

**CITY OF DANA POINT
NOTICE INVITING SEALED BIDS
FOR**

ANNUAL ROADWAY RESURFACING PROJECT FY 2016/2017

1. ANNOUNCEMENT:

PUBLIC NOTICE IS HEREBY GIVEN that the City of Dana Point, as AGENCY, invites sealed bids for the above-stated project and will receive such bids in the offices of the City Clerk, 33282 Street of the Golden Lantern, Dana Point, California 92629, up to the hour of **2:00 PM on December 15, 2016**, at which time they will be publicly opened. Bidders who submit after 2:00 PM on December 15, 2016 will be automatically disqualified, and the bid will be returned unopened.

2. DESCRIPTION OF WORK:

The general category/type of work includes, but is not limited to, the following:

- a. Street Improvements, including reconstruction and rehabilitation of existing hardscape improvements, new curb and gutter, and other various work items; and
- b. Asphalt grinding and pavement overlay with conventional asphalt of various streets, as outlined on the Contract Plans.

More specific work items included within the general category/type of work listed above include, but are not limited to: mobilization/demobilization; traffic control; community outreach; pavement removal; subgrade repairs; asphalt pavement repairs; cold-milling existing asphalt; asphalt overlay construction; removal and reconstruction of PCC driveways, sidewalk, curb, gutter, cross gutters, and local depressions; removal and reconstruction of pedestrian ramps to meet current disabled access standards; adjustments of existing utility appurtenances to new grade; removal and re-establishment of existing decorative hardscape improvements; landscaping and irrigation; signing and striping; implementation of Best Management Practices (BMP) for storm water pollution prevention during all construction activities; and other general improvements as outlined in the Contract Plans and Specifications for the above-stated project.

3. BID DOCUMENTS:

Copies of the Contract Plans and Specifications are available from the City of Dana Point Public Works Department, 33282 Street of the Golden Lantern, Suite 212, Dana Point, California 92629, upon payment of a **\$100 nonrefundable fee** and must be picked up from the City. **Bidders must purchase a set of Contract Documents to be placed on the City's official plan holders list to bid this Project.**

Per State Law, the AGENCY has made electronic copies of the Contract Documents available to CONTRACTORS. In order to bid the Project, however, the AGENCY requires every BIDDER to purchase a hard copy set of Contract Documents and to be added to the official plan holder's list. Bidders who have not purchased a hard copy set of the Contract Documents may not bid this project. **Bidders who are not on the official plan holder's list will be deemed non-responsive and the bid will be returned unopened.**

4. COMPLETION OF WORK:

The CONTRACTOR shall complete the work within **Eighty (80) working days** from the Notice

to Proceed. Work performed beyond the allowable working days will be subject to service fees and liquidated damages per Sections 6-7.2 and 6-9 of the Project Specifications, respectively. CONTRACTORS are required to provide written documentation, as part of their bid, if this schedule cannot be met. The AGENCY reserves the right to reject any and all bids on this basis.

5. BIDDING PROCEDURES:

Bids must be prepared on the approved Proposal forms in conformance with Section B: "INSTRUCTIONS TO BIDDERS" of the Project Specifications and submitted in a sealed envelope plainly marked on the outside.

6. PROPOSAL GUARANTEE:

The bid must be accompanied by certified or cashier's check, or bidder's bond, made payable to the AGENCY, or cash deposit, for an amount no less than 10 percent of the total amount bid.

7. STATE OF CALIFORNIA LABOR CODES:

Any contract entered into pursuant to this notice will incorporate the provisions of the State of California Labor Code. Pursuant to Sections 1725.5 and 1771.1(a) of the Labor Code, a Contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, or be awarded a contract for public work on a public works project unless registered with the Department of Industrial Relations. Failure to register as required by the Labor Code may be grounds for disqualification.

Attention is directed to the provisions of Sections 1777.5 (Chapter 1411, Statutes of 1968) and 1777.5 of the Labor Code concerning the employment of apprentices by the CONTRACTOR or any such subcontractor under him. Affirmative action to ensure against discrimination in employment practices on the basis of race, color, national origin, ancestry, sex, religion, or handicap will also be required.

8. WAGE RATES:

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations, pursuant to the provisions of Section 1771.4 of the Labor Code.

Pursuant to the provisions of Section 1773.2 of the Labor Code, the minimum prevailing rate of per diem wages for each craft, classification, or type of workman needed to execute the contract shall be those determined by the Director of Industrial Relations, for the county or counties in which the work is to be done, which are available from the following website:

<http://www.dir.ca.gov/DLSR/PWD/>

These State general prevailing wage rates are not included in the Proposal and Contract Documents for this Project. Updates, if any, to the State general prevailing wage rates are available from the website noted above.

Contractors are required to meet provisions of California Senate Bill 584 for the payment of Department of Industrial Relations (DIR) established prevailing wages. This applies to all public projects as defined in California Code 22002 for contracts exceeding \$1000.00. Contractor's shall register with the DIR in accordance with California Labor Code section 1771.1(a) and 1725.5, and will be subject to compliance monitoring and enforcement by the DIR, subject to section 1771.4. Contractors must submit certified payrolls electronically to DIR. By bidding this Project, Contractor is indicating that they have registered with DIR and have submitted the required PWC-100 Information Form online at www.dir.ca.gov. The City may deem bidders

non-responsive if this requirement has not been met.

9. CONTRACTOR'S LICENSE:

All bidders shall be licensed in accordance with the provisions of the Business and Professions Code for the type of work to be completed and shall possess the appropriate State Contractor's License **Class A** (General Engineering Contractor) at the time of the bid submittal through Contract acceptance (Public Contract Code § 10164). Failure to possess the specified license shall render the bid as non-responsive.

10. CONTRACTOR'S REFERENCES:

The CONTRACTOR shall produce references and experience that show, to the satisfaction of the AGENCY, that the CONTRACTOR bidding the project has adequate working knowledge of street improvements/reconstruction work and asphalt resurfacing as the **PRIME CONTRACTOR**. Furthermore, the CONTRACTOR must have completed, and shall produce as part of its bid, references of five similar Projects as the PRIME CONTRACTOR to the satisfaction of the AGENCY. All noted information shall be provided in the locations designated in the bid documents. If these requirements are not met, the AGENCY reserves the right to determine any and all bidders non-responsive, and reject any and all bids on this basis. These requirements are due to the critical nature of the work and the need for the AGENCY to insure adequate experience is provided to complete the project.

11. SELF PERFORMANCE:

In accordance with Section 2-3.2 of the Project Specifications, CONTRACTOR shall perform or provide, with its own organization, contract labor, materials, and equipment amounting to at least 50-percent of the Contract Price. CONTRACTOR'S attention is directed to Section 2-3.2 of the Project Specifications for additional requirements pertaining to "Specialty Items". The City may deem bidders non-responsive if this requirement has not been met.

12. RIGHT TO REJECT BIDS:

The AGENCY reserves the right to reject any or all bids, to waive any irregularity and to take all bids under advisement for a period of 90 days.

13. PROGRESS PAYMENTS:

The AGENCY will deduct a 5-percent retention from all progress payments as specified in Section 9-3.2 of the Project Specifications. The CONTRACTOR may substitute an escrow holder surety of equal value to the retention. The CONTRACTOR shall be beneficial owner of the surety and shall receive any interest thereon.

14. QUESTIONS/REQUESTS FOR INTERPRETATION:

All questions shall be directed to Mr. Matthew Sinacori, City Engineer/Deputy Director of Public Works, in writing via email at msinacori@danapoint.org no later than **December 1, 2016 at 5:30 PM**.

The AGENCY hereby affirmatively ensures that minority business enterprises will be afforded full opportunity to submit bids in response to this notice and will not be discriminated against on the basis of race, color, national origin, ancestry, sex, or religion in any consideration leading to the award of Contract.

