



Tree Care Professionals Serving Communities Who Care About Trees

www.WCAINC.com

July 1, 2026

Purchasing Division
City of Pomona
505 South Garey Avenue
Pomona, CA 91766

**Subject: Notice of Protest and Request to Table Award Recommendation
RFP No. 2026-17 – Citywide Tree Maintenance and Emergency Response Services**

Dear Purchasing Division,

West Coast Arborists, Inc. ("WCA") respectfully submits this Notice of Protest regarding the City's recommendation to award RFP No. 2026-17 for Citywide Tree Maintenance and Emergency Response Services to Mariposa Tree Management, Inc., scheduled for City Council consideration on July 6, 2026.

At the outset, WCA would like to express its appreciation for the opportunity to compete for this important contract and for the privilege of serving the City of Pomona since 2000. During our more than two decades of service, WCA has worked diligently to protect and maintain the City's urban forest while developing a comprehensive tree inventory and work history, providing responsive emergency services, employing local residents, and actively supporting the Pomona community.

Based upon the information currently available, WCA has several concerns regarding the procurement process that we believe warrant clarification before the City proceeds with contract award. Specifically:

The RFP provides that finalists may be requested to submit written clarifications, participate in interviews, negotiations, and submit a Best and Final Offer (BAFO). WCA was never afforded the opportunity to participate in any interview, negotiations, clarification process, or BAFO, despite the relatively small pricing difference between WCA and the recommended proposer.

Upon reviewing the pricing information presented to date, WCA observed that several significant unit prices submitted by Mariposa appear to be identical to WCA's proposal, while numerous additional line items are only marginally lower. Although WCA is not suggesting any impropriety, these similarities raise legitimate questions regarding whether post-proposal pricing discussions or negotiations occurred and, if so, whether all finalists were afforded the same opportunity. Please see sample below.



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City of Pomona

WCA Protest - Tree Maintenance RFP

July 1, 2026

CITYWIDE TREE MAINTENANCE AND EMERGENCY RESPONSE SERVICES – IFB# 2026-17

Level A Cost Proposal (all tree counts are approximate)				WCA		MARIPOSA TREE MGMT	
Street Trees	15,534	Approximate Total # of Trees		BID RATES		BID RATES	
Full Trim Annual Grid	Estimated Trees Per Year	Cost					
Year 1	3,107	# Trees	\$ 254,774.00	\$ 82.00	\$ 82.00	\$ 254,774.00	
Year 2	3,107	# Trees	\$ 264,095.00	\$ 85.00	\$ 85.00	\$ 264,095.00	
Year 3	3,107	# Trees	\$ 273,416.00	\$ 88.00	\$ 88.00	\$ 273,416.00	
Year 4	3,107	# Trees	\$ 282,737.00	\$ 91.00	\$ 91.00	\$ 282,737.00	
Year 5	3,107	# Trees	\$ 292,058.00	\$ 94.00	\$ 94.00	\$ 292,058.00	
Total Level A Street Trees			\$ 1,367,080.00			\$ 1,367,080.00	

The City Council Report states that **Mariposa received a score of 211.20 points, compared to WCA's score of 200.01 points.** However, WCA has not been provided with sufficient information to understand how those scores were derived, whether any revised pricing was considered during the evaluation process, or whether all proposers were evaluated on an equal basis.

Currently, WCA does not possess sufficient information to prepare a complete and detailed protest. Critical procurement documents, including but not limited to the successful proposer's complete proposal, evaluation score sheets, evaluator comments, interview or negotiation records (if any), Best and Final Offer submissions (if any), pricing revisions (if any), and other evaluation documentation, have not yet been made available for review.

Accordingly, WCA respectfully requests that the City table the recommended award scheduled for July 6, 2026, until these matters are clarified and the relevant procurement records are reviewed. This additional time would allow WCA to determine whether further protest grounds exist and would help ensure a procurement process that is transparent, equitable, and consistent with the procedures described in the RFP.

This request is made respectfully and in good faith. WCA values its long-standing relationship with the City of Pomona and remains committed to serving the City and its residents with the highest level of professionalism.

We appreciate your consideration and respectfully request confirmation that this protest has been received.

Sincerely,

Patrick Mahoney, President

West Coast Arborists, Inc.

2200 E. Via Burton Street • Anaheim, CA 92806 • 714.991.1900 • 800.521.3714 • Fax 714.956.3745

THE CITY OF POMONA

July 6, 2026

Finance Department

VIA Electronic Mail (pmahoney@wcainc.com and ediaz@wcainc.com)

Mr. Patrick Mahoney, President
Mr. Eric Diaz, Business Development Supervisor
West Coast Arborist



Re: Response to the Bid Protest: City of Pomona/RFP No. 2026-17
Citywide Tree Maintenance and Emergency Response Services

Dear Messrs: Mahoney and Diaz:

The purpose of this letter is to provide you with the City of Pomona's response to (1) Eric Diaz's formal bid protest of the award to lowest bidder on the City of Pomona's RFP No. 2026-17 for Citywide Tree Maintenance and Emergency Response Services, (2) the two California Public Records Act (PRA) requests related to the RFP and bid responses and (3) your Request for Reconsideration of the staff recommended award of the contract to Mariposa.

The City understands that the bid protest you submitted on behalf of West Coast Arborists (WCA) is based on allegations that: (1) the lowest responsive bidder's proposed cost for service in numerous categories was identical to the WCA bid; and (2) the City did not invite WCA to interview or provide clarifications to its bid; and (3) the City did not properly evaluate the bids, resulting in inaccurate scoring for WCA. You have asked the City to reconsider its intended award to the lowest responsive bidder.

The City of Pomona has reviewed the protest, and, based on this review, has determined that it is without merit. As for the PRA requests, responsive documents are attached to this letter and the City respectfully declines your request for reconsideration. While the City appreciates the contractual relationship it has had with WCA, public policy requires the City to seek RFP's for services to ensure that the City is acting prudently in awarding contracts. Based on your long-standing relationship we understand that you have reached out to our elected and appointed officials and staff and many have not responded as they wish to protect the integrity of the City's bidding and purchasing practices. This letter shall serve as the City's official response.

Response to PRA Requests—See attached responsive documents

Mr. Mahoney, President
West Coast Arborist
RFP No. 2026-17
July 6, 2026

Response to Bid Protest and Request for Reconsideration

Bid Protest #1: *Pricing Similarities*

City Response: Price proposals were not opened or reviewed until after the evaluation and scoring of the technical qualifications was completed and Mariposa Tree Management, Inc. scoring highest. Mariposa submitted PRA's for all WCA agreements with the City and may have used this information to submit its bid, resulting in prices similar to WCA bid prices. Price proposals were not the primary factor in the recommendation for award to Mariposa Tree Management, Inc.

Bid Protest #2: *Request for Written Clarifications, Interview, or BAFO was not requested*

City Response: Per Section 7.D.4 of the RFP, the City reserved the right to pursue further discussion with any bidders it deemed to be finalists. In this case, Staff evaluated the bidders and chose one finalist, Mariposa Tree Management, Inc. without the need to request interviews or clarifications. As such, the City determined that no further interviews or BAFO were necessary.

Bid Protest #3: *Evaluation Criteria and Scoring*

City Response: Section 7.C. of the RFP defines evaluation criteria. Scores were calculated based on overall project approach, qualifications, experience, and price. WCA's proposal was less detailed in its response to the City's request within the Scope of Work Section 26 for a prioritization plan for Phillips Ranch Assessment District trees.

Further, WCA defined a full trim as "no more than 25% of live foliage [removed]." WCA's definition, although it applies to ISA standards, does not meet the requirement to full trim trees that have only been grid raised for the past 26 years.

For these reasons, WCA's proposal was scored lower on the evaluation category for overall project approach.

The City has discretion to determine responsiveness to its bid documents and is only obligated to reject a bid when a bid irregularity or deviation gives the bidder a competitive advantage or affects the amount of the bid. (See *Ghilloti Construction Co. v. City of Richmond* (1996) 45 Cal.App.4th 897; and *Menefee v. County of Fresno* (1985) 163 Cal.App.3d 1175). Here, there is no bid irregularity that would justify the City awarding the bid to WCA over the responsive, lowest bid.

Mr. Mahoney, President
West Coast Arborist
RFP No. 2026-17
July 6, 2026

The City's long standing relationship with WCA, its workforce attributes and its community relationships cannot justify giving WCA a competitive advantage over the intended awardee. While the City values WCA and all it has done for the community, it simply cannot use this as a factor to reject a legally responsive bid, even where that bid may only be 1.6% lower than the WCA bid.

For all of these reasons, staff intends to standby its recommendation to award the contract to the lowest responsive bidder at the City Council meeting this evening. Should you have any additional questions, please do not hesitate to contact me.

Sonia Gil
Buyer/Purchasing
City of Pomona
Finance Department

copy: City Manager
City Attorney
City Clerk
Public Works Director
Mayor and Councilmembers