

SPECIAL PROVISIONS

SECTION A. NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed bids will be received at Ceres City Hall Annex, 2220 Magnolia Street, Ceres, California 95307 until **2:00 P.M. local time on February 26, 2019** for furnishing all labor, material, tax, transportation, equipment, and services necessary for the work entitled:

PLEASANT AVENUE - CDBG SIDEWALK IMPROVEMENTS (P19-001)

Bid forms for this work are included in the Bid Book entitled:

PLEASANT AVENUE - CDBG SIDEWALK IMPROVEMENTS (P19-001)

Bids shall be submitted in sealed envelopes on the forms provided in the Bid Book. Envelopes shall be addressed to the City of Ceres, 2220 Magnolia Street, Ceres, CA, 95307 and delivered to the Engineering Services Department by **2:00 P.M. local time on February 26, 2019** at which time the Bids will be publicly open and read.

A-1. Description of Work

The proposed work shall be performed in accordance with the plans, specifications and other contract documents and shall consist of the following General work description:

The work to be accomplished includes the replacement of curb, gutter, sidewalk, curb ramps, A.C. pavement removal, asphalt pavement construction and other such items not mentioned herein that are required by the plans and specifications. Estimated Construction cost is \$252,000.

A-2. Obtaining Contract Documents

Plans, specifications and other contract documents may be examined and/or obtained at the office of the Engineering Services Department, 2220 Magnolia Street, Ceres, CA, 95307. A copy of bid documents may be obtained at the office upon request and payment of \$50.00 or may be mailed upon request for an additional \$10.00. The amount of the payment is non-refundable. Please contact the Engineering Services Department at (209) 538-5792 for obtaining contract documents.

Plans, specifications may also be obtained electronically through: <http://ciplist.com/> at no cost.

Technical questions shall be in writing and should be directed to:

Attn: *Leonard P. Guillette*
City of Ceres, Engineering Division
2220 Magnolia St., Ceres, CA 95307
Phone: 209.538.5630, Fax: 209.537.5759
Leonard.Guillette@ci.ceres.ca.us

A-3. Submission of Proposals

All proposals must be submitted not later than the time prescribed. The bidder is wholly responsible to see that the bid is submitted at the time and place designated for the opening of bids. Any bid received after the time and date specified shall not be considered and shall be returned unopened. Any bid may be withdrawn prior to the scheduled time for opening bids.

Each bid must conform and be responsive to this notice and shall be made on the official forms furnished in the Bid Book. Hand delivered bids on the day of the bid opening shall be delivered to the address set forth above. Mailed bids must be received by the City prior to the hour and date of the bid opening.

A-4. Bidder's Bond

Each bid must be sealed and accompanied by cash, a cashier's check, certified check or bid bond, executed on the prescribed form, in an amount not less than ten (10) percent of the total bid price payable to the City of Ceres.

The cash, cashier's check, certified check or bid bond shall be given as a guarantee that the successful bidder will enter into a written contract within ten (10) calendar days after being requested to do so and will be considered as the stipulated amount of liquidated damages in the event the bidder is unable to or refuses to execute a contract for the work. All Bidder's bonds will be held until the Contract has been finally executed, after which all Bid bonds, other than any bond or securities which have been forfeited, will be returned to the respective bidders.

The bidder's bond shall conform to the bond form in the Bid book for the project and shall be properly filled out, executed and **must be notarized by both the contractor and surety.**

Bidders are hereby notified that in accordance with the provisions of Public Contracts Code section 22300, securities may be substituted for any monies, which the City may withhold pursuant to the terms of this Contract to ensure performance. If the bidder elects to provide a bid bond, the bond shall be furnished by a company that is authorized and licensed by the Insurance Commissioner as an "admitted surety insurer."

A-5. Contractor's License

The successful bidder must possess a current **Class A or C-8** Contractor's License issued by the State of California and must be licensed from contract award through Contract acceptance.

A-6. Contract Bonds

The successful bidder shall furnish a payment bond and a performance bond. Each bond is to be executed in a sum equal to one hundred percent (100%) of the contract price. City Staff will certify that the certificate of authority of the insurer has not been surrendered, revoked, canceled, annulled, or suspended, or in the event that it has, that renewed authority has been granted within 10 calendar days of the insurer's receipt of the certificate shall be required.

The bidder's bond shall conform to the bond form in the Bid book for the project and shall be properly filled out, executed and **must be notarized by both the contractor and surety.**

A-7. Rejection of Bids

The City reserves the right to reject any and all bids. Any bid not conforming to the intent and purpose of the Contract documents may be rejected. The City reserves the right to make all awards in the best interest of the City.

A-8. Prevailing Wages

Pursuant to Section 1773 of the Labor Code, the general prevailing wage rates in the county, or counties, in which the work is to be done have been determined by the Director of the California Department of Industrial Relations. These wages are set forth in the General Prevailing Wage Rates for this project, available at the California Department of Industrial Relations' Internet web site at <http://www.dir.ca.gov/DLSR/PWD>. Copies of the prevailing wage rates are on file with and available upon request from the Engineer. Future effective general prevailing wage rates, which have been predetermined and are on file with the California Department of Industrial Relations are referenced but not printed in the general prevailing wage rates. It shall be mandatory for the Contractor and any subcontractor under him to pay not less than the specified rates to laborers and workmen employed by them in the execution of the Contract.

A-9. Federal Wage Rates

The Federal minimum wage rates for this project as predetermined by the United States Secretary of Labor are set forth in the Bid book and in copies of this book that may be examined at the offices described above where project plans, special provisions, and bid forms may be seen. Addenda to modify the Federal minimum wage rates, if necessary, will be issued to holders of Bid book. Future effective general prevailing wage rates, which have been predetermined and are on file with the California Department of Industrial Relations are referenced but not printed in the general prevailing wage rates.

Attention is directed to the Federal minimum wage rate requirements in the Bid book. If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the general prevailing wage rates determined by the Director of the California Department of Industrial Relations for similar classifications of labor, the Contractor and subcontractors shall pay not less than the higher wage rate. The Department will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal wage determinations. Where Federal wage determinations do not contain the State wage rate determination otherwise available for use by the Contractor and subcontractors, the Contractor and subcontractors shall pay not less than the Federal minimum wage rate, which most closely approximates the duties of the employees in question.

A-10. Other Provisions

The DBE Contract goal is 0%.

The City of Ceres affirms that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation. Bidders are advised that, as required by federal law, the City of Ceres is implementing Disadvantaged Business Enterprise requirements.

THIS PROJECT IS SUBJECT TO THE "BUY AMERICA" PROVISIONS OF THE SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982 AS AMENDED BY THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1991.

This contract is subject to state contract nondiscrimination and compliance requirements pursuant to Government Code, Section 12990.

The U.S. Department of Transportation (DOT) provides a toll-free hotline to report bid rigging activities. Use the hotline to report bid rigging, bidder collusion, and other fraudulent activities. The hotline number is (800) 424-9071. The service is available 24 hours 7 days a week and is confidential and anonymous. The hotline is part of the DOT's effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General.

“A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.”

Effective April 1, 2015, Contractors and subcontractors bidding and performing work on public work project must register on an annual basis with Department of Industrial Relations (DIR).

By order of the City Council of the City of Ceres, State of California

CITY OF CERES

CITY CLERK _____
Diane Nayares-Perez, City Clerk

DATED _____