

NOTICE INVITING SEALED BIDS
VINE STREET BIKE PATH AND PEDESTRIAN FACILITY PROJECT
CML - 5115 (036)

Sealed bids will be received at the office of the City Clerk, Cinnamon Municipal Complex, 711 W. Cinnamon Drive, Lemoore CA, 93245 until 2:00 P.M., August 26, 2020 on the clock designated by the City or its representative as the bid clock, and promptly thereafter all bids that have been duly received will be publicly opened and read aloud at the Cinnamon Municipal Complex, 711 W. Cinnamon Drive, Lemoore, CA 93245 for furnishing to said City all labor, materials, equipment, transportation, and services necessary to perform the placement of slurry seal, reflectors, markings, and other items as depicted in the specifications, as follows:

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Instructions to bidders, plans, specifications, and bid forms may be inspected at the office of the City Engineer, c/o QK, 901 E. Main Street, Visalia, California 93292, and copies of said documents may be obtained at said office upon payment of fifty dollars (\$50.00) for each set (non-refundable). An electronic copy in PDF format is available for no cost by calling 559-733-0440. No bid will be received unless it is made on a bid form furnished by the City. Special attention of prospective bidders is called to the "Instructions to Bidders", for full directions as to bidding.

Any questions regarding this project during the bidding phase shall be directed to the Project Engineer, Mr. Stephen Bahr at Stephen.Bahr@qkinc.com. Questions are due no later than 7-days prior to bid opening.

Time of completion for the work shall be thirty (30) working days from (a) the date of commencement of the work as established in the City's Notice to Proceed, or (b) if no other date is established in a Notice to Proceed from City, the date of Contractor's actual commencement of the Work (including mobilization).

A certified check, cashier's check, or bidder's bond in the amount of ten percent (10%) of the bid made payable to the City of Lemoore will be required to accompany each bid. If a bid bond is used, it must be issued by an Admitted Surety (an insurance organization authorized by the Insurance Commissioner to transact surety insurance in the State of California during this calendar year), which shall be given as a guarantee that the bidder will enter into a Contract if awarded the Work and will be declared forfeited, paid to, or retained by the City as liquidated damages if the bidder refuses or neglects to enter into the Contract provided by the City after being requested to do so. Pursuant to the Contract Documents, the successful bidder will be required to furnish a Payment (Labor and Material) Bond in the amount of one hundred percent (100%) of the Contract Sum, and a Faithful Performance Bond in the amount of one hundred percent (100%) of the Contract Sum. City reserves the right to approve or reject the surety insurer selected by Contractor and to require Contractor to obtain a bond from a surety insurer satisfactory to the City.

The City of Lemoore hereby notifies all bidders that it will affirmatively ensure that in any Contract entered into pursuant to this advertisement, minority business enterprises will be afforded full

opportunity to submit bids in response to this invitation and will not be discriminated against on the basis of race, color, religion, sex, sexual orientation, age, disability, or national origin in consideration for an award.

A contractor or subcontractor shall not be qualified to bid on, be listed on Bidder's List of Subcontractors, 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.

All bids are to be compared on the basis of the Engineer's estimate of the quantities of work to be done. The City of Lemoore reserves the right to reject any or all bids and to waive any informality in any bid received not affected by law. Bids received after the time announced for the bid opening will not be considered. No bidder may withdraw their bid after the time announced for the bid opening for a period of sixty (60) days. City reserves the right to take more than sixty (60) days to make a decision regarding the rejection of bids or the award of the Contract.

The project, if awarded, will be based upon the amount of the **Total Bid**.

The City of Lemoore further reserves the right to delete such portions of the work as it deems necessary and expedient and the right to perform such portions of the work by force account as it deems necessary to expedite the completion of the project. The Contractor is expected to coordinate his work with that of City forces to cause the least delay in the completion of the Contract.

No bids will be accepted from a Contractor who has not been licensed in accordance with the provisions of Chapter 9, Division III of the Business and Professions Code. The proper classification required to perform this Contract is "A", General Engineering Contractor, or a combination of specialty licenses that would include all items of work. The bidder shall state the California contractor license number on Bidder's List of Subcontractors for all subcontractors doing more than one-half of one percent (0.5%) of the bidder's total bid. An inadvertent error in listing a California contractor's license number shall not be grounds for filing a bid protest or for considering the bid nonresponsive if the bidder submits the corrected contractor's license number to the City within 24 hours after the bid opening, or any continuation thereof, so long as the corrected contractor's license number corresponds to the submitted name and location for that subcontractor.

Subcontractors shall maintain their licenses in good standing through project completion and all applicable warranty periods. City reserves the right to reject any bid as nonresponsive if bidder or any subcontractor is not licensed in good standing from the time the bid is submitted to City up to award of the Contract, or if a listed subcontractor's license is suspended or expires prior to award of the Contract. City also reserves the right to reject any bid as non-responsive if a listed subcontractor's license is not in good standing to perform the work for which it is listed from the time of submission of the bidder's bid to award of the Contract.

City reserves the right to retain five percent (5%) from each payment to Contractor pursuant to California Public Contract Code § 7201 until the City determines that all work and other requirements of this Contract are complete. Pursuant to Public Contract Code § 22300, the contract

will contain provisions permitting the successful bidder to substitute securities for any moneys withheld by the City to ensure full performance of the Contract. Such securities, shall be valued by the City, whose decision on valuation of the securities shall be final. Securities eligible for investment under this provision shall be limited to those listed in Section 22300 and Section 16430 of the California Government Code.

A **non-mandatory** pre-bid meeting is scheduled for August 12, 2020, at 9:00 a.m. at the intersection of Vine Street and Caddie Loop. This meeting is to inform bidders of project requirements and subcontractors of subcontracting and material supply opportunities

This Project is being funded by Congestion Mitigation Air Quality (CMAQ) funds and will be subject to all applicable Davis-Bacon Wage Determinations and Federal Labor Compliance Requirements.

The Disadvantage Business Enterprise (DBE) Contract goal is 8%.

It is the bidder's responsibility to verify that the firm is certified as of the date of bid opening. Listings of DBEs certified by the CUCP are available at <http://www.dot.ca.gov/hq/bep>.

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 City of Lemoore 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.

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 City of Lemoore address and available from the California Department of Industrial Relations' Internet web site at <http://www.dir.ca.gov/DLSR/PWD>. The Federal minimum wage rates for this project as predetermined by the United States Secretary of Labor are set forth in these Contract Documents 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 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 these Contract Documents. 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.

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.

City of Lemoore

Marisa Avalos
City Clerk

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