



CITY OF EMERYVILLE

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Bay Construction Co.
4026 Martin Luther King Jr. Way
Oakland, CA 94609

Attn: Yong Kay

May 31, 2019

Email: yongkay@yahoo.com

Subject: 40th Street/San Pablo Avenue Median Rehabilitation Project (EPW105-18)
Bid Protest

Mr. Kay;

We are in receipt of your letter dated and received May 30, 2019 protesting the May 28, 2019 bid results for the above referenced project. Your protest of the project bid results and subsequent award is hereby found to be without merit for the following reasons.

Bay Construction's contention that that irrigation pipeline installation must be done by directional bore method contradicts the Sheet L3.1 notation that allows "directional bore under road or other approved method". Because the project documents allow the Contractor to propose the method of pipeline installation it is erroneous to conclude that Marina Landscape cannot perform the installation. Furthermore Marina Landscape's Class A-General Engineering Contractor License does not preclude it from performing directional bore work as your letter asserts.

Please feel free to contact me at 510-596-4333 if you have any questions or require any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Roberts", with a stylized flourish extending from the end.

Michael Roberts
Senior Civil Engineer
Public Works Department
City of Emeryville