



Nor-Cal Pump & Well Drilling, Inc
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Dan Herrera, P.E.
City of Petaluma
Department of Public Works and Utilities
202 N. McDowell Blvd
Petaluma, CA 94954
RE: Oak Hill Municipal Well Project
Project#: C67501611

Hello Dan,

Nor-Cal Pump & Well Drilling is submitting a formal declaration of protest for the City of Petaluma Oak Hill Municipal Well Project. Our protest is based on deficiencies in the bid packages submitted by Well Industries Incorporated (WII) and WildRose Drilling LLC. Dba WildHeron Drilling (WHD). Both bids are deficient and per item 10 of the Notice Inviting Bids, the City reserves the right to reject all or any part of all bids submitted..." We believe that the City should reject both deficient bids in the interest of fairness.

The bid submitted by Well Industries Inc. is deficient for several reasons:

1. WII lacks the experience to perform this project. Per the Questionnaire and Financial Assurance Statement submitted at the time of bid, WII only listed their experience drilling wells in Arizona for Peacock Nuts. They did not include the project size and length which were required to submit per that form.
2. WII did not notarize the site visit affidavit form that was included with their bid package at the time of bid. Per the Site Visit Affidavit itself, the document is "to be executed by bidder, notarized, and submitted with bid." Although Ronald Stilwell is the President of WII, he is not an active Notary Public and is not able to self-certify this portion of the bid.
3. Per your email on 8/24/2023, you stated that:

"We reached out the contractor on Friday 8/18 for this information to which they requested an extension to provide the statement of qualification information, mostly due to the financial portion. We discussed during a phone call to which we granted the extension for the following week. The contractor provided the statement of qualifications on Monday 8/21. We requested changes to the statement of qualifications as the contacts only had emails and not names/phone numbers. We received the final statement of qualifications on Tuesday 8/22. If you have any further questions please let me know.."

Per Page 1 of the Statement of Qualifications, it is stated at the top that "The apparent low Bidder shall submit a Statement of Qualifications as specified



herein as a submittal to the City **within 24 hours of the bid opening.**” If the time of bid opening was August 17th 2023 at 2:00 PM, then WII was required to provide their statement of qualifications by Friday August 18th 2023 at 2:00 PM. Based on this contract document, granting this extension is not allowed. There is no other language in the specifications and bid documents that permits an extension past August 18th 2023 at 2:00 PM.

Based on the aforementioned reasons, we believe that the City has extended an unfair opportunity to WII. For these reasons, WII’s bid is deficient and should be rejected.

The bid submitted by WildRose Drilling LLC. dba WildHeron Drilling is also deficient for several reasons.

1. WHD did not use the new bid schedule that was sent out in Addendum No-1 that changed the units for Item 6 Drilling Waste Disposal from Yard to Lumpsum and Item 7 Drilling Waste Disposal (fluid/drilling mud) from Gallons to lumpsum.
2. WHD did not include a signed and notarized site visit affidavit with their proposal.
3. WHD did not extend pricing for the following items:

Item No.	Description	Estimated Quantity	Unit	Unit Price	Total
3	Standby Time	1	Hour	\$450.00	\$450.00
5	Pilot Borehole Abandonment (Optional)	1	Feet	\$12,000.00	\$12,000.00
11	Pilot Bore Hole Stabilization	500	Feet	\$12,000.00	\$12,000.00
17	Monitoring Well Installation (Optional)	500	Feet	\$35,800.00	\$35,800.00
				TOTAL	\$60,250.00

Excluding these items resulted in a difference of \$60,250.00 and when included changes their total bid amount from \$590,169.00 to \$650,419.00. Within this error, if WHD had multiplied their unit price by the applicable quantities in the bid schedules, the results would be as follows:

Item No.	Description	Estimated Quantity	Unit	Unit Price	Total
3	Standby Time	1	Hour	\$450.00	\$450.00
5	Pilot Borehole Abandonment	1	Feet	\$12,000.00	\$12,000.00



	(Optional)				
11	Pilot Bore Hole Stabilization	500	Feet	\$12,000.00	\$6,000,000.00
17	Monitoring Well Installation (Optional)	500	Feet	\$35,800.00	\$17,900,000.00
				TOTAL	\$23,912,450.00

Including these values would have resulted in an increase of \$23,912,450.00 and increased their total bid from \$590,169.00 to \$24,502,619.00

4. Beyond these errors, WHD lacks the relevant experience to construct the project described in the scope of work. Their experience list focuses on their work in constructing agricultural wells for public clients such as the Santa Maria Joint High School District and private clients such as Nerey Farms and Corning Badam Farms.

Based on these errors, WHD's bid should be rejected.

Nor-Cal Pump & Well Drilling Inc. submitted a complete bid on the revised bid schedule that is consistent with the guidelines of bid addendum no.-1. Upon review, NCP prepared the lowest complete and responsive bid as requested by the bid documents. Based on the deficiencies of the two low bidders, we believe that the two lowest bids should be rejected and that the project should be awarded to NCP.

Respectfully,

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