

December 3, 2025

Christopher Callihan, Esq.
City Attorney for the City of Salinas
200 Lincoln Ave.
Salinas, CA 93901-2639
Christopher.Callihan@Salinas.gov

RE: Sherwood Recreation Center Building Improvement – **Bid Protest Response**

Dear Mr. Callihan,

This letter follows up my previous letter to the City dated October 21, 2025 and is in response to the bid protest submitted by Marvulli, Inc. (“Marvulli”) regarding Precision Construction Services’ (“PCS”) apparent low bid submitted on October 14, 2025. This letter provides further clarification as to why Marvulli’s bid protest should not be sustained. PCS has already identified a replacement subcontractor for the HVAC and Plumbing scopes and is prepared to proceed with the work. The replacement of the subcontractor will have no cost or time impact on the City.

As stated in Chapter 12-39 of the City of Salinas Code of Ordinances (“Code”), “[t]he city council shall sustain a bid protest only if it finds evidence that award of the bid would violate the Code or other applicable law.” (emphasis added). Here, Marvulli’s bid protest is based solely on an allegation “that subcontractor’s bid explicitly stated that their offer was not to be divided and must be accepted in its entirety.” The only evidence offered for this allegation is a letter from the subcontractor at issue—Val’s Plumbing & Heating, Inc. (“Val’s”). However, as explained in my October 21, 2025 letter, none of Val’s bids included any language, explicit or otherwise, stating that the bid was not to be divided. The Val’s bids attached to my letter show no language to that effect. There simply is no credible evidence in support of the cited basis for Marvulli’s bid protest.

Val’s submitted three bids to PCS for this project:

- 1) The first bid submitted (attached again hereto as **Exhibit A**) included only the Plumbing and Mechanical scopes and included broken down pricing for each scope as required by the RFP.
- 2) The second bid submitted (**Exhibit B**) showed only a lump sum bid for all four scopes of Preformed Metal Roof Panels, Sheet Metal Flashing and Trim, Plumbing, and Mechanical.
- 3) The third and final bid submitted (**Exhibit C**) also showed only a lump sum bid for all four scopes but with an increased price.

Because the RFP required that the bid be broken out by scope (see required bid form entitled “Bidder’s Statement of Subcontractors – Part I”) and Val’s was not responsive to PCS’s requests to break down its latest lump sum proposal, PCS proceeded with including the only of Val’s bids which complied with the RFP requirements, which was Val’s bid for the Plumbing and Mechanical as set forth in its initial bid (Exhibit A). This is also because Val’s bid for the Metal Panels and Sheet Metal scopes was not competitive and PCS had elected to proceed with another subcontractor for those scopes.

Critically, at no time prior to the bid deadline did Val’s indicate that it would not accept the work if only awarded the Plumbing and Mechanical scopes. It is also worth noting that the Plumbing & Mechanical/HVAC scopes combined accounted for less than two percent (2%) of PCS’ total Base Bid and PCS received competitive proposals from multiple qualified subcontractors for these scopes. Had Val’s indicated any reluctance to accept the work if only awarded the Plumbing and Mechanical scopes, PCS would have simply listed a different subcontractor for the HVAC and Plumbing scopes with no impact to the total Base Bid.

Based on the above, there is no evidence that the award of the bid to PCS would violate the Code or any other applicable law. Chapter 12-23 of the Code provides that the criteria in determining the lowest responsible bid include consideration of the following:

- (a) The extent to which the offer meets the requirements and specifications of the city—*There is no evidence presented by Marvulli’s bid protest that PCS’s bid does not meet the requirements and specifications of the City. In fact, PCS chose to include Val’s initial bid in order to comply with the RFP requirements.*
- (b) Long-term and short-term costs to the city, including maintenance—*PCS was the apparent low bid and accepting PCS’s bid would allow the project to begin construction without further delay or cost to the City.*
- (c) Impact on operational efficiency, which includes delivery requirements—*See above. PCS notes that the RFP indicated that due to federal funding, the project must be 70% complete by April 3, 2026, which would be extremely challenging to meet if the project is re-bid.*
- (d) Reliability of the suppliers to provide and warranty the items procured—*PCS’s reliability and qualifications to perform the work are not put into issue by any of the evidence.*
- (e) Financial stability of the bidder—*None of the evidence undermines PCS’s financial stability.*

California Public Contract Code § 1103 similarly defines “responsible bidder” as “a bidder who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the public works contract.” Again, there has been no credible evidence to suggest that PCS does not meet this definition of “responsible bidder.”

PCS therefore respectfully requests that the City take into consideration the above information in evaluating Marvulli's bid protest. PCS further requests that it be provided the opportunity to address the bid protest at the next city council hearing before a decision is issued. Pursuant to Chapter 12-39 of the Code, the city council must hold a hearing on the bid protest ("The city council shall hear the bid protest prior to adopting a resolution authorizing the bid award...").

Thank you for your consideration.

Sincerely,



Karl Vaillancourt, Principal

Gustav Keoni dba Precision Construction Services

EXHIBIT A

CSLB# 236164
Phone: (831) 424-1633 - Fax (831) 754-5514
413 Front St. Salinas, CA, 93901
<https://valsplumbing.com/>

BID PROPOSAL

DIR # 1000002438

Job:	Sherwood Rec Center
Address:	940 N. Main St. Salinas, CA
Bid Date & Time:	10/14/2025
Architect:	MEI
Plan Date:	10/30/2024
Addendums Noted:	1,2

Base Bid Price: See scope of work on page 2

Pricing Valid for 30 Days

07 41 11 Preformed Metal Roof Panels-----

07 62 00 Sheet Metal Flashing and Trim-----

Division 22: Plumbing----- **\$ 1,750.00**

Division 23: Mechanical----- **\$ 40,815.00**

Bid Stipulations:

1. No Permits, Calcs, or Fees in pricing unless specifically noted above.
2. Our Bid Sheet is to be incorporated into Contract (Attachment).
3. Two paper Sets of plans, provided at no cost by GC, will be required for each trade.
4. Val's Plumbing and Heating's' indemnity obligation is not to exceed our insurance coverage.
5. Price is based on installing our work before interior framing and soffits.
6. Acceptance of our bid is conditional on our acceptance of your Contract.
7. OFCI equipment installation is excluded unless shown specifically on M or P sheets to be completed by that trade.
8. By acceptance of this proposal, if progress and/or final payment is not received timely and Val's is forced to retain an attorney and/or file a lien/stop notice, all associated costs and attorney's fees are agreed to be paid for by the GC in default.

Scope of Work:

Division 22 – Plumbing:

1. Relocate 2 existing scuppers.

Division 23 - Mechanical:

1. Furnish and install exhaust fans, supply fan, duct smoke detector, and relief hood.
2. Perform preventative maintenance on existing furnaces.
3. Fabricate, furnish, and install all ductwork, dampers, insulation, wall louvers, hangers/ supports, CO2 sensor and low voltage control wiring as required to complete scope of work.
4. Startup and test system.
5. Post air balance system per specification.
6. Includes removing existing ductwork and re-installing after new work has been completed.

Clarifications:

GENERAL:

- No overtime or premium pay in price.
- No carpentry work, framing or penetrations, structural supports, electrical, fire alarm or fire protection work, roofing, painting, or patching of any kind.
- All concrete saw cutting and patch back is excluded.
- All concrete scanning or marking for coring is excluded.
- All coring is excluded.
- No hazardous abatement or removal of any kind.
- Ladders, tools, and equipment on the job site that are owned or rented by Val's are only to be used by Val's employees, unless our release of liability form for tool use is executed, and in conjunction with a release of liability naming Val's plumbing & heating, inc. Additionally insured by w/c and liability carrier with waiver of subrogation.
- No bond in price.
- All painting is excluded.
- All openings to access existing systems are excluded.

HVAC:

- T-bar register splay wires provided and attached to structure by others. Final connections at registers by Val's.
- Ethernet connection drops to be provided by others.
- Motor starters and disconnects are excluded from our pricing.
- No H.E.R.S. testing in pricing. If required, this testing will be completed on a T&M basis only as a change order.
- HVAC pricing excludes temporary filters and use of HVAC equipment for ventilation, temp control, or flush-out during course of construction. All temporary facilities & controls measures are excluded.
- All painting is excluded.
- All controls, ductwork, and air balance modifications to existing systems are excluded.
- Duct smoke detectors to be furnished and mounted by Val's and installed by electrician.

SHEET METAL FLASHING AND TRIM:

- All sheet metal flashing and trim, not associated with HVAC scope, is excluded.

PLUMBING:

- No house-keeping pads in price.
- Plumbing connections are +/- 5'-0" from building.
- All existing piping modifications, not noted in scope of work is excluded.

Val's Contact: Cody Self
Email: Cody@valsplumbing.com
Phone: 831-998-2131

EXHIBIT B

CSLB# 236164

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BID PROPOSAL

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Address:	940 N. Main St. Salinas, CA
Bid Date & Time:	7/15/2025
Architect:	MEI
Plan Date:	10/30/2024
Addendums Noted:	1,2

Base Bid Price: See scope of work on page 2

Pricing Valid for 30 Days

07 41 11 Preformed Metal Roof Panels-----	} \$ 368,475.00
07 62 00 Sheet Metal Flashing and Trim-----	
Division 22: Plumbing-----	
Division 23: Mechanical-----	

Bid Stipulations:

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2. Our Bid Sheet is to be incorporated into Contract (Attachment).
3. Two paper Sets of plans, provided at no cost by GC, will be required for each trade.
4. Val's Plumbing and Heating's' indemnity obligation is not to exceed our insurance coverage.
5. Price is based on installing our work before interior framing and soffits.
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Scope of Work:

07 41 11 – Preformed Metal Wall Panels:

1. Furnish and install AEP Span HR-36 metal wall panels per plan.
2. Furnish and install all Tyvek commercial wrap and hat channel that pertains to metal wall panels scope only.
3. Fabricate and install the following flashings that pertain to the metal panel scope:
 - a. 4,5,16,17/A8.1 – Outside Corner Trim
 - b. 6,18/A8.1 – Inside Corner Trim
 - c. 7,19/A8.1 – Sill Flashing at Base
 - d. 13/A8.1 – Jamb Flashing at Studwall
 - e. 14/A8.1 – Sill at Studwall
4. Includes new trim around all existing penetrations.

07 62 00 – Sheet Metal Flashing and Trim:

- a. 1/A8.1 – Head Flashing
- b. 2/A8.1 – Trim at Concrete Wall
- c. 3/A8.1 – Sill at Concrete Wall
- d. 6/A8.2 – Gutter
- e. 8/8.2 – Parapet
- f. 21,22/A8.1 – Gutter at Parapet detail
- g. Downspouts

Division 22 – Plumbing:

1. Relocate 2 existing scuppers.

Division 23 - Mechanical:

1. Furnish and install exhaust fans, supply fan, duct smoke detector, and relief hood.
2. Perform preventative maintenance on existing furnaces.
3. Fabricate, furnish, and install all ductwork, dampers, insulation, wall louvers, hangers/ supports, CO2 sensor and low voltage control wiring as required to complete scope of work.
4. Startup and test system.
5. Post air balance system per specification.
6. Includes removing existing ductwork and re-installing after new work has been completed.

Clarifications:

GENERAL:

- No overtime or premium pay in price.
- No carpentry work, framing or penetrations, structural supports, electrical, fire alarm or fire protection work, roofing, painting, or patching of any kind.
- All concrete saw cutting and patch back is excluded.
- All concrete scanning or marking for coring is excluded.
- All coring is excluded.
- No hazardous abatement or removal of any kind.
- Ladders, tools, and equipment on the job site that are owned or rented by Val's are only to be used by Val's employees, unless our release of liability form for tool use is executed, and in conjunction with a release of liability naming Val's plumbing & heating, inc. Additionally insured by w/c and liability carrier with waiver of subrogation.
- No bond in price.
- All painting is excluded.
- All openings to access existing systems are excluded.

HVAC:

- T-bar register splay wires provided and attached to structure by others. Final connections at registers by Val's.
- Ethernet connection drops to be provided by others.
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- All painting is excluded.
- All controls, ductwork, and air balance modifications to existing systems are excluded.
- Duct smoke detectors to be furnished and mounted by Val's and installed by electrician.

07 41 11 PREFORMED METAL WALL PANELS:

- Demo of existing siding is excluded.
- All plywood backing is excluded.
- All membrane flashings are excluded.
- **All PVC coated flashing are excluded.**
- **All removal and reinstallation of existing piping on walls is excluded.**

SHEET METAL FLASHING AND TRIM:

- **All demo of existing flashings is excluded.**
- Flashing & sheet metal price includes waterproofing break shapes only. No underlayment or self-adhered flashings in price unless specifically noted above.
- All membrane flashings are excluded.
- **All PVC coated flashing are excluded.**
- Splash Blocks at downspouts are excluded.
- All painting is excluded.

PLUMBING:

- All plumbing scope of work is excluded. None required on project.

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Email: Cody@valsplumbing.com
Phone: 831-998-2131

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