

**TOWN OF
APPLE VALLEY, CALIFORNIA**

AGENDA MATTER

Subject Item:

AWARD OF CONTRACT FOR PAINTING TO A.J. FISTES FOR TOWN HALL ANNEX

Summary Statement:

Town staff received a formal bid protest from Saunders & McMillin in the bidding process for the painting contract for the Town Hall Annex. The protest was the failure to acknowledge addendum 2 and 3 on the bid documents; however, Addendums 2 and 3 had no impact upon the bid package. By submitting a bid the bidder acknowledges receipt of all addenda and has included requirements of the same in the bid.

The protest was reviewed by the construction manager (Eberhardt Construction) and Town Attorney. It was determined that the protest was without merit and has no affect on the contract award.

Recommended Action:

1. Reject Saunders & McMillin 's bid protest as without merit,
2. Waive A.J. Fistes failure to acknowledge the Addenda 2 and 3 as an immaterial and waivable deviation,
3. Award the contract to the lowest responsive bidder, A.J. Fistes

Proposed by: Claude Stewart, Building Official Item Number _____

T. M. Approval: _____ Budgeted Item Yes No N/A