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A desirable place to live, work and play; rich in history and small town values!

September 27, 2018

Dean Anderson
Director, US Pole Sales
McFarland Cascade Holdings Inc.
PO Box 1496
Tacoma WA 98401

RE: Bid 2019-663 Western Red Cedar Poles

Dear Mr. Anderson

The City of Aztec is in receipt of your protest of the award of Bid 2019-663 Western Red Cedar Poles. Under the New Mexico Procurement code, the right to protest is found in Section 13-1-172 NMSA 1978:

Section 13-1-172 NMSA 1978 Right to protest.

Any bidder or offeror who is aggrieved in connection with a solicitation or award of a contract may protest to the state purchasing agent or a central purchasing office. The protest shall be submitted in writing within fifteen calendar days after knowledge of the facts or occurrences giving rise to the protest.

Under this statute, McFarland Cascade Holdings Inc. protest is deemed timely filed as it was submitted within 15 days of the September 26, 2018 notice of award from the City of Aztec.

The issue presented in the protest is the treatment specification included in the bid document, Section V.1 "Poles furnished MUST be butt-treated Western Red Cedar". The bid awarded was for full-treated Western Red Cedar.

Consultation with the Electric Department Director has identified the butt-treated pole to be a minimum specification. The language contained in the bid document does not accurately convey this information. While approval was provided for full treatment poles prior to the submission of bids, an addendum was not issued advising potential bidders of this opportunity.

Based on this review, I have been determined the bid process was not equitable and bid 2019-663 is rejected. The specifications will be rewritten and a new bid issued.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kathy Lamb".

Kathy Lamb
Finance Director/Chief Procurement Officer

cc: Bell Lumber and Pole Co.