ENGINEERING AND OPERATIONS COMMITTEE

AGENDA FOR

APRIL 22, 2010

REVISED

Gary Arant – Chair
Richard Smith, Vice Chair
Jim Bowersox
Betty Ferguson
Mike Hogan
Jeremy Jungreis

Bill Knutson
Ralph McIntosh
Ron Morrison
Vincent Mudd
Bud Pocklington
Javier Saunders
Tom Wornham


2. Additions to agenda (Government Code Section 54954.2(b)).

3. Public comment – opportunities for members of the public to address the Committee on matters within the Committee’s jurisdiction.

4. Chair’s report.
   4-A Reminder of 2010 Engineering and Operations Tour.
   4-B Directors’ comments.

I. CONSENT CALENDAR

1. Professional services contracts for as-needed structural engineering services.

   Staff recommendation: Authorize the General Manager to award two separate three-year professional services contracts in the amount not-to-exceed $250,000 each to Simon Wong Engineering and Tetra Tech for as-needed structural engineering services. (Action)
II. ACTION/DISCUSSION

1. San Vicente Dam Raise projects.

1-A Construction contract for the San Vicente Dam Raise Package 3 – Roller Compacted Concrete Dams and Appurtenant Facilities project.

Staff recommendation: Approve Shimmick Construction Company Inc./Obayashi Corporation A Joint Venture’s substitution of pipe manufacturer and supplemental bid information, and authorize the General Manager to award a construction contract to Shimmick/Obayashi in the amount of $140,206,050 for the San Vicente Dam Raise Package 3 – Roller Compacted Concrete Dams and Appurtenant Facilities. (Action)

1-B CLOSED SESSION:

Conference with Legal Counsel – Significant threat of litigation

Government Code §54956.9(b) – San Vicente dam raise bid award

1-C Professional services contract to GEI Consultants, Inc. for Package 4-San Vicente Bypass Pipeline project.

Staff recommendation: Authorize the General Manager to award a professional services contract for $2,257,000 to GEI Consultants, Inc., for design of the San Vicente Bypass Pipeline project. (Action)

III. INFORMATION

IV. ADJOURNMENT

Doria F. Lore
Clerk of the Board

NOTE: This meeting is called as an Engineering & Operations Committee meeting. Because a quorum of the Board may be present, the meeting is also noticed as a Board meeting. Members of the Board who are not members of the Committee may participate in the meeting pursuant to Section 2.00.060(g) of the Authority Administrative Code (Recodified). All items on the agenda, including information items, may be deliberated and become subject to action. All public documents provided to the committee or Board for this meeting including materials related to an item on this agenda and submitted to the Board of Directors within 72 hours prior to this meeting may be reviewed at the San Diego County Water Authority headquarters located at 4677 Overland Avenue, San Diego, CA 92123 at the reception desk during normal business hours.
April 14, 2010

Attention:  Engineering and Operations Committee

Professional services contracts for as-needed structural engineering services. (Action)

Staff recommendation
Authorize the General Manager to award two separate three-year professional services contracts in the amount not-to-exceed $250,000 each to Simon Wong Engineering and Tetra Tech for as-needed structural engineering services.

Alternatives
Do not award the contracts and direct staff to negotiate with other consultants or solicit new proposals. This would result in a minimum two-month delay.

Fiscal Impacts
There are sufficient funds available to support this recommendation in project and departmental budgets, as well as the fiscal years 2010 and 2011 Capital Improvement Program appropriations. All rate categories may be impacted depending on which projects fund the individual as-needed services.

Background
With the aging of our infrastructure, there is an increased need to evaluate components of our system and determine the remaining useful life and replacement or rehabilitation options. This has in turn, resulted in a need for certain technical resource specialization that does not reside within the Water Authority staff, or those staff are assigned to other critical projects. Over the next three years, there is a need for expert structural analysis and design services.

Typical structural engineering services required consist of performing structural engineering design services for small projects; evaluating concrete pipeline encasements, vault structures and prestressed concrete cylinder pipe; and providing quality assurance reviews of contract plans and specifications in this specialty area.

Because of the fluctuating demand for these services, the use of as-needed consultant support is the most cost effective resource strategy. This will provide the needed structural engineering services, both for in-house design and existing facility analysis.

Discussion
On October 13, 2009, an open Request for Proposals inviting all consultants was advertised to provide as-needed structural services. Outreach efforts were conducted both on-line and in print through the distribution of project fact sheets. Notices were sent to individuals who expressed interest in the project and to firms that provide structural engineering services. Proposals were received from sixteen firms.
The consultant selection criteria required firms to demonstrate their understanding of the scope of work and contract purpose, technical and specialized qualifications of the project team and past performance on similar work. Five firms were short-listed for interview: Beyaz & Patel, Richard Brady & Associates, Simon Wong Engineering, Simpson Gumpertz & Heger, and Tetra Tech. Based on an evaluation of written proposals and interviews, Simon Wong Engineering and Tetra Tech were unanimously selected as the best qualified to perform the required work.

Upon board approval, the as-needed structural engineering services contracts will be executed for a not-to-exceed amount of $250,000 each for as-needed structural engineering services over the next three years.

Simon Wong Engineering is a small business enterprise. This information is provided for statistical purposes.

Prepared by: Mike Wallace, Engineer (P.E.)
Reviewed by: Michael T. Stift, Director of Engineering
Approved by: Frank Belock, Jr., Deputy General Manager
April 14, 2010

Attention: Engineering and Operations Committee

Construction contract for the San Vicente Dam Raise Package 3 – Roller Compacted Concrete Dams and Appurtenant Facilities project (Action)

Staff Recommendation
Approve Shimmick Construction Company Inc./Obayashi Corporation A Joint Venture’s substitution of pipe manufacturer and supplemental bid information, and authorize the General Manager to award a construction contract to Shimmick/Obayashi in the amount of $140,206,050 for the San Vicente Dam Raise Package 3 – Roller Compacted Concrete Dams and Appurtenant Facilities.

Alternatives
1. Reject all bids and re-bid the project. This option could delay project completion by up to six months.
2. Reject Shimmick/Obayashi’s pipe manufacturer substitution and supplemental bid information; declare the second low bid by Ames/Granite A Joint Venture as non-responsive; and authorize the General Manager to award a construction contract to the third low bidder, Kiewit Pacific Co., in the amount of $157,865,050. Acceptance of the third low bidder would be subject to the Water Authority’s receipt, review, and approval of supplemental bid information.

Fiscal Impact
Funds in the amount of $140,206,050 are included in the approved project budget and in the fiscal years 2010 and 2011 Capital Improvement Program appropriation. The rate category for this project is storage.

The bids for the San Vicente Dam Raise Package 2 and 3 construction contracts were both less than anticipated relative to the recent bond issuance. Award of the Package 3 contract, based on the low bid, along with the savings realized from award of the Package 2 contract will increase the 2010 Bonds funding period by six to twelve months. As a result, the 2010 Bonds may provide funding for up to three years of CIP expenditures. By extending the funding period of the 2010 Bonds, the Water Authority can reduce the size of planned future debt issuances. The long-term impact of reducing the total amount of debt issued is lower future water rates and charges.

Background
In June 1998, the Board approved the addition of the Emergency Storage Project to the Capital Improvement Program. The Emergency Storage Project includes raising the existing San Vicente Dam by 54 feet to provide 52,000 acre-feet of emergency storage. In April 2008, the Board certified the Carryover Storage Project Environmental Impact Report, and approved amendment of the Capital Improvement Program to raise San Vicente Dam an additional 63 feet to provide 100,000 acre-feet of carryover storage. Under the construction contract, the dam will be raised a
total of 117 feet, providing an additional 152,000 acre-feet of combined storage for the region. The following is the project’s construction package implementation plan:

- Package 1 – Test Quarry (Complete)
- Package 2 – Foundation Preparatory Work (In construction)
- Package 2B – Vegetation Cutting and Erosion Control (In Construction)
- Package 3 – Roller Compacted Concrete Dams and Appurtenant Facilities (Recommended for Construction Award)
- Package 4 – Bypass Pipeline (Recommended for Design Award)
- Package 5 – Marina Improvements (In design)
- Package 6 – Post Construction Habitat Restoration (In planning)

In May 2009, the Board awarded the Package 2 – Foundation Preparatory Work construction contract to excavate the main and saddle dam foundations, and prepare the site for the dam raise. The Package 2 project is on schedule for completion this summer.

All environmental compliance requirements have been met including septic sewer setback property acquisitions within 200 feet of the Dam Raise’s expanded reservoir with the purchase of 11.58 acres of real property for $187,902. Staff continues work to obtain additional source water protection buffer property within 1,000 feet of the expanded reservoir in accordance with the August 2008 City of San Diego and Water Authority San Vicente Dam Raise Principals of Understanding.

Previous Board action: In May 2009, the Board authorized the General Manager to execute a construction contract with Barnard Construction Company, Inc. for the Package 2 – San Vicente Foundation Preparatory Work project.

Discussion
The San Vicente Dam Raise Package 3 – Roller Compacted Concrete Dams and Appurtenant Facilities project will raise the main dam, construct a smaller saddle dam, build a new outlet tower, pipelines, access roads, and a control facility to regulate the flow of water from the expanded reservoir to Water Authority and City of San Diego facilities as shown in the attached Figure 1.

The State of California Division of Safety of Dams (DSOD) is a key stakeholder which ultimately approves the dam’s design, construction, and operation. DSOD has been involved from the initial design phase with the Water Authority’s designer and Board of Senior Consultants, and has taken a conservative approach to the project’s overall design. As a result of stringent DSOD blasting and excavation requirements for the new outlet tower, the time to complete the Package 3 work was extended by 90 days in the bid documents. While DSOD has approved the Dam Raise Package 3 contract documents, DSOD will inspect and approve all facets of the dam raise construction, and may require revisions or additions as work progresses to completion and initiation of expanded reservoir filling operations.
Since Package 3 is a specialized and complex construction project, the Water Authority chose to pre-qualify the prime contractors to ensure bidders possessed the required experience and qualifications. Five prime contractors were pre-qualified and the Package 3 construction contract was advertised for bids in January 2010. Pre-bid meetings were held on February 4 and March 2, 2010. To enhance project outreach to small businesses, the prequalified contractors participated on a panel for the SCOOP small business skills training class, “Teaming with Prime Contractors,” which was attended by more than 30 small businesses.

All five pre-qualified prime contractors submitted bids on March 17, 2010 ranging from a low bid of $140 million to a high of $192 million as shown on Table 1. The construction cost estimate was $170 to $190 million. Shimmick/Obayashi Joint Venture submitted the apparent low bid in the amount of $140,206,050.

Shimmick/Obayashi First Low Bid and Bid Protest

The second low bidder, Ames/Granite Joint Venture, protested Shimmick/Obayashi’s apparent low bid by filing a written protest under Administrative Code, Chapter 4, Section 4.08.040, Bid and Contract Requirements. Ames/Granite alleged that Shimmick/Obayashi had submitted a pipe manufacturer which was unqualified because it did not meet the bid specifications, and therefore the bid was non-responsive. A copy of the protest is attached. Shimmick/Obayashi responded to the protest. A copy of the response is also attached. Shimmick/Obayashi indicated a willingness to replace the pipe manufacturer if the Water Authority determined that the proposed supplier did not meet the necessary qualifications.

The Water Authority’s evaluation of the protest and the bid documents found that the low bid was responsive and the bidder was responsible, but that the proposed pipe supplier did not meet the qualifications. The Water Authority notified Shimmick/Obayashi that the pipe manufacturer listed, Relax Afternoon LLC, did not meet the project specifications and therefore was not qualified. A copy of that notification is attached. Under California statutes, substitution of a listed subcontractor is permitted in limited situations including when the awarding authority determines the subcontractor is not responsible. Shimmick/Obayashi chose to replace the pipe manufacturer listed in the bid with Mid America Pipe Fabricating & Supply, LLC, with no change to its bid price. Staff and General Counsel determined this substitution was appropriate, and since the bid was responsive in all respects, that the protest should be rejected.

During bid evaluation, staff requested supplemental bid information from the first and second low bidders to clarify their bids by providing information relating to their respective plans to meet roller compacted concrete temperature and placement requirements, decommissioning sequence requirements to ensure functionality of the existing dam outlet works, coordination with other Water Authority contractors including the Package 2 foundation excavation contractor, and other information. The Water Authority’s request for supplemental bid information and Shimmick/Obayashi response letters are attached. The Water Authority did not request similar information from other bidders, but would do so if the Board determines not to proceed with award of the contract as recommended.
Shimmick/Obayashi has extensive experience in the construction of roller compacted concrete dams and also has California dam experience. Shimmick Construction Company and Obayashi Corporation have completed a number of roller compacted concrete and concrete dams over the past ten years including construction of seven dams in Japan, as well as dam rehabilitation projects. The Shimmick Construction Company portion of the joint venture is currently working on a seismic rehabilitation dam project in California that is nearly complete.

Water Authority staff has verified Shimmick/Obayashi’s good faith efforts to conduct outreach to qualified small businesses, including but not limited to, minority and women owned businesses. Their bid provides for a small business participation of 11 percent. Minority and women owned business participation is 4 percent. This information is provided for statistical purposes.

Based on the bid evaluation, the pipe manufacturer substitution, and supplemental bid information, and in accordance with the bid documents, staff recommends that Shimmick/Obayashi is the lowest, responsive, and responsible bidder.

Ames/Granite Second Low Bid

Staff also evaluated Ames/Granite’s second low bid, along with the supplemental information.

Evaluation of the Ames/Granite bid documents determined incomplete and inconsistent bid documentation was submitted, including a failure to identify each subcontractor, vendor, and service provider which will perform work or labor, render services, or will furnish materials, products or equipment to the prime contractor in excess of one half of one percent. As a result of these deficiencies, staff determined that the Ames/Granite bid was non-responsive and their deficiencies are not waivable. The Water Authority’s letter of non-responsiveness to Ames/Granite is attached.

Kiewit Pacific Co. Third Low Bid

The Water Authority’s process for bid evaluation is to review the two lowest bids because of the extensive effort required of staff and the contractor to check the actual bid and provide supplemental bid information such as financial, bonding, insurance and other bid clarifications. When it became apparent that the second low bid was non-responsive, staff also began an evaluation of the third low bid, Kiewit Pacific Co. Our evaluation of Kiewit’s bid currently suggests its bid is responsive and responsible.

If the Board does not approve the first low bid as responsive and responsible, and if it agrees the second low bid is non-responsive, Kiewit will need to provide the same supplemental bid information requested of the other bidders for evaluation before a contract can be executed.
Summary

Staff, in consultation with General Counsel, reviewed the bids, the bid protest, the information in response to the bid protest, and the supplemental information requested of and provided by the bidders. Based on that review, we recommend the Board approve the substitution of the pipe manufacturer and the supplemental bid information, and award the Package 3 construction contract to the low bidder, Shimmick/Obayashi A Joint Venture, in the amount of $140,206,050. We also recommend that the Board reject the protest by Ames/Granite A Joint Venture because the low bid deficiency was cured by the substitution of a qualified pipe manufacturer.

If the Board does not concur with this determination, then the construction contract cannot be awarded to the second low bidder, Ames/Granite A Joint Venture, as its bid was determined to be non-responsive and the deficiencies not waivable. Instead, the contract should be awarded to the third low bidder, Kiewit Pacific Co., contingent upon receipt and evaluation of its supplemental information.

Subject to Board award, the contract Notice to Proceed will be issued in May 2010, with construction completion anticipated in early 2013. Reservoir filling will then begin in spring 2013, and it will take up to five years for the reservoir to reach its new, expanded operating level.

Prepared by: Nicola M. Kavanagh, Senior Engineer
Reviewed by: Michael T. Stift, Director of Engineering
Approved by: Frank Belock, Jr., Deputy General Manager

Attachments-General:
Figure One – Location Map
Table One – Bid Summary

Attachments Affecting Shimmick/Obayashi Bid:
March 27, 2010 – Ames/Granite Bid Protest Letter
April 2, 2010 – Shimmick/Obayashi Bid Protest Response Letter
April 7, 2010 – Water Authority Bid Protest Finding Letter
April 8, 2010 – Shimmick/Obayashi Pipe Supplier Replacement Letter
March 17, 2010 – Water Authority Request for Bid Evaluation Information Letter
March 29, 2010 – Water Authority Request for Supplemental Bid Information Letter
April 5, 2010 - Shimmick/Obayashi Supplemental Bid Information Response Letter

Attachments Affecting Ames/Granite Bid:
March 17, 2010 – Water Authority Request for Bid Evaluation Information Letter
April 7, 2010 – Water Authority Bid Evaluation Finding Letter

Attachments Affecting Kiewit Pacific Co. Bid:
March 31, 2010 – Water Authority Request for Bid Evaluation Information Letter
San Vicente Bypass Pipeline

Future Marina

Proposed Saddle Dam

Existing San Vicente Dam, Future Site for San Vicente Dam Raise ESP & Carryover Storage Project

Package 3 Construction Contract Limits of Work

PROJECT: SAN VICENTE DAM RAISE ESP & CARRYOVER STORAGE PROJECT, PACKAGE 3

FIGURE 1
# RESULTS OF BID OPENING

SAN VICENTE DAM RAISE PACKAGE 3 – ROLLER-COMPACTED CONCRETE DAMS AND APPURTENANT FACILITIES

**SPECIFICATION 592**

<table>
<thead>
<tr>
<th>NO.</th>
<th>GENERAL CONTRACTOR</th>
<th>TOTAL BID PRICE</th>
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<td>CONSTRUCTION COST ESTIMATE</td>
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<tr>
<td>1.</td>
<td>Shimmick Construction Company, Inc./Obayashi Corporation Joint Venture</td>
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<td>2.</td>
<td>Ames - Granite A Joint Venture</td>
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<td>3.</td>
<td>Kiewit Pacific Co.</td>
<td>$157,865,050</td>
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<tr>
<td>4.</td>
<td>Barnard-ASI Joint Venture</td>
<td>$187,725,000</td>
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<tr>
<td>5.</td>
<td>Dragados USA, Inc./CC Myers, Inc. Joint Venture</td>
<td>$192,371,900</td>
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ATTACHMENTS AFFECTING SHIMMICK/OBAYASHI BID:

Bid Protest
- March 27, 2010 – Ames/Granite Bid Protest letter
- April 2, 2010 – Shimmick/Obayashi Bid Protest Response Letter
- April 7, 2010 – Water Authority Bid Protest Finding Letter
- April 8, 2010 – Shimmick/Obayashi Pipe Supplier Replacement Letter

Supplemental Bid Information
- March 17, 2010 – Water Authority Request for Bid Evaluation Information Letter
- March 29, 2010 – Water Authority Request for Supplemental Bid Information Letter
- April 5, 2010 – Shimmick/Obayashi Supplemental Bid Information Response Letter
March 27, 2010

San Diego County Water Authority
4677 Overland Avenue
San Diego, CA 92123
Attn: Melissa Retener
Contract Administrator

Re: San Diego County Water Authority
San Vicente Dam Raise, Package 3
Roller Compacted Concrete Dams and Appurtenant Facilities
Specification 592

Subject: Ames – Granite A Joint Venture
Bid Protest

Melissa:

Per Administrative Code, Section 4, Chapter 4.08, Paragraph F, please allow this letter to act as Ames – Granite A Joint Venture’s formal protest of the above referenced bid submitted by Shimmick Construction Company, Inc. / Obayashi Corporation, a Joint Venture. A thorough review of the Welded Steel Pipe Manufacturer Qualifications as submitted by Shimmick Construction Company, Inc. / Obayashi Corporation, a Joint Venture show non-compliance with the project specifications.

As required under Administrative Code, Section 4, Chapter 4.08, Paragraph F regarding bid protests:

(A) Name, address and telephone number of the protestor:
Ames – Granite A Joint Venture
3410 E. University Dr. #380
Phoenix, AZ 85034
(602) 431-2111

(B) Solicitation, bid or contract number:
San Vicente Dam Raise, Package 3
Roller Compacted Concrete Dams and Appurtenant Facilities
Specification 592

(C) Detailed statement of all legal and factual grounds for the protest:
Project Specification Section 02653, Steel Pipe, Subsection 1.04B and the Welded Steel Pipe Manufacturer Qualifications submittal package clearly outlines the requirements for new manufacturers of steel pipe. It is Ames-Granite’s understanding that the steel pipe supplier submitted by Shimmick Construction Company, Inc. / Obayashi Corporation, a
Joint Venture fails to demonstrate compliance with this specification in that:

1. Supplier lacks continuous experience in the manufacture of completed lined and coated welded steel pipe, sized 60 inches in diameter or larger, for domestic water service for the past six years. The manufacturer fails to provide any domestic project 60 inches or larger.

2. Supplier lacks experience for cold-applied plastic tape coating. They did not provide a list of not less than three projects completed or in fabrication within the past six years, sized 60 inches in diameter or larger, with a cold-applied plastic tape coating. The supplier fails to provide any projects 60” or larger with cold-applied plastic tape coating.

3. Supplier does not satisfy the requirement to provide a list of not less than three projects completed or in fabrication within the past six years, sized 60 inches in diameter or larger, with cement mortar coating over a dielectric coating or on bare steel pipe. The supplier also fails to provide any projects 60” or larger with cement mortar coating over a dielectric coating or on bare steel pipe.

4. The supplier does not address the requirement for a one-station operation for tape and rock shield.

5. Supplier does not satisfy the requirement to provide a list of not less than three projects completed or in fabrication within the past six years, sized 60 inches in diameter or larger with a cement mortar lining. The supplier fails to provide any projects 60” or larger with cement mortar lining.

For these reasons, Ames – Granite A Joint Venture believes that the Shimmick Construction Company, Inc. / Obayashi Corporation, a Joint Venture proposal is non-responsive.

Ames – Granite understands the significance of the welded steel pipe element of this project and as such proposed with a manufacturer that has verifiably satisfied the qualification requirements set forth in the Project Specification Section 02653, Steel Pipe, Subsection 1.04B and the Welded Steel Pipe Manufacturer Qualifications submittal package.

Ames - Granite understands the importance of time as it relates to The Water Authority’s goals for this project and believes that our proposal is the most responsive, responsible bid as outlined in the Notice Inviting Bids, Item 9.

Regards,

[Signature]

John A. Ames
Ames Construction, Inc.
Senior Vice President

Cc: Shimmick Construction Company, Inc. / Obayashi Corporation, a Joint Venture, via facsimile (949) 333-1510

E. American Welding Society
   AWS D1.1 Structural Welding Code, Steel.

F. International Organization for Standardization
   ISO 9001 Quality Management System

G. American Society for Nondestructive Testing
   ASNT SNT-TC-1A, Recommended Practice

1.04 QUALIFICATIONS OF MANUFACTURERS

A. Ameron International (Slover, Arrow, Tracy and Phoenix plants) Pipe, American Spiral Weld (Columbia), Mid Amercan Pipe, and Northwest Pipe Company (Adelanto), have previously satisfied the manufacturer qualification requirements, and are not required to submit their qualifications.

B. New manufacturers are required to submit the following:

1. Demonstrated experience that the pipe manufacturer has, at a minimum, continuous experience for the past six years fabricating WSP for domestic water service. Qualifying project experience shall include a minimum of three projects completed or in current fabrication within the past six years, sized 60-inches in diameter or larger and a minimum of 0.50 inch plate, sheet, or coil thickness.

2. Provide ISO 9001 Certification.

3. Demonstrated experience to design and fabricate fittings and pipe specials for the past six years, in accordance with the requirements herein, sized 60 inches and larger.

4. Demonstrated experience that the pipe manufacturer, or a specialty coating subcontractor under the direct supervision of the same pipe manufacturer, has, at a minimum, six years of recent experience in the application of the coating specified for this project. Qualifying experience shall include a minimum of three projects completed or in fabrication within the past six years, sized 60 inches in diameter or larger, with each coating as specified herein on bare steel pipe. Qualifying experience for plant-applied cement mortar coating may include application of cement mortar over a dielectric coating or on bare steel pipe.

5. Demonstrated experience that the pipe manufacturer, or specialty lining subcontractor under the direct supervision of the same pipe manufacturer, has, at a minimum, six years of recent experience in the application of the lining specified for this project. Qualifying experience shall include a minimum of three projects completed or in fabrication with the past six years, sized 60 inches in diameter or larger, with the lining as specified herein on bare steel pipe.

6. Submit qualifying experience for all pipe manufacturer processes and include all manufacturers, fabricators and subcontractors retained to manufacture the pipe complete with the required plant-applied pipe linings and coatings.

7. For each qualifying project, submit the following information: project name, project owner, current owner contact information (contact name, mailing address, email address, telephone number, and fax number), project size (diameter, plate thickness, length of pipe or tons of steel), type of service, type of lining and coating, and year pipe was manufactured. All project information will be verified by the Engineer.
C. Pipe, specials and fittings shall be subject to inspection at the place of manufacture in accordance with the provisions of AWWA C200 as supplemented by the requirements herein.

D. Welding procedures used to fabricate pipe shall be prequalified under the provisions of ANSI/AWS D1.1 – Structural Welding Code – Steel. Welding procedures shall be required for longitudinal and girth or spiral welds for pipe cylinders, spigot and bell ring attachments, reinforcing plates and ring flange welds, and plates for lug connections.

E. Welding shall be done by skilled welders, welding operators, and takers who have had adequate experience in the methods and materials to be used. Welders shall be qualified under the provisions of ANSI/AWS D1.1 by independent local, approved testing agency not more than six months before commencing work on the pipeline. Machines and electrodes similar to those used in the Work shall be used in qualification tests.

1.05 SUBMITTALS

A. Prepare Shop and Pipeline Laying drawings consistent with the pipeline alignment and grade shown on the Plans, and with the size, location, elevation and slope information of existing utilities, pipelines and encasements obtained by the Contractor in accordance with Section 01530, Protection of Existing Facilities and Section 02655, Installation of Pipe. The pipeline shop drawings shall include:

1. The location, length, plate thickness, and designation by number of each steel pipe section and fabricated pipe specials.

2. The invert station and elevation to which the spigot end of each pipe, within the limits of horizontal or vertical curve, will be laid.

3. The elements of curves and bends, both in horizontal and vertical alignment, including elements of the resultant true angular deflections in cases of combined curvature.

4. The limits of each reach of each type of field-welded joint and of concrete encasement. Type and limits of linings and coatings shall be identified.

5. Locations of longitudinal and circumferential joints in the pipe, fabricated specials, and outlets.

6. Details, locations and calculations for bulkheads, pipe restraint and all methods required to prevent excessive pipe wall stresses for hydrostatic testing of pipeline.

7. Details and locations of closures for length adjustment and for construction convenience.

8. Details of fabricated specials and insulating joints, including layout of all pieces making up a special, weld details, sequence of fabrication, testing and welding.

9. Dimensions and details of all valves, meters, pumps and other equipment, as required to determine pipe dimensions.

10. Details of butt straps and other appurtenances which are to be shipped separately.

11. Design calculations for fittings and specials including miters, welds, and reinforcement.

12. Detail drawings indicating the type, number, and other pertinent details of the slings, strutting, and other methods proposed for pipe handling during manufacturing and transport.
WELDED STEEL PIPE MANUFACTURER QUALIFICATIONS

1. Name of Manufacturer: ________________________________

2. The following data, statements of experience, personnel, equipment, and general qualifications of the manufacturer are submitted two days following the bid and the manufacturer represents and guarantees the truthfulness and accuracy thereof.

3. Qualification Requirements:

   A. Continuous experience in the manufacture of completed lined and coated welded steel pipe, sized 60 inches in diameter or larger, for domestic water service for the past six years.

   B. Experience in design and fabrication of 60 inch diameter and larger welded steel pipe fittings and pipe specials for the past six years in accordance with the specification requirements.

   C. Experience of the pipe manufacturer, or a specialty coating subcontractor under the direct supervision of the same pipe manufacturer, for the past six years in the application of the specified coating systems. Specified coating systems include cold-applied plastic tape coating with a cement mortar coating.

   D. Experience of the pipe manufacturer, or specialty lining subcontractor under the direct supervision of the same pipe manufacturer, for the past six years in the application of cement mortar lining and/or the application of polyurethane lining.

4. Experience information to be submitted two days following the bid shall be organized and labeled as attachments to the welded steel pipe manufacturer qualifications as specified below:

   A. Written statement from the pipe manufacturer showing six years of continuous fabricating experience of welded steel pipe for domestic water service, sized 60 inch diameter or larger. Label this item as Attachment A.

   B. A list of not less than three projects completed or in current fabrication within the past six years, sized 60 inches or larger, minimum 0.50 inch plate thickness, and minimum project size of 1,000 tons of steel. Label this item as Attachment B. List shall include the following minimum information for each project:

      a. Project Name
      b. Project Owner
      c. Year completed
      d. Owner's current contact information – Contact Name, Address, Telephone Number, Fax Number, Email Address
      e. Project Size – Pipe diameter, plate thickness, pipe length or tons of steel
      f. Type of service
      g. Type of lining
      h. Lining manufacturer name and contact information if subcontracted
      i. Type of coating
      j. Coating manufacturer name and contact information if subcontracted

   C. Copies of owner-approved shop drawing submittals for each of the three projects listed. Label this item as Attachment C. Shop drawing submittals shall include the following minimum information:
a. Fabrication details for straight run welded steel pipe, and steel pipe fittings and specials
b. Pipe coating system application details
c. Pipe lining system application details

D. Written statement from the pipe manufacturer showing that the pipe manufacturer or proposed specialty coating subcontractor under the direct supervision of the same pipe manufacturer, has a minimum of six years recent experience in the application of the specified coating system on steel pipes sized 60 inches in diameter or larger. Label this item as Attachment D.

E. For cold-applied plastic tape coating, a list of not less than three projects completed or in fabrication within the past six years, sized 60 inches in diameter or larger with a cold-applied plastic tape coating. Label this item as Attachment E. List shall include the following minimum information for each project:

a. Project Name
b. Project Owner
c. Year completed
d. Owner’s current contact information – Contact Name, Address, Telephone Number, Fax Number, Email Address

G. A list of not less than three projects completed or in fabrication within the past six years, sized 60 inches in diameter or larger with cement mortar coating over a dielectric coating or on bare steel pipe. Label this item as Attachment G. List shall include the following minimum information for each project:

a. Project Name
b. Project Owner
c. Year completed
d. Owner’s current contact information – Contact Name, Address, Telephone Number, Fax Number, Email Address

H. Written statement from the pipe manufacturer showing that the pipe manufacturer or proposed plant-applied specialty lining subcontractor under the direct supervision of the pipe manufacturer, has a minimum of six years recent experience in the application of the specified lining system on steel pipes sized 60 inches in diameter or larger. Label this item as Attachment H.

I. For cement mortar lining, a list of not less than three projects completed or in fabrication within the past six years, sized 60 inches in diameter or larger with a cement mortar lining. Label this item as Attachment I. List shall include the following minimum information for each project:

a. Project Name
b. Project Owner
c. Year completed
d. Owner’s current contact information – Contact Name, Address, Telephone Number, Fax Number, Email Address

J. For polyurethane lining, a list of not less than three projects completed or in fabrication within the past six years, sized 60 inches in diameter or larger with a polyurethane lining. Label this item as Attachment J. List shall include the following minimum information for each project:

a. Project Name
b. Project Owner
c. Year completed
d. Owner's current contact information - Contact Name, Address, Telephone Number, Fax Number, Email Address

K. A draft pipe fabrication plan that details the steel pipe fabrication process for the San Vicente Dam Raise Package 3 - Roller Compacted Concrete Dam and Appurtenant Facilities, Specification 592 project. The draft steel pipe fabrication plan shall address the various phases of manufacturing lined and coated welded steel pipe. Label this item as Attachment K. Submit the following minimum information:

a. Pipe manufacturer process
b. Coating system process
c. Lining system process
d. Methods for handling pipe for each process
e. Sources of materials
f. Fabrication schedule
g. Delivery schedule
h. Shipping and transportation methods from the manufacturer's plant site to job site

L. A copy of a Quality Control procedures manual for the most recent projects listed above. Include specialty subcontractors if used. Label this item as Attachment L.

M. A copy of the manufacturing facilities ISO 9001 Certification. Label this item as Attachment M.

N. Provide separate welded steel pipe manufacturer qualifications for each pipe manufacturer identified to supply materials. Clearly identify the size, type of material, station limits, and quantity of the materials to be provided by each manufacturer. Provide all requirements listed in Parts 1 through 4 for each pipe manufacturer identified to supply materials.
5. **Description of Work:** The work to be completed under the Contract consists of San Vicente Dam Raise and Appurtenant Facilities Work, including raising the existing San Vicente Dam 117 feet, constructing a new saddle dam, constructing access roads, and constructing an outlet tower, pipelines, and control facility, as more fully described below:

a. **General.** Prepare the site; construct a new marina access road, surge control facility access road extension, and right abutment access road extension, with related cut slope support, storm drainage and erosion control; and modify the Vigilante Road and Moreno Avenue intersection.

b. **San Vicente Dam Area.** Excavate and prepare the foundation; demolish portions of the existing main dam; construct the roller-compacted concrete dam raise; install dam grouting, drainage, and monitoring instrumentation; construct the outlet tower, outlet tunnel, low-level outlet, and downstream control facility; and provide and install mechanical, electrical, and other equipment.

c. **Saddle Dam Area.** Construct the RCC saddle dam.

d. **Marina Area.** Produce concrete aggregate; construct marina fills; construct boat ramp; and grade the site.

6. **Contract Document Review:** Please visit the Water Authority’s Contracting Opportunities page at [http://contracts.sdcwa.org](http://contracts.sdcwa.org) to view or print the Project Fact Sheet, Order Form, and Planholder’s List. This site also has links to the Contract Documents, including Plans and Specifications, via The Network or Ebidboard*. Contract Documents may also be seen at the offices of the Water Authority, 4677 Overland Avenue, San Diego, California 92123-1233. To order Plans and Specifications or to request general information, please contact Melissa Retener at phone (858) 522-6804, fax (858) 268-7802, or email at mretener@sdewa.org. Contract Documents may be purchased at the non-refundable amounts shown below.

<table>
<thead>
<tr>
<th>Document Description</th>
<th>Pickup Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contract Documents (with Geotechnical CDs)</td>
<td>$40.00</td>
</tr>
<tr>
<td>Full Size Plans (22-inch by 34-inch)</td>
<td>$125.00</td>
</tr>
<tr>
<td>Reduced Sized Plans (11-inch by 17-inch)</td>
<td>$40.00</td>
</tr>
</tbody>
</table>

An additional charge of $10.00 per document will be charged for U.S. mailing.

*Please note Geotechnical reports are not available at the online links due to the large file size. If viewing Contract Documents via The Network or Ebidboard, or any other online plan room provider, please contact Melissa Retener for a copy of the Geotechnical Reports on CDs.

7. **Alternative Schedules:** None.

8. **Bid Security:** Each bid shall be accompanied by cash, certified or cashier's check, or bid bond in the amount of 10 percent of the total bid price payable to the Water Authority as a guarantee that the bidder, if the bid is accepted, will execute the agreement and provide the required bonds, certificates of insurance, and endorsements within 15 days of the receipt by the bidder of the Notice of Award.

9. **Award of Contract:** All terms and conditions contained in the Contract Documents shall become a part of the Contract. No bidder may withdraw its bid for a period of 90 days after the time set for the opening thereof. The contract shall be awarded within 90 days after the opening of bids, if it is in the interest of the Water Authority to do so. The Water Authority reserves the right, after opening bids, to waive any informality in any bid, to reject any or all bids, to make an award to the lowest, responsive, responsible bidder, as determined by the Water Authority, and reject all other bids as may be in the best interest of the Water Authority. A bidder to whom an award is made will be required to execute the agreement and provide the required bonds, certificates of insurance, and endorsements within 15 days of the receipt by the bidder of the Notice of Award.
Date April 2, 2010

San Diego County Water Authority
4677 Overland Avenue
San Diego, CA 92123-1233
Phone: 858/522-6600
Fax: 858/522-6568

Attn: Vic Bianes

Re: San Vicente Dam Raise Package (Specification 592)

Subject: Bid Protest Response
Reference: Ames-Granite Protest Letter dated March 27, 2010

Dear Mr. Bianes:

Shimmick Construction Company Inc./Obayashi Corporation, a Joint Venture ("SOJV") acknowledges receipt of the San Diego County Water Authority’s (the “Authority”) March 29, 2010 letter regarding the bid protest of Ames Granite Joint Venture ("Ames-Granite"), dated March 27, 2010. Pursuant to your letter and Section 4.08.040(f)4 of the Administrative Code of the San Diego Water Authority ("the Code"), SOJV timely responds to Ames-Granite’s bid protest.

As demonstrated below, the protest should be denied for four separate and independent reasons. First, the protest should be denied because it fails to raise a material issue which would overcome the Authority's ability to waive immaterial irregularities. Second, the protest should be rejected because SOJV's bid was demonstrably responsive and the protestor's assertion otherwise is simply baseless. Third, although SOJV believes that its proposed manufacturer should be approved by the Engineer, if the Engineer does not approve the manufacturer, SOJV is entitled under the bid documents to substitute another manufacturer. Lastly, the protestor lacks standing to protest SOJV's bid because the protestor submitted a "non-responsive" bid.

I. THE PROTEST SHOULD BE DISMISSED BECAUSE IT FAILS TO RAISE A MATERIAL ISSUE

The bid protest asserts a single ground, i.e., SOJV's bid was "non-responsive" in regard to the qualifications of its steel pipe manufacturer. Ames-Granite focuses on five discrete items for which it believes SOJV failed to comply with the steel pipe manufacturer specifications.
Ames-Granite's bid protest must be placed in perspective. The SOJV bid, the lowest, responsive, responsible bid, is in the amount of approximately $140 million for the entirety of the San Vicente Dam Raise Project. The Project is primarily the construction of a concrete dam. Incidental to the dam construction is the installation of approximately 1800 feet of welded steel pipe. The supply price of the welded steel pipe, the subject of the Ames-Granite's bid protest, comprises less than 2% of SOJV's bid price (3/140). See SOJV's Vendor/Supplier and Service Provider List. Given the incidental nature of the sole scope of work which is the subject of the bid protest, the Instructions to Bidders ("ITB"), Section 1.9(a) are informative. This ITB expressly allows the Authority to waive any immaterial irregularity in the bid submission. Please also refer to Section 4.08.040(c)4 of the Code.

Not only is the scope of work which is the subject of the protest extremely limited in comparison with the entirety of the Project, but also the portion of such scope of work which is under attack by the protestor is de minimis. The Protest challenges the qualifications of the SOJV manufacturer in regard to cold-applied plastic tape coating, cement mortar coating and cement mortar lining. Of the approximately 1,800 feet of welded steel pipe with various coatings ranging in diameters from 60-inch to 108-inch, only 110 feet (see plan sheets O-124 and O-125) is with coatings and/or linings even arguably outside the experience and proven capacity of the manufacturer. Thus, the discrete items for which Ames-Granite contends the SOJV manufacturer lacks experience relate to approximately 6% (110/1800) of the total welded steel pipe for the Project. In effect, the protest then is directly addressing 6% of the steel welded pipe and the welded steel pipe is 2% of the SOJV bid price. The protest is, therefore, directed at .1% of the Project's scope of work. Consequently, although, as will be shown below, SOJV's bid is responsive, the issue being raised by Ames-Granite is immaterial and subject to waiver by the Authority in accordance with its ITB and the Code.

II. SOJV'S BID IS RESPONSIVE

In addition to being focused on an infinitesimal aspect of SOJV's bid, Ames-Granite's protest improperly contends SOJV's bid is "non-responsive" because SOJV's manufacturer is allegedly not qualified. The determination of whether the manufacturer is qualified, however, is irrelevant to the issue of responsiveness.

Responsiveness is solely focused on whether SOJV submitted the requisite bid forms on bid day. The general rule is that responsiveness is determined at the time of bid opening on the face of the bid. Valley Crest Landscape, Inc. v. City Council (1996) 41 Cal.App.4th 1432. In short, the bids submitted must conform to the specifications, although strict responsiveness is not required. See Ghilotti Construction Co. v. City of Richmond (1996) 45 Cal.App.4th 897, 904.

Contrary to Ames-Granite's assertion, SOJV's bid is responsive in that it complied with all bid requirements on bid day. SOJV submitted the requisite bid documents with regard to steel pipe (e.g., Bidders Plan for Construction and Vendor/Supplier and Service Provider List). SOJV followed the SCOOP outreach effort in compliance with the Authority's guidelines and has made every effort to utilize the certified supplier while adhering to the required qualifications of
manufacturers. Peter Sun of Relax Afternoon LLC is a SCOOP certified supplier of the Authority. SOJV identified Relax Afternoon, LLC as the supplier for the steel pipe and fittings in its Bidder's Plan for Construction on bid day. Significantly, the protestor does not even allege that SOJV's bid on bid day was in any way deficient.

Instead, the protestor alleges that SOJV was "non-responsive" in the post bid period. The bid specifications require bidders to submit a Welded Steel Pipe Manufacturer Qualifications ("Pipe Qualifications") two days after the bid. Following submission of a responsive bid on bid day, SOJV complied with the post bid requirement to submit its manufacturer's qualifications for approval. Specifically, Relax Afternoon, LLC assisted with the completion of the Welded Steel Pipe Qualifications on behalf of its proposed steel pipe manufacturer, Guangzhou City XinHua Steel Structure Engineering Co., Ltd. (originally named Panyu Hua Wei Steel Structure Engineering Co., Ltd.)(PHW).

In reality, the protestor's assertion is that the post bid day qualification submittal for the welded steel pipe manufacturer should not be approved. However, as demonstrated above, the issue of responsiveness is determined on the day of the bid - not during the post bid period. Moreover, even if responsiveness is determined on the second day after the bid, it is undisputed that SOJV submitted the Pipe Qualifications. Consequently, SOJV's bid was responsive and the protest which is based solely on the question of responsiveness should be summarily dismissed.

With this background, SOJV addresses each of the five items identified by Ames-Granite as a basis for encouraging the Engineer to disapprove the submittal in regard to the qualifications of the proposed manufacturer.

A. Item No. 1 of the Protest

Ames-Granite contends that the Engineer should not approve PHW because it allegedly lacks continuous experience in the manufacture of completed line and coated welded steel pipe, sized 60 inches in diameter or larger, for domestic water service for the past six years. Ames-Granite does not dispute that SOJV submitted certain information with regard to PHW's experience. Instead, Ames-Granite focuses on whether PHW has the experience necessary for the Authority's approval.

SOJV's Pipe Qualifications includes a list of PHW projects with steel pipe sized 60 inches in diameter or larger for domestic water service in the last six years. (See Tab A of Pipe Qualifications.) Tab A of the Pipe Qualifications includes a list of projects of which the following were for domestic water supply: the Dongguan City Water Treatment Plant Projects (3 separate projects) and the Guangzhou X1 Xing Water Supply Project. Notably, the term "domestic" in this context refers to having been used for household use or for the transmission and supply of potable water for household use. As you know, 100% of the scope of work associated with welded steel pipe on the Project falls within this definition of "domestic." PHW
has continuous experience as a manufacturer for extensive list of projects satisfying this requirement.

B. **Item Nos. 2, 3 and 5 of the Protest**

Ames-Granite contends that the Engineer should not approve PHW because it purportedly lacks experience with regard to cold-applied plastic tape coating, cement mortar coating and lining. First, as indicated above, only 110 feet (6%) of the approximately 1,800 feet of welded steel pipe has coatings and/or linings even arguably outside the experience and proven capacity of PHW based on the materials submitted.

Second, with regard to pipe coating experience, SOJV stated in the Pipe Qualifications that PHW's coating experience is not applicable to the project. Notwithstanding, SOJV provided extensive details about PHW's pipe lining (including cement mortar, polyurethane and epoxy) experience in the Pipe Qualification. (Tab D of Pipe Qualifications.) The cold-applied plastic tape coating and the cement mortar coating and lining either will be self performed by SOJV or by a subcontractor who specializes in performing field application of these coatings and linings site in to be in full compliance with the Authority's requirement for 100% Quality Assurance Inspection.

SOJV comments below on each type of coating and/or lining noted by Ames-Granite.

- The cold-applied plastic tape coating, as called out for certain fittings on sheets O-124 and O-125, will be field applied as per Specification 09873 (2.06 and 3.04) and as referred therein to 02655.
- The cement mortar coating over dielectric coating, as called out for on sheets O-124 and O-125, will be field applied by standard industry and acceptable Authority practice per AWWA C205 methods as described in Specifications 02655 (1.03).
- The cement mortar lining, as required on sheet O-124, will be field applied per Specification 09875 by either Spiniello Companies or other approved lining subcontractor.

In other words, SOJV's means and methods is that these coatings and linings will not be performed by the manufacturer. Instead, they will be performed in the field in accordance with and as allowed by the specifications. Therefore, the coating and lining issue raised by the protestor is an insufficient basis for disapproving PHW.

C. **Item No. 4 of the Protest**

Ames-Granite comments that, "The supplier does not address the requirement for a one-station operation for tape and rock shield." The cold-applied plastic tape coating associated with a one-station operation will not be performed by the manufacturer. The cold-applied plastic tape
coating will either be self performed by SOJV or by a subcontractor who specializes in performing field application of this coating in compliance with the Authority's requirement for 100% Quality Assurance Inspection. The field application will comply with Section 09873 (2.06). Therefore, the one-station operation is not applicable to the Pipe Qualifications for PHW.

As indicated above, the protestor's challenge of "non-responsiveness" is in reality a request that the SOJV submittal for the welded steel pipe manufacturer be rejected because responsiveness is determined on bid day. Again, for this reason, the protest should not be sustained as SOJV submitted a responsive bid on bid day. Moreover, SOJV provided a timely Pipe Qualification submission on the second day after the bid.

III. IF THE ENGINEER DISAPPROVES PHW, SOJV IS ENTITLED TO SUBSTITUTE ANOTHER MANUFACTURER

SOJV believes PHW is a qualified manufacturer and should be approved by the Engineer. However, in the event that the Engineer disapproves of PHW, there is no indication anywhere in the Contract Documents that the award (or its responsiveness) is subject to approval of the steel pipe manufacturer or subject to the manufacturer demonstrating all levels of qualification. The Authority could have quite easily stated in the bid documents that the Engineer's disapproval of a submitted manufacturer would result in the rejection of the bid.

Instead, the Authority explicitly advised the bidders that substitutions of manufacturers after the bid would be allowed - but they would be subject to the approval of the Engineer. The Authority's designed form which is called "Bidder's Plan for Construction" provides as follows:

No substitution of manufacturers will be allowed after bid submittal unless approved by the Engineer. Award of a contract under this bid will not imply approval by the Engineer of a manufacturer or supplier listed by the bidder.

The above language not only expressly contemplates the substitution of a manufacturer after the bid, but also expressly stakes out that the award of the contract is a separate issue from the approval of a manufacturer. Correspondingly, by the terms of the bid documents themselves, the disapproval of a manufacturer does not in any way invalidate the bid or render it non-responsive.

Importantly, substitution of a manufacturer after bid is distinct from and is not subject to the limitations which exist regarding the substitution of a listed subcontractor. Neither the Contract Documents nor the California Public Contract Code restricts the substitution of manufacturers beyond the requisite approval of the Engineer. However, even in the subcontractor scenario and pursuant to Section 3.6 of the ITB, a subcontractor substitution is permitted for any reason stated in the California Public Contract Code Section 4107. The Code specifically allows a contractor's whose bid has been accepted to substitute a new subcontractor for a subcontractor listed in the bid submission if the "awarding authority determines that a listed subcontractor is not a responsible contractor", i.e., does not meet the qualification requirements.
IV. AMES-GRANITE IS NOT A RESPONSIVE BIDDER

Ames-Granite lacks standing to protest SOJV's bid because Ames-Granite submitted a non-responsive bid.

Ames-Granite's failed to provide all the required bid information. Specifically, Ames-Granite failed to complete the Bidder's Plan for Construction. The Bidder's Plan for Construction includes a list of items to be supplied to the project, for which the bidder is to separately identify the manufacturer or supplier and the lead time of delivery. Ames-Granite failed to identify the manufacturer/supplier and the lead time for delivery of the following items:

1. Outlet Works tower 48-inch by 72-inch fixed wheel gates,
2. Outlet Works tunnel entrance 66-inch by 66-inch and 90-inch by 90-inch fixed wheel gates, LLO 72-inch by 128-inch fixed wheel gate,
3. Outlet Works tower fish screens, LLO trashrack,
4. Outlet works crest control building hoists for fish screens,
5. Outlet works tower and LLO hydraulic power unit (HPU) for fixed wheel gates, LLO HPU for shutoff butterfly valve,

In short, Ames-Granite failed to include the requisite information for 13 out of 25 items listed in the Bidder's Plan for Construction. In addition, Ames-Granite failed to turn in all required OCIP worksheets for their named subcontractors, "Hayward Baker", "Neal Electric", "Pacific Coast Steel", "Colorado Instrumentation", "Jensen Drilling", and "Nova".

V. CONCLUSION

For the foregoing reasons, Ames-Granite's bid protest is not a valid bid protest and should be rejected. SOJV requests that San Vicente Dam Raise Project be awarded to SOJV. SOJV is the lowest responsive, responsible bidder.

Sincerely,

Shimmick Obayashi Joint Venture

By: Paul C. Camaur
Its: Authorized Representative

Cc: (Via Facsimile and US Mail) – John A. Ames, Ames-Granite
April 7, 2010

Mr. Paul C. Camaur and Mr. Hirokazu Onozaki
Shimmick Construction Company Inc./Obayashi Corporation, a Joint Venture
16481 Scientific Way
Irvine, CA 92618

RE: Request for Supplemental Written Responses
Bid protest against apparent low bidder Shimmick Construction Company
Inc./Obayashi Corporation, a Joint Venture - San Vicente Dam Raise Package 3 –
Roller-Compacted Concrete Dams and Appurtenant Facilities, Specification 592

Dear Messrs. Camaur and Onozaki:

The Water Authority has evaluated your response to Ames-Granite’s Joint Venture protest and has determined that additional responses are necessary to complete the evaluation of Shimmick/Obayashi’s Joint Venture bid.

The pipe manufacturer listed by Shimmick/Obayashi, Relax Afternoon, LLC does not meet the project specifications and, therefore, is not qualified. Your response indicated a willingness to replace Relax Afternoon LLC with a qualified pipe supplier.

Please provide a substitute pipe supplier and its welded steel pipe qualifications by Friday, April 9, 2010 at 3:00 p.m.

Be advised that substitution of the pipe supplier shall not change your bid price.

You may respond electronically and follow with a hardcopy. If you have questions, please call Ms. Nicola Kavanagh, Design Manager, (858) 522-6846.

Sincerely,

[Signature]

Vic Bianes
Engineering Manager

VB:lm
Enclosures: Ames Granite Bid Protest
By Federal Express

Cc: Ames Granite
April 8, 2010

San Diego County Water Authority
Mr. Vic Baines, Engineering Manager
4677 Overland Avenue
San Diego, CA 92123-1233

RE: San Vicente Raise Package 3 Roller-Compacted Dams and Appurtenant Facilities, Specification 592

Reference: SDCWA Letter dated April 7, 2010

Mr. Baines,

SOJV notes acceptance of the above referenced SDCWA letter disqualifying Relax Afternoon, LLC based on not meeting the project specifications and would like to offer the following response:

1. SOJV hereby substitutes Relax Afternoon, LLC with Mid America Pipe Fabricating & Supply, LLC

2. Please note Specification 02653-1.04A states the following "Ameron International (Slover, Arrow, Tracy and Phoenix plants) Pipe, American Spiral Weld (Columbia), Mid America Pipe, and Northwest Pipe Company (Adelanto), have previously satisfied the manufacturer qualification requirements, and are not required to submit their qualifications."

3. Per response item 2 above, Mid America is a pre-approved supplier for this project and is not required to submit their qualifications.

If you have any questions, I can be reached at (949) 333-1500

Respectfully Yours,

Shimmick/Obayashi Joint Venture

By: Paul Camaur
Its: Authorized Representative
March 17, 2010

Paul C. Camaur/Hirokazu Onozaki
Shimmick Construction Company Inc./Obayashi Corporation, a Joint Venture
16481 Scientific Way
Irvine, CA 92618

RE: San Vicente Dam Raise Package 3 – Roller-Compacted Concrete Dams and Appurtenant Facilities, Specification 592

Dear Mr. Camaur and Mr. Obayashi:

The San Diego County Water Authority opened bids for the above referenced project on March 17, 2010. Pursuant to Instructions to Bidders, Section 1, Part 1.9, Paragraph (b), and Section 3.0, the following documentation is required to be completed and returned to the Water Authority by close of business March 22, 2010.

1. Welded Steel Pipe Manufacturer Qualifications
2. Owner-Controlled Insurance Program Bid Deduct Worksheets
3. Small Contractor Outreach and Opportunities Program documentation.
4. Escrow Bid Documents
5. Bank reference including contact name, email address, phone number, and fax number.
6. Bonding company including contact name, email address, phone number, and fax number.
7. Revegetation Contractor Questionnaire

If you have any questions, please call Ms. Melissa Retener at (858) 522-6804.

Sincerely,

Nicola Kavanagh
Design Manager

By facsimile
March 29, 2010

Mr. Paul C. Camaur and Mr. Hirokazu Onozaki
Shimmick Construction Company Inc./Obayashi Corporation Joint Venture
16481 Scientific Way
Irvine, CA 92618


Dear Messrs. Camaur and Onozaki:

The Water Authority is evaluating your bid documentation. Further clarification is needed to continue the evaluation process. Please provide your response to the following questions by Monday, April 5, 2010 at 3:00 p.m.

**Bidder's Plan for Construction**

1) When developing the RCC placement schedule for the main dam, did Shimmick/Obayashi Joint Venture consider the RCC placement temperature requirements specified in Section 03800, Roller-Compacted Concrete and the normal on-site ambient temperatures? If so, briefly explain your plan to meet the RCC placement temperature requirements as defined in the specification during the warmer months (May through October) including day and night shift operations.

2) Has Shimmick/Obayashi Joint Venture considered the decommissioning sequencing requirements specified in Section 02050, Selective Removal and Demolition? If so, briefly describe your plan to complete the work following these requirements.

3) Has Shimmick/Obayashi Joint Venture considered the coordination with other contractors, including the Specification 591 contractor, required in Section 01010, Summary of Work, Part 1.08? If so, briefly describe your plan to complete the work following these requirements, in particular your plan to complete the additional foundation excavation and consolidation grouting.

P:\ND0401200 Design\206 Bid Award\206.8-2 Bid Summary & Evaluation for Spec 592 Pkg 3\BID EVAL Notebook\Shimmick-Obayashi\Shimmick Obayashi Clarification Letter 1.doc
File No.: ND0401.206.8-2

A public agency providing a safe and reliable water supply to the San Diego region
Revegetation Contractor Questionnaire
The information submitted does not document compliance with the requirements of Section 02940, Revegetation. Provide the following information:

1) Provide documentation showing the proposed revegetation contractor will have a California Qualified Applicator license as required by Section 02940, Revegetation, Part 1.05.

2) Provide documentation showing the proposed revegetation contractor will have a California Pest Control Business License as required by Section 02940, Revegetation, Part 1.05.

3) Provide documentation identifying the acreage for the Alvarado Water Treatment Plant coastal sage scrub reference.

4) Provide documentation identifying the acreage for the Rancho Penasquitos Hydro Electric Plant coastal sage scrub reference.

5) Provide resume for the dedicated supervisor or foreman who will direct the work crews on-site for the duration of the contract.

Welded Steel Pipe Manufacturer Qualifications
The information submitted does not document compliance with the requirements of Section 02653, Steel Pipe. Provide the following information:

1) Provide documentation showing the proposed pipe manufacturer meets the requirements to fabricate welded steel pipe in accordance with Section 02653, Steel Pipe, Part 1.04, Paragraph B, Item 1. Include documentation showing compliance with the requirements in the Welded Steel Pipe Manufacturer’s Qualifications, Item 4, Paragraph C, Copies of Owner-Approved Shop Drawings.

2) The ISO 9001 Certification provided expired March 27, 2010. Provide documentation showing the proposed pipe manufacturer is currently certified by ISO 9001 as required by Section 02653, Steel Pipe, Part 1.04, Paragraph B, Item 2.

3) Provide documentation showing the proposed pipe manufacturer meets the requirements to design and fabricate fittings and specials in accordance with Section 02653, Steel Pipe, Part 1.04, Paragraph B, Item 3. Provide documentation showing the quality control procedures, including the quality control procedures of all specialty subcontractors.

4) Provide documentation showing the proposed pipe manufacturer meets the requirements to apply all coatings and linings specified for this project as required.
by Section 02653, Steel Pipe, Part 1.04, Paragraph B, Item 4 and Item 5. Include
documentation showing compliance with the requirements in the Welded Steel
Pipe Manufacturer’s Qualifications, Item 4, Paragraph E, Cold-Applied Plastic
Tape Coating and Paragraph G, Cement Mortar Coating Over Dielectric Coating
or Bare Steel. Provide documentation showing the quality control procedures,
including the quality control procedures of all specialty subcontractors.

5) Identify the ownership and/or contractual relationship if any between Relax
Afternoon, LLC and the following companies and any other companies listed in
the Welded Steel Pipe Manufacturer Qualifications:

1) Phua Wei (PHW)
2) Guangzhou City Xinhua Steel Structure Engineering Co., Ltd.
3) Guangzhou City Xin Hua Wei Steel Structure Engineering Co., Ltd.
4) Panyu Hua Wei Steel Structure Engineering Co., Ltd.
5) BIS Hua Wei Pipelines and Steel Structures Engineering Co., Ltd.

6) Identify all pipe fabrication facilities, subcontractors and suppliers proposed for
this project as required by Section 02653, Steel Pipe, Part 1.04, Paragraph B, Item
6. Provide the name, location, contact information and scope of work, including
materials supplied, by each facility, subcontractor and supplier. Provide
documentation showing the qualifying experience for each identified pipe
fabrication facility. Provide documentation showing the materials supplied by
each facility.

7) Has Shimmick/Obayashi Joint Venture considered the AWWA C200 inspection
requirements as specified in Section 02653, Steel Pipe, Part 1.04, Paragraph C? If
so, provide documentation showing the proposed pipe manufacturer will meet
these requirements.

8) Has Shimmick/Obayashi Joint Venture considered the AWS Standards required
for welding processes and welder qualifications as specified in Section 02653,
Steel Pipe, Part 1.04, Paragraph D and Paragraph E? If so, provide
documentation showing the proposed pipe manufacturer will meet these
requirements. Also provide documentation showing the proposed pipe
manufacturer will meet the requirements in Section 02653, Steel Pipe, Part 3.04.

9) Has Shimmick/Obayashi Joint Venture considered the detailed pipe fabrication
plan for each pipe fabrication plant required by Section 02653, Steel Pipe, Part
1.05, Paragraph H? If so, provide documentation showing the proposed pipe
manufacturer will meet these requirements.

10) Has Shimmick/Obayashi Joint Venture considered the ASTM and AWWA
material requirements for steel pipe, appurtenances, fittings and flanges as
specified in Section 02653, Steel Pipe, Part 2.02 and Part 2.04? If so, provide documentation showing the proposed pipe manufacturer will meet these requirements.

11) Has Shimnick/Obayashi Joint Venture considered that the use of a Hemple polyurethane product is not an approved product as specified in Section 09876, Polyurethane Lining and Coating, Part 2.01? If so, provide documentation showing that the proposed pipe manufacturer is certified to apply the product by the paint manufacturer. In addition, Section 01630, Product Substitution, specifies the submittal and timing requirements for substitute or “or equal” items.

12) Has Shimnick/Obayashi Joint Venture considered how the pipe and special fittings will be secured and protected during shipping as specified in Section 02653, Steel Pipe, Part 3.10 and Part 3.11? If so, provide documentation showing that the proposed pipe manufacturer’s use of shipping containers will be adequate for large diameter pipe and specials.

13) Has Shimnick/Obayashi Joint Venture considered the off-site fabrication inspection reimbursement requirements as specified in the General Conditions, Section 4.7?

Subcontractor List, Schedule B-1
1) Shimnick/Obayashi, on Schedule B-1, Edick and Watt, Inc. is listed as providing “rock bolts (partial)”. Who will provide the remaining rock bolts?
2) Shimnick/Obayashi, on Schedule B-1, Relax Afternoon LLC is listed as providing “pipe (partial)”. Who will provide the remaining pipe?

SCOOP Documentation
1) For Dean’s Certified Welding and Metric, Inc., results column states, “May use hourly rates.” Please explain.
2) Bid Sheet indicates $2,300,000 for “erosion control and vegetation.” The dollar amount for the listed sub, Ground Service Technology, is $1,360,000. Please explain the difference in the amounts.
4) Have you listed all subs/vendors/suppliers on Schedule A-1? Are there subs/vendors/suppliers/truckers (including small businesses) who will perform work at less than one half of one percent of the bid amount? These may include,
Mr. Paul C. Carnaur and Mr. Hirokazu Onozaki  
March 31, 2010  
Page 5 of 5

but are not limited to: water truck rental, drywall and framing, mapping, voice and data communication, earthquake seismic engineering, value engineering, and partnering.

If you have questions, please call Ms. Nicola Kavanagh, Design Manager at (858) 522-6846.

Sincerely,

Vic Bianes  
Engineering Manager

VB:  
By Facsimile and Federal Express
Date: April 5, 2010

San Diego County Water Authority
4677 Overland Avenue
San Diego, CA 92123-1233
Phone: 858/522-6600
Fax: 858/522-6568
Attn: Vic Bianes

Re: San Vicente Dam Raise Package (Specification 592)

Subject: SDCWA Request for additional information response
Reference: SDCWA Letter dated March 29, 2010

Dear Mr. Bianes:

Bidder’s Plan for Construction

1) SDCWA Question: When developing the RCC placement schedule for the main dam, did Shimmick/Obayashi Joint Venture consider the RCC placement temperature requirements specified in Section 03800, Roller-Compacted Concrete and the normal on-site ambient temperatures? If so, briefly explain your plan to meet the RCC placement temperature requirements as defined in the specification during the warmer months (May through October) including day and night shift operations.

SOJV Answer: SOJV did consider the RCC Placement temperature requirements in Section 03800 and the normal on-site ambient temperatures. The following methods will be used to bring the concrete temperatures to within the specifications:

- Chilling the coarse aggregates to 40 degrees with inundation of 35 degree water on perforated wet belts. Perforated wet belts greatly increase the efficiency of cooling coarse aggregates and can bring aggregate temperature down to under 40 degrees.
- Cooling sand with air drum coolers. Sand can be frozen if needed.
- Sprinkling coarse aggregate storage piles with water to facilitate evaporative cooling.
- Chilling batch water to 38 degrees.
• Using large cold water storage ponds to maximize the efficiency of refrigeration systems.
• Using flake ice that is produced on site as a replacement to the batch water.
• Covering all conveyors from the aggregate stock piles to RCC placement.
• Adjusting the placement hours as required as well as adjusting start and finish times to place RCC only during the coolest hours of the day.
• SOJV’s project manager assigned to the project meets the requirements of section 03800 -1.04 – L cooling consultant and a full submittal of the cooling calculations and measures to be incorporated in the project will be submitted upon award of the contract.

2) SDCWA Question: Has Shimmick/Obayashi Joint Venture considered the decommissioning sequencing requirements specified in Section 02050, Selective Removal and Demolition? If so, briefly describe your plan to complete the work following these requirements.

SOJV Answer: SOJV has considered the decommissioning sequencing requirements specified in Section 02050, Selective Removal and Demolition. In an effort to answer briefly as directed SOJV understands that the Phase 1 Decommissioning is necessary to effect construction of the RCC portions of the new dam while maintaining the current functionality of the dam outlet works and that the Phase 2 Decommissioning may not commence until construction of the new outlet tower, DCF and all necessary pipelines, structures, instruments and appurtenances have been constructed, tested and accepted by the authority. All decommissioning will be in accordance with the specifications, and a skeleton sequence has been provided below. Detailed submittals for the Demolition plan and the schedule will be submitted in accordance with Specification 02050-1.04A 1&2 following commencement of the Project.

Phase 1

1. Perform Initial Valve Chamber Demolition and removal including concrete, windows, doors, electrical feed and internal electrical features per dwg X-14. (Saucer Valves to remain in place until Commissioning of new outlet works completed), pour concrete at openings that will serve as back form for RCC placement, create temporary access to the tower.
2. Fill East Bay and floor slab and Shore Nordstrom Valve House.
3. Add Precast Adits and pour Inverts, add padlock chain link gate. Install temp utilities, lighting, and ventilation for temporary access to the valve chamber.
4. Place RCC for new dam and construct new Outlet Works
5. Connect 90” (Pipe from Tunnel) to 66” SVRIP per DWG X-20, O-124, O-125 and O-129.
6. Test and Commission New outlet Works. (Further Wet Testing to be conducted after construction period by the San Diego Water Authority, once water levels rise)
Phase 2 Decommissioning

1. Phase 2 decommissioning shall be performed after the Outlet Tunnel, Outlet Tower, Low-Level Outlet, Downstream Control Facility, and associated mechanical, electrical, controls and instrumentation systems have been inspected, tested, and approved for operation by the San Diego Water Authority.
2. City will close Nordstrom Valves, allowing the divers to enter the wet well and clean and remove any sediment.
3. City will install saucer valves for the three 36” pipe lines at the bottom of the wet well/existing tower.
4. Contractor will then pour 6' of concrete at existing tower with underwater concrete.
5. City will open Nordstrom valves and drain remaining water in SVPL 1 & 2. City will also close valves at SV Vault No. 1 & 2 to allow for the installation of ellipsoidal dished heads and air vacuum valves as shown on X-21 (10 continuous calendar days for the shutdown between Oct.1 to March 31). After installation, the City will reopen the valves.
6. Contractor will then Remove and Salvage Nordstrom valves. Blind flanges will be added to south side of pipe and concrete lines will be installed in the 3 - 36” pipe lines from the wet well to the valve vault. Welded steel covers/blind flanges with concrete installation and vent fittings will be installed to the north pipe end. Class F concrete will be poured into the 3 – 36” pipe lines using the previously installed concrete lines.
7. Remove chain-link fence partition and gate; wall and roof supports/shoring; electrical accessories and temporary ventilation, power and lighting systems from inside the valve chamber and adit.
8. Install Grouting System at the underside of the roof of the adit and valve chamber. Create bulkhead at the valve chamber entrance, place concrete class B inside of the valve chamber. Remove formwork/bulkhead, and place concrete B inside the adit in segments, adding and removing the formwork/bulkhead as necessary.
9. Allow 28 day cure, and then contact grout the valve chamber roof and temporary adit roof.
10. Cut Pipe, install blind flange with concrete installation and vent fittings, and plug SVPL 1 & 2 with concrete class B at their north pipe ends. Add concrete plug at south end of cut pipe.
11. Place earth backfill at the dam to surrounding grade, in the area where the pipes were removed.
12. Decommission Saucer Valves, chains at existing outlet tower.

3) SDCWA Question: Has Shimmick/Obayashi Joint Venture considered the coordination with other contractors, including the Specifications 591 contractor, required in Section 01010, Summary of Work, Part 1.08? If so, briefly describe your plan to complete the work following these requirements, in particular your plan to complete the additional foundation excavation and consolidation grouting.

Irvine Office: 16481 Scientific Way Irvine CA 92641  •  Phone (949) 333-1500:  •  Fax: (949) 33-1510  3 of 12
SOJV Answer: SOJV has considered the coordination with other contractors as required in Section 01010, specifically item 1.08-A.2. Currently, bid item 26 for foundation excavation has an estimated quantity. As of this time, the current Specification 591 Contractor has not completed their required excavation so that the limits of the foundation excavation work cannot be determined and full considerations and final planning cannot be made. In taking this into account, SOJV has made some basic assumptions with regards to the schedule and work plan developed and turned in it at bid time. Included in these assumptions are the following:

- Some if not all of the Foundation Excavation can be performed before the Specification 591 contractor is complete. In areas where the Specification 591 contractor is complete the Specification 592 contractor may commence work.
- Curtain grouting can begin in areas where the Specification 591 contractor has completed their work.
- Consolidation grouting can either begin when the Specification 591 contractor is complete or work can be coordinated as required by specification and performed in conjunction with their work.
- SOJV has also considered the lag time required between the RCC Trial Placement and the Main Dam RCC placement and this lag time allows additional time if necessary between foundation preparation work and RCC placement work.

Revegetation Contractor Questionnaire
The information submitted does not document compliance with the requirements of Section 02940, Revegetation. Provide the following information:

1) SDCWA Question: Provide documentation showing the proposed revegetation contractor will have a California Qualified Applicator license as required by Section 02940, Revegetation, Part 1.05.

SOJV Answer: See attached license (Att A) for Daniel Hogan from the California Department of Pesticide Regulation. In addition, see attached printout (Att B) from County of San Diego website listing licensed QALs. Listed individual Daniel R. Hogan is an employee of third tier Subcontractor Shasta Landscaping to Ground Services Technology (GST) and will be performing in a QAL role.

2) SDCWA Question: Provide documentation showing the proposed revegetation contractor will have a California Pest Control Business License as required by Section 02940, Revegetation, Part 1.05.

SOJV Answer: See attached license (Att C) for Shasta Landscaping from the California Department of Pesticide Regulation. In addition, see attached printout (Att D) from County of San Diego website listing licensed company Shasta Landscaping. Shasta Landscaping will be performing as a third tier Subcontractor to Ground Services Technology (GST) in a QAL/Pest Control role.
3) SDCWA Question: Provide documentation identifying the acreage for the Alvarado Water Treatment Plant coastal sage scrub reference.

SOJV Answer: The Alvarado Water Treatment Plant coastal sage scrub reference consisted of installing BMP’s and hydrosed on 1 acre with a specified coastal sage scrub mix design.

4) SDCWA Question: Provide documentation identifying the acreage for the Rancho Penasquitos Hydro Electric Plant coastal sage scrub reference.

SOJV Answer: The Rancho Penasquitos Hydro Electric Plant coastal sage scrub reference included the permanent revegetation of 6 Acres of habitat with a specified coast sage scrub mix design.

5) SDCWA Question: Provide resume for the dedicated supervisor or foreman who will direct the work crews on-site for the duration of the contract.

SOJV Answer: Thomas W. Hansen will direct the work crews on site (Resume attached as Att E)

Welded Steel Pipe Manufacturer Qualifications

Authority Comment: The information submitted does not document compliance with the requirements of Section 02653, Steel Pipe. Provide the following information:

SOJV’s General Note: SOJV believes it completed the information in compliance with Section 02653 by way of its Welded Steel Pipe Qualifications Package. We also note that the Authority expressly advised the bidders (by way of the bid documents) that substitutions of manufacturers after the bid would be allowed – but the substituted manufacturer would be subject to the approval of the Engineer. (See SOJV’s Response to Bid Protest, Section III, dated April 2, 2010). Should the Engineer disapprove of the listed manufacturer, SOJV is prepared to substitute another manufacturer. Also, upon Contract Award, Relax Afternoon LLC will formally submit its complete submittal package as required under Specification section 02653 – 1.05.

1) SDCWA Question: Provide documentation showing the proposed pipe manufacturer meets the requirements to fabricate welded steel pipe in accordance with Section 02653, Steel Pipe, Part 1.04, Paragraph B, Item 1. Include documentation showing compliance with the requirements in the Welded Steel Pipe Manufacturer’s Qualifications, Item 4, Paragraph C, Copies of Owner-Approved Shop Drawings.
SOJV Answer: SOJV believes it has fulfilled the requirements of the specifications. With regard to Section 02653, Steel Pipe, Part 1.04, Paragraph B, Item 1, SOJV’s Welded Steel Pipe Qualifications Package includes a list of PHW projects with steel pipe sized 60 inches in diameter or larger for domestic water service in the last six years (See Tab A of Welded Steel Pipe Qualifications Package). Tab A of the Welded Steel Pipe Qualifications Package includes a list of projects of which the following were for domestic water supply: the Dongguan City Water Treatment Plant Projects (3 separate projects) and the Guangzhou XI Xing Water Supply Project. SOJV provided an English translation of the project names on April 2, 2010. SOJV also provided the copies of the Owner-approved shop drawings per Item 4, Paragraph C. (See the Welded Steel Pipe Qualifications Package Tab C as shown in the Index Item 4). On April 2, 2010, per the Authority’s request, SOJV provided the English translations to the shop drawing notes for Projects 1 and 3 provided in Tab C.

2) SDCWA Question: The ISO 9001 Certification provided expired March 27, 2010. Provide documentation showing the proposed pipe manufacturer is currently certified by ISO 9001 as required by Section 02653, Steel Pipe, Part 1.04, Paragraph B, Item 2.

SOJV Answer: On March 22, 2010 SOJV provided documentation that PHW had a current ISO 9000 certification. PHW is currently in the process of obtaining recertification and this will be forwarded with a complete plant submittal after award of contract.

3) SDCWA: Provide documentation showing the proposed pipe manufacturer meets the requirements to design and fabricate fittings and specials in accordance with Section 02653, Steel Pipe, Part 1.04, Paragraph B, Item 3. Provide documentation showing the quality control procedures, including the quality control procedures of all specialty subcontractors.

SOJV Answer: SOJV believes it has provided the requested information in its Welded Steel Pipe Qualifications Package (See Welded Steel Pipe Qualifications Package Tab I “Company Profile” and Tab L Quality Control & Weld Procedures Manual). On April 2, 2010, per the Authority’s request, SOJV provided the English translation of the PHW QA-QC Manual which was included in Tab L of the Welded Steel Pipe Qualifications Package. By way of the bid documents, SOJV is authorized to substitute its manufacturer after the bid subject to the approval of the Engineer. (See SOJV’s Response to Bid Protest, Section III, dated April 2, 2010). Should the Engineer disapprove of the listed manufacturer, SOJV is prepared to substitute another manufacturer.

4) SDCWA: Provide documentation showing the proposed pipe manufacturer meets the requirements to apply all coatings and linings specified for this project as required by Section 02653, Steel Pipe, Part 1.04, Paragraph B, Item 4 and Item 5. Include documentation showing compliance with the requirements in the Welded Steel Pipe Manufacturer’s Qualifications, Item 4, Paragraph E, Cold-Applied Plastic Tape Coating and Paragraph G, Cement Mortar Coating Over Dielectric Coating or Bare Steel. Provide
documentation showing the quality control procedures, including the quality control procedures of all specialty subcontractors.

SOJV Answer: SOJV stated in the Welded Steel Pipe Qualifications Package that PHW's coating experience is not applicable to the project. Notwithstanding, SOJV provided extensive details about PHW's pipe coatings (including cement mortar, polyurethane and epoxy) experience in the Welded Steel Pipe Qualifications Package. (Tab D of the Welded Steel Pipe Qualifications Package.) The cold-applied plastic tape coating and the cement mortar coating and lining will either be self performed by SOJV or by a subcontractor who specializes in performing field application of these coatings and linings site in compliance with the Authority's requirement for 100% Quality Assurance Inspection at the plant. Specifically, cold-applied plastic tape coating will be field applied as per Specification 09873 – 2.06 & 3.04 as referred therein to from Specification 02655 and cement mortar coating will be field applied per AWWA C205 methods as described in Specifications 02655.

5) SDCWA Question: Identify the ownership and/or contractual relationship if any between Relax Afternoon, LLC and the following companies and any other companies listed in the Welded Steel Pipe Manufacturer Qualifications:

1) Phua Wei (PHW)
2) Guangzhou City Xinhua Steel Structure Engineering Co., Ltd.
3) Guangzhou City Xin Hua Wei Steel Structure Engineering Co., Ltd.
4) Panyu Hua Wei Steel Structure Engineering Co., Ltd.
5) BIS Hua Wei Pipelines and Steel Structures Engineering Co., Ltd.

SOJV Answer: See attached letter (Att F) from Relax Afternoon. Relax afteroon has no ownership or standing contractual relationship with the entities listed above. Individual job specific PO's are issued on a job by job basis.

6) SDCWA Question: Identify all pipe fabrication facilities, subcontractors and suppliers proposed for this project as required by Section 02653, Steel Pipe, Part 1.04, Paragraph B, Item 6. Provide the name, location, contact information and scope of work, including materials supplied, by each facility, subcontractor and supplier. Provide documentation showing the qualifying experience for each identified pipe fabrication facility. Provide documentation showing the materials supplied by each facility.

SOJV Answer: All the pipe rolling, welding and lining will be self performed by PHW at PHW's fabrication plant. SOJV directs attention to the Welded Steel Pipe Manufacturers Qualifications submitted on March 22, 2010. (See the Welded Steel Pipe Qualifications Package Tab L PHW Quality Control and Weld Procedures Manual). On April 2, 2010, per the Authority's request, SOJV provided the English translation of the PHW QA-QC Manual included in Tab L of the Welded Steel Pipe Qualifications Package. Specifically, the following information was included:

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By way of the bid documents, SOJV is authorized to substitute its manufacturer after the bid subject to the approval of the Engineer. (See SOJV’s Response to Bid Protest, Section III, dated April 2, 2010). Should the Engineer disapprove of the listed manufacturer, SOJV is prepared to substitute another manufacturer.

7) SDCWA Question: Has Shimmick/Obayashi Joint Venture considered the AWWA C200 inspection requirements as specified in Section 02653, Steel Pipe, Part 1.04, Paragraph C? If so, provide documentation showing the proposed pipe manufacturer will meet these requirements.

SOJV Answer: SOJV has considered the AWWA C200 inspection requirements as specified in Section 02653, Steel Pipe, Part 1.04, Paragraph C. See attached letter (Att G) from Relax Afternoon LLC regarding AWWA C200 inspections.

8) SDCWA Question: Has Shimmick/Obayashi Joint Venture considered the AWS Standards required for welding processes and welder qualifications as specified in Section 02653, Steel Pipe, Part 1.04, Paragraph D and Paragraph E? If so, provide documentation showing the proposed pipe manufacturer will meet these requirements. Also provide documentation showing the proposed pipe manufacturer will meet the requirements in Section 02653, Steel Pipe, Part 3.04.

SOJV Answer: SOJV believes it has provided the requested information in the Welded Steel Pipe Qualifications Package. (See the Welded Steel Pipe Qualifications Package Tab L PHW Quality Control and Weld Procedures Manual). On April 2, 2010, per the Authority’s request, SOJV provided the English translation of the PHW QA-QC Manual included in Tab L of the Welded Steel Pipe Qualifications Package. By way of the bid documents, SOJV is authorized to substitute its manufacturer after the bid subject to the approval of the Engineer. (See SOJV’s Response to Bid Protest, Section III, dated April 2, 2010). Should the Engineer disapprove of the listed manufacturer, SOJV is prepared to substitute another manufacturer.

9) SDCWA Question: Has Shimmick/Obayashi Joint Venture considered the detailed pipe fabrication plan for each pipe fabrication plant required by Section 02653, Steel Pipe, Part 1.05, Paragraph H? If so, provide documentation showing the proposed pipe manufacturer will meet these requirements.

SOJV Answer: SOJV has considered the detailed pipe fabrication plan for each pipe fabrication plant required by Section 02653, Steel Pipe, Part 1.05, Paragraph H. SOJV
will submit a detailed pipe manufacture plan for PHW’s plant fabrication plant within 30 days following the Notice to Proceed per Section 02653, Steel Pipe, Part 1.05, Paragraph H. In addition, SOJV included the draft fabrication plan in Tab K of the Welded Steel Qualifications Package that details the steel fabrication process for the welded steel pipe and fittings to be supplied by Relax Afternoon LLC and to be fabricated by PHW. Relax Afternoon LLC believes it has fulfilled the requirements of the specifications. (See Draft Fabrication Plan Tab K) By way of the bid documents, SOJV is authorized to substitute its manufacturer after the bid subject to the approval of the Engineer. (See SOJV’s Response to Bid Protest, Section III, dated April 2, 2010). Should the Engineer disapprove of the listed manufacturer, SOJV is prepared to substitute another manufacturer.

10) SDCWA Question: Has Shimmick/Obayashi Joint Venture considered the ASTM and AWWA material requirements for steel pipe, appurtenances, fittings and flanges specified in Section 02653, Steel Pipe, Part 2.02 and Part 2.04? If so, provide documentation showing the proposed pipe manufacturer will meet these requirements.

SOJV Answer: SOJV has considered the ASTM and AWWA material requirements for steel pipe, appurtenances, fittings and flanges specified in Section 02653, Steel Pipe, Part 2.02 and Part 2.04. See attached letter (Att H) from Relax Afternoon, LLC regarding AWWA and ASTM material requirements. By way of the bid documents, SOJV is authorized to substitute its manufacturer after the bid subject to the approval of the Engineer. (See SOJV’s Response to Bid Protest, Section III, dated April 2, 2010). Should the Engineer disapprove of the listed manufacturer, SOJV is prepared to substitute another manufacturer.

11) SDCWA Question: Has Shimmick/Obayashi Joint Venture considered that the use of a Hemple polyurethane product is not an approved product as specified in Section 09876, Polyurethane Lining and Coating, Part 2.01? If so, provide documentation showing that the proposed pipe manufacturer is certified to apply the product by the paint manufacturer. In addition, Section 01630, Product Substitution, specifies the submittal and timing requirements for substitute or "or equal" items.

SOJV Answer: SOJV has considered that the use of Hemple polyurethane product is not an approved product as specified in Section 09876. SOJV’s listed manufacturer, PHW does not plan on using Hemple polyurethane product at this time. Alternatively, PHW will formally submit under Specification Section 01630 the use of Hemple Polyurethane as required therein should PHW consider the use of Hemple Polyurethane as an approved equal.

12) SDCWA Question: Has Shimmick/Obayashi Joint Venture considered how the pipe and special fittings will be secured and protected during shipping as specified in Section
02653, Steel Pipe, Part 3.10 and Part 3.11? If so, provide documentation showing that the proposed pipe manufacturer's use of shipping containers will be adequate for large diameter pipe and specials.

SOJV Answer: SOJV has considered how the pipe and special fittings will be secured and protected during shipping as specified in Section 02653, Steel Pipe, Part 3.10 and Part 3.11. See Attached Relax Afternoon Letter (Att I).

13) SDCWA Question: Has Shimmick/Obayashi Joint Venture considered the off-site fabrication inspection reimbursement requirements as specified in the General Conditions, Section 4.7?

SOJV Answer: SOJV has considered the off-site fabrication inspection reimbursement requirements as specified in the General Conditions, Section 4.7, and has included these costs in its bid proposal to the Authority.

Subcontractor List, Schedule B-1

1) SDCWA Question: Shimmick/Obayashi, on Schedule B-1, Edick and Watt, Inc. is listed as providing "rock bolts (partial)". Who will provide the remaining rock bolts?

SOJV Answer: Some rock bolts may be required to be self-performed by SOJV because of staging requirements, otherwise Edick and Watt, Inc will perform the full scope of rock bolt installation.

2) SDCWA Question: Shimmick/Obayashi, on Schedule B-1, Relax Afternoon LLC is listed as providing "pipe (partial)". Who will provide the remaining pipe?

SOJV Answer: Certain portions of the pipe work are not within the scope of Relax Afternoon LLC and its listed manufacturer, such as cement mortar lining and coating and cold-applied tape coating. This work is intended to be either self performed by SOJV or by a subcontractor that specializes in performing field application of these coatings and linings in accordance with the specifications.

SCOOP Documentation

1) SDCWA Question: For Dean's Certified Welding and Metric, Inc., results column states, "May use hourly rates." Please explain.

SOJV Answer: For Dean's Certified Welding & Metric Inc. the term "May use hourly rates," is stated because both subcontractors provided pricing at both unit cost rates and also at hourly rates. The reasoning behind this is it provides the contractor, in the
example of Dean's Certified Welding, to have welding on pipe joints to be performed under and hourly rate basis or under a unit price basis. Sometimes because of scheduling, such as during a tie-in, there is standby time for welders and during this period, Dean's would be paid under the hourly rate.

2) SDCWA Question: Bid Sheet indicates $2,300,000 for "erosion control and vegetation." The dollar amount for the listed sub, Ground Service Technology, is $1,360,000. Please explain the difference in the amounts.

SOJV Answer: Under section 01025, 1.06-A.4 of the specifications Erosion control and Revegetation includes not only the cost of post construction erosion control measures and landscaping but also placement of topsoil, clearing, and sedimentary erosion control measures as required during construction. Some of these other items are not included in the full scope of Ground Service Technology's proposal and will be self performed by SOJV. In addition, SOJV has other markups and incidental work associated with this pay item such as overhead, bonding and markup, that have to be added to Ground Service Technology's work.


SOJV Answer: The outreach results for the following SCOOP companies were correctly reported under the "Bidding/Proposing" heading as "No bid". Under the "Results" heading it should have been reported as "No bid received", the response of "Not low bidder" was misreported. No bid was received by SOJV from the following companies.

A & E Construction Services
ARK Engineering, Inc.
BLOOM General Construction
California Power Partners, Inc.
Civic Enterprises, Inc.
DLG Contractors
K.C. Equipment, Inc.
Patriot Alloys
R E Steinhauer Construction, Inc.
R&Z Construction, Inc.
San Diego Landcare Systems Inc.
SHINE Management Services
Water Innovations, Inc.
The outreach results for the following SCOOP companies were reported correctly under both the "Bidding/Proposing" and the "Results" headings. No bid was received by SOJV from the following companies.

Allied Geotechnical Engineers, Inc.
California Water Trucks Inc.
Honolulu Holdings, LLC
Metrix, Inc.

In General, the entries under the column titled "Bidding/Proposing?" which have a No bid received entry should have a corresponding No bid received entry in the next column titled "Results".

4) SDCWA Question: Have you listed all subs/vendors/suppliers on Schedule A-1? Are there subs/vendors/suppliers/truckers (including small businesses) who will perform work at less than one half of one percent of the bid amount? These may include, but are not limited to: water truck rental, drywall and framing, mapping, voice and data communication, earthquake seismic engineering, value engineering and partnering.

SOJV Answer: SOJV has listed all subs/vendors/suppliers on Schedule A-1 which provided responsive and competitive quotes at Bid time. SOJV anticipates that there will be additional subs/vendors/suppliers/truckers (including small businesses) who will perform work at less than one half of one percent of the bid amount. These may include some of the services listed in the above SDCWA question. SOJV is committed to supporting SDCWA's SCOOP program by utilizing additional responsive and competitive certified SCOOP companies as opportunities arise during the course of the project.

Respectfully Yours,

Shimmick/Obayashi Joint Venture

By: Paul Camaur
Its: Authorized Representative
DEPARTMENT OF PESTICIDE REGULATION
ENCINUINE/CERTIFICATION PROGRAM

QUALIFIED APPLICATOR LICENSE

DATE OF ISSUE: 08/18/2009
VALID THROUGH: 12/31/2010
QAL 118566 B

DANIEL R HOGAN
150 VALLECITOS DE ORO
SAN MARCOS CA 92069
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CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION
1001 I STREET
SACRAMENTO, CALIFORNIA 95814
MAINTENANCE GARDENER PEST
CONTROL BUSINESS LICENSE
LICENSE NO. 37733
Invalid if insurance and/or qualified person laps before expiration date.

Mailing Address
SHASTA LANDSCAPING INC.
150 VALLECITOS DE ÓRO
SAN MARCOS, CA 92069

Business Location
SHASTA LANDSCAPING INC.
150 VALLECITOS DE ÓRO
SAN MARCOS, CA 92069

Mary Ann Wurmerem, Director

POST THIS LICENSE PROMINENTLY IN PUBLIC VIEW
THIS LICENSE IS NOT TRANSFERABLE—ANY CHANGE IN OWNERSHIP REQUIRES A NEW LICENSE
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</table>
Thomas W. Hansen, II

**Functional summary**
Vice President of Operations

**Employment**
| January 2008- Current | Ground Service Technology, Inc | Escondido, CA |

**Vice President of Operations**
- Estimating prospective jobs
- Overseeing field operations
- Overseeing daily operations, product sales and purchases

**Education**
| 1998 | Kean University |
| Bachelor of Science | Management Science |

**Summary of recent project**

**Miramar Water Treatment Plant**
**Contractor, Date and Value:** Archer Western 2009-Current  $8,000.00

**Scope:** To grade a drainage swale, prepare the slopes, install fiber rolls, hydroyeed and protect slopes with erosion control blankets.

**Alvarado Water Treatment Plant**
**Contractor, Date and Value:** Archer Western: 2008-2009  $14,000.00

**Scope:** To install initial BMP’s and hydroyeed 1 acre of disturbed areas with specified Coastal Sage Scrub Mix design.

**Lake Hodges Pump Station**
**Contractor, Date and Value:** Kiewit Pacific: 2006-2007  $30,000.00

**Scope:** To install BMP’s and hydroyeed 6 acres of slopes for revegetation of disturbed areas with Coastal Sage Scrub mix.

**Accreditations**
- OSHA Competent Training Course
- CPESC - IT
- SWPPP Inspector
- Certified to Select, Install and Inspect Construction Site Erosion and Sediment Control Best Management Practices
- Forklift Training, CPR Certified

**Professional memberships**
- International Erosion Control Association Member

**Attachment E**

Page 219 of 440
03/31/2010

Mr. Adam Zagorski
Shimmick/Obayashi Joint Venture
16481 Scientific Way,
Irvine, CA 92618

Re: San Vincente Dam Raise Project

Dear Mr. Zagorski,

Here is the response to the SDCWA Question Below:
Identify the ownership and/or contractual relationship if any between Relax Afternoon, LLC and the following companies and any other companies listed in the Welded Steel Pipe Manufacturer Qualifications:

1) Phua Wei (PHW) – No ownership, we will issue PO when the contract is awarded.
2) Guangzhou City Xinhua Steel Structure Engineering Co., Ltd. - No ownership, we will issue PO when the contract is awarded.
3) Guangzhou City Xin Hua Wei Steel Structure Engineering Co., Ltd. - No ownership, we will issue PO when the contract is awarded.
4) Panyu Hua Wei Steel Structure Engineering Co., Ltd. - No ownership, we will issue PO when the contract is awarded.
5) BIS Hua Wei Pipelines and Steel Structures Engineering Co., Ltd. - No ownership, we will issue PO when the contract is awarded.

Please don’t hesitate to call with any questions.

Sincerely yours,

[Signature]

Peter Sun
Relax Afternoon LLC

Attachment F
03/31/2010

Mr. Adam Zagorski  
Shinnick/Obayashi Joint Venture  
16481 Scientific Way,  
Irvine, CA 92618

Re: San Vincente Dam Raise Project

Dear Mr. Zagorski,

Relax Afternoon and PHW will meet all of the AWWA C200 inspection requirements for fabrication of steel pipes, appurtenances, fittings and flanges.

Please don’t hesitate to call with any questions.

Sincerely yours,

[Signature]

Peter Sun  
Relax Afternoon LLC

Attachment G
03/31/2010

Mr. Adam Zagorski
Shimmick/Obayashi Joint Venture
16481 Scientific Way,
Irvine, CA 92618

Re: San Vincente Dam Raise Project

Dear Mr. Zagorski,

Relax Afternoon and PHW will meet all of the ASTM and AWWA requirements for fabrication of steel pipes, appurtenances, fittings and flanges.

Please don’t hesitate to call with any questions.

Sincerely yours,

Peter Sun
Relax Afternoon LLC

Attachment 1
03/31/2010

Mr. Adam Zagorski
Shimmick/Obayashi Joint Venture
16481 Scientific Way,
Irvine, CA 92618

Re: San Vicente Dam Raise Project

Dear Mr. Zagorski,

Relax Afternoon have shipped large diameter pipes on previous projects using shipping containers. We will use standard containers for the 60" and 66" diameter pipes and fittings. We will use flat racks for the 90" and 108" diameter pipes and fittings.

Please don’t hesitate to call with any questions.

Sincerely yours,

[Signature]

Peter Sun
Relax Afternoon LLC

Attachment I
ATTACHMENTS AFFECTING AMES/GRANITE BID:

March 17, 2010 – Water Authority Request for Bid Evaluation Information Letter
April 7, 2010 – Water Authority Bid Evaluation Finding Letter
March 17, 2010

John A. Ames/John A. Franich
Ames-Granite A Joint Venture
3410 E. University Drive, No. 380
Phoenix, Az 85034

RE: San Vicente Dam Raise Package 3 – Roller-Compacted Concrete Dams and Appurtenant Facilities, Specification 592

Dear Mr. Ames and Mr. Franich:

The San Diego County Water Authority opened bids for the above referenced project on March 17, 2010. Pursuant to Instructions to Bidders, Section 1, Part 1.9, Paragraph (b), and Section 3.0, the following documentation is required to be completed and returned to the Water Authority by close of business March 22, 2010.

1. Welded Steel Pipe Manufacturer Qualifications
2. Owner-Controlled Insurance Program Bid Deduct Worksheets
3. Small Contractor Outreach and Opportunities Program documentation.
4. Escrow Bid Documents
5. Bank reference including contact name, email address, phone number, and fax number.
6. Bonding company including contact name, email address, phone number, and fax number.
7. Revegetation Contractor Questionnaire

If you have any questions, please call Ms. Melissa Retener at (858) 522-6804.

Sincerely,

Nicola Kavanagh
Design Manager

By facsimile
April 7, 2010

John A. Ames and John A. Franich
Ames-Granite a Joint Venture
3410 E. University Drive, No. 380
Phoenix, AZ 85034

RE: Bid Submitted by Ames Granite a Joint Venture for San Vicente Dam Raise Package 3 – Roller-Compacted Concrete Dams and Appurtenant Facilities, Specification 592

Dear Messrs. Ames and Franich:

The Water Authority has completed its evaluation of the Ames-Granite Joint Venture bid documents for the San Vicente Dam Raise Package 3 – Roller-Compacted Concrete Dams and Appurtenant Facilities, Specification 592. The Water Authority has determined that Ames-Granite JV’s bid, the apparent second lowest bid is nonresponsive.

A bid must conform to the material terms of the bid package. A bid is responsive if it promises to do what the bidding instructions demand. Responsiveness is determined from the face of the bid.

The nonresponsive determination is based on incomplete and inconsistent bid documentation submitted by Ames-Granite Joint Venture. Incomplete or inconsistent information included, in part, the following:

1. Failure to timely include each subcontractor/vendor/service provider who will perform work or labor or render services or who will furnish materials, products or equipment to the prime contractor in excess of one half of 1 percent. Ames/Granite’s Schedule B-1, Subcontractor List and Schedule B-2, Vendor/Supplier and Service Provider List submitted with its bid on March 17, 2010 do not match Ames/Granite’s Schedule A-1, Designation of all Subcontractors, Including Subcontractors/Vendors/Service Providers, submitted on March 22, 2010. Ames/Granite’s April 5, 2010 response to Water Authority’s request for clarification on these discrepancies requested Water Authority disregard subcontractors/vendors/service providers who will perform work other

P:\N0401200 Design\206 Bid Award\206.8-2 Bid Summary & Evaluation for Spec 592 Pkg 3\BID EVAL Notebook\Ames-Granite\Ames-Granite non-responsive-Final.doc
File No.: N0401.206-8-2

A public agency providing a safe and reliable water supply to the San Diego region
than C & W Diving Services, EW Corporation, and Fox Fire Constructors. This would result in a change to Schedule B-1, Subcontractor List, and Schedule B-2, Vendor/Supplier and Service Provider List. Such change is prohibited after the March 17, 2010, 2:00 p.m. bid deadline.

2. Failure to list the dollar amount of work to be performed by Carpi (USA) on Schedule B-1, Subcontractor List.

3. Failure to timely identify which vendor/supplier and service providers will provide materials or provide services listed on Schedule B-2, Vendor/Supplier and Service Provider List. Multiple vendors/suppliers and service providers for like items were included in the bid submitted by the March 17, 2010 2:00 p.m. bid deadline. In addition, no dollar amounts were provided. Ames/Granite’s March 17, 2010, 2:16 p.m. email revising Schedule B-2 was received after the bid deadline.

4. Failure to timely provide manufacturer or supplier and lead time of delivery for 13 items in its March 17, 2010 bid. Ames/Granite’s April 5, 2010 response to Water Authority’s request for clarification on these missing items included a revised Bidder’s Plan for Construction. Changes to the bid documents are not allowed after bid opening.

If you would like to submit additional information to rebut this determination, please do so by Friday, April 9, 2010 at 3:00 p.m.

If you have questions please call Ms. Nicola Kavanagh, Design Manager, at (858) 522-6846.

Sincerely,

Vic Bianes
Engineering Manager

VB:Im
By Facsimile and Federal Express
ATTACHMENTS AFFECTING KIEWIT PACIFIC CO. BID:

March 31, 2010 – Water Authority Request for Bid Evaluation Information Letter
March 31, 2010

Mr. Craig A. Briggs
Kiewit Pacific Co.
2200 Columbia House Blvd.
Vancouver, WA 98661

RE:  San Vicente Dam Raise Package 3 – Roller-Compacted Concrete Dams and Appurtenant Facilities, Specification 592

Dear Mr. Briggs:

The San Diego County Water Authority opened bids for the above referenced project on March 17, 2010. Pursuant to Instructions to Bidders, Section 1, Part 1.9, Paragraph (b), and Section 3.0, the following documentation is required to be completed and returned. Please submit the following to the Water Authority by close of business April 5, 2010:

1. Welded Steel Pipe Manufacturer Qualifications
2. Owner-Controlled Insurance Program Bid Deduct Worksheets
3. Small Contractor Outreach and Opportunities Program documentation
4. Escrow Bid Documents
5. Bank reference, including contact name, email address, phone number, and fax number
6. Bonding company, including contact name, email address, phone number, and fax number
7. Revegetation Contractor Questionnaire

If you have any questions, please call Ms. Melissa Retener at (858) 522-6804.

Sincerely,

Nicola Kavanagh
Design Manager

By facsimile and Federal Express
April 19, 2010

Attention: Engineering and Operations Committee

CLOSED SESSION:
Conference with Legal Counsel – Significant threat of litigation
Government Code §54956.9(b) – San Vicente pipeline bid award

Purpose
This memorandum is to recommend that the committee by motion hold a closed session, pursuant to Government Code §54956.9(b) to discuss the above-referenced matter at the April 22, 2010 Board meeting.

A closed session has also been included on the agenda of the formal Board of Directors’ meeting. Unless the Board desires additional discussion, it is not staff’s intention to ask for a closed session with the full Board at that time, but staff may request action to confirm directions given or action recommended by the committee.

Prepared by: Daniel S. Hentschke, General Counsel
April 14, 2010

Attention: Engineering and Operations Committee

Professional services contract to GEI Consultants, Inc. for Package 4 - San Vicente Bypass Pipeline project (Action)

Staff recommendation
Authorize the General Manager to award a professional services contract for $2,257,000 to GEI Consultants, Inc., for design of the San Vicente Bypass Pipeline project.

Alternative
Do not award the contract and direct staff to negotiate with another other firm, or solicit new proposals.

Fiscal Impact
Funds for $2,257,000 are included in the approved project budget and in the fiscal years 2010 and 2011 Capital Improvement Program appropriation. The rate category for this project is storage.

Background
The San Vicente Bypass Pipeline is owned and operated by the City of San Diego providing the City with the flexibility to deliver untreated water from the San Diego County Water Authority’s First Aqueduct to the City’s Alvarado Water Filtration Plant “bypassing” the San Vicente Reservoir.

As a result of the San Vicente Dam Raise project, approximately 6,000 linear feet of the city’s Bypass Pipeline will be inundated as a result of the expanded reservoir. The Water Authority and City of San Diego’s San Vicente Dam Raise Principles of Understanding for the Carryover Storage Project requires the Water Authority, at its cost, to design and construct the Bypass Pipeline replacement and maintain its existing connection to the First Aqueduct. The City will retain ownership and maintenance on the Bypass Pipeline after completion.

Previous Board Actions: On June 26, 2008, the Board authorized the General Manager to enter into Principles of Understanding with the City of San Diego for implementation of the San Vicente Dam Raise and Carryover Storage Project.

Discussion
The scope of work for the project is to provide design and design support services during the bidding and construction of the Package 4 - San Vicente Bypass Pipeline. The project includes the replacement of approximately 6,000 linear feet of pipeline; construction of an access road from the future marina area to the First Aqueduct Terminal Structure; evaluation and modifications to the First Aqueduct Terminal Structure; and construction of any required surge control facilities.
On October 30, 2009, an open Request for Proposals inviting all consultants was advertised to provide design services for the project. Outreach efforts were conducted both on-line and in print through the distribution of project fact sheets. Approximately 1,800 notices were sent to individuals who expressed interest on the project and to firms that provide engineering design services. Proposals were received from ten firms.

The interview panel consisted of Water Authority staff and a staff member from the City of San Diego Public Utilities Department. The selection criteria required firms to demonstrate their understanding of the scope of work, technical and specialized qualifications of the design team, past performance on similar projects, and the firm’s ability to meet the schedule. Five firms were shortlisted for interviews: AECOM, Black & Veatch, Brown & Caldwell, Dudek, and GEI Consultants, Inc. Based on the evaluation of written proposals and interviews, GEI Consultants, Inc., was unanimously selected as the best qualified to perform the work.

Upon board approval, the design services contract will be executed for a not-to-exceed amount of $2,257,000 to provide design services to complete the construction contract documents and provide design support services through the construction phase of the project. The design will be coordinated with the City of San Diego staff and is expected to be complete and advertised for bid in summer 2012.

The small business participation for this contract is 17 percent. The minority and women-owned business participation for this contract is 4 percent. This information is provided for statistical purposes.

Prepared by: Mike Conner, Design Manager
Reviewed by: Michael T. Stift, Director of Engineering
Approved by: Frank Belock, Jr., Deputy General Manager