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CONTRACTOR LICENSE No. B-609668

June 25, 2010

Ms. Celeste Manolas
Project Manager
County of Santa Barbara
1105 Santa Barbara Street
Santa Barbara, California 93101

Re: Santa Barbara Public Defender Project 8661

Subject: Bid Protest

Dear Ms Manolas;

Melchiori Construction Company "MCC" is in receipt of the responses provided by Pavilion Construction "PC" as received by the County of Santa Barbara and as related to our protest letter dated June 2, 2010 regarding the Santa Barbara Public Defender Project 8661. We would like to take this opportunity to add a few additional comments and observations after reading the letter written by PC.

PC has yet to establish, pursuant to the bid document requirements, that they are providing a single source subcontractor to perform the work as outlined in Specification Section 06400. 2.01 in which it is clearly stated that all bidders of this project were to "use one (1) single source fabricator that is skilled in the manufacturing and installation of doors, windows, frames as well as casework for "Historical" construction," and as stated in your Agenda Letter and Specification Section 1.02D, the experience requirement is "10 years local experience in historical commercial work of the complexity of this project."

Related to this specific requirement and upon further review, the qualification package that PC attached to their correspondence it is noted on the "Bidding Interest Sheet" Northwestern Design "NWD" where they have marked with "X's" under Fabricate and Install on 2 line items while others pertinent to this project are not indicated as being able to be performed by NWD or for that matter PC. The items left unmarked include, but may not be limited to, doors, countertops, as well as the installation of those items.

The specification is clearly written as the work to be a "Sole Source" Subcontractor either of which could be from the two (2) listed within the specification and/or one (1) to be reviewed and approved during the pre-bidding process.

As confirmation of this MCC has taken the additional step in contacting NWD directly and in a phone conversation yesterday MCC was told by an employee of NWD that they do not fabricate Doors and/or Windows, nor were they able to provide us any list of vendors that could. MCC

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believes that the Architectural Doors and Windows scope of work alone is valued in excess of \$200,000.

Had MCC elected to go in the direction of selecting and listing a "non-specified - Single Source Subcontractor," by using a variety of lower tier subs under NWD or another fabricator, we would have been able to have a complete bid value for the project under the costs submitted by PC. It is neither fair nor equitable to allow any bidding General Contractor to ignore or circumvent the specifications and/or allow any part of the contract documents to be breached during the bid in the interest of competitive advantage. The bidding process, specifications, and overall contract documents are clear and concise on this point and must be strictly adhered to.

Additionally, although PC makes an attempt to prove that they have 20 years experience in local historical construction projects. PC neglects to note that, although one of their employees may have such experience, NWD does not and neither does PC as a firm.

In closing, we hope these factors can be used as well when presenting the case to the Board of Supervisors on July 13, 2010. MCC thanks you for taking the time out of your busy schedule to read this letter in preparing your presentation. Should you have any further questions regarding this matter, please do not hesitate to contact the undersigned.

Sincerely,



Jeff Crocker
Project Manager
Melchiori Construction Company
A California Corporation

attachments

cc: Mark J. Melchiori - MCC
Jean Mollenkopf - MCC
Phil Orr - MCC

C. Certificates:

1. WI Quality Assurance Certificate: Submit WI Certified Compliance Certificates indicating each woodwork product for the Work and that all products will fully conform to WI grades and other requirements shown and specified.

1.04 DELIVERY, STORAGE AND ACCLIMATION

A. Delivery: Architectural woodwork shall be delivered only after rough work within the area in which the work is to be installed is complete, and the area is broom clean.

B. Storage and Acclimation: Architectural woodwork shall be stored in a clean area with temperatures between 60 degrees F and 90 degrees F and relative humidity between 45 percent and 65 percent. The material shall be stored for not less than 72 hours at these conditions prior to installation.

PART 2 - PRODUCTS

2.01 ACCEPTABLE FABRICATORS: All work of this section shall be fabricated and installed by one fabricator skilled in the manufacture and installation of doors, windows, frames and casework for historical construction. The following firms are acceptable:

Architectural Millwork of Santa Barbara
1 Nopal Street
Santa Barbara CA 93140
(805) 965-7011

Millworks Etc. Sash and Door
2586 Calcite Circle
Newbury Park CA 91320
(805) 490-3400

2.02 MATERIALS:

A. Lumber: Oak: Clear, white.

B. Wood veneers shall be assembled with moisture resistant adhesive. Cores shall be particleboard or plywood. Veneer shall be white oak, clear, rift sawn, match and figure to match existing, Premium grade.

C. Particleboard: Medium density fiberboard (MDF) conform to ANSI A 208.1, Grade 1-M-2 or 2-M-2 or better, minimum density 32 pounds per cubic foot.

D. Plywood for Concealed Uses: WI Economy grade, Type 1 adhesive, veneer core, Douglas fir faces.

E. Marble for Countertops: Refer to Section 10168.

F. Sealer for Marble: Refer to Section 10168.

G. Cabinet Hardware: Hardware shall be furnished and installed as required to provide a complete casework installation. All hardware shall have satin US10B, oil rubbed bronze plated finish over solid brass.

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Services

Today's industry is highly competitive and generally does not provide an entire millwork package. Northwestern Design was founded in 1981 to provide clients with Architectural Millwork products in their entirety.

Our competitive position not only comes from our versatility and dedication but from our outstanding services in:

- Custom Design— field measurements, programming, conceptualization, scope development and design development.
- Manufacturing – custom product development, quality assurance , state of the art facilities with the precision of CNC technology
- Management – project coordination, schedule adherence, installation management, individualized attention to each and every client with the highest industry standards.
- Installation – on time delivery, efficient, highly skilled union craftsman and construction know how.

NWD is proud to be on the cutting edge of the industry and keeping pace with advances in wood technology offering 5 broad product lines:

- Architectural Millwork
- Paneling Systems
- Cabinetry
- Lab Casework
- Custom Casework

Nothing Listed on their web page regarding Doors & windows



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