



Power, Control and Instrumentation Contractor Since 1979

Award Protest

February 2, 2022

To:
Orange County Sanitation District
10844 Ellis Avenue
Fountain Valley, CA 92708
714.962.2411

From:
LEED Electric Inc
13138 Arctic Circle
Santa Fe Springs, CA 90670
562.270.9500

**REF: SECONDARY TREATMENT VFD REPLACEMENTS AT PLANT NO. 2
PROJECT NO. FE19-08
ACS ENGINEERING AWARD RECOMMENDATION**

Name of the affected Party: ACS Engineering

LEED Electric has received OCSANS' award recommendation for the subject project. We hereby submit award protest based on the following reasons:

According Bid proposal section **BF-4.A LIST OF COMPLETED PROJECTS AND EXPERIENCE REQUIREMENTS:**

"Using this form, Bidder shall list three (3) Public Works VFD projects (125hp / 480V and above) completed within the last seven (7) years.

Using the table provided in this section, for each listed project, include: (1) the project name and location, (2) role as prime contractor or subcontractor, (3) description of work, (4) owner's name and address and the name and phone number of project manager or project engineer, (5) final contract value, and (6) completion date.

Bidder shall ensure the contact names and numbers are current at the time of Bid. If the contacts are no longer employed with the owner, Bidder shall identify at least one contact familiar with the project and Bidder's work thereon. In addition to contacting the references included herein, OC SAN may, and retains its right to contact other project owners and such other entities for which Bidder has performed or is performing work.

Bidder must submit this information with its Bid. Attach documents directly behind this page and/or fill in the pages provided below.

If the Bidder cannot demonstrate that it has the minimum experience requirements described above, its Bid shall be deemed non-responsive."

Based on the above bid requirements, we have reviewed the four (4) references that ACS Engineering submitted and found three (3) of the references to be nonresponsive:

- 1- Project # 1 Perris Desalination: This project completion date is marked at 1/1/2022 which is unusual for a public work project to gain substantial completion on a New Year's date. We believe this project is not substantially completed on or before the date of the subject bid 1/11/2022 and cannot be used as a reference.



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- 2- Project # 2 LA County Public Works Gate Canyon: We have looked through the drawings on this project and there is no VFD scope that is part of the plans or specification. Also, there is no phone number or address listed for the project owner, therefore this reference is deemed nonresponsive.
- 3- Project Number 3 OCTA RFP-8-1430 Arc Flash Analysis: Similar to reference number 2, the title of the RFP states Arc Flash Analysis and there is no reference of using any VFD's on the project. secondly, there is no name reference, and it provides a generic phone number for OCTA. Therefore, we believe this reference is deemed nonresponsive and should not be used.

Based on the above, we believe that the bid that is submitted by ACS Engineering is nonresponsive, and the contractor is non responsible for delivery of the scope of work that is required by OCSAN's plans and specifications.

Should you have any questions or concerns, please do not hesitate to contact me.

I, Michael Sanchez, under penalty of perjury, do hereby certify that the foregoing information is true and correct.

A handwritten signature in blue ink that reads "Michael Sanchez".

Michael Sanchez
Vice President
LEED Electric Inc