

Audio Visual Innovations, Inc., a wholly owned subsidiary of



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SENT VIA FACSIMILE AND U.S. POSTAL SERVICE

April 19, 2016

State of California Department of Transportation
Jeff DeFevere
Office Chief
Office Engineer, Construction Contract Awards
Division of Engineering Services
1727 30th Street, MS 43
Sacramento, CA 95816
Fax: 916-227-6282

RE: Bid Protest of Contract No. 12-ON2204

Dear Mr. DeFevere:

Please consider this as a formal bid protest of the bidding procedures and bid evaluations in connection with the above referenced contract number.

Audio Video Innovations, Inc. ("AVI") originally submitted its bid in response to this contract by the original bid opening date of December 16, 2015. AVI also submitted all of the relevant DBE and Subcontractor documentation by December 22, 2015, in accordance with the Bid form Submittal Schedule for a Federal Contract with a DBE Goal. The bid tabulation released on December 17, 2015 indicated AVI's bid was the lowest of the three bids received.

On January 11, 2016, AVI received a letter via fax from the Office Engineer requesting extension of the award period from January 16, 2016 to February 16, 2016. AVI agreed to this extension and promptly returned the paperwork.

On February 3, 2016, AVI received a letter via fax from the Office Engineer that its bid was "nonresponsive" due to its failure to attach a California All-Purpose Acknowledgement form with its bid. This was a minor technicality, since AVI had provided a bid bond notarized by a surety licensed in the state of California; however, the surety used its own bid bond documentation instead of the form provided by in the Bid Book. The letter also indicated AVI had until the bid expiration date of February 16, 2016, or two days prior to this date to request an extension.

However, on February 4, 2016, the Office Engineer posted a notice that the contract bid had been withdrawn. AVI could have, and was prepared to, immediately remedy the nonresponsive finding, but was not given the opportunity to do so since the bid was withdrawn only one day after AVI received the notice of nonresponsive bid.

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However, on February 8, 2016, AVI received a second request via fax from the Office Engineer requesting extension of the award period from February 16, 2016 to March 16, 2016. Again, AVI agreed to this extension and promptly returned the paperwork. Since no further communication was received from the Office Engineer, and since AVI had received the second request for extension, AVI assumed it was still considered a responsive bidder at this point.

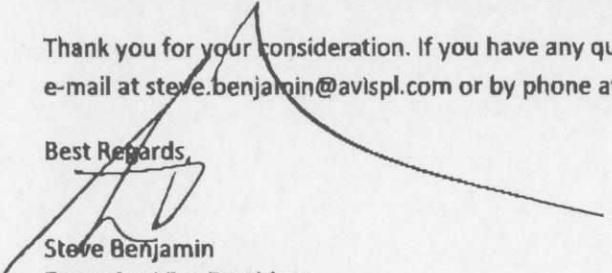
On March 3, 2016, the Office Engineer released the Contract No. (12-ON2204zz) for a second time to all bidders. AVI submitted all bid documentation, including a compliant bid bond form, by the bid opening date of March 17, 2016. This time, however, the bid tabulation indicated that AVI was the third lowest bidder of six responding bidders. AVI was in a significant and immediate disadvantage during this bid process as the bid tabulation published at the original bid opening on December 16, 2015 allowed other responding bidders to adjust to the lowest price previously bid by AVI. Thus, it is AVI's position that process components of the original bid evaluation and the second bid release may have been flawed and we request further review by the convening authority prior to final award.

AVI would also like to protest those bids submitted by the two lowest bidders as it is our position that the video wall technology proposed in each of those bids does not comply with the technical specifications and technology requirements. AVI is aware that the desired technology for the video wall involves the use of a Barco solution. AVI's proposal is technically compliant and our solution was specifically designed for the desired Barco technology. We believe that the technical specifications for this project cannot be met by any other technologies or manufacturers. An in depth review of other available solutions shows that only Barco complies with the technical specifications in each required area.

AVI would like to reiterate that it has submitted a compliant proposal response with a solution and price favorable to CalTrans and in support of its mission. We strongly encourage a further review of the submitted bids and their compliance with the technical specifications outlined in the bid prior to making the final award.

Thank you for your consideration. If you have any questions, please direct inquiries and comments to me via e-mail at steve.benjamin@avispl.com or by phone at (813) 884-7168 ext. 2252.

Best Regards,



Steve Benjamin
Executive Vice President
Audio Visual Innovations, Inc.

SB/lam



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Facsimile Cover Page

TO: Jeff DeFevere

FROM: Veronica Bowie, Executive Assistant (behalf of Steve Benjamin)

FAX #: 916-227-6282

TOTAL PAGES: 3 including cover

DATE: April 19, 2016
