

**COUNTY OF SANTA BARBARA  
PUBLIC WORKS DEPARTMENT**

123 East Anapamu Street  
Santa Barbara, California 93101  
(805) 568-3000



**SCOTT D. MCGOLPIN**

**Director**

3/19/2021

Achievement Engineering Corp. ("AEC")  
2455 Autumnvale Drive, Ste. E  
San Jose, CA 95131

Attn: Arash Firouzjaei, President  
Jessica Jay, Executive Assistant & Office Manager

FLORADALE AVE. BRIDGE NO. 51C-0370 OVER  
SANTA YNEZ RIVER APPROXIMATELY 0.75 MI  
NORTH OF CENTRAL AVE. WEST OF THE CITY OF  
LOMPOC IN THE 3RD SUPERVISORIAL DISTRICT  
S.B.CO. PROJECT #862032; FED. # BRLSZD-5951(060)

RE: Materials Testing Request for Proposals (RFP) Evaluation Results – AEC Dispute Letter – Directors' Determination

As indicated in our letter dated March 9, 2021 this matter has been under review in accordance with County Protest Procedures. The letter also indicated that a written determination from the Director was forthcoming. This letter constitutes that written determination.

Upon review and counsel, I have found and determined that your protest is without merit for the following reasons:

- The County followed its proposal selection process as set forth in the RFP. AEC was ranked 4th out of 5 proposers by an independent evaluation panel of three (3) experienced proposal evaluators. These scores were based on company experience, staff experience, testing, cost, and meeting federal requirements. AEC has not presented evidence that these results do not reflect the independent judgment of the evaluators or that the proposals were not evaluated in accordance with the procedures set forth in the RFP.
- AEC's protest letter provides its own interpretation of how various RFP items should have been scored. That is not in conformance with the selection process. As indicated above, the scoring criteria is stated in the RFP and each independent member of the evaluation panel scores proposals based on their unique knowledge, experience, and interpretation of each proposal. Allowing an individual proposer to impose their own interpretation of scoring criteria would result in an unfair and uncompetitive evaluation process.

Additionally, because the services being procured are urgently needed for a time-sensitive County project, and delivery of that project would be unduly delayed, and the County unduly harmed, if award of this Materials Testing contract is not promptly made, the County will not suspend procurement activity and will award the Materials Testing contract without delay.

AEC may appeal this Director decision to the County Board of Supervisors between April 1 and April 6, 2021. Failure to appeal this decision to the Board shall constitute a waiver of any other rights to protest or otherwise challenge this decision.

Thank you for proposing on this project and we look forward to you proposing future projects.

Sincerely,

  
Scott D. McGolpin, P.E.  
Public Works Director

cc: Chris Sneddon, Deputy Director – Transportation  
Phil Gaston – Resident Engineer/Structure Representative

AA/EEO Employer

Thomas D. Fayram, Deputy Director

Chris Sneddon, Deputy Director

Leslie Wells, Deputy Director

Julie A. Hagen, Deputy Director

Aleksandar Jevremovic, County Surveyor

<http://countyofsb.org/pwd>

Page 1 of 1