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VIA E-MAIL

October 22, 2025

Brooke Wollam
R.C. Construction Services Inc.
700 New York St.
Redlands, CA 92374
Brooke.Wollam@rcconstruction.com

RE: Bid Protest for the Construction of Civic Center Development Phase 1 Project

Dear Ms. Wollam:

The Phelan Piñon Hills Community Services District ("District") is in receipt of R.C. Construction Services Inc.'s ("R.C. Construction") October 17, 2025 email ("Protest") regarding the Construction of Civic Center Development Phase 1 Project ("Project"). Spec Construction Co, Inc. ("Spec") is the apparent low bidder for the Project. The District responds to each issue raised in your Protest as follows:

1. Designation of Subcontractors

R.C. Construction indicates that Spec's bid is nonresponsive because the Designation of Subcontractors form is missing the place of business and license classifications for each subcontractor.

Within 24 hours of submitting the bid, Spec provided the District with the DIR registrations of all listed subcontractors. The DIR registration includes the place of business and license classifications for each subcontractor. Accordingly, Spec's bid regarding the Designation of Subcontractors is responsive.

Moreover, even assuming that the Designation of Subcontractors form was missing certain addresses and/or license classifications, the District's Board of Directors ("Board") may waive such error as a minor irregularity. Failing to provide the place of business and license classifications does not provide Spec with an unfair competitive advantage over other bidders, impact the amount of Spec's bid, and/or destroy free and fair competition. (*Konica Business Machines U.S.A., Inc. v. Regents of University of California* (1988) 206 Cal. App. 3d 449, 454-455.)



2. Finalized Construction, Inc.'s Workers' Compensation

R.C. Construction asserts that Finalized Construction, Inc. ("FCI") (which is Spec's listed Rough Carpentry subcontractor) claims a workers' compensation exemption. R.C. Construction also claims that FCI is unlikely to self-perform the trade listed in the Designation of Subcontractors.

The District received FCI's Certificate of Liability and Workers Compensation Insurance submitted to the California State License Board. Moreover, FCI is not required to list any sub-subcontractors (i.e., second-tier subcontractors). The District reiterates its arguments in the above #1 regarding a minor irregularity that may be waived by the Board.

3. Signatures

R.C. Construction argues that Spec's bid is not responsive because it lacks "the signatures of two officers as is required..."

Page 3 of the Project's bid documents provide:

"NOTE: If Bidder is a corporation, the legal name of the corporation shall be set forth above, **together with the signature of the officer or officers authorized to sign contracts on behalf of the corporation.** If Bidder is a co-partnership, the true name of the firm shall be set forth above, together with the signature of the partner or partners authorized to sign the contracts on behalf of the co-partnership. If the Bidder is an individual, the signature shall be placed above. If a joint venture of a special partnership, the names of the general partners and special partners shall be submitted."

The Project's bid documents require the signature of only one officer who is authorized to sign contracts on behalf of the corporation. Here, Spec is a corporation. Spec's bid is appropriately signed by the President of the corporation.

4. Essential Requirements for Qualifications

R.C. Construction argues that Spec "does not meet the necessary qualifications outlined by the District in Part 1 Essential Requirements for Qualifications..." Part 1 Essential Requirements for Qualifications is found in the Project Manual, pages 31-32. It is not clear by the Protest what question R.C. Construction believes that Spec did not answer and/or fails to meet the "necessary qualifications" for. Insofar as R.C. Construction argues that Spec did not complete a portion of the Part 1 Essential Requirements for Qualifications, this argument is without merit.

R.C. Construction further argues that Spec lacks "the Prior Similar Public Project Experience" because Spec's references are for "Multi Prime Bid Package Projects[,] not full General Contractor Projects..." Again, R.C. Construction's argument in its Protest is not clear. Insofar as R.C.



Construction protests Spec's references as inadequate, the District has determined that Spec's bid is responsive and that no responsibility hearing is necessary.

Based on the foregoing, the District respectfully rejects the Protest. The District intends to recommend to its Board during its October 22, 2025 meeting that: (1) the Board reject the Protest, and (2) the Board award the Project to Spec.

The District appreciates your interest in this Project and looks forward to receiving bids from R.C. Construction on any future District projects. Please contact the undersigned with any questions.

Sincerely,



Don Bartz
General Manager
Phelan Piñon Hills Community Services District

