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April 16, 2026

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ENGINEERING DIVISION

*11:07 AM
A.H.*

Office of the City Engineer
City of South San Francisco
315 Maple Avenue
South San Francisco, CA 94080

Attention: Matthew Ruble, Principal Engineer
Jeffrey Chou, Senior Engineer

**RE: IFB No. ST2505 - 2026 Street Surface Seal Project
Protest and Clarification of Authorized Signatory – Dryco Construction, Inc.**

This letter constitutes a formal bid protest challenging the responsiveness of the bid submitted by Dryco Construction, Inc. (“Dryco”) for the above-referenced project. Based on a review of Dryco’s bid submittal, the bid contains material defects that cannot be waived and must be rejected as non-responsive.

Dryco’s bid and multiple mandatory certifications were executed by Mr. Mike Wallen, who is identified in the submittal materials only as a contact person, not as a corporate officer or authorized signer of the corporation. Dryco’s Bid proposal form “Company Profile and Information” on page 9-5 fails to list Mr. Wallen as:

- A corporate officer, or
- An authorized agent empowered to bind the corporation.

Where a bidder fails to identify the signer as an authorized officer or agent, the bid is rendered void and unenforceable.

Dryco may attempt to rely on an alleged delegation of authority from Daren R. Young. However, Dryco’s proposal materials do not identify Mr. Young as a corporate officer on bid proposal form “Company Profile and Information on page 9-5, nor do they reflect that he possessed authority to delegate binding authority on behalf of the corporation. An individual cannot lawfully delegate authority he does not possess, and post-bid explanations or internal corporate assertions cannot cure this defect. Allowing Dryco to retroactively establish authority would constitute impermissible bid correction after opening.

VSS INTERNATIONAL, INC.

3785 CHANNEL DRIVE, WEST SACRAMENTO, CA 95691 | CSLB 293727 A, B, C-12 | (916) 373-1500
6751 W GALVESTON ST, CHANDLER, AZ 85226 | AZ LIC. 285579 A | (480) 940-9690
DIR 1000001231 | ID PWC-C-13304 | NV 014802 A | OR 65821 | WA VSSINII875JW
PAVEMENT MAINTENANCE SPECIALISTS

This is not a minor clerical irregularity. The identity and authority of the bid signatory goes to the legal enforceability of the bid itself. A bid that is not properly executed:

- Is not binding on the bidder
- Exposes the public agency to performance and surety risk
- Undermines the integrity of the competitive bidding process

California public contracting law consistently holds that failure to execute a bid by a duly authorized officer or agent is a material defect requiring rejection.

Other bidders were required to strictly comply with the bid instructions, including the proper identification of corporate officers and authorized signers. Allowing Dryco to correct or explain this defect after bid opening would grant Dryco an unfair advantage and violate the principle of equal footing among bidders.

The City lacks discretion to waive defects that affect bid responsiveness, even if the City believes the omission was inadvertent.

For the reasons stated above, the City must:

1. Deem Dryco Construction, Inc.'s bid non-responsive;
2. Reject the bid in its entirety; and
3. Proceed with award consideration among the remaining responsive and responsible bidders.

Thank you for your consideration. Please do not hesitate to contact the undersigned should you require additional information or documentation.



Nicholas Corcoran
Chief Estimator, VSS International, Inc.
Nicholas.corcoran@slurry.com
916-798-8592

Cc'd: Certified Mail Dryco Construction, 9390 Elder Creek Rd, Sacramento, CA 95829

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COMPANY PROFILE AND INFORMATION

Bidder's Name (Business/Firm Name): DRYCO Construction, Inc.

Business/Firm Address: 9390 Elder Creek Rd., Sacramento Ca 95829

Telephone Number: 916-548-5567 Fax Number: 916-381-3703

E-Mail Address: mikew@dryco.com

Type of Business: Individual () Partnership () Corporation (X)

Corporation organized under the laws of the State of California

Contractors License Number: 540379 State: California

Classification: A,C-13 Expiration Date: 09/30/2026

DIR Registration No.: 1000003241 Expiration Date: 06/30/2026

If bidder is a corporation, the legal name of the corporation shall be set forth together with the signature of the officer or officers authorized to sign contracts on behalf of the corporation; if bidder is part of a partnership, the true name of the firm shall be set forth together with the signature of the partner or partners authorized to sign contracts on behalf of the partnership; and if bidder is an individual, his or her legal name shall be set forth.

NAME/S AND TITLES OF ALL OFFICERS IN THE FIRM

DRYCO Construction, Inc.

Saeed Yousuf - President

Sandra Young -Secretary

Alan Berger - Chief Operations Manager

Mike Wallen and Daren Young are not listed as an authorized signer for Dryco Construction.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____ Yolo _____)

On _____ April 16, 2026 _____ before me, _____ Maria Prado, Notary Public
(insert name and title of the officer)

personally appeared _____ Nicholas Corcoran _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal)

