http://www.edcgov.us/Government/DOT/Bids.aspx))

A copy of the Bid Protest Procedure, which is a part of the Contract Documents for this project, is attached. Should you wish to protest the bid, the protest must be received for consideration by the Department no later than 5:00 p.m., Monday, March 19, 2012. The bidder protesting the recommendation for award shall submit a letter of protest to the attention of Paul Hom at the Department of Transportation, 2850 Fair Lane Court, Placerville, CA 95667 and state in detail the basis and reasons for the protest. The bidder must provide facts to support the protest, including any evidence they wish considered, together with the law, rule, regulation, or criteria on which the protest is based.

Sincerely,

A handwritten signature in cursive script that reads "Paul Hom".

Paul Hom, P. E.  
Senior Civil Engineer

Attachment

## **2-1.09 BID PROTEST PROCEDURE**

The protest procedure is intended to handle and resolve disputes related to the bid award for this project pursuant to Title 10 CFR, Part 600 Subpart C Section 600.236 (b) (12)(i)-(ii) and County of El Dorado policies and procedures. A protestor must exhaust all administrative remedies with County of El Dorado before pursuing a protest with a Federal Agency. Reviews of protests by the federal agency will be limited to:

- (i.) Violations of federal law or regulations and the standards of 10 CFR, Part 600 Subpart C Section 600.236 (b) (12) (i)-(ii). Violations of State of California or local law will be under the jurisdiction of the State of California or County of El Dorado; and
- (ii.) Violation of County of El Dorado's protest procedures for failure to review a complaint or protest. Protests received by the federal agency other than those specified above will be referred to County of El Dorado.

The protest procedure is an extension of the formal bid process and allows those who wish to protest the recommendation of an award after bid the opportunity to be heard.

**Policy:** Upon completion of the bid evaluation, the Department of Transportation shall notify all bidders of the recommendation of award, the basis therefore, and the date and time on which the recommendation for award will be considered and acted upon by the El Dorado County Director of the Department of Transportation (Director).

**Procedure:** If a bidder wishes to protest the award, the procedure shall be as follows:

1. The Department of Transportation will review the bids received in a timely fashion under the terms and conditions of the Notice to Bidders, and notify the bidders in writing, at the FAX number designated in the bid, of its recommendation including for award or rejection of bids ("All Bidders Letter").
2. Within five (5) working days from the date of the "All Bidders Letter," the bidder protesting the recommendation for award shall submit a letter of protest to County of El Dorado, Department of Transportation, Attention Paul Hom, 2850 Fairlane Court, Placerville, CA 95667, and state in detail the basis and reasons for the protest. The bidder must provide facts to support the protest, including any evidence it wishes to be considered, together with the law, rule, regulation, or criteria on which the protest is based.
3. If the Department of Transportation finds the protest to be valid, it may modify its award recommendations and notify all bidders of that decision. If the Department of Transportation does not agree with the protest, or otherwise fails to resolve the protest, the Department of Transportation will notify the bid protestor and all interested parties of its decision and the date and time for the recommendation for award in a Protest Denial Fax.
4. Within one (1) business day of the date and time of the Protest Denial Fax, the bidder may request a meeting with the El Dorado County Deputy Director of Engineering, Engineering Division, Department of Transportation (Deputy Director) at which the recommendation and bid protest will be considered. At this meeting the Deputy Director will take comment from the bidder and make a recommendation to the Director. In the event that the bidder does not request and attend a meeting, the bid protest may be dismissed by the Director without further consideration of the merits; and

In his discretion, the Director may accept or reject any bids. The decision of the Director shall be final in accepting or rejecting the bid protest, awarding the bid, or rejecting any or all bids.

**2-1.01**