

June 19, 2020

Delivered via E-mail and FedEx

Port of Los Angeles  
ATTN: Jill DeMontagnac  
425 S. Palos Verdes Street  
PO Box 151  
San Pedro, CA 90733-0151

Re: San Pedro Waterfront Promenade and Building Demolition (Specification 2780)  
Bid Opening: June 18, 2020

Subject: **Protest of the Bid of Sully-Milly Contracting Company**

Ms. DeMontagnac:

Granite Construction Company (“Granite”) formally protests the award of the above-referenced contract to Sully-Milly Contracting Company (“Sully”), as this contract should be awarded to Granite, the lowest responsive and responsible bidder.

Sully listed The Steel Erection Company (“TSEC”) for the shade structure, swing structures, guardrail, and handrail work in the amount of \$2,712,873. TSEC, however, is not certified as a fabricator on the Los Angeles Department of Building and Safety Fabricator’s Roster, as required in the bid documents and further clarified in Q&A Set 15, Question 7. Such is a material defect in Sully’s bid.

Listing an unapproved steel fabricator/installer provided Sully a substantial bid pricing advantage in the amount of \$445,772, which is the delta between the \$2,712,873 listed by Sully for TSEC and the \$3,158,645 bid of TrussWorks International, Inc. (“TrussWorks”), an approved, certified fabricator listed by Granite. This \$445,772 delta caused Sully to be the apparent low bidder; however, Sully’s listing of an unapproved fabricator is a material defect, which makes Sully’s bid non-responsive. Sully was the low bidder by a total of \$314,194, and had they used an approved fabricator, Granite would be the apparent low bidder.

It should be noted that there was a total of five bidders for this project, and four of the five bidders listed TrussWorks, an approved fabricator per the bid documents. Sully was the only bidder that failed to follow the requirements of the bid documents by listing an unapproved fabricator. This deviation gave Sully a substantial and unfair economic advantage over the other bidders.

In summary, as the above-described deviation in the bid requirements gave Sully a pricing advantage over the other bidders, this contract must be awarded to Granite, the lowest responsive and responsible bidder. Attached you will find a copy of Q&A Set 15 and a copy of the Los Angeles Department of Building and Safety Fabricators Roster, for your reference.



Please do not hesitate to contact me at 760-444-1992 or [Jesse.Espinoza@gcinc.com](mailto:Jesse.Espinoza@gcinc.com), should you require additional information.

Respectfully,

**GRANITE CONSTRUCTION COMPANY**

A handwritten signature in blue ink, appearing to be "Jesse Espinoza".

Jesse Shae Espinoza  
Chief Estimator

5860 El Camino Real #200  
Carlsbad, CA 92008

Phone: 760-444-1992  
Fax: 760-444-1988

**Q & A**

**Set**

15.7

**Question**

Please clarify, section 05 50 00-6 quality assurance subsection F states metal fabricator must be accredited by IAS AC172 This is an uncommon certification that would prevent many local manufacturers from bidding this project.

Would a City of Los Angeles Certified Fabricator be acceptable ?

**Answer**

All fabricators are to be City of Los Angeles Certified Fabricators.

**Release Date**

06/17/2020  
9:59 AM  
(Pacific)

**LOS ANGELES DEPARTMENT OF BUILDING AND SAFETY  
FABRICATORS ROSTER**

6/15/2020

	LICENSE TYPE	LICENSE NO	EXPIRE DATE
<b>TrusPro, Inc.</b> 695 Obispo St. Guadalupe, CA 93434 PHONE: 805-343-2555 FAX: 805-343-2377	SPECIALTY[WOOD ROOF & FLOOR TRUSSES, METAL TRUSSES SREW & BOLT CONNECTIONS ONLY]	FB02095	8/1/2021
<b>Trussworks International</b> 1275 E. Franklin Ave. Pomona, CA 91766 PHONE: 909-461-3112 FAX: 909-461-3735	SPCECIALTY[STEEL TRUSSES]/USS/HSS	FB01877	4/1/2021
<b>Tuff Shed, Inc.</b> 12800 Rangoon St. Arleta, CA 91331 PHONE: (818) 838-7200 FAX: (818) 838-7300	SPECIALTY[PREFAB WALLS AND ROOF TRUSSES]/[GARAGE S AND SHEDS]	FB01651	7/1/2020
<b>Twin City Fab Inc</b> 295 Apollo Drive Lino Lakes, MN 55014 PHONE: 651-780-4411 FAX: 651-780-6235	LWS/HSS/AL	FB03172	3/1/2020
<b>U.S. Bridge</b> 201 WHEELING AVE CAMBRIDGE, OH 43725 PHONE: 888-872-7434 FAX: 740-439-7349	USS/HSS	FB03203	4/1/2019
<b>UDC Corporation</b> 1041 N. Kraemer Pl. Anaheim, CA 92806 PHONE: (714) 630-8580 FAX: (714) 630-0430	LWS/RB/HSS/AL/SST/ SPC:BASEPLATES TO 3"	FB01755	5/1/2021
<b>Ultrasign de Mexico</b> Calle Emilio Flores "A" Col Canon Del Padre Tijuana, BC 22203 PHONE: 800-536-7446 FAX: (858) 569-6845	SPECIALTY SIGN STRUCTURES [ LWS, HSS, AL]	FB01739	4/1/2021



425 S. Palos Verdes Street Post Office Box 151 San Pedro, CA 90733-0151 TEL/TDD 310 SEA-PORT www.portoflosangeles.org

Eric Garcetti

Mayor, City of Los Angeles

Board of Harbor  
Commissioners

Jalme L. Lee  
President

Edward R. Renwick  
Vice President

Diane L. Middleton  
Commissioner

Lucia Moreno-Linares  
Commissioner

Anthony Pirozzi, Jr.  
Commissioner

Eugene D. Seroka

Executive Director

July 9, 2020

Granite Construction Company  
5860 El Camino Real #200  
Carlsbad, CA 92008

Attn: Jesse Espinoza

**SUBJECT: RESPONSE TO PROTEST OF THE BID OF SULLY-MILLER  
CONTRACTING COMPANY  
WILMINGTON WATERFRONT PROMENADE AND BUILDING  
DEMOLITION  
SPECIFICATION NO. 2780**

The Port of Los Angeles has received your protest letter dated June 19, 2020, relating to your bid protest on the subject project indicating that Sully-Miller's bid should be deemed non-responsive since an approved Los Angeles Department of Building and Safety (LADBS) fabricator was not listed in their bid package.

Sully-Miller has informed our office that their subcontractor, The Steel Erection Company, will subcontract the fabrication of the shade structures, swing structures, guardrail, and handrails to S&P Fabrication Services, which is an approved fabricator on the LADBS fabricator roster. Based on this information, we find Sully-Miller's bid responsive.

Thank you for submitting a bid for this project and we hope that you consider bidding future Port projects.

If you have any additional questions or concerns, please contact Mahsa Pan, Project Construction Manager at (310) 732-7674.

Sincerely,

SHAUN SHAHRESTANI  
Chief Harbor Engineer  
Director of Construction

MHP:lh  
28072.doc  
File No.: Spec No. 2780-4.11



LA City, ISO 9001-2015, AISC, SBE & LEED AP Certified!

California Contractor's License #1018654

Public Works/DIR # 1000052360

July 9, 2020

Mahsa Pan  
Port of Los Angeles  
425 South Palos Verdes Street  
3<sup>rd</sup> Floor  
San Pedro, CA 90013  
Phone # 310-732-7674

RE: Wilmington Waterfront Promenade and Building Demolition Project  
Invitation No. 2780

We would like to submit a formal protest for the above mentioned project. We are an L.A. City Certified Structural Steel Fabricator and were listed by several of the G.C.'s that bid this project.

As written in the Q and A response 15.7; it states "**All fabricators are to be City of Los Angeles Certified Fabricators**".

After a search of the L.A. City Fabricators Roster, we were unable to establish that the fabricator (The Steel Erection Company) listed by Sully and Miller (the apparent low bidder) is **not** an L.A. City Certified Fabricator.

Kind Regards

Ali Shantyaiei  
Vice President  
TrussWorks International, Inc.



1275 E. Franklin Ave | Pomona, CA 91766

T: 909-461-3112 | F: 909-461-3735

C: 310-424-8984

[Ashantyaiei@twifab.com](mailto:Ashantyaiei@twifab.com) | [www.twifab.com](http://www.twifab.com)

LA City, SBE, LEED & AISC Certified !

California Contractor's License #1018654

DIR #1000052360



Eric Garcetti

Mayor, City of Los Angeles

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Vice President

Diane L. Middleton  
Commissioner

Lucia Moreno-Linares  
Commissioner

Anthony Pirozzi, Jr.  
Commissioner

Eugene D. Seroka

Executive Director

July 10, 2020

TrussWorks International, Inc.  
1275 E. Franklin Avenue  
Pomona, CA 91766

Attn: Ali Shantyaee

**SUBJECT: RESPONSE TO FORMAL PROTEST LETTER  
WILMINGTON WATERFRONT PROMENADE AND  
BUILDING DEMOLITION  
SPECIFICATION NO. 2780**


The Port of Los Angeles has received your protest letter dated July 9, 2020, relating to your bid protest on the subject project indicating that Sully-Miller's bid should be deemed non-responsive since an approved Los Angeles Department of Building and Safety (LADBS) fabricator was not listed in their bid package.

Sully-Miller has informed our office that their subcontractor, The Steel Erection Company, will subcontract the fabrication of the shade structures, swing structures, guardrail, and handrails to S&P Fabrication Services, which is an approved fabricator on the LADBS fabricator roster. Based on this information, we find Sully-Miller's bid responsive.

Thank you for submitting a bid for this project and we hope that you consider bidding future Port projects.

If you have any additional questions or concerns, please contact Mahsa Pan, Project Construction Manager at (310) 732-7674.

Sincerely,

*for*   
SHAUN SHAHRESTANI  
Chief Harbor Engineer  
Director of Construction

MHP:jd  
28073.doc  
File No.: Spec No. 2780-4.11