

**DEPARTMENT OF TRANSPORTATION
COUNTY OF EL DORADO, CALIFORNIA**

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN by the County of El Dorado, State of California, that sealed bids for work in accordance with the Project Plans (Plans) and Contract Documents designated:

**EL DORADO COUNTY DEPARTMENT OF TRANSPORTATION
EQUIPMENT / VEHICLE WASH FACILITY
CONTRACT NO. PW 12-30631, CIP NO. 81134**

will be received by the Clerk to the Board of Supervisors, at the Board of Supervisors Office, 330 Fair Lane, Placerville, California, until **Monday, December 10, 2012 at 2:00 PM**, at which time bids will be publicly opened and read by the El Dorado County Department of Transportation.

No Bid may be withdrawn after the time established for receiving bids or before the award and execution of the Contract, unless the award is delayed for a period exceeding sixty (60) calendar days. Bids shall be executed in accordance with the instructions given and forms provided in the bound Contract Documents furnished by the El Dorado County Department of Transportation. The Proposal shall not be detached and shall be submitted with the Contract Documents bid package in its entirety. All bids must be clearly marked on the envelope:

**"PROPOSAL FOR THE EL DORADO COUNTY DEPARTMENT OF TRANSPORTATION
EQUIPMENT / VEHICLE WASH FACILITY"
CONTRACT NO. PW 12-30631, CIP NO. 81134**

TO BE OPENED AT 2:00 P.M. -- Monday, December 10, 2012

LOCATION/DESCRIPTION OF THE WORK: The project is located at the DOT Construction Office, 2441 Headington Road, in Placerville in El Dorado County. The Work to be done is shown on the Plans, and generally consists of, but is not limited to:

- A. The Work will be bid as a LUMP SUM BASE BID, LUMP SUM BID ADDITIVE 1, LUMP SUM BID ADDITIVE 2 and LUMP SUM BID ADDITIVE 3.
- B. LUMP SUM BASE BID: **Total of LUMP SUM BID** for Construction of a vehicle wash facility, including a prefabricated building with metal siding and roofing with a steel structure, foundation, CMU splash walls, a 2-stage, 2-level wash bay, equipment room, sump pit and associated underground utility improvements **PLUS LUMP SUM BID** for Trench and Excavation Safety for Trenches and Excavations five feet deep and greater. Other items or details not mentioned above, that are required by the plans or these Contract Documents shall be performed, constructed or installed.
- C. LUMP SUM BID ADDITIVE 1: Construction and installation of the metal catwalks in the "heavy solids / cold wash area" as shown on the plans along grid lines 1.1 and 2, between Grids A to C, including stair sections at Grid A and four (4) bollards at stair sections. Other items or details not mentioned above, that are required by the plans or these Contract Documents shall be performed, constructed or installed.
- D. LUMP SUM BID ADDITIVE 2: Construction and installation of the metal catwalks in the "hot water pressure wash area" as shown on the plans along grid lines 1.1 and 2, between Grids C to E, including stair sections at Grid E and four (4) bollards at stair sections. Other items or details not mentioned above, that are required by the plans or these Contract Documents shall be performed, constructed or installed.

- E. LUMP SUM BID ADDITIVE 3: Provide and install washing equipment. Refer to Contract Drawings A2.0, M2.1. P2.1 and E2.1. Refer to Specification Section 11 14 00 Vehicle Service Equipment. Other items or details not mentioned above, that are required by the plans or these Contract Documents shall be performed, constructed or installed.
- F. Bids are required for the entire Work described herein.
- G. Owner reserves the right to award; LUMP SUM BASE BID, some or all LUMP SUM BID ADDITIVES with the LUMP SUM BASE BID, or reject all bids. Determination of the lowest responsive, responsible bidder will be made based on the available construction budget and the Lump Sum Base Bid and Additives listed in the order of priority below whose total does not exceed the construction budget disclosed at the bid opening:
 - 1) Lump Sum Bid Additive 3.
 - 2) Lump Sum Bid Additive 3 and Lump Sum Bid Additive 2.
 - 3) Lump Sum Bid Additive 3, Lump Sum Bid Additive 2, and Lump Sum Bid Additive 1.

The actual construction budget will not be disclosed until after the deadline to receive bids has past and before bids are opened.

- H. The contract time, regardless of which combination of BID ADDITIVES is awarded, shall be ONE HUNDRED TEN (110) WORKING DAYS.
- I. For bonding purposes the anticipated project cost is less than \$ 500,000.
- J. Two Pre-Bid / Site Visit Meetings are scheduled for this project: the first is at **1:00 pm on Friday, November 16, 2012**; the second is at **1:00 pm on Monday, December 3, 2012**. Both meetings will be held at El Dorado County Department of Transportation, 2441 Headington Road, Placerville, CA. The meetings will be held in the downstairs conference room. **Attendance at one of the pre-bid meetings is mandatory and only the bids of firms with representatives in attendance will be considered for evaluation and award.** In order to limit the disruption to the conduct of business, the meeting dates listed will be the only opportunity for bidders to visit the site. The Bidder's representative will be required to sign an attendance sheet and provide the name of the firm being represented. The County will post on the Department of Transportation's website such Addenda as the County in its discretion considers necessary in response to questions arising and information presented at the Pre-Bid / Site Visit Meetings. Oral statements shall not be relied upon and will not be binding or legally effective. Addenda issued as a result of the Pre-Bid / Site Visit Meetings shall constitute the sole and exclusive record and statement of the results of the Pre-Bid / Site Visit Meetings.

OBTAINING OR INSPECTING CONTRACT DOCUMENTS: The Contract Documents Book and Plans may be examined at the El Dorado County Department of Transportation or may be purchased in person or by mail from the Department of Transportation, 2850 Fairlane Court, Placerville, California, 95667. The purchase price of each set of Contract Documents Book and Plans is seventy dollars (\$70.00) and is not refundable. To receive Contract Documents Book and Plans by FedEx, send request and payment prior to shipping and include an additional thirty dollars (\$30.00), for a total of one hundred dollars (\$100.00), to include shipping and handling. **Only Contract Documents Books and Plans purchased from the Department of Transportation will be acceptable for bid submittal.**

Headington Road Maintenance Yard Improvements, Foundation Design Criteria Report, dated August 18, 2005 and Headington Road Maintenance Yard Improvements – Update, Foundation Design Criteria Update, dated December 7, 2011 by Youngdahl Consulting Group Inc. will be provided as supplemental project information in pdf format on the DOT website: <http://www.edcgov.us/Government//DOT/Bids.aspx>.

CONTRACTORS LICENSE CLASSIFICATION: Bidders shall be properly licensed to perform the Work pursuant to the Contractors' State License Law (Business and Professions Code Section 7000 et seq.) and shall possess a **CLASS A** license, or **CLASS B** license, or equivalent combination of Classes required by the categories and type of Work included in the Contract Documents Book and Plans at the time of the bid opening, and shall maintain a valid license through completion and acceptance

of the Work, including the guarantee and acceptance period. Failure of the successful Bidder to obtain proper adequate licensing shall constitute a failure to execute the Contract and shall result in the forfeiture of the Bidder's security.

BUSINESS LICENSE: The County Business License Ordinance provides that it is unlawful for any person to furnish supplies or services, or transact any kind of business in the unincorporated territory of El Dorado County without possessing a County business license unless exempt under County Ordinance Code Section 5.08.070. The Bidder to whom an award is made shall comply with all of the requirements of the County Business License Ordinance, where applicable, prior to beginning work under this Contract and at all times during the term of this Contract.

REQUIRED LISTING OF PROPOSED SUBCONTRACTORS: Each Proposal shall have listed therein the name and address of each subcontractor, to whom the Bidder proposes to subcontract portions of the work in an amount in excess of 1/2 of one percent of its total bid in accordance with the Subletting and Subcontracting Fair Practices Act, commencing with Section 4100 of the Public Contract Code. The Bidder shall also describe in the Subcontractor Listing the work to be performed by each subcontractor listed. The work to be performed by the subcontractor shall be shown by listing the description of the work, and portion of the work to be performed by the subcontractor in the form of a percentage calculated by dividing the work to be performed by the subcontractor by the lump sum base bid price. At the time the bids are submitted all listed subcontractors shall be properly licensed to perform their designated portion of the work. The Bidder's attention is invited to other provisions of the Act related to the imposition of penalties for a failure to observe its provisions by using unauthorized subcontractors or by making unauthorized substitutions.

NONDISCRIMINATION: Attention is directed to the following Notice that is required by Chapter 5 of Division 4 of Title 2, California Code of Regulations.

**NOTICE OF REQUIREMENT FOR NONDISCRIMINATION PROGRAM
(GOVERNMENT CODE SECTION 12990)**

PREVAILING WAGE REQUIREMENTS:

In accordance with the provisions of California Labor Code Sections 1770 et seq., the general prevailing rate of wages in the county in which the Work is to be done has been determined by the Director of the California Department of Industrial Relations. These wage rates appear in the California Department of Transportation publication entitled General Prevailing Wage Rates. Interested parties can obtain the current wage information by submitting their requests to the Department of Industrial Relations, Division of Labor Statistics and Research, PO Box 420603, San Francisco CA 94142-0603, Telephone (415) 703-4708 or by referring to the website at <http://www.dir.ca.gov/dlsr/PWD>. The rates at the time of the bid advertisement date of a project will remain in effect for the life of the project in accordance with the California Code of Regulations, as modified and effective January 27, 1997.

Copies of the general prevailing rate of wages in the county in which the Work is to be done are also on file at the Department of Transportation's principal office, and are available upon request.

In accordance with the provisions of Labor Code 1810, eight (8) hours of labor shall constitute a legal day's work upon all work done hereunder, and Contractor and any subcontractor employed under this Contract shall conform to and be bound by the provisions of Labor Code Sections 1810 through 1815.

BID SECURITY: A bid security shall be provided with each bid. Bid security shall be in an amount of not less than ten percent (10%) of the total amount of the Lump Sum Base Bid and shall be cash, a certified check, or cashier's check drawn to the order of the County of El Dorado or a Bidder's Bond executed by a surety satisfactory to the County of El Dorado and shall be **on the form provided in the Proposal section of these Contract Documents (do not detach the form)**.

BID PROTEST PROCEDURE: The protest procedure is intended to handle and resolve disputes related to the bid award for this project pursuant to County of El Dorado policies and procedures.

The protest procedure is an extension of the formal bid process and allows those who wish to protest the recommendation of an award after bid the opportunity to be heard.

Policy: Upon completion of the bid evaluation, the Department of Transportation shall notify all bidders of the recommendation of award, the basis therefore, and the date and time on which the recommendation for award will be considered and acted upon by the Board of Supervisors. All bidders may attend the Board of Supervisors meeting at the time the agenda item is considered, address the Board of Supervisors, and be heard.

Procedure: If a bidder wishes to protest the award, the procedure shall be as follows:

1. The Department of Transportation will review the bids received in a timely fashion under the terms and conditions of the Notice to Bidders, and notify the bidders in writing, at the address designated in the bid, of its recommendation including for award or rejection of bids ("All Bidders Letter").
2. Within five (5) working days from the date of the "All Bidders Letter," the bidder protesting the recommendation for award shall submit a letter of protest to and shall be received by the County of El Dorado, Department of Transportation, Attention Janel Gifford, 2850 Fairlane Ct, Placerville, CA 95667, and state in detail the basis and reasons for the protest. The bidder must provide facts to support the protest, including any evidence it wishes to be considered, together with the law, rule, regulation, or criteria on which the protest is based.
3. If the Department of Transportation finds the protest to be valid, it may modify its award recommendations and notify all bidders of that decision. If the Department of Transportation does not agree with the protest, or otherwise fails to resolve the protest, the Department of Transportation will notify the bid protestor and all interested parties of its decision and the date and time that the recommendation for award will be agendized for the Board of Supervisors' consideration and action. The Department of Transportation shall also include in its report to the Board of Supervisors the details of the bid protest.
4. The bidder may attend the Board of Supervisors meeting at which the recommendation and bid protest will be considered. The Board of Supervisors will take comment from the bidder, staff, and members of the public who wish to speak on the item. In the event that the bidder is not in attendance at that time, the bid protest may be dismissed by the Board of Supervisors without further consideration of the merits; and
The decision of the Board of Supervisors on the bid protest shall be final

AWARD OF CONTRACT: Bids will be considered for award by the Board of Supervisors. The County of El Dorado reserves the right after opening bids to reject any or all bids, to waive any irregularity in a bid, or to make award to the lowest responsive, responsible Bidder and reject all other bids, as it may best serve the interests of the County.

As a condition of award, the successful Bidder will be required to submit bonds and evidence of insurance prior to execution of the Agreement by the County. Failure to meet this requirement shall constitute abandonment of the Bid by the Bidder and forfeiture of the Bidder's security. Award will then be made to the next lowest responsible Bidder.

PAYMENTS: Attention is directed to section 6.2 APPLICATIONS FOR PAYMENT of the Conditions of the Contract.

RETAINAGE FROM PAYMENTS: The Contractor may elect to receive one hundred percent (100%) of payments due under the Contract from time to time, without retention of any portion of the payment by the County, by depositing securities of equivalent value with the County in accordance with the provisions of Section 22300 of the Public Contract Code. Securities eligible for deposit hereunder shall be limited to those listed in Section 16430 of the Government Code, or bank or savings and loan certificates of deposit.

PROJECT ADMINISTRATION: All communications relative to the Contract Documents and Plans shall be directed to Janel Gifford in the El Dorado County Department of Transportation, 2850 Fairlane Ct, Placerville, CA 95762, telephone: (530) 621-5974, Janel.Gifford@edcgov.us No oral responses to any questions concerning the content of the Plans and Contract Documents will be given. All responses will be in the form of written addenda to the Contract Documents and Plans or written responses to bidders' inquiries. Responses to bidders' inquiries and addenda will be posted on the Department of Transportation website at www.edcgov.us/Government/DOT/Bids.aspx. It is the bidders' responsibility to check this website for responses and addenda during the bid period.

BY ORDER OF the Interim Director of the Department of Transportation, County of El Dorado, State of California.

Authorized by the Board of Supervisors on October 30, 2012, at Placerville, California.

By Kimberly A Kerr
Kimberly A. Kerr, Interim Director,
Department of Transportation
County of El Dorado