

Court backs IVDA in contract dispute

■ A contract awarded to a Redlands firm that failed to meet affirmative action goals will stand.

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A San Bernardino Superior Court judge Thursday refused to reverse a decision by the Inland Valley Development Agency that gave a \$3 million contract at former Norton Air Force Base to a Redlands construction company.

Judge James Edwards denied a motion by Gorham Co. Inc. of Norco and ruled that the IVDA had enough evidence to give J. Murrey Construction Inc. the contract to renovate four buildings for TRW Inc.

Gorham Co.'s attorney, Marc Levine, said the company likely would appeal the decision.

"We're strongly leaning in that direction," Levine said.

The decision allows the IVDA to enter into a contract with J. Murrey Construction and proceed with the project.

The IVDA last week gave the contract to J. Murrey Construction, the lowest bidder, despite 10 evaluations that said the company didn't make a good faith effort to meet the agency's affirmative action policy.

The policy says general contractors must attempt to include 15 percent minority-owned and 5 percent women-owned businesses in a project.

The IVDA instead accepted J. Murrey Construction's evaluation that showed it did meet the agency's hiring standards.

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Gorham Co. said the self-evaluation couldn't be considered "substantial evidence" and asked the court to force the IVDA to either award the contract to Gorham Co. or throw out the bids and start over.

"We felt quite confident that the record received by the court demonstrated substantial evidence that the IVDA acted arbitrarily and capriciously in granting Murrey's appeal," Levine said. "There were no findings of evidence to support they were in compliance."

Edwards said he couldn't discuss his reasoning because the case may be appealed.

Construction on the buildings is expected to begin once the contracts are signed, which should be in the next week or so.

TRW officials have said they need the buildings to be renovated by the end of the year, when they plan to relocate 450 workers to the site.

"The IVDA, TRW, Murrey Construction and the public can be confident the 450 jobs won't be lost and a \$30 million impact on the local area won't be leaving the state," said Edward Pilot, the IVDA's attorney. "Time was really of the essence. We didn't want to delay the construction process one day."

Scott Showler, attorney for J. Murrey Construction, also said the case took valuable time, and the likelihood of Gorham Co. winning an appeal is slim.

"J. Murrey Construction will have to go as fast as they can to complete the job in their time frame," Showler said.