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May 17, 2013

O'Rorke, Inc.
55 Hawthorne Street, Ste. 710
San Francisco, CA 94105
Phone (415) 543-9119

Stormwater Public Education

Proposal Due Date: September 26, 2012

Dear Proposer:

The Bureau of Sanitation, Centralized Contracts Unit, would like to provide you with feedback on your Business Inclusion Program (BIP) subcontractor outreach for the above mentioned project. We hope that this information will assist you prepare Business Inclusion Program (BIP) subcontractor outreach on future projects. Based on our review, your BIP subcontractor outreach is deemed:

NON-RESPONSIVE

After careful review, the Bureau of Sanitation Centralized Contracts Unit has found O'Rorke, Inc.'s Business Inclusion Program (BIP) documentation for the above mentioned project to be "**Non-Responsive**" for failing to complete the BIP subcontractor outreach requirements for the following reasons.

According to Attachment G of the RFP, the Business Inclusion Program (BIP) Requirements state, "**The proposer has responded to every unsolicited offer sent by a Registered Subcontractor using BAVN and has evaluated in good faith bids or proposals submitted by interested potential MBEs, WBEs, SBEs, EBEs, DVBEs and OBEs. Proposers must not unjustifiably reject as unsatisfactory a bid or proposal offered by a Registered Subcontractor, as determined by the Board.**" The only subcontractor, Arellano, was listed on the Schedule A "without a quote" and also "not selected" on O'Rorke, Inc.'s BIP summary sheet. Additionally, in the clarification response, O'Rorke, Inc. stated they "included them in the proposal as a show of good faith." This contradiction, and the lack of a pledged amount to Arellano are not "a show of good faith," but a failure to Negotiate in Good Faith. Additionally, the reason for rejection of Duckpunk does not show Negotiation in Good Faith. The email chain provided by O'Rorke, Inc. shows the subcontractor was solicited by another firm, however, the email address and body of the email clearly shows interest in working with O'Rorke, Inc. Finally, O'Rorke never submitted a bid for non-selected subcontractor Cook + Schmid. Therefore, it is the recommendation of the Bureau to deem O'Rorke, Inc. non-responsive for failing to fulfill the BIP outreach requirements.

If you would like to discuss this evaluation, please call TJ Knight at (213) 485-2349 **no later than May 24, 2013**. Once again, this letter only reflects the outcome of the Business Inclusion Program evaluation; it does not provide information related to the award of the project.

Sincerely,

TJ Knight, Management Analyst II
Bureau of Sanitation
Centralized Contracts Unit