

# RAISIN & KAVCIOGLU

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December 24, 2018

## *City of Rialto*

Public Works Department  
335 W. Rialto Ave.  
Rialto, CA 92376

Re: Frisbee Park Expansion, City Project No. 150304  
Bid Protest

Dear Sir or Madam:

This letter constitutes a bid protest pursuant to section 2-1 of the bidding instructions. The letter is submitted on behalf of Horizons Construction Co., Int'l, Inc. ("Horzions"). This letter constitutes a protest of the award of the contract for the Frisbee Park Expansion Project, City Project No. 150304 ("the Project") to any bidder other than Horizons.

In light of the holiday and the weekend, Horizons has not had sufficient information to study fully the bids of the other bidders, and expressly reserves the right to augment this protest with other grounds not stated herein.

Horizons protests any award to either RC Graves Construction or Silverstrand Construction on the ground that both bids are nonresponsive for reasons including, but not limited to, the following:

### RC Graves Construction

The bidding instructions require that each bidder perform 50% of the work with its own forces. The subcontractor listing for RC Graves shows that it intends to perform more than 50% of the work with its own forces.

RC Graves is exempt from workers comp because it has no employees, accordingly it cannot perform the requirement that it perform 50% of the work with its own forces.

For these reasons (and perhaps others) the bid of RC Graves Construction is not responsive.

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### Silverstrand

The bidding instruction require each bidder to provide sufficient evidence and references in support of successful construction of no fewer than three (3) park projects, each with a minimum construction value of \$2,500,000, constructed or substantially completed within the past five (5) years, or, successful construction of no fewer than three (3) park projects, each with a minimum construction value of \$5,000,000, constructed or substantially completed within the past ten (10) years. Reference projects shall have been constructed for local municipal clients (Cities, Counties, or Recreation & Park Districts) located within the state of California. Failure to provide such evidence shall render the bid as nonresponsive and subject to disqualification by the City.

In an apparent attempt to comply with this instruction, Silverstrand listed a project that is a tower project called Solar Lighting/LED upgrades. This project does not conform to the terms listed in the bidding instructions.

Furthermore, it is not clear that the project is completed, as the instructions require.

Additionally, the installer that Silverstrand listed to install the Musco lights is not a pre-approved subcontractor. By listing a subcontractor that is not pre-approved, Silverstrand gave itself a competitive advantage not available to other bidders.

For these reasons (and perhaps others), the bid of Silverstrand is not responsive.

This letter is a formal protest against any award of the contract to a bidder other than Horizons. Horizons reserves the right to supplement this protest with additional facts after it receives the requested information. Horizons also requests notice pursuant to Government Code section 54954.1 of all meetings related to the award. Horizons ask to be faxed all staff reports or recommendations concerning this project as soon as they are available to the public. If this letter is insufficient to accomplish any of these purposes, please let us know immediately what else is required so we can comply.

Please also consider this a request for all communications between either Silverstrand or RC Graves Construction on the one hand, and the City on the other hand, in connection with any prior bids for the Project.

LAW OFFICES OF  
RAISIN & KAVCIOGLU

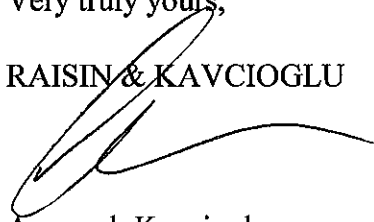
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Thank you.

Very truly yours,

RAISIN & KAVCIOGLU

A handwritten signature in black ink, appearing to be 'Armenak Kavcioglu', written over the printed name.

Armenak Kavcioglu

cc: Horizons Construction Co., Int'l



# CONTRACTORS STATE LICENSE BOARD



## Contractor's License Detail for License # 983391

**DISCLAIMER: A license status check provides information taken from the CSLB license database. Before relying on this information, you should be aware of the following limitations.**

CSLB complaint disclosure is restricted by law (B&P 7124.6) If this entity is subject to public complaint disclosure, a link for complaint disclosure will appear below. Click on the link or button to obtain complaint and/or legal action information.  
Per B&P 7071.17, only construction related civil judgments reported to the CSLB are disclosed.  
Arbitrations are not listed unless the contractor fails to comply with the terms of the arbitration.  
Due to workload, there may be relevant information that has not yet been entered onto the Board's license database.

Data current as of 12/20/2018 2:39:32 PM

### Business Information

RC GRAVES CONSTRUCTION  
2223 N LOCUST AVENUE  
RIALTO, CA 92377  
Business Phone Number: (909) 829-3688

Entity Joint Venture  
Issue Date 05/02/2013  
Expire Date 05/31/2019

### License Status

**This license is current and active.**

**All information below should be reviewed.**

### Classifications

A - GENERAL ENGINEERING CONTRACTOR  
B - GENERAL BUILDING CONTRACTOR  
C-8 - CONCRETE

### Bonding Information

#### Contractor's Bond

This license filed a Contractor's Bond with SURETEC INDEMNITY COMPANY.

**Bond Number:** 5171471

**Bond Amount:** \$15,000

**Effective Date:** 01/01/2016

**Contractor's Bond History**

### Workers' Compensation

This license is exempt from having workers compensation insurance; they certified that they have no employees at this time.

**Effective Date:** 05/30/2017

**Expire Date:** None

**Workers' Compensation History**