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Association

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**Subject: Protest of Bid Award – Specification No. S-2025-669BD
(Safety Shower and Eyewash Stations Inspections and Testing)**

Dear Mr. Arbiso,

We are submitting this formal protest concerning the award of Specification No. S-2025-669BD – Safety Shower and Eyewash Stations Inspections and Testing.

Per the contract documents, particularly the *Contractor's License and Registration Declaration* (Exhibit I) and the *Instructions to Bidders*, all bidders are required to hold a valid **California contractor's license** at the time of bid submission. The language is unambiguous:

“A bid submitted to a public agency by a contractor who is not licensed in accordance with this chapter shall be considered non-responsive and shall be rejected by the public agency.”

While the awarded bidder, Haws Corporation, does possess a DIR registration number, they do **not** hold a California contractor's license. They are a **Nevada-based manufacturer**, not a licensed California contractor, and thus are **not legally authorized to perform contracting services in the state**. This contract clearly involves field inspection and testing work that meets the definition of contracting, as described in California law. The contract also requires OC San to verify proper licensure before awarding:

“OC San shall, before awarding a contract, verify that the successful bidder was properly licensed when the Contractor submitted the bid.”

Awarding this contract to an unlicensed entity contradicts the bid specifications and should render the award **non-responsive**.

Additionally, we raise serious concerns about the **feasibility of the awarded pricing**.

The contract requires inspection of **11,492 safety stations annually**, which breaks down to about **221 inspections per week**. With OC San's Monday-through-Thursday schedule and assuming two full-time technicians, this allows for only **17.4 minutes per station**, including flushing, safety checks, documentation, and travel time between stations.

Zeco is a union-signatory contractor and is well-versed in prevailing wage requirements, labor compliance, and the practical demands of

performing this scope of work in the field. At a conservative estimate of **\$65/hour per technician**, the **weekly labor cost alone is approximately \$4,160** for two technicians. The awarded bid of **\$9.57 per station** totals just **\$2,114 per week**, which is **well below labor cost**—not accounting for equipment, insurance, transportation, or overhead.

This basic math makes it clear that the awarded bid is not only out of compliance with licensing requirements, but it also represents an **unrealistic and unsustainable price** for this scope of work.

We respectfully urge OC San to reconsider and re-evaluate the award decision in light of these serious eligibility and pricing issues.

Sincerely,
Amin Nazarinia
President

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