



County of Monterey

Item No.63

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: A 26-317

July 07, 2026

Introduced: 6/29/2026

Current Status: Public Works, Facilities &
Parks - Consent

Version: 1

Matter Type: BoS Agreement

- a. Award a contract to DMC Commercial Inc., lowest responsible and responsive bidder for the 13933 Sherman Blvd - New East Garrison Library, Project No. 4112, Bid Package No. 10978, in the total amount of \$5,636,390.;
- b. Approve the Performance and Payment Bonds executed and provided by DMC Commercial Inc.;
- c. Authorize a contingency, not to exceed 10% of the contract amount, or \$563,639 to provide funding for approved contract change orders for the 13933 Sherman Blvd - New East Garrison Library, Project No. 4112, Bid Package No. 10978;
- d. Authorize the Director of Public Works Facilities and Parks (PWFP) to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed 10% of the original contract amount and do not significantly change the scope of work;
- e. Authorize the Director of Public Works Facilities and Parks (PWFP) to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of the 13933 Sherman Blvd - New East Garrison Library, Project No. 4112, Bid Package No. 10978;
- f. California Environmental Quality Act (CEQA) Action: Final Subsequent Environmental Impact Report for the East Garrison Specific Plan, including this project (SCH#2003081086) pursuant to CEQA Guidelines Section 15164 was certified by the Board of Supervisors of the County of Monterey on October 4, 2005. A Notice of Determination was filed with the County Clerk on October 5, 2005.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Award a contract to DMC Commercial Inc., lowest responsible and responsive bidder, for the 13933 Sherman Blvd - New East Garrison Library, Project No. 4112, Bid Package No. 10978, in the total amount of \$5,636,390.;
- b. Approve the Performance and Payment Bonds executed and provided by DMC Commercial Inc.;
- c. Authorize a contingency, not to exceed 10% of the contract amount, or \$563,639 to provide funding for approved contract change orders for the 13933 Sherman Blvd - New East Garrison Library, Project No. 4112, Bid Package No. 10978;
- d. Authorize the Director of Public Works Facilities and Parks (PWFP) to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed 10% of the original contract amount and do not significantly change the scope of work;
- e. Authorize the Director of Public Works Facilities and Parks (PWFP) to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director

determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of the 13933 Sherman Blvd - New East Garrison Library, Project No. 4112, Bid Package No. 10978;

f. California Environmental Quality Act (CEQA) Action: Final Subsequent Environmental Impact Report for the East Garrison Specific Plan, including this project (SCH#2003081086) pursuant to CEQA Guidelines Section 15164 was certified by the Board of Supervisors of the County of Monterey on October 4, 2005. A Notice of Determination was filed with the County Clerk on October 5, 2005.

SUMMARY:

PWFP staff recommends awarding a construction contract to DMC Commercial Inc. as the lowest responsible, responsive bidder for the 13933 Sherman Blvd - New East Garrison Library, Project No. 4112, Bid Package No. 10978 (Project).

DISCUSSION:

The Project is located at 13993 Sherman Boulevard, Marina, California, 93933. The Project consists of the construction of a new 4,200 square foot single-story library building with a flexible community room, a sheriff field office, covered entry, outdoor activity area with seating and tables, bike rack, hardscape, landscape, parking improvements and water, sewer and electrical connections to existing infrastructure adjacent to the Project site. The Base Bid consists of all work as noted in drawings and specifications including site work, demolition as required, construction of new single-story library building for Monterey County Free Libraries (MCFL), except for owner provided furniture fixtures and equipment named in specifications. Additive Alternate bids include:

Alternate Bid 1 - includes cost for adding a manual transfer switch and infrastructure to connect a mobile generator as described in the drawings and specifications.

Alternate Bid 2 - includes cost to provide and install three (3) electric vehicle charging stations as described in the drawings and specifications.

Wald Ruhnke & Dost Architects LLP led a team of professionals as the architect of record in the preparation of the Project Plans and Technical Specifications and will continue to provide construction administration support services.

On April 14, 2026, the Board of Supervisors approved the Plans and Specifications for the New East Garrison Library. On April 16, 2026 a "Notice to Bidders" was duly advertised in a newspaper of general circulation per Public Contract Code Section 20150.8. On June 11, 2026, bids were received and opened for the Project. Bid packages were received from six (6) local contractors from D.L Faulk Construction Inc, Kent Construction, DMC Commercial Inc, Patriot Contracting Inc, Kya Services LLC and Avila Construction (Attachment A - Bid Summary).

DMC Commercial Inc was determined to be the lowest responsible and responsive bidder for the total amount of \$5,636,390 including the Base Bid and Alternate Bid No.1 and No.2. DMC Construction Inc. is a locally owned and operated company based in Monterey, California. The second lowest bidder was KYA Services LLC (KYA) in the amount of \$5,679,859 and the third

lowest bidder was Avila Construction Company (Avila) in the amount of \$5,714,612. Construction is estimated to begin by August/September 2026, with anticipated project completion in December 2027.

On June 23, 2026, Avila submitted a formal protest challenging the bid submitted by DMC and KYA, stating that DMC and KYA were non-responsive bidders and presented the following arguments: DMC listed a subcontractor who did not have a DIR registration at time of bidding, DMC has two subcontractors listed for the same scope, DMC listed a subcontractor for doors/windows whose proposal did not include installation services, DMC failed to list a subcontractor for access control and site electrical, KYA listed a subcontractor for the storefront, curtain walls, glazing and mirrors which is not a scope of work the company provides and KYA failed to list a subcontractor for solar/carport, windscreen and fire alarm. For additional information and clarifications regarding Avila's protest arguments, please see attachment E and for detailed responses provided by DMC and KYA, please see attachments F and G.

The Department of Public Works, Facilities and Parks (PWFP) staff reviewed the protest letter submitted by Avila as well as the written responses submitted by DMC on June 25, 2026 and KYA on June 26, 2026 (see attachments F and G) and after consulting with County Counsel, determined the following:

To the extent Avila is asserting that DMC listed a subcontractor who did not have a DIR registration at time of bidding, PWFP finds that DMC's provided evidence of respective sub-contractor's DIR registration is acceptable.

To the extent Avila is asserting that DMC has two subcontractors listed for the same scope, PWFP finds that DMC provided acceptable clarifications demonstrating that the listings are separate scope allocations corresponding to distinct portions of the work.

To the extent Avila is asserting that DMC listed a subcontractor for doors/windows whose proposal did not include installation services, PWFP finds DMC's response, as the omission of a subcontractor listing for the scope in case is acceptable, since the prime contractor will self-perform the installation scope.

To the extent Avila is asserting that DMC failed to list a subcontractor for access control and site electrical, PWFP finds that DMC has provided comprehensive and compelling clarifications to demonstrate the manner in which the two scopes have been allocated.

To the extent Avila is asserting that KYA listed a subcontractor for the storefront, curtain walls, glazing and mirrors which is not a scope of work the company, PWFP finds that KYA provided acceptable clarifications demonstrating that the listing is a clerical error and that the respective scope is covered under the proposal of the rough carpentry subcontractor which holds a Class B General Building Contractor license.

To the extent Avila is asserting that KYA failed to list a subcontractor for solar/carport, windscreen and fire alarm, PWFP finds that KYA's response and clarification that solar and fire alarm scopes are being performed by lower-tier subcontractors for which California law does not require disclosure on the bid form and that windscreen is listed under fencing scope at bid time, is acceptable.

It is PWFP's position that DMC's and KYA's bid submittals are responsive and meet the requirements of the Public Contract Code and finds that the protest submitted by Avila does not provide sufficient grounds for disqualification. As such, the PWFP staff recommends that the Board of Supervisors award the construction contract to DMC Commercial Inc.

A Final Environmental Impact Report (FEIR) was certified and the Project was approved by the Board of Supervisors of the County of Monterey on October 4, 2005, pursuant to Board of Supervisors' Resolution No. 05-264. A Notice of Determination (NOD) was filed with the County Clerk on October 5, 2005. An NOD was filed with the State Clearinghouse, a Division of the Governor's Office of Planning and Research (now the Governor's Office of Land Use and Climate Innovation) which coordinates State level review of environmental documents on October 7, 2005. No changes to the Project have been made since the Board certified the FEIR and approved the Project on October 4, 2005

OTHER AGENCY INVOLVEMENT:

PWFP coordinated with the Housing and Community Development Department (HCD) and the Monterey County Free Libraries (MCFL) Department to develop the Project Plans and Specifications. Additionally, PWFP has maintained communication with the East Garrison community and Homeowners Association to provide project updates and coordinate on key design decisions. This collaboration included public meetings and presentations during the initial programming phase and continued through the schematic and design development phase. This Project received support for implementation from the Capital Improvement Committee on March 10, 2025, the Budget Committee on March 17, 2025, and the Board of Supervisors on May 28, 2025.

FINANCING:

The estimated total cost of the Project is \$10,687,891. The project is funded through the East Garrison Developer contribution of \$2,301,583, Library Fund Balance of \$130,105 and the tax increment for the Successor Agency of \$8,256,203. To date, \$794,364 has been expended, from which \$97,700 in FY 2023-24 for programming and environmental design, \$189,117 in FY 2024-25 for schematic design and design development, and \$507,547 in FY 2025-26 for construction documents, building permit, and bidding. An additional \$800,000 from the Library Fund Balance will be allocated in FY 2026-27 for the procurement of furniture, fixtures and equipment.

BOARD OF SUPERVISORS STRATEGIC PLAN GOALS:

The recommended actions support the Board of Supervisors' Well-Being, Quality of Life, Sustainable Infrastructure for the Present and Future, and Safe and Resiliency Communities through the

construction of a new branch library which will serve residents and students of the East Garrison community as not just a library, but also a resilient community center.

- Well-Being and Quality of Life
- Sustainable Infrastructure for the Present and Future
- Safe and Resilient Communities
- Diverse and Thriving Economy
- Administrative

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Approved by: Luis Ochoa, Capital Improvements Manager

Florence Kabwasa-Green, Chief of Facilities

Lindsay Lerable, Assistant Director of Public Works, Facilities and Parks

Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities and Parks

The following attachments are on file with the Clerk of the Board:

Attachment A - Bid Summary

Attachment B - DMC Commercial Agreement

Attachment C - Project Budget

Attachment D - Location Map

Attachment E - Avila Construction Bid Protest Response

Attachment F - DMC Commercial Bid Protest Response

Attachment G - KYA Services Bid Protest Response