



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

FROM THE DEPARTMENT OF PUBLIC WORKS/ENGINEERING DIVISION

June 30, 2026

Sent by Certified Mail and by E-Mail to
elizabeth@accessgcinc.com

Access General Contracting, Inc.
Elizabeth Tene
357 N Sheridan Street, Suite 100,
Corona, CA 92878

SUBJECT: REJECTION OF BID FOR ON CALL SIDEWALK REPAIR PROJECT - CITY PROJECT NO. 25-20

Dear Ms. Elizabeth Tene,

The City of Costa Mesa ("City") has completed its review of the bids submitted on May 6, 2026, in response to the Notice Inviting Bids for the On Call Sidewalk Repair Project (the "Project"). Your firm, Access General Contracting, Inc. ("AGC") submitted a bid that City staff has determined to be non-responsive to the City's requirements. Specifically, AGC's bid was found to be non-responsive for each of the following reasons:

1. **Bid Security:** The contractor, AGC, did not submit a physical bid security to the Costa Mesa City Clerk. Page N-1 provides: "No bid will be considered unless such certified check, cashier's check, or bid bond is received by the City Clerk PRIOR to the bid submission deadline." Additionally, Page B-1, Information for Bidders, Section 3, states: "The original bid security / bid bond must be submitted to the City Clerk's Office at least one hour prior to the bid submission deadline. Any and all late submittals of the bid security / bid bond shall be rejected, and it is the bidder's responsibility, not the delivery service, to ensure that said bid security / bid bond is delivered timely to the City Clerk's Office. The Bidder's Bond shall be signed by both the Bidder and the Surety, and both signatures shall be notarized."
2. **Blanks in Bid Forms:** On Bid Proposal Page P-2a, the contract amount was not entered, and AGC did not indicate whether the required bid security was provided in the form of cash, a certified check, or a bidder's bond. Page B-1 of the Information for Bidders, Section 1, specifies that "All information requested in the bid forms must be provided."
3. **Missing Page from Proposal:** Page P-7, Contract Assurance, was not included in the proposal package. Page N-1, Section 4, states: "All bids must be submitted on the proposal form included in the bid documents. No bid will be considered unless it is made on the proposal form furnished by the City and made in accordance with the provisions of the bid requirements." Although AGC submitted the bid package using the prescribed proposal pages, one required page is missing.

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4. **Qualification of Bidders**: Three references were submitted; however, only one falls within the past 24 months. Page B-1 of the Information for Bidders, Section 2, states: "Each Bidder shall submit a list of Construction Project References indicating Public Works and/or similar construction projects completed or in progress within the last 24 months." Additionally, Page P-4, under Construction Project References, states: "It is requested that you submit a list of Public Works and/or similar construction projects completed, or in progress, within the last 24 months. This information will be used to evaluate whether the bid is responsive and/or responsible to the call for bids."

Conclusion

The discrepancies identified above are each material, inhibit the City's ability to evaluate bids equitably, and demonstrate non-responsiveness to the requirements of the bid package. Accordingly, City staff has determined that the bid submitted by AGC is non-responsive for each of the reasons set forth above.

The Project is scheduled to be presented to the City Council at 6:00 p.m. at the August 4, 2026, Council Meeting for award to the lowest responsive and responsible bidder. City staff will recommend the rejection of AGC's bid at that time and date for the reasons identified above. If AGC wishes to be heard, protest, or otherwise object to the City's determination of non-responsiveness as set forth herein, AGC must be present at the Council Meeting, and must submit any written objection and/or evidence to the City Clerk's office, City Hall, 77 Fair Drive, Costa Mesa, CA 92626 on or before July 27, 2026.

Sincerely,



Seung Yang, P.E.
City Engineer

c: Raja Sethuraman, Public Works Director
Derek Wieske, Assistant City Engineer
Tarquin Preziosi, Assistant City Attorney
Cristina Oquendo, Associate Engineer
Tiffany Le, Assistant Engineer
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