

# Attachment G

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## County of Monterey

Public Works, Facilities & Parks

ATTN: Andrei F. Petrutiu, Project Manager

1441 Schilling Place South, Second Floor

Salinas, CA 93901 / Phone: (831) 755-4986

Email: [petrutia@co.monterey.ca.us](mailto:petrutia@co.monterey.ca.us)

2026

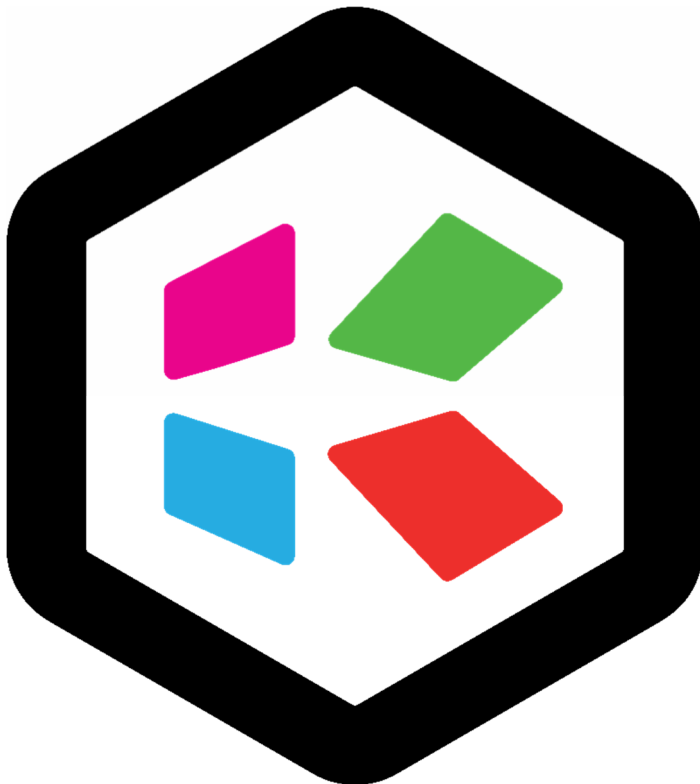
# East Garrison Library

## RE: Formal Bid Protest Rebuttal Subcontractor Listing

**Address: 13993 SHERMAN BLVD**

**Project Number: 4112 | Bid Number: 10978**

**BID DATE: 6/11/2026 at 10:30 am**



### Respondent:

KYA Service LLC.

North California Office

6/26/2026



Date: June 24, 2026

Dear Mr. Petrutiu (Project Manager),

KYA Services LLC (KYA) respectfully submits this formal response and rebuttal to the bid protest submitted by Avila Construction Company (Avila) via email on June 23, 2026.

Avila's protest mischaracterizes minor, immaterial, and excusable clerical errors as statutory violations. California courts have long established that public entities maintain the discretion to waive minor, immaterial bid deformities that do not affect the bid price or give a bidder an unfair competitive advantage (MCM Construction, Inc. v. City and County of San Francisco (1998) 66 Cal.App.4th 359).


KYA disclosed all subcontractors performing work in excess of one-half of one percent (0.5%) of KYA's total bid at the time of submission, strictly adhering to **Public Contract Code § 4104**. KYA is **not** adding new subcontractors, swapping out subcontractors, changing the cost or quality of the work.

This response further addresses competing bidder deficiencies in (Section 1) and disproves Avila's subsequent protest arguments in (Section 2). Responds to Avila Construction Company protest received Tuesday June 23, 2026 at 7:46 PM.

1. **CONCURRENCE REGARDING DMC'S NON-RESPONSIVE BID**; As an initial matter, KYA concurs with Avila that bidder DMC submitted a non-responsive bid due to material violations of the Subletting and Subcontracting Fair Practices Act:
  - I. DMC listed "New Energy Works" (License No. 1033771) as a subcontractor, which is an incorrect corporate entity name. The correct legal name is Sockeye Timber Framing LLC (See Exhibit 3)
  - II. Sockeye Timber Framing LLC lacked a valid Department of Industrial Relations (DIR) registration on bid day, **violating Labor Code § 1725.5** and **PCC § 4104**. (Registration active only as of June 24, 2026; (See Exhibit 5).
  - III. Under **Public Contract Code Section 4104(b)**, the prime contractor is explicitly required to list **only one** subcontractor for each portion as is defined by the Prime Contractor and DMC listed 2 subcontractors under the acoustical scope and T-bar ceiling. (See Exhibit 1)
  - IV. DMC listed Coast Counties Glass, Inc., which is acting strictly as a material supplier and is not performing field installation. This creates an un-waivable structural labor gap in DMC's mandatory subcontractor listings (See Exhibit 1).

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Santa Ana, CA 92705

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KYA BAY

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Dublin, CA 94568

 925-644-6446

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## 2. REBUTTAL OF ALLEGED VIOLATIONS BY KYA SERVICES LLC:

- I. Subcontractor installing the Windows/Glazing is the same contractor listed under the rough carpentry scope, but clerical error for not hiding the glazing row. Avila alleges a listing failure regarding the glazing scope. This row remained unhidden on the bid form due to a minor clerical over-sprint. KYA's listed rough carpentry subcontractor, Portola Construction (CSLB License No. 951386), which is performing this work, and which is considered carpentry work as well under their license. (See Exhibit 5)
  - o Portola Construction holds a Class B General Building Contractor license. Installing windows can legally be under a carpentry scope.
  - o Under California Contractors State License Board (CSLB) guidelines and **California Code of Regulations (CCR) Title 16, Division 8, Article 3 § 832**, a Class B contractor may legally perform specialty trades (such as C-17 glazing) if the work is incidental to, or an integral part of, a larger framing or carpentry project.
  - o As detailed in Exhibit 6, Portola Construction's comprehensive scope quote includes both framing and window installation. The work is legally unified under Portola's Class B license.
- II. Solar/Carport and Fire Alarm Scopes: Exempt Third-Tier Subcontractors: Avila argues that KYA failed to list subcontractors for the Solar/Carport and Fire Alarm scopes. This argument fails as a matter of law.
  - o **Public Contract Code § 4104** requires prime contractors to list only those subcontractors who "contract directly with the prime contractor."
  - o The solar and fire alarm scopes are being performed by lower-tier (third-tier) subcontractors who contract directly with KYA's listed first-tier subcontractors, not with KYA.
  - o California law does not require the disclosure of sub-subcontractors or lower-tier material suppliers on the bid form.
- III. Windscreen is under fencing scope, and sub listed at bid time.

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**CONCLUSION**

KYA’s bid is fully responsive. The clerical variances identified by Avila do not alter KYA's structural pricing, nor give KYA a competitive edge over other bidders, nor alter the entities performing physical labor on-site. KYA respectfully requests that the County of Monterey exercise its lawful authority to waive these minor, immaterial clerical errors and award the contract to KYA as the lowest responsive, responsible bidder.

Please contact our office if you require further affidavits or support documentation. Thank you for your prompt attention to this matter. Please let us know the next steps for if further supporting documentation is requested.

Kind Regards,

Daniel Martin  
Project Executive  
KYA Services LLC

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**DMC Sub List**

DocuSign Envelope ID: C705B0D3-CBA5-48B6-A723-D9AF348DD467

Check this box if no subcontractors are required to be listed for work or labor to be performed or services to be rendered. Otherwise provide all requested information below. Assembly Bill No. 44 requires name/location of business/CALIFORNIA contractor's license of all subcontractors

Portion (Type) of Work	Subcontractor Name/ License Number & Expiration Date	Subcontractor's Location of Place of Business
Sitework Demo Earthwork Utilities	Coastal Paving & Excavating Lic# 1021900 Exp. 12/31/2026	24560 Silvercloud Ct. Monterey, CA 93940
Parking Lot Striping, Signage, Wheelstops	Coastal Paving & Excavating Lic# 1021900 Exp. 12/31/2026	24560 Silvercloud Ct. Monterey, CA 93940
Concrete	Enhanced Concrete Construction, Inc. Lic# 714465 Exp. 07/31/2026	5820 Obata Way, Suite C Gilroy, CA 95020
Metal Fabrication	Mercury Metals Lic# 1053850 Exp. 05/31/2027	169-2 West Beach St. Watsonville, CA 95076
Framing	RH Framing, Inc. Lic# 819542 Exp. 05/31/2027	820 Park Row #642 Salinas, CA 93901
Heavy Timbers	New Energy Works Lic# 1033771 Exp. 12/31/2027	117 SE Taylor Street, Suite 202 Portland, OR 97214

License #1033771 is under Sockeye  
Timber framing LLC, not Energy  
Works.

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Portion (Type) of Work	Subcontractor Name/ License Number & Expiration Date	Subcontractor's Location of Place of Business
Waterproofing	Titus Caulking & Waterproofing Lic# 738996 Exp. 05/31/2027	16035 Caputo Drive, Suite G Morgan Hill, CA 95037
Thermal Insulation	All Bay Area Dustless Blasting, Inc. Lic# 1058008 Exp. 09/30/2027	800 Avenue H San Francisco, CA 94130
Clay Roof Tiles	<del>Scudder Roofing Lic# 445118 Exp. 08/31/2027</del>	<del>P.O. Box 2596 Monterey, CA 93942</del>
	<i>Sunshine Roofing Lic# 1053780 Exp. 5/31/27</i>	<i>10305 San Pablo Ave. El Cerrito, CA 94530</i>
Waterproofing Retaining Walls	Titus Caulking & Waterproofing Lic# 738996 Exp. 05/31/2027	16035 Caputo Drive, Suite G Morgan Hill, CA 95037
Wood Doors, Alum-Clad Windows & Hardware	Coast Counties Glass, Inc. Lic# 170560 Exp. 04/30/2027	4 Upper Ragsdale Dr. Monterey, CA 93940

Who is installing?

Who is installing?

# Exhibit 1

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- Check this box if no subcontractors are required to be listed for work or labor to be performed or services to be rendered. Otherwise provide all requested information below. Assembly Bill No. 44 requires name/location of business/CALIFORNIA contractor's license of all subcontractors

Portion (Type) of Work	Subcontractor Name/ License Number & Expiration Date	Subcontractor's Location of Place of Business
Cement Plastering	Brady West, Inc. Lic# 1098648 Exp. 11/30/2026	13540 Blackie Road Castroville, CA 95012
Gypsum Board & Acoustical Ceilings	South County Drywall & Plastering Lic# 987621 Exp. 10/31/2027	224 Valle Verde Hollister, CA 95023
Tile	Peerless Tile Lic# 1068035 Exp. 08/31/2026	4460 Enterprise Place, Unit B Fremont, CA 94538
Flooring	Prime Flooring Co. Lic# 1135223 Exp. 04/30/2027	869 Abbott Street Salinas, CA 93901
Painting	Applied Finishes Lic# 1022434 Exp. 01/31/2027	P.O. Box 481 Chico, CA 95927

# Exhibit 1

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- Check this box if no subcontractors are required to be listed for work or labor to be performed or services to be rendered. Otherwise provide all requested information below. Assembly Bill No. 44 requires name/location of business/CALIFORNIA contractor's license of all subcontractors

Portion (Type) of Work	Subcontractor Name/ License Number & Expiration Date	Subcontractor's Location of Place of Business
T-Bar Ceiling	California Acoustic Lic# 991823 Exp. 04/30/2028	200 Healy Ave., Suite B Marina, CA 93933
Signage	ASAP Signs & Printing Lic# 994266 Exp. 07/31/2028	590 Brunken Avenue, Suite B Salinas, CA 93901
Toilet Compartments & Bath Accessories	Golden State Specialties Lic# 955523 Exp. 12/31/2026	P.O. Box 1716 Hollister, CA 95023
Roller Window Shades	DJM Drapery Lic# 1076599 Exp. 06/30/2027	1375 N Hayes Avenue Fresno, CA 93723
Casework & Countertops	Fremont Millwork Co. Lic# 249756 Exp. 12/31/2026	2949 Oynx Ave Klamath Falls, OR 97603

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Portion (Type) of Work	Subcontractor Name/ License Number & Expiration Date	Subcontractor's Location of Place of Business
Fire Suppression	<del>Presidential Fire Protection, Inc. Lic# 847133 Exp. 07/31/2026</del>	<del>4517 Harlin Drive Sacramento, CA 95826</del>
	<i>Costco Fire Protection Lic# 577621 Exp. - 9/30/27</i>	<i>4233 W. Sierra Madre #108 Fresno, CA 93722</i>
Plumbing	P. Plumbing, Inc. dba Get Piped Lic# 1054207 Exp. 06/30/2027	1000 Medowridge Rd. Watsonville, CA 95076
HVAC Vents/Fans Louvers	Monterey Peninsula Sheet Metal & Heating Lic# 966812 Exp. 10/31/2027	P.O. Box 1297 Seaside, CA 93955
Electrical	JM Electric Lic# 376938 Exp. 06/30/2027	400 Griffin Street Salinas, CA 93901
Fire Alarm	Johnson Electronics Lic# 850025 Exp. 11/30/2026	78A Malarin Street Salinas, CA 93901

# Exhibit 1

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Portion (Type) of Work	Subcontractor Name/ License Number & Expiration Date	Subcontractor's Location of Place of Business
Solar	Bright Future Solar Energy Lic# 996617 Exp. 09/30/2026	8142 Moss Landing Road Moss Landing, CA 95039
Landscape & Ext. Pavers	K & D Landscaping, Inc. Lic#664584 Exp.08/31/2026	62c Hanger Way Watsonville, CA 95076
WINDSCREEN	American Window & Door Systems Lic# 1066478 Exp. 6/30/28	110 Dadd Ct. American Canyon, CA 94503





EMPLOYEE OWNED

### Exhibit 3

## Contractor's License Detail for License # 1033771

**DISCLAIMER: A license status check provides information taken from the CSLB license database. Before relying on this information, you should be aware of the following limitations.**

- ▶ CSLB complaint disclosure is restricted by law ([B&P 7124.6](#)) If this entity is subject to public complaint disclosure click on link that will appear below for more information. Click [here](#) for a definition of disclosable actions.
- ▶ Only construction related civil judgments reported to CSLB are disclosed ([B&P 7071.17](#)).
- ▶ Arbitrations are not listed unless the contractor fails to comply with the terms.
- ▶ Due to workload, there may be relevant information that has not yet been entered into the board's license database.

### Business Information

SOCKEYE TIMBERFRAMING LLC  
 2675 NE ORCHARD AVE  
 MC MINNVILLE, OR 97128  
 Business Phone Number:(585) 924-3860

**Entity** Ltd Liability  
**Issue Date** 12/08/2017  
**Expire Date** 12/31/2027

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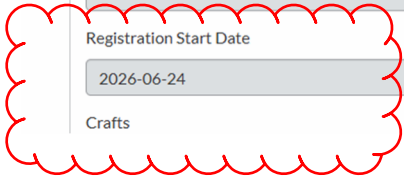
## Exhibit 4

Home > Customer Account Lookup > 2000027246 - Sockeye Timberframing LLC

2000027246 - Sockeye Timberframing LLC

### Customer Account Lookup

<p><b>PWCR</b></p> <input style="width: 90%;" type="text" value="2000027246"/>	<p><b>Legal Entity Name</b></p> <input style="width: 90%;" type="text" value="Sockeye Timberframing LLC"/>
<p><b>Contractor Status</b></p> <input style="width: 90%;" type="text" value="DIR Approved"/>	<p><b>Doing Business As (DBA)</b></p> <input style="width: 90%;" type="text" value="New Energy Works of Oregon"/>
<p><b>CSLB</b></p> <input style="width: 90%;" type="text" value="1033771"/>	<p><b>Business Structure</b></p> <input style="width: 90%;" type="text" value="Limited Liability Company (LLC)"/>
<p><b>Business Phone</b></p> <input style="width: 90%;" type="text" value="(585) 924-3860"/>	<p><b>President</b></p> <input style="width: 90%;" type="text" value="Jonathan Orpin"/>
<p><b>Ext</b></p> <input style="width: 90%;" type="text" value=""/>	<p><b>Email</b></p> <input style="width: 90%;" type="text" value="Finance@NEWENERGYWORKS.COM"/>
<p><b>Registration Start Date</b></p> <input style="width: 90%;" type="text" value="2026-06-24"/>	<p><b>Registration End Date</b></p> <input style="width: 90%;" type="text" value="2026-06-30"/>
<p><b>Crafts</b></p>	



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**Page 3 of 3**

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Exhibit 5



18931 PORTOLA DR. SUITE A, SALINAS, CA.

T. 831-455-9938 F. 831-455-3022

LIC. NO. 951386

**EAST GARRISON LIBRARY**

**13993 SHERMAN BOULEVARD**

**MARINA, CA.**

6/11/2026

**FRAMING PROPOSAL**

<u>LABOR</u>	SLL6/26 <u>LUMBER/HARDWARE</u>	bfs6/26 <u>TRUSSES</u>	<u>TOTAL</u>
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OPTION ADD: 1/2" CDX ROOFSHEATHING PLYWOOD

INSTALL 2X4 STRINGERS AT CLAY ROOF FOR TILE ATTACHEMENT

TIMBER STRUCTURAL

INTERIOR 1X6, 1X10, 1X12 WRC B&BTR VG., 4X8 WRC STK EXPOSED FALSE RAFTERS

INSTALL WINDOWS PER DETAILS ON PAGE A842

OPTIONAL PRICE PER BLOCK (2X12 W/ A35 CLIPS EACH SIDE)

DIR # 1000004160

**PRICE INCLUDES:**

ARCHITECTURAL PLANS DATED 5/08/26, BY WR&D ARCHITECTS LLP.  
STRUCTURAL PLANS DATED 1/20/26, BY EXFORM A DESIGN.