



## **BSE General Engineering, Inc.**

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Design Division

Fresno County Department of Public Works and Planning

2220 Tulare Street, Sixth Floor

Fresno, CA 93721

RE: Response to Bid Protest from ETIC 's additional information for 20-18-SW American Avenue Disposal site Phase III Modules 3-8 Landfill Gas Collection and Control System Expansion.

Dear Members of the Board of Supervisors and the Department of Public Works,

We are in receipt of the additional support documentation for Bid Protest American Avenue Disposal Site Landfill Gas Collection Project Contract No. 20-18-SW filed by ETIC.

BSE General Engineering, Inc. would like to respond to this second letter of additional details from ETIC. We did not take any exceptions to the material specifications. BSE reviewed the bid documents and feel confident that the material included in our bid meet the design specification, design intent and system requirements.

The whole basis of the protest from ETIC is based upon the value of and individual line item. Each contractor is responsible for his own interpretation of the plans and specifications. If you look at the Bid summary of all the bids provided by the Fresno County Department of Public Works and Planning, BSE's bid is the most inline with the Engineers estimate including the items specifically targeted in the protest. You can go through each bidders' items and pick put something that may not balance with the engineers estimate.

ETIC- bid item 3 traffic Control, engineers estimate \$20,000, ETIC bid \$1,798.11. This bid item includes full compensation for the furnishing all labor (including flagmen), material (including signs), tools, equipment, incidentals and for performing all work involved in placing, removing, storing, maintaining, moving to new locations, replacing, and disposing of the components of Traffic Control System.....

The specifications call for flagmen at all locations where the contractors haul route crosses the landfill traffic or site equipment routes. How can they provide a traffic control plan, flagmen on prevailing

wage, signs and everything else required for \$1,798.11 for the duration of the project (80 working days)?

Blue Flame Crew- bid item 4 Construction site management. Engineer's estimate is \$40,000, Blue flame crew bid \$9,500.00. The bid item includes full compensation for furnishing all labor, materials, tools, equipment, and incidentals for preparing and implementing a water pollution control plan (WPCP), performing all work involved in spill prevention and control, material management, stockpile management, waste management, non-stormwater management, dewatering, and identifying, sampling, testing, handling, and disposing of hazardous waste.

BSE could go through and pick an anomaly from each bid. Our point is, that the protest from ETIC is frivolous. There is no validity to their protest. We believe they are just fishing for information regarding our supply and or manufacturer of the valves. The actual valve required will be determined based upon approved submittals. This is not the time. We understand that the amount included in each bid item is the full value paid to the contractor for the individual line item. Based upon ETIC bid protest, their bid would be considered non-responsive.

In conclusion, it is BSE's intent to provide quality, cost-effective services to the County of Fresno American Avenue Disposal Site Landfill Gas Project Contract No.20-18-SW. We look forward to the county's award for said project. It is not BSE's intent to ask the board to act against ETIC per page 17-18 section 3 Contract Award and Execution 3-1.04A letter E. However, this frivolous protest has taken time and energy from the County of Fresno and BSE. Without any consequence, they will continue to file these types of frivolous bid protests. We look forward to the Board's decision of award when the board meets on April 13, 2021 at 10:00am.

Best Regards,



Bob Sonn,  
Chief Executive Officer



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Executive Vice President

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