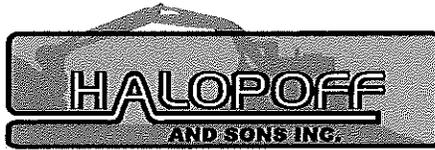


MAJOR MATERIAL SUPPLIERS INFORMATION

The bidder shall indicate opposite each item of material listed below the name of the manufacturer or supplier of the material proposed to be furnished under the bid. Failure to comply with this requirement may render the proposal informal and may cause its rejection.

Equipment/Material	Manufacturer or Supplier
1. 16" Force Main Pipe	Groeniger and Company
2. 12" Force Main Pipe	Groeniger and Company
3. Force Main Fittings	Groeniger and Company
4. 6" Sewer Pipe	Groeniger and Company
5. 24" Sewer Main	Groeniger and Company
6. 12" Water Main Pipe	Groeniger and Company
7. Water line fittings	Groeniger and Company
8. 5 HP Pump	Shape Inc.
9. 7.5 HP Pump	Shape Inc.
10. Asphalt Concrete Mixes	Goodall Trucking
11. Aggregate Base Mixes	Goodall Trucking
12. Portland Cement Concrete Mixes	Hanford Ready Mix
13. 24" Bore and Jack	Subcontractor
14. 30" Bore and Jack	Subcontractor
15. Electrical Systems	Subcontractor

Awarding a contract under this bid will not imply approval by the City of manufacturers or suppliers listed by the bidder. No substitution will be permitted after award of contract unless equipment or material of the listed manufacturer or supplier cannot meet the specifications.



140 E Morton Ave. Porterville CA, 93257

November 28, 2011

David Wlaschin
Public Works Director
City of Lemoore
119 Fox Street
Lemoore, CA
93245

Reference: 19th Avenue Sewer and Water Project

Subject: Formal Bid Protest

Mr. Wlaschin

Please accept this letter as Halopoff and Sons, Inc. formal bid protest of any subsequent Award of Contract to West Valley Construction (WVC) related to the above -referenced bid. The forgoing will demonstrate that the bid submitted by WVC must be rejected and considered non-responsive and the Contract must be awarded to the responsive bidder, Halopoff and Sons, Inc.

West Valley Construction failed to complete the bid form in accordance with Public Code, specifically on page BC – 15 in which it is required of the bidder to fill in the information to the following statement *"The bidder shall indicate opposite each item of material listed below the name of the manufacturer or supplier of the material proposed to be furnished under the bid. Failure to comply with this requirement may render the proposal informal and may cause its rejection."* West Valley Construction failed to fill in this required information and there bid must be deemed non-responsive and rejected for the following reasons:

- 1) By listing Goodall Trucking (transporter of materials) as a supplier/ manufacturer for Asphalt Concrete and Aggregate Base mixes and not the actual supplier/ manufacturer i.e.: Calaveras Materials, Granite Co., Vulcan, etc. gives an unfair advantage to West Valley Construction for negotiating terms and/ or pricing advantages post bid, which is contrary to those pre-bid limitations defined by Public Contract Code, Section 4100, The Subletting and Subcontracting Fair Practices Act (of California Public Contract Code (PCC) Sections 4100-4114) was created to combat the practice of "bid shopping".
- 2) By listing Hanford Ready Mix (a generic non-existing company in/near Hanford, CA) as supplier/ Manufacturer for Portland Cement Concrete Mixes and not the actual supplier/ manufacturer i.e.: South Valley Materials, Viking Ready Mix, etc. again gives an unfair advantage to West Valley Construction for negotiating terms and/ or pricing advantages post bid, which is contrary to those pre-bid limitations defined by Public Contract Code, Section 4100
- 3) By listing Hanford Ready Mix, West Valley Construction knowingly may not meet the specification/bidding requirements on the bottom of page BC – 15 which states *"Awarding a contract under this bid will not imply approval by the City of manufacturers or suppliers listed by the bidder. No substitution will be permitted after award of contract unless equipment or*

materials of listed manufacturer or supplier cannot meet the specifications.” again gives an unfair advantage to West Valley Construction for negotiating terms and/ or pricing advantages post bid, which is contrary to those pre-bid limitations defined by Public Contract Code, Section 4100, The Subletting and Subcontracting Fair Practices Act (of California Public Contract Code (PCC) Sections 4100-4114) was created to combat the practice of “bid shopping”.

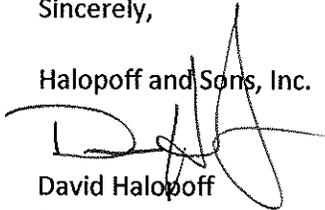
Additional irregularities of West Valley Construction’s bid by listing “Subcontractor” as the Manufacturer or Supplier on page BC – 15 in lieu of the firm’s actual name per instructions on the top of the page *“The bidder shall indicate opposite each item of material listed below the name of the manufacturer or supplier of the material proposed to be furnished under the bid. Failure to comply with this requirement may render the proposal informal and may cause its rejection.”*

Based on the information provided in this letter, Halopoff and Sons, Inc. requests that the City of Lemoore carefully consider the information provided above and reject the bid submitted by West Valley Construction as non-responsive and award the contract to the lowest responsive bidding contractor, Halopoff and Sons, Inc.

Thank you for your immediate attention to this matter.

Sincerely,

Halopoff and Sons, Inc.



David Halopoff
Secretary
140 E Morton Ave.
Porterville, CA
93257
Office (559) 781-7676
Fax (559) 781-7676

Cc: HSI: JH, JF
Quad/ Knopf, David Jacobs
West Valley Construction
Emmett’s Excavation
Bill Nelson Construction
Vulcan Construction
HPS Mechanical
Dawson-Mauldin Construction