

**GRISWOLD, LASALLE, COBB, DOWD & GIN, L.L.P.**

ATTORNEYS

A California Limited Liability Partnership including Professional Corporations  
BOARD OF SUPERVISORS

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2008 DEC 29 A 11:51

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December 23, 2008

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Stanislaus County  
Clerk of the Board of Supervisors  
1010 10<sup>th</sup> Street, Suite 6500  
Modesto, CA 95354

Re: Fink Road Landfill, LF-2, Cell No. 5, Excavation Project

To Whom It May Concern:

Our firm represents Wood Bros., Inc., a bidder on the Fink Road Landfill LF-2, Cell No. 5, Excavation Project.

It is our understanding that the WES Construction Co., Inc. bid has been withdrawn because of a clerical error.

In reviewing the bid documents for this project, two (2) bidding irregularities have come to our attention that disqualify the second lower bidder, S P Pazargad, and the third lower bidder, Ford Construction Company.

The Pazargad bid of Two Million One Hundred Ninety-Nine Thousand Six Hundred Seventy-Four Dollars (\$2,199,674) has a line item of One Hundred Fifty-Eight Thousand Dollars (\$158,000) for mobilization. Subsection 1.08 of Section 01025 states that mobilization shall be limited to five percent (5%) or less of the base bid. The Pazargad line item of One Hundred Fifty-Eight Thousand (\$158,000) for mobilization is over seven percent (7%) of the bid. This irregularity should disqualify the Pazargad bid.

Section 10 of the invitation to bid clearly states that the bidder shall comply with the provisions in Section 8-1.01 of the subcontracting provisions of the Standard Specifications. Section 8-1.01 clearly states that the contractor shall perform not less than fifty percent (50%) of the original contract price (except for speciality items) with the contractors own organization.

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Ford Construction Company lists a subcontractor, Foster and Sons, for earthwork and excavation and has a listed line item for earthfill of Twenty-Two Thousand Nine Hundred Fifty Dollars (\$22,950) and excavation of One Million Nine Hundred Twenty-Four Thousand Five Hundred Eighty-Five Dollars (\$1,924,585). This amounts to over eighty-eight percent (88%) of Ford's Two Million Two Hundred Eleven Thousand Nine-Hundred Thirty Five Dollar (\$2,211,935) bid. If the subcontractor is to perform the work listed, then Ford would be performing less than twenty-two percent (22%) of the contract price. This irregularity should disqualify the Ford bid.

Thank you for your attention to this matter.

Yours,

GRISWOLD, LaSALLE, COBB,  
DOWD & GIN, L.L.P.

By

JIM D. LEE

JDLkb

cc: Charles Vasquez, Transportation Project Coord. (via fax and mail-209-525-4140)  
Ford Construction Company (via certified mail)  
S P Pazargad (via certified mail)