

August 11, 2009

Gadsden Independent School District
Board of Education
PO Drawer 70
Anthony, NM 88021



Re: Re-Bid Gadsden High School Building and Addition – 2009
Gadsden Independent School District

Dear Board Members;

Late Thursday, August 6th, White Sands Construction Company withdrew their bid in the enclosed letter. Their delay in determining an error in their bid is inexcusable. Shortly after bids were opened we questioned White Sands if there was any reason or concern why their bid was so low. The question then gave them the opportunity to review their numbers and let us know. GISD has been harmed by this mismanagement and the District should review what has happened carefully before considering White Sands for any future work.

Regardless, I believe the best move is to consider the second low bid from Gencon Corporation of \$6,471,066.00 (Bid Tabulation enclosed) which is \$238,000.00 more than White Sand's bid, but within the project budget. Enclosed is a letter from Gencon extending their bid price. Gencon has completed many projects for the District and has a good record of quality as well as completing work within schedules.

Alley Associates recommends the acceptance of Gencon's bid and awarding them a contract. If there are any questions please contact me at (575) 523-1310.

Sincerely,

A handwritten signature in black ink, appearing to read "Rem C. Alley, Jr.", is written over a printed name and title. The signature is fluid and cursive.

Rem C. Alley, Jr., AIA
Alley Associates, P.C.

Enclosed:

White Sands letter of withdrawal dated August 6, 2009
Gencons' letter dated August 10, 2009
Bid Tabulation Sheet

Building Tomorrows Future Today...

White Sands

CONSTRUCTION

PHONE: 575-437-7816 FAX: 575-437-0984
PO BOX 1745 - ALAMOGORDO, NM - 88311 LIC. 50235

August 6, 2009

Alley Associates, P.C.
1691 Hickory Loop, Ste. A
Las Cruces, NM 88005
Tel: 575-523-1310
Fax: 575-523-1314

Attn: Rem Alley

Re: Gadsden High School – Acceptance of Contract

Rem,

With much regret, White Sands Construction, Inc. is in a position to where it is not going to be able to accept the above referenced contract for the Gadsden High School.

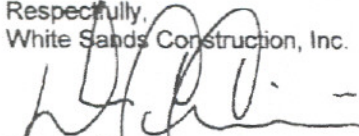
In accordance with the bid form documents, paragraph 2, the owner was required to enter into contract with WSCI within 60 days. WSCI did not receive notification until Monday the 3rd of August, at which point the 60-day period had expired, not only between the owner and WSCI but also between WSCI and the Subcontractors and Suppliers. By the clear terms of the bid documents our offer is no longer valid and may not be accepted by the owner.

Even if the offer were still open for acceptance, we discovered a major clerical error in our bid, which would require that our bid be withdrawn. When we received the paperwork on Monday, we immediately started reviewing bid abstracts to issue contracts and build our schedule of values. At that point we discovered that our bidding software had not carried the cost of the masonry into our bid. We are prepared to demonstrate this error with our bid abstract, if this would be helpful to you or the Owner.

We deeply apologize for the time frame, however due to the protest, this bid has basically been set-aside until which time we were notified that the owner intended to award us the contract.

WSCI was looking forward to working on this project. Again, we apologize for the inconvenience caused and truly wished we could have been in a position to do this contract. If I can be of any further assistance, please do not hesitate to call me. I can be reached by phone at 575-437-7816 or email at dennis@whitesandsconstruction.com.

Respectfully,
White Sands Construction, Inc.



Dennis Crimmins
Director of Operations

Acknowledgment of Notification

Representative of

Date



COMMERCIAL - INDUSTRIAL - METAL BUILDINGS
P. O. BOX 448 - MESILLA, NEW MEXICO 88046
PHONE: (575) 523-4556 FAX: (575) 523-6420

August 10, 2009

Alley & Associates
Rem Alley
1691 Hickory Loop, Suite A
Las Cruces, NM 88005

Re: Gadsden High School Building Addition - Re-Bid

Rem:

As you requested, we will extend our bid for an additional 30 days.

Respectfully,

A handwritten signature in black ink, appearing to read "Robert F. Carson". The signature is written in a cursive, somewhat stylized script.

Robert F. Carson



ALLEY ASSOCIATES
ARCHITECT-PLANNERS

BID TABULATION

1691 HICKORY LOOP, STE. A
LAS CRUCES, NEW MEXICO
88005
(505) 523-1310

PROJECT: GAD2006-03
RE-BID GADSDEN HIGH SCHOOL BUILDING &
ADDITION - 2009

BID DATE: May 26, 2009
BID TIME: 2:00 PM

CONTRACTOR	Bid Lot #1 Lib./Admin. Bldg. & Gym Add't	Bid Lot #2 Remodeling Existing Gym.	Subtotal:	Taxes	Total:			
CLASSIC INDUSTRIES	\$5,368,380.00	\$1,160,122.00	\$6,528,502.00	\$403,951.00	\$6,932,453.00			
CRESTLINE BUILDING CORP.	NO BID							
DND CONTRACTORS	\$5,370,000.00	\$990,000.00	\$6,360,000.00	\$393,525.00	\$6,753,525.00			
GENCON CORP.	\$5,162,000.00	\$932,000.00	\$6,094,000.00	\$377,066.00	\$6,471,066.00			
JAYNES CORP.	\$5,825,000.00	\$1,018,000.00	\$6,843,000.00	\$423,411.00	\$7,266,411.00			
KAY WARD & SONS INC.	\$5,400,000.00	\$1,027,000.00	\$6,427,000.00	\$397,671.00	\$6,824,671.00			
VALDEZ & SONS CONSTRUCTION	NO BID							
WHITE HORSE CONSTRUCTION	NO BID							
WHITE SANDS CONSTRUCTION	\$4,940,000.00	\$929,000.00	\$5,869,000.00	\$363,144.00	\$6,232,144.00			

Attachment #5

