

EXHIBIT B

Bay Construction Co.
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May 30, 2019

via electronic mail

Public Works Department
Engineering Division
1333 Park Avenue, Emeryville, CA 94608
Tel. (510) 596-4330

RE: Project no. 18105, 40th Street/San Pablo Avenue Median Rehabilitation Project, bid date: May 28, 2019, at 10:00 AM

With this letter, Bay Construction Co. is protesting Marina Landscape and Bortolussi & Watkin, Inc.'s bid for Project no. 18105, 40th Street/San Pablo Avenue Median Rehabilitation Project. Marina Landscape will be referred to as Marina for the remainder of this letter and Bortolussi & Watkin, Inc. will be referred to as Bortolussi for the remainder of this letter. Marina and Bortolussi did not list a boring subcontractor for the 300 linear feet of directional boring at 40th Street median (drawing L3.1). Directional boring is necessary for the installation of irrigation and completion of the project because hand digging will not be considered the safe procedure for the nearby multiple utilities. Marina listed Columbia electric and the scope of work included was only for the electrical power work at \$19,600. Bortolussi listed Columbia electric and the scope of work included was only for the electrical power work at \$19,600. Per CA PCC 4014 (a) (1) regulations, all subcontractors more than half of 1% of the bid value must be listed on document A-13 section 6 of the subcontractor's list. The estimated scope of work for the directional boring is valued at more than half of 1% of Marina and Bortolussi's bids. Marina Landscape's bid should be rejected because they did not list a boring subcontractor. Bortolussi & Watkin, Inc. should be rejected because they did not list a boring subcontractor. Bay Construction Co. should be considered the lowest responsible bidder as Bay Construction had listed Columbia Electric for both electrical power and directional boring work. We are a certified small Oakland-based disadvantaged business and we will be able to perform the work safely and economically for the city of Emeryville. Please let us know if you have questions.

Sincerely,



Yong Kay
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CC: City of Emeryville – Michael Roberts, Marina Landscape and Bortolussi & Watkin, Inc.