TECHNOLOGY CONSTRUCTION INC.

5430 Side Road, Prescott AZ 86301
928-777-0099 Office
928-777-8833 Fax

Thursday, October 1, 2026

Town Council of Jerome
c/o Brett Klein, Town Manager / Town Clerk
Town of Jerome
600 Clark Street (PO Box 335)
Jerome, AZ. 86331
Email: b.klein@jerome.az.gov

CC:
Taylor Pierce, PE, Sr. Project Manager
PACE | Advanced Water Engineering
Email: tpierce@pacewater.com

RE: Formal Bid Protest and Objection to Intent to Award

Project: Town of Jerome Wastewater Treatment Plant Improvements

Bidder: Technology Construction, Inc. (Low Bidder)

Dear Mayor and Members of the Jerome Town Council,

This letter serves as the formal Bid Protest of Technology Construction, Inc. (TCI) regarding the Town of Jerome's apparent intent to bypass TCI—the apparent low bidder—and award the contract for the Wastewater Treatment Plant Improvements project to Fann Contracting.

TCI is the lowest responsive and responsible bidder for this public project. Bypassing TCI on the claimed grounds that TCI's work experience with public and tribal entities was "unverifiable" is factually inaccurate, procedurally flawed, and contrary to Arizona public competitive bidding law.

I. STATEMENT OF FACTS

1. **Submission of Low Bid:** On June 1, 2026, TCI submitted a complete bid package for the Town of Jerome WWTP Improvements project, establishing TCI as the apparent low bidder.
2. **Bid Security & Validity Window:** In accordance with EJCDC C-410 Bid Form, Paragraph 7.01, bids remain subject to acceptance for **60 days** after the bid opening. TCI provided a valid Bid Bond (Penal Sum Form EJCDC C-430) executed by Everest National Insurance Company.
3. **Qualification Documentation & Resume Submission:** TCI submitted a comprehensive Statement of Qualifications with an audited financial report and a detailed corporate project history demonstrating over $100 million in completed civil, municipal, wastewater, and utility infrastructure projects across Arizona and the Southwest.
4. **Supplemental Reference Request:** Following initial review, PACE Water requested supplemental reference contacts on June 17th, 2026 for key trades, including concrete and piping

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(Exhibit B-1). TCI promptly provided the requested supplemental contacts and reference details to PACE Water.

5. **Arbitrary Intent to Award:** On September 23, 2026—115 days after bid opening and well beyond the 60-day bid acceptance period—PACE Water notified TCI via email that the Town and USDA-RD were progressing toward an award to Fann Contracting (Exhibit B-2). When asked for justification, PACE Water stated on September 24, 2026, that it was *"unable to verify similar work experience"*.

II. GROUNDS FOR PROTEST

1. TCI is a Fully Qualified and Responsible Contractor

TCI possesses extensive, verified experience constructing and upgrading complex municipal wastewater treatment facilities and water infrastructure in Arizona and the Southwest. TCI's submitted project history includes, among others:

- **Lake Havasu City Island WWTP Flow Equalization Basin ($5,199,297):** Wastewater treatment plant construction.
- **Sells Lagoon & Sewer Main Improvement Project ($3,712,160):** Sewer lagoon and main upgrades.
- **Wickenburg Wastewater Treatment Plant ($404,737):** Belt press, building, and WWTP upgrades.
- **Chemehuevi HLR Lift Station #3 Renovation ($1,555,643):** New lift station, pumps, and electrical supply.

TCI has performed these and other public works projects for Arizona municipalities, tribal authorities, and ADOT. Declaring TCI's background "unverifiable" ignores public record documentation and TCI's direct performance history. The attached project reference table (Enclosure A) shows selected wastewater and utility projects and references.

2. Failure to Conduct Proper Due Diligence on Provided References

Following bid opening, PACE Water requested supplemental reference contacts for specific key project scopes, including concrete and piping. TCI promptly provided the requested supplemental contacts and reference details. Once supplemental reference data was requested and provided, the Town and PACE Water were obligated under public procurement standards to conduct reasonable, good-faith due diligence. Passing over the low bidder on the premise that experience was "unverifiable" without contacting the supplemental references provided—or without issuing a formal inquiry or cure notice—is arbitrary and procedurally invalid.

3. Violation of Arizona Competitive Bidding Statutes & Public Funds Protection

Under Arizona public contracting principles, public agencies must award contracts to the lowest responsive and responsible bidder to ensure the prudent expenditure of taxpayer and federal grant funds.

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Bypassing the low bidder in favor of a higher bidder by over **$1,000,000** without issuing a formal, written finding of non-responsibility backed by verifiable evidence is arbitrary, capricious, and legally improper.

4. Expiration of Bid Acceptance Period & Improper Retention of Security

Under Paragraph 7.01 of the Bid Form, the Town's option window for bid acceptance is 60 days. The Town held TCI's bid security for over 115 days without declaring TCI non-responsive or returning its bond. Retaining a low bidder's bond while simultaneously bypassing them without formal cause violates both EJCDC terms and tenets of Arizona Fair Bidding practices.

III. REQUESTED RELIEF

Technology Construction, Inc. respectfully requests that the Town Council of Jerome and PACE Water take the following action:

1. **Stay Contract Award:** Immediately stay any formal contract execution or Notice to Proceed with Fann Contracting pending the formal resolution of this protest.
2. **Re-evaluate Low Bidder / Formal Findings:** Conduct a complete, good-faith review of TCI's submitted references and qualifications. In the event the Town maintains its position, TCI demands formal, written findings detailing the exact basis upon which TCI's references were determined to be "unverifiable."
3. **Award to Low Bidder:** Award the contract for the Jerome Wastewater Treatment Plant Improvements to Technology Construction, Inc. as the lowest responsive and responsible bidder.

Thank you for your prompt attention to this matter. We look forward to your written response.

Sincerely,

Michael H. Ottmann
President
Technology Construction, Inc.
5430 Side Road, Prescott, AZ. 86301
Office: 928-777-0099 | Email: mike@tciaz.net

Enclosures:

Enclosure A: Selected Wastewater & Utility Projects and Reference List
Exhibit B-1: Email Correspondence Regarding Supplemental Reference Requests (June 17, 2026)
Exhibit B-2: Email Correspondence with PACE Water Regarding Award Intent (Sept. 23-24, 2026)

Technology Construction, Inc.

Previous Project of Relevant Experience

Enclosure A

Project Name	Project Owner	Project Description	Project Value	Year Completed	Project Superintendent	Contact Person
Prescott Zone 41 Water Pump Station	City of Prescott	• New pump station building • New pumps • Piping • Electrical • Emergency generator • 750,000 gallon storage tank • Underground • Grading • Paving	$10,147,605	In Progress	Dave Cook	Tim Sherwood 928-777-1130 x5026
Lake Havasu City Island WWTP Flow Equalization Basin	Lake Havasu City	• New concrete flow equalization basin • New odor control system • Electrical	$5,199,297	2023	Dave Cook	Jason Hart 928-412-6758
Chemehuevi HLR Lift Station #3 Renovation	Chemehuevi / IHS	• New lift station • New sewage pumps • Electrical • Bypass pumping	$1,555,643	2022	Alberto Mendoza	Glen Lodge 760-858-4219 Allyn Rosetta 760-858-4219
Lake Havasu C-1 Booster Station	Lake Havasu City	• New Pumps • Electrical • Underground • Emergency Backup Generator • Grading	$3,018,009	2020	Dave Cook	Jason Hart 928-412-6758
Sells Lagoon & Sewer Main Improvement Project	Sells / IHS	• Lagoon expansion • New sewer mains	$3,712,160	2020	Alberto Mendoza	David Akakpo 928-669-3175 John Kathol 602-541-5636
Drying Bed Expansion	Fort Mohave	• New drying beds	$388,310	2018	Alberto Mendoza	
Davis Camp Lift Station	Kingman	• New sewage pumps	$103,478	2018	Alberto Mendoza	
Section Ten WWTP	Bullhead City	• Pipe • Electrical • Mechanical	$684,718	2017	Alberto Mendoza	
Mullbery WWTP Basin	Lake Havasu City	• Dredging • New basin lining	$860,000	2016	Jim Snider	Jason Hart 928-412-6758
Wickenburg WWTP	Town of Wickenburg	• New belt press • New building	$404,737	2012	Dave Cook	

Havasupai WWTP Lagoons	Havasupai Tribe / IHS	• Grading • New pond liners • Piping	$830,000	2010	Mike Ottmann	John Kathol 602-541-5636 David Akakpo 928-669-3175
Fountain Hills Lift Station	Fountain Hills	• New lift station • New sewage pumps • Piping	$2,900,000	2009	Dave Cook	
Chemehuevi WWTP	Chemehuevi / IHS	• Asphalt paving • Modified 6 wastewater ponds • New lift station • Electrical • New 6000 LF of 14" force main	$3,500,000	2005	Mike Ottmann	Glen Lodge 760-858-4219 Allyn Rosetta 760-858-4219
Buckeye WWTP	City of Buckeye	• New lift station • New drying beds • Clarifier • Drying press • Splitter box • Electrical • Underground	$1,800,000	2005	Dave Cook	
Hon-Dah WWTP	White River / IHS	• Concrete structures • New ponds and liners • UV treatment • Piping • Electrical • Wiers • Grading	$2,900,000	2004	Mike Ottmann	John Kathol 602-541-5636 David Akakpo 928-669-3175
City of Tombstone WWTP	City of Tombstone	• 1 million gallons per day • Headworks • Drying beds • New tanks • New pumps • Piping • Concrete • Grading	$1,500,000	2003	Dave Cook	
Kykotsmovi WWTP	Pollaca / IHS	• 400,000 gallons per day • Excavation • Concrete structures • Piping • New liners • Grading • Gabions & rip-rap	$1,600,000	2002	Mike Ottmann	John Kathol 602-541-5636 David Akakpo 928-669-3175

Technology Construction, Inc

Reference Contact Information

Name	Phone Number	Email	Type of Work
Elisabeth Whitlock	435-767-8481	ewhitlock@highroadengineering.com	• Concrete structures • Site grading • Underground •
Jason Hart	928-854-0789 928-412-6758	hartj@lhcaz.gov	• Wastewater treatment plants • Underground • Electrical • Pumps •
Tim Sherwood	928-777-1130 x5026	tim.sherwood@prescott-az.gov	• Water pump stations • Underground • Electrical • Pumps • Concrete structures •
David Akakpo	928-669-3175	david.akakpo@ihs.gov	• Wastewater treatment plants • Lift stations • Underground • Electrical • Pumps
Joe Engelke	928-637-0850	joe.engelke@azdema.gov	• Structural Steel
Hien Nguyen	928-681-6051	hnguyen3@azdot.gov	• Paving • Grading • Concrete • Electrical

Nigel Knoy Exhibit B-1

From: Taylor Pierce <tpierce@pacewater.com>
Sent: Wednesday, June 17, 2026 10:56 AM
To: estimator3@live.com
Cc: 'Mike Ottman'; evan@tciaz.net
Subject: RE: Jerome WWTP

Will do. I'll let you know if I need anything further.

Taylor Pierce, PE
Sr. Project Manager
D (480) 991-3595 | C (602) 540-2727
E tpierce@pacewater.com - vcard

PACE | Advanced Water Engineering
www.pacewater.com

Over 30 Years of Innovation in Partnership with Nature

From: Ron Crites <estimator3@live.com>
Sent: Wednesday, June 17, 2026 10:53 AM
To: Taylor Pierce <tpierce@pacewater.com>
Cc: 'Mike Ottman' <mike@tciaz.net>; evan@tciaz.net
Subject: RE: Jerome WWTP

Hi Taylor. Please Contact the Persons attached. Pease feel free to Request Additional References. Thanks, Ron.

Jason Hart
Lake Havasu City
Project Manager

(928) 854-0789 Work
(928) 412-6758 Mobile
hartj@lhcaz.gov
Lake Havasu City, AZ

Joe Engelke
928 637 0850

928-607-1599 Mobile
joe.engelke@azdema.gov

David Bradley
City of Prescott AZ
Capital Projects Manager

(928) 777-1636 Work
david.bradley@prescott-az.gov

433 N. Virginia
Prescott, AZ 86301

Elisabeth Whitlock
CIVIL ENGINEERING & CONSULTING
President

(435) 767-8481 Work
ewhitlock@highroadengineering.com

PO Box 97
St. George, UT 84771

Hien Nguyen
ADOT Kingman District
Resident Engineer

(928) 681-6051 Work
(928) 249-4424 Mobile
hnguyen3@azdot.gov
3664 E. Andy Devine Ave,
Kingman AZ 86401

Ron Crites
Technology Construction Inc.
5430 Side Road
Prescott, Arizona 86301
928-777-0099 Office
928-777-8833 FAX
928-533-0715 Mobile
928-223-3980 Direct Ext 1
estimator3@live.com
ron@tciaz.net

From: Taylor Pierce <tpierce@pacewater.com>
Sent: Wednesday, June 17, 2026 10:29 AM
To: Ron Crites <estimator3@live.com>
Cc: 'Mike Ottman' <mike@tciaz.net>; evan@tciaz.net
Subject: RE: Jerome WWTP

Thanks Ron. Do you by chance have any other references than the list provided in your bid? I have had a hard time getting in contact with some of them – particularly references for piping, concrete or general wastewater projects. Let me know.

Taylor Pierce, PE
Sr. Project Manager
D (480) 991-3595 | C (602) 540-2727
E tpierce@pacewater.com - vcard

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From: Ron Crites <estimator3@live.com>
Sent: Monday, June 15, 2026 9:50 AM
To: Taylor Pierce <tpierce@pacewater.com>
Cc: 'Mike Ottman' <mike@tciaz.net>; evan@tciaz.net
Subject: Jerome WWTP

Hi Taylor. I've received no usable data for material cost increases. However, we don't expect the increase to be over $750,000 +- Thanks, Ron.

Ron Crites
Technology Construction Inc.
5430 Side Road
Prescott, Arizona 86301
928-777-0099 Office
928-777-8833 FAX
928-533-0715 Mobile
928-223-3980 Direct Ext 1
estimator3@live.com
ron@tciaz.net

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Nigel Knoy Exhibit B-2

From: Taylor Pierce <tpierce@pacewater.com>
Sent: Thursday, September 24, 2026 2:23 PM
To: estimator3@live.com
Cc: Mike Ottmann
Subject: RE: Jerome Wastewater Treatment Plant

We were unable to verify similar work experience.

Taylor Pierce, PE
Sr. Project Manager
D (480) 991-3595 | C (602) 540-2727
E tpierce@pacewater.com - vcard

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From: Ron Crites <estimator3@live.com>
Sent: Thursday, September 24, 2026 5:36 AM
To: Taylor Pierce <tpierce@pacewater.com>
Cc: Mike Ottmann <mike@tciaz.net>
Subject: RE: Jerome Wastewater Treatment Plant

Hi Tyler, we were the low bid. Why the award to Fann? Ron.

Ron Crites
Technology Construction Inc.
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928-777-0099 Office
928-777-8833 FAX
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estimator3@live.com
ron@tciaz.net

TECHNOLOGY CONSTRUCTION INC.

From: Taylor Pierce <tpierce@pacewater.com>
Sent: Wednesday, September 23, 2026 6:23 PM
To: Ron Crites <estimator3@live.com>

Cc: Mike Ottmann <mike@tciaz.net>
Subject: Re: Jerome Wastewater Treatment Plant

Hi Ron,

Thanks for checking in. The Town and USDA are in the final steps of awarding the project to Fann. The award has not yet been finalized, and we will provide formal notification once the process is complete.

Taylor Pierce, PE
Sr. Project Manager
D (480) 991-3595 | **C** (602) 540-2727
E tpierce@pacewater.com - vcard

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On Sep 16, 2026, at 7:23 AM, Ron Crites <estimator3@live.com> wrote:

<image001.jpg>
Hi Taylor. Are there any updates to the Jerome WWTP project? Our bond will expire on September 29th. Thank, Ron.

Ron Crites
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<image002.jpg>