



Lic.#: 987122BA

June 14, 2023

VIA Email: Construction@ocsan.gov

Ms. Wai Chan
Senior Contracts Administrator
Orange County Sanitation District (OC SAN)
10844 Eilis Avenue
Fountain Valley, CA 92708

RE: Notice of Award Protest - Response
Collections Yard Relocation and Warehouse Demolition at Plant No. 2
Project No. P2-127

Dear Ms. Chan,

We are writing this letter to respond to the protest served by **Fasone Construction** and raise our concern with their bid.

We are confident that the OC-SAN team are aware of the requirement set in the bid document and we are just simply sharing them as a response to the protest by Fasone Construction.

- 1- Per Section 13121 "METAL BUILDING SYSTEMS" item 1.8 Qualifications (C) States,
"Erector shall have specialized experience in the erection of steel building systems for a period of at least 5 years."

Also, Per BF-4 PERFORMANCE HISTORY AND FINANCIAL RESOURCES (A). LIST OF COMPLETED PROJECTS AND EXPERIENCE REQUIREMENTS:

"Using this form, Bidder shall list at least three (3) projects completed with a public owner or public agencies and/or public utility companies with industrial plant facilities within the past ten (10) years that involved demolition and construction of similar nature, scope, complexity and cost to this Invitation for Bids."

Fasone Construction has not provided any similar project in nature or size nor listed a qualified subcontractor that meets the qualifications set in the bid documents. The projects they have referenced are mostly tenant improvement and building restoration and remodeling and their largest project is smaller than this project in estimated cost.

Archico has provided reference projects in the public sector that are very similar to this project in scope with Prefabricated Metal buildings, Site Improvement, Underground utilities, Fiber optic, Street lighting and Light pole. Archico has built Projects with higher value in general, or the scope of the prefabricated building is higher than this project metal building Value. Some of Archico's reference letters from previous clients on similar projects are attached for your review (Exhibit A).

Archico has listed Shook Building Systems Inc. one of the leading prefabricated building erectors in California, with 50 years of experience in prefabricated metal buildings, holding a C-51 Steel and structural license to meet the project requirements.

While Shook Building Systems, Inc. is not a Building Manufacturer, They are a listed "Builder" with signed Builder Agreements for multiple MBMA Accredited manufacturers (see link https://www.mbma.com/System_Members.html to attached list we are CBC Steel Building, Metallic Buildings, and Varco Pruden Builders). They have been engaged in the Metal Building business as a "Builder" and licensed contractor in CA since 1972 self-performing their installation work.

Manufacturer, Fasone has listed a metal building brokers and not an actual MBMA Manufacturer (See link https://www.mbma.com/System_Members.html to list) of MBMA Accredited Manufacturers.

Fasone is not meeting any of the above 2 requirements of this project and therefore shall be deemed nonresponsive.

- 2- Fasone Construction is not qualified to self-perform the erection of the metal steel building per bid documents. They have not self-performed at least three (3) projects with a public owner or public agencies with pre-fabricated metal building at this size or larger nor is holding the specialty license. to erect a metal building or specialized experience in the erection of steel building systems for a period of at least 5 years.

The large gap between Fasone bid and the next 3 competitive bidders with long history of public work projects is clearly due to missing scope in Fasone estimation of the project not as result of the self-performance of the building. The entire cost of the engineering, fabrication and Erection of the metal building by Shook is about \$600,000 and Fasone cannot reduce this to \$0 even by self-performing the building erection to get their total bid value lower by about \$800,000.

Fasone has not performed projects in similar size and scope and probably is not aware of the costly requirements of this project.

- 3- This project has a considerable amount of underground and wet utilities, fire hydrants and backflow preventers work. Fasone only holds a General Building (B) license and is missing the proper licensing to perform the scope of work for Fire line.

Per CSLB Business & Professions Code - Division 3, Chapter 9. Contractors, Article 4. Classifications “(c) No general building contractor shall contract for any project that includes the "C-16" Fire Protection classification as provided for in Section 7026.12 or the "C-57" Well Drilling classification as provided for in Section 13750.5 of the Water Code, unless the general building contractor holds the specialty license, or subcontracts with the appropriately licensed specialty contractor.”

Archico has listed Pacific plumbing for wet utilities, plumbing and fire protection. Pacific Plumbing is holding, A - GENERAL ENGINEERING, C-4 - BOILER, HOT WATER HEATING AND STEAM FITTING, C16 - FIRE PROTECTION, C20 - WARM-AIR HEATING, VENTILATING AND AIR-CONDITIONING, C36 – PLUMBING, C42 - SANITATION SYSTEM, with almost 100 years of experience.

For all the above reasons Fasone Construction has not met the requirements and qualifications to perform on this project and shall be deemed nonresponsive.

Archico Design Build team has carefully reviewed and is meeting all the project documents and requirements and have listed the qualified sub-contractors to meet the qualifications, technical experience, safety, and code requirement of the project as well.

The accusations that are stated within Fasone Construction protest letter seem to be based on unresearched assumptions, rather than facts and it shows that Fasone is not aware of the project requirements.

Therefore, we request this protest to be laid to rest and that Orange County Sanitation District (OC SAN) continue with the award to the lowest responsive, responsible bidder Archico Design Build Inc.

Sincerely Yours



Alan Alavi | President
Archico Design Build Inc.



Lic. #: 987122BA

Exhibit “A”

September 13, 2017

Archico Design-Build
ATTN: Ali Alavizadeh, CEO
1835 W. Orangewood Avenue, Suite 325
Orange, California 92868

**SUBJECT: Letter of Recommendation
Chino Basin Desalter Authority (CDA)
Pre-Engineered Metal Storage Building (PEMB) Project, Jurupa Valley, CA**

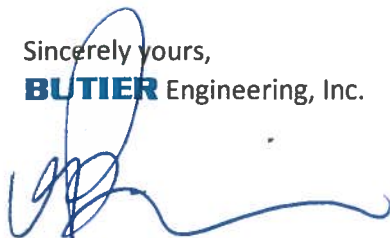
Butier Engineering, Inc. is a construction management company and Owner's Representative for Chino Basin Desalter Authority's (CDA's) Phase 3 Expansion Program, and we are pleased to present this letter of recommendation for Archico Design-Build (ARCHICO). After our evaluation and review during the bid process, ARCHICO was awarded the Pre-Engineered Metal Storage Building (PEMB) contract, and their preference was determined based on qualifications, past experience on similar projects, and bid price.

During the course of construction, ARCHICO has proven to be well-versed in construction techniques, timely submission on construction documents, and provided value engineered solutions. Their staff and subcontractors communicated effectively with their knowledge and capabilities to deliver another successful project to the Chino Basin Desalter Authority (CDA). The PEMB project was delivered before the contract completion date and within the budgetary constraints.

In this competitive bid environment, we recognized ARCHICO's professional qualities to be helpful and beneficial to the efforts of the PEMB project. We make no hesitation to recommend ARCHICO to any public agency or district considering construction of pre-engineered metal buildings, and we will invite Archico Design-Build to bid on similar projects in the future.

Feel free to contact one of us for more information about Archico Design-Build.

Sincerely yours,
BUTIER Engineering, Inc.



Vlad Burce, P.E.
Resident Engineer
(949) 375-1611 — Mobile



Joe Blum
Construction Manager
(714) 448-0216 — Mobile

17822 E. 17th St.
Suite 404
Tustin, CA 92780
Tel (714) 832-7222
Fax (714) 832-7211
www.butier.com

BUTIER

Construction Managers, Consulting Engineers



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

October 15, 2021

Archico Design Build Inc
Attn: Alan Alavi
2010 N Tustin Ave
Santa Ana CA 92705

Subject: Letter of Recommendation

To whom it may concern,

Based on my experience working with the Archico Design Build Inc. team, I am writing this letter of recommendation.

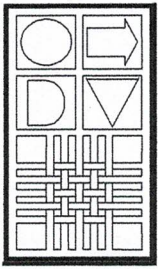
Archico Design Build Inc. recently completed a large-scale Design build Roofing and HVAC replacement project at two of our (LACMTA) Divisions in Long Beach and Lawndale. During construction, the buildings remained occupied and open for business and operation on a 24Hrs/7days a week basis with no interruptions to the ongoing operation of the facilities. They were able to meet all the restrictions and regulations of LA Metro and its operation yards and to deliver a successful project in a timely manner.

Archico has proven to be well-versed in construction technologies, timely submission of construction documents and effective in communication with the owner, sub-contractors and end user of the facilities. Throughout the project, I found Archico to be responsive, cooperative, and dependable with timely responses. Their workmanship is of high quality and they are very capable in monitored the work of their subcontractors and in house personnel.

I thoroughly enjoyed working with Archico Design Build Inc. team, and came to know their teams' capabilities very well. I highly recommend Archico Design Build Inc. for a project that requires a highly experience and qualified contractor, and I would welcome and look forward to working with them again on any future projects.

Sincerely,

Raul Pedroza
LA Metro – Sr. Director, Construction Management



FACILITY CONSULTING SERVICES

October 12, 2021

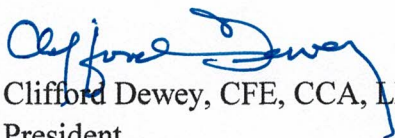
To Whom It May Concern:

I am one of the consultant Project Managers retained by the Santa Monica-Malibu Unified School District for its Construction Bond Program. I have managed several construction and remodeling projects for the District since 2014.

On a recent assignment, I was the District's Project Manager for a school classroom remodeling project overseeing the construction work performed by Archico Design Build. As on any remodeling of an old facility, numerous unforeseen conditions were encountered requiring significant changes to the work. Archico worked closely with the District to quickly identify the issues and propose solutions acceptable to the District, the Architect and DSA. While change orders were necessary, Archico helped control the additional costs from its subcontractors by negotiating comprehensive settlements for their change orders. Change orders on this remodeling were kept to under 10% of the contract amount.

Even with the unforeseen conditions and changes required, Archico successfully completed remodeling of the classrooms over the summer break and had the classrooms available for occupancy on school opening day.

I found Archico Design Build to be one of the better construction contractors utilized by the District in its program. I will unequivocally recommend them on future projects with the District and to any other agency or owner requiring construction work.



Clifford Dewey, CFE, CCA, LEED AP
President

October 5, 2020

To Whom It May Concern,

I had the opportunity to work with Archico Design-Build and their team on the Walker Elementary – Temporary Housing Project and I would like to express my appreciation for the excellent service they provided.

As Construction Manager for Tilden-Coil Construction, I worked with Archico's team and they not only met the needs and standards of Santa Ana Unified School District, but they exceeded. This project presented rather challenging work with a short 2-month construction schedule, but they successfully completed the project on time.

Throughout the project Archico Design-Build worked as a team with the School District, the Inspector of Record, and me to coordinate and resolve issues that arose. They have shown professionalism and the ability to adapt to different situations. Their cooperation and collaboration were greatly appreciated and resulted in an enjoyable project experience for everyone involved with the project. The result was a successful project and a very satisfied owner who received a high-quality product.

I would highly recommend Archico Design-Build for another future project. I believe that you will be pleased with the quality of their work, attention to detail, their commitment to excellence, and their ability to meet deadlines.

Sincerely,

A handwritten signature in blue ink, appearing to read 'David Joseph', with a stylized, flowing script.

David Joseph
Construction Manager
Tilden-Coil Construction Inc.



October 2020

To whom it may concern,

I am happy to provide this letter of recommendation for Archico Design-Build.

Archico Design-Build was awarded to work on the Modernization project at Monroe TK-5 School, in Inglewood California. The project started in January of 2019 and was completed by December of 2019.

Archico Design-Build and their team of sub-contractors performed and completed the project to the satisfaction of the Inglewood Unified School District and myself, the IOR for the project. The project had its share of challenges, having to work with other contractors involved with the project, but everyone involved work together to complete the project on time and on budget. Their team from top to bottom was knowledgeable, was on time, notified problems ahead of time to address it before it caused unnecessary delays, kept the site clean and safe to work, and passed all the inspections with flying colors.

I would highly recommend Archico Design-Build for a project that requires a highly qualified contractor and I would welcome working with them again for any of future projects.

Sincerely,

Galil Tadros

Galil Tadros

DSA Class 1 Inspector of Record

License # 3169

PRIEST CONSTRUCTION SERVICES, Inc.

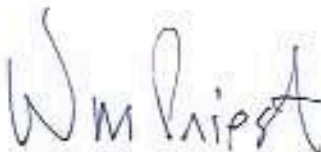
LETTER of RECOMMENDATION

To Whom It May Concern:

While working on a recent school project as the Inspector of Record I had the pleasure of working with Mr. Jay Kim, the General Contractor's General Superintendent. I have to say, that if I were a General Contractor, Mr. Kim is exactly the type of superintendent would expect.

- * He is Knowledgeable of The Job and He Presents Himself Well
- * He Works Well with and for Others
- * He is ALWAYS Ahead of The Requirements of the Time
- * He Maintains a Safe and Orderly Construction Site
- * He is Goal Oriented
- * He is a TOP 3% 'er In Anyone's Estimation

Would I want Mr. Kim on My Team.....YOU BET!!



William W. Priest, President

30183 HILLSIDE TERRACE SAN JUAN CAPISTRANO, CA 92675

E-mail: wmpriest@att.net PH: 949-545-7894 Cell: 714-812-4859

LETTER OF REFERENCE

March 18, 2019

To Whom It May Concern

I am writing this letter to give my recommendation for Archico Design Build company and its owner Alan Alavi. Archico just recently completed the renovation of the \$1.5 million Conference Center for the Temecula Valley Unified School District, for which we were the architects. The project was completed expeditiously and occupied to positive reviews.

Although the project suffered the inevitable unforeseen conditions endemic to any remodeling project, we found Archico and its staff to be extremely helpful, creative and aggressive in helping to solve the problems. At all times we felt they were part of our "solution team" rather than an impediment. It is refreshing to work with a group of people that are solution-oriented rather than confrontational. All issues were resolved in a diligent and fair manner.

We have enjoyed working with Archico and would look forward to doing another project with them.

Sincerely,

MGPA Architecture,



Fred H. Gualda, AIA
Principal



October 8, 2018

Subject: Letter of Commendation for Archico Design-Build

To whom it may concern,

This letter serves as a testimonial and letter of commendation for Archico Design-Build.

We recently completed a large scale exterior improvement project for a municipal recreation center in Fountain Valley. The project duration was six months and consisted of re-roofing, installation of new storefronts around the building perimeter, construction of a new entry theme, complete exterior re-painting and installation of artistic sports figures at building's exterior for this 8,000 square foot structure.

During construction, the building remained open to the public for ongoing classes and activities and public relations were of extreme importance in scheduling work around ongoing programs.

Throughout the course of construction, I found Archico to be responsive, cooperative and dependable. Their workmanship was of the highest caliber and they monitored the work of their subcontractors very closely. The project had some unforeseen conditions and Archico responded quickly and with great professionalism in minimizing the cost to mitigate these issues.

With thirty years of construction experience, I would gladly and enthusiastically recommend Archico for any public or private construction project.

Feel free to contact me at 949-339-9154 with any specific questions you may have regarding my positive work experience with the aforementioned company.

Sincerely,

AndersonPenna Partners, Inc.

John A. Wolitarsky,
Senior Construction Manager