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FACSIMILE TRANSMITTAL SHEET - Fair Labor Division

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DATE:

11/5/09

FROM: Deborah A. Anderson

PHONE NUMBER: 617-963-2371

RE: Request for Reconsideration

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

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November 5, 2009

James A. Toomey, Esq.
Murphy, Hesse, Toomey & Lehane
300 Crown Colony Drive, Suite 410
Quincy, MA 02269

RE: Bid Decision of October 30, 2009 on New Hanover High School Project

Dear Attorney Toomey:

I am writing in response to your letter of November 3, 2009 requesting reconsideration of the above-referenced bid protest decision. Please be advised that after considering the issues raised therein, the bid protest decision will stand as issued.

In your request for reconsideration, you have asserted, in essence, that Callahan, Inc. should be recognized as having been responsible for more than \$1.2 million, indeed, "many millions of dollars" of work on the North Andover project. However, you have not identified how much work should properly be ascribed to Callahan, Inc., as opposed to John T. Callahan and Sons, Inc., to which entity the project was awarded and by whom it was largely performed. The fundamental issue that remains unaltered by your argument is that the prequalification submissions of Callahan, Inc. improperly created the false impression that Callahan, Inc. was responsible for the entirety of a \$42 million project. Accordingly, your request for reconsideration is denied.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deborah A. Anderson".

Deborah A. Anderson
Assistant Attorney General

Cc: Carolyn M. Francisco, Esq.
Paul M. Losordo, Esq.
Scott Gustofson, Esq.
Tony Starr, Esq.