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10/9/2015

Contract 04-0J9404 Bid Protest



1. 20 percent natural pozzolan or fly ash with a CaO content of up to 10 percent, 5 percent silica fume, and 75 percent portland cement
2. 12 percent silica fume, metakaolin, or UFFA, and 88 percent portland cement
3. 50 percent GGBFS and 50 percent portland cement

We are not disputing the fact that First Vanguard is a valid DVBE supplier of certain materials such as: temporary cover supplies, temporary drainage inlet protection, temporary fiber roll, rebar materials, or pressure washer. However, specialized ready mix concrete is not one of the materials that First Vanguard is qualified to supply.

First Vanguard does not have either a central mix plant or any ready mix transit delivery trucks. First Vanguard is also not in the regular business of furnishing ready mix concrete to any commercial customers, much less specialized ready mix concrete, as that required for contract 04-0J9404.

Accordingly, the claimed DVBE participation of Koch & Koch Inc. should be reduced in the amount of \$13,590.00. The net effect of this reduction would adjust Koch & Koch Inc.'s DVBE participation to approximately \$16,779.00 or about 3.2% of their total bid which is far below the required 5% goal. Because of this, we request that Koch & Koch Inc. also be found non-responsive and the contract 04-0J9404 be awarded to the next responsive low bidder.

Sincerely,
McGuire & Hester

A handwritten signature in black ink, appearing to read 'R. Doud'.

Robert C. Doud
Executive VP / CFO

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