

## NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN THAT sealed bids will be received in the office of the Tuolumne County Department of Public Works at the A.N. Francisco Building, Fourth Floor, 48 West Yaney Avenue, (mail: 2 South Green Street) Sonora, California 95370 until **2:00 p.m. on February, 27<sup>th</sup> 2020** (“Bid Date”) after which said bids will be publicly opened and read in the Third Floor Conference Room at 48 West Yaney Avenue, in accordance with the contract documents referred to as:

### **Guardrail Upgrade Project**

#### **Contract No. 1710 / Federal Aid Project No. HRRRL-5932(094)**

Any bid received after the time and date listed above will be returned unopened. Bids are required for the entire work described in accordance with the provisions of the contract documents on the proposal forms furnished therein, and in accordance with these Special Provisions and with the Standard Specifications and Standard Plans published by the State of California Department of Transportation (Caltrans), dated 2015 **as amended by the Project Plans**.

**DESCRIPTION OF WORK:** The work to be done consists, in general, of removal of existing wood-post guardrail systems, at ten locations in Tuolumne County, and replacement at the same locations with steel-post Midwest guardrail systems.

The Engineer’s Estimate for this project is \$240,000

The DBE contract goal for this project is: 6%

**PRE-BID INFORMATION AND COMMUNICATIONS:** A mandatory pre-bid meeting will be scheduled on February, 13<sup>th</sup> 2020 at 10:00 am in the A.N. Francisco Building, Third Floor Conference Room, located at 48 Yaney Avenue, Sonora, California. Bidders shall address any questions in writing to the County. The County will post the questions received, along with written responses, to the County website, [www.tuolumnecounty.ca.gov](http://www.tuolumnecounty.ca.gov), (click on “Bids, RFPs & RFQs” in the Business Section). **It is the responsibility of the bidder to check the County website to review the questions and responses.** Except for questions that might render the award of this contract invalid, the County will not respond to any questions submitted five days prior to the Bid Date. Any oral responses to questions are not binding on the County. Any communications relative to this project should be directed in writing to:

David Ruby  
Department of Public Works  
2 South Green Street  
Sonora, CA 95370  
druby@co.tuolumne.ca.us

**CONTRACT DOCUMENTS:** Plans, specifications, proposal forms, and reduced plans for bidding this project may be examined or obtained at the Department of Public Works at the A.N. Francisco Building, Third Floor, 48 West Yaney Avenue, (mail: 2 South Green Street) Sonora, California

95370 until 4:00 p.m. weekdays or by calling 209-533-5601. A non-refundable charge of \$25.00 will be made for each set of specifications and half size plans.

For an electronic version of this Bid Book, go to: <http://www.tuolumnecounty.ca.gov> (Click on "Bids, RFP's & RFQ's" in the Business section). Bidders must submit bids on proposal forms purchased from the County of Tuolumne Department of Public Works.

**UNFAIR ADVANTAGE:** No contractor which has provided design services for a project shall be eligible to submit a proposal for the contract to construct the project or to subcontract for any portion of the work. The County reserves the right to determine eligibility on a case-by-case basis.

**COMPLETION OF WORK:** The Bidder is referred to Section 8, "Prosecution and Progress," of these Special Provisions which allows **thirty (30) working days** for completion of the work. Liquidated damages of **one thousand, two hundred dollars (\$1,200.00) per calendar day** will be assessed for each day of delay in completion of the work.

**QUANTITY OF WORK:** The quantities shown in the proposal forms are approximate only and given as a basis for the comparison of bids. The County of Tuolumne does not expressly or by implication assert that the actual amount of work will correspond herewith and reserves the right to increase or decrease the amount of any portion of the work or to omit portions of the work as may be deemed necessary.

**BID SECURITY:** All bids shall be accompanied by cash or a certified or cashier's check payable to the order of the County of Tuolumne amounting to ten percent (10%) of the bid or a bond in said amount payable to the County as liquidated damages. Said amount shall be retained by, or said bond shall become payable to, the County if the bidder depositing same does not, within ten (10) working days after written notice that the contract has been awarded to it, enter into a contract with the County.

**BONDS:** The successful bidder shall furnish a payment bond and a performance bond, each in the amount of one hundred (100) percent of the contract price, and a maintenance warranty bond in an amount equal to twenty five (25) percent of the contract price.

**ADDENDUMS TO BID DOCUMENTS:** The Engineer may issue addendums to the project plans and specifications as he deems necessary to modify the project documents prior to opening of bids. Addendums will be in writing and may modify the content of the project documents as well as the date that bids are accepted by the County. The County will post any issued addenda to the County website, [www.tuolumnecounty.ca.gov](http://www.tuolumnecounty.ca.gov), (click on "Bids, RFPs & RFQs" in the Business Section). It is the responsibility of the bidder to check for any addenda.

**LOCAL VENDORS:** The County encourages bidders to consider using local vendors when putting together their proposals. Be advised that the inclusion or exclusion of local vendors will not be taken into consideration when the County reviews the submitted bid proposals.

**CONTRACTOR LICENSE REQUIRED:** The successful bidder, before contract award, shall possess a current Class A or C-32 Contractor license issued by the State of California Licensing

Board. Failure of the bidder to obtain the required license before award of the contract shall constitute a failure to execute the contract and shall result in the forfeiture of the security of the bidder.

**NON-DISCRIMINATION AND DISADVANTAGED BUSINESS ENTERPRISE (DBE):** The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

Take necessary and reasonable steps to ensure that DBEs have opportunity to participate in the contract (49 CFR 26).

Bidders are advised that Section 2, "Bidding," under subsection titled "Disadvantaged Business Enterprises (DBE)," and Section 8, "Prosecution and Progress," of these Special Provisions cover the DBE requirements.

**WAGE RATES:** Pursuant to Section 1773 of the Labor Code, the general prevailing wage rates in the County 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 County of Tuolumne Department of Public Works and available from the California Department of Industrial Relations' Internet web site at <http://www.dir.ca.gov>.

The Federal minimum wage rates for this project as predetermined by the United States Secretary of Labor are available at <http://www.dot.ca.gov/hq/esc/oe/federal-wages>. Addenda to modify the Federal minimum wage rates, if necessary, will be issued to holders of the contract documents. 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 County 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.

**DIR REGISTRATION AND NOTICE:** To be qualified to bid on, be listed in a bid proposal or engage in the performance of any public work contract subject to Labor Code section 1720, contractors and subcontractors must be registered with the Department of Industrial Relations.

Please see <http://www.dir.ca.gov/Public-Works/PublicWorks.html> for more information. No contract will be entered into without proof of the contractor's and subcontractors' current registration with the Department of Industrial Relations to perform public work. If awarded a contract, the bidder and its subcontractors, of any tier, shall maintain active registration with the Department of Industrial Relations for the duration of the project.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. Each contractor and subcontractor must furnish certified payroll records to the Labor Commissioner at least monthly.

The County is required to provide notice to DIR of any public work contract subject to prevailing wages within thirty (30) days of the award.

**BUY AMERICA REQUIREMENT:** Attention is directed to the "Buy America" requirements of Title 23 United States Code, Section 313 and the regulations adopted pursuant thereto.

**PAYMENT RETENTION:** Upon the Contractor's request, the County will make payment of funds withheld from progress payments, pursuant to the requirements of Public Contract Code section 22300 if the Contractor deposits, in escrow with the County Treasurer or with a bank acceptable to the County, securities eligible for the investment of State of California funds under Government Code section 16430 or bank or savings and loan certificates of deposit in accordance with the conditions of the Special Provisions.

**AWARD OF CONTRACT:** The award of the contract, if it is to be awarded, will be to the lowest responsible bidder whose proposal complies with all the requirements prescribed and who has met the goal for DBE participation or has demonstrated to the satisfaction of the County, good faith effort to do so. Such award, if made, will be made within sixty (60) days after the opening of the proposals, unless an extension is agreed to by the lowest responsible bidder. The award of the contract will be subject to the availability of funds. The County of Tuolumne reserves the right to reject any or all bids and to waive any irregularities in the bidding.

**BID RIGGING:** 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.

*Alicia Jamar*

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Alicia Jamar  
Chief Deputy Clerk of the Board of Supervisors

Dated:

March 17<sup>th</sup>, 2020

Published:

February 7<sup>th</sup>, 2020