



Purchasing Division - (559) 621-1332 - FAX (559) 488-1069 - www.fresno.gov
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Finance Department
Michael Lima
Director/Controller

July 15, 2016

VIA FACSIMILE

Austin Lee
Bay City Electric Works
13625 Danielson Street
Poway, CA 92064

Dear Mr. Lee:

SUBJECT: ACKNOWLEDGMENT OF REQUEST FOR APPEAL FOR 2MW EMERGENCY GENERATOR FOR NORTHEAST SURFACE WATER TREATMENT FACILITY (BID FILE NO. 3462)

This letter acknowledges receipt of your letter dated June 30, 2016, regarding appealing the staff determination to bypass Bay City Electric Works for being non-responsive.

Appeals Resolution 2003-129, Section 5 requires any and all appeals to set forth verifiable facts to rebut the staff determination.

In verifying the facts submitted in your letter, the City found the following deficiency:

Your letter asserts that Bay City complied with Sections 1.04A and 2.02A of the bid specification. On April 7, 2016, Bay City submitted a request for an approved equal for a Kohler generator with a Mitsubishi engine. The City denied this request in Addendum 1. Bay City's bid included a Kohler generator with a Detroit Diesel engine. This generator and engine combination was not submitted for the City to determine if it was an approved equal. Further, this generator and engine combination does not meet the requirements of Sections 2.02a or 1.07 of the bid specification. The specification states that the generator and engine must be manufactured by the same company and the approved manufacturers were Caterpillar and Cummins. Bay City's letter failed to include any verifiable facts that the Kohler generator with a Detroit Diesel engine is manufactured by Caterpillar or Cummins, or was an approved equal.

Your letter did not comply with Resolution 2003-129. It did not include any verifiable facts that the Kohler generator with a Detroit Diesel engine is manufactured by Caterpillar or Cummins, or was an approved equal. Therefore, for failure to comply with Resolution 2003-129, your request for appeal must be denied.

Sincerely,

Michael Lima
Director/Controller

FINANCE DEPARTMENT
PURCHASING DIVISION