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December 10, 2009

VIA EMAIL: Linda.Trang@longbeach.gov
AND U.S. MAIL

Linda Trang, Dep. City Attorney
Office of Long Beach City Attorney
333 West Ocean Boulevard-11th Floor
Long Beach, CA 90802-4664

Re: City-wide Bike Parking Equipment - Plans & Specifications No. R-6821
Item 37. 09-1330 - City Council Agenda December 15, 2009

Dear Ms. Trang:

This letter shall serve as BIKEARC, LLC's, ("BikeArc") objection to the City of Long Beach ("City") awarding of R-6821 Citywide Bike Parking Equipment to Dero Bike Racks at its December 15, 2009, City Council Meeting. BikeArc specifically objects to the inclusion of the Design-Plus product "Bike Petal." Please provide copies of this letter to the City Council and please distribute this letter per the City's standard practice when an objection to the award of a bid is received.

We have reviewed the Staff Report and are concerned that the Staff Report does not mention the tortured history of this project, that BikeArc has informed the City in writing of its complaints regarding the City's misuse of BikeArc's intellectual property, that this project had to be rebid, and that the Staff Report fails to mention the controversy regarding the umbrella arcs.

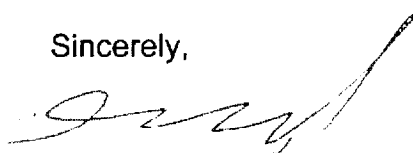
BikeArc requests that the City Council decline to award the bid as non-responsive and that the City award the bid to a bidder who has complied with not only all of the technical specifications of the bid, but who is also prepared to deliver the first class project that the City has specified. BikeArc does not believe that the Bike Petal product meets the standards set forth in the bid request. BikeArc believes that the City will not be satisfied with the result of awarding this bid. It must be remembered that the City wrote to BikeArc that the City would be purchasing BikeArc's Umbrella Arc. The City did so because BikeArc's product is the best on the market and would serve the City's needs. BikeArc remains concerned that the City is rushing this project through due to the alleged timing

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constraints on the Federal Stimulus Funds and that the City has not properly reviewed whether the bid is in compliance with its specifications.

We look forward to being informed of the result of the City Council's vote. We remain hopeful that the City will appropriately use the Federal Stimulus funds that it has been awarded and that the City will not spend the funds in a manner that will not result in a quality project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan K. Siegel', with a long, sweeping flourish extending upwards and to the right.

Dan K. Siegel

DKS:rr

cc: Client (via email only)
Sumire Grant
Public Works Dept.
City of Long Beach
(via email only: Sumire.Gant@longbeach.gov)