

**COUNTY OF EL DORADO, CALIFORNIA
COMMUNITY DEVELOPMENT AGENCY,
TRANSPORTATION DIVISION**

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:

PLEASANT VALLEY ROAD (SR 49) / PATTERSON DRIVE INTERSECTION SIGNALIZATION

CONTRACT NO. PW 09-30425

CIP No. 73320

will be received by the Clerk to the Board of Supervisors, at the Board of Supervisors Office, 330 Fair Lane, Placerville, California, until **Monday, October 14, 2013 at 2:00 PM**, at which time bids will be publicly opened and read by the County of El Dorado Community Development Agency, Transportation Division.

No Bid may be withdrawn after the time established for receiving bids or before the award and execution of the Contract, unless the award is delayed for a period exceeding sixty (60)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 must be executed in accordance with the instructions given and forms provided in the bound Contract Documents furnished by the County of El Dorado community Development Agency, Transportation division. 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 PLEASANT VALLEY ROAD (SR 49) / PATTERSON DRIVE INTERSECTION
SIGNALIZATION"**

CONTRACT NO. PW 09-30425, CIP No. 73320

TO BE OPENED Monday, October 14, 2013 at 2:00 PM

LOCATION / DESCRIPTION OF THE WORK: The project is located in County of El Dorado near the Town of Diamond Springs. The Work to be done is shown on the Plans, and generally consists of, but is not limited to:

- A. Widening of portions of Pleasant Valley Road (State Route 49) and portions of Patterson Drive, roadway improvements, traffic signal installation, including stage construction to facilitate grading, clearing and grubbing, permanent and temporary fence removal and construction, drainage removal and construction, concrete and steel drainage inlets, grade ditch, excavation, rock base, HMA paving, signing and striping, cold planing, permanent and temporary erosion control. Other items or details not mentioned above, that are required by the Plans, Standard Specifications, or these Special Provisions, shall be performed, constructed or installed.
- B. Bids are required for the entire Work described herein.
- C. The contract time shall be ONE HUNDRED TWENTY-FIVE (125) WORKING DAYS
- D. For bonding purposes the anticipated project cost is less than \$ 1,800,000.
- E. A pre-bid meeting is scheduled for this project on **September 30, 2013 at 2:00 PM**, at the County of El Dorado Community Development Agency, Transportation Division, 2441 Headington Road, Placerville,

CA. The meeting will be held in the downstairs conference room. Attendance at the pre-bid meeting is not mandatory.

OBTAINING OR INSPECTING CONTRACT DOCUMENTS:

The Contract Documents book and Plans may be examined at the County of El Dorado Community Development Agency, Transportation Division or may be purchased in person or by mail from the Community Development Agency, Transportation Division, 2850 Fairlane Court, Placerville, California, 95667. The purchase price of each set of Contract Documents book and Plans (half size plans are included in each set) is ONE HUNDRED AND THIRTY dollars (\$130.00) and is not refundable.

To receive Contract Documents book and Plans by Federal Express, send request and payment prior to shipping and include an additional THIRTY dollars (\$30.00), for a total of ONE HUNDRED AND SIXTY dollars (\$160.00), to include shipping and handling. For information regarding the purchase of the Contract Documents book and Plans contact Sheri Woodford at (530) 621-5941. **Only Contract Documents books and project Plans purchased from the Community Development Agency, Transportation Division will be acceptable for bid submittal.**

Supplemental Project Information consists of the contract cross-sections. The Informational Handout consists of the "Geotechnical Engineering Study for Pleasant Valley at Patterson Drive Signalization" by Youngdahl Consulting, Group Inc. dated September 2011; "Bi-Annual 2012 Groundwater Monitoring Report-Former Cheaper! Store #182, 130 Pleasant Valley Road, Diamond Springs, El Dorado County (APN#329-280-12: Case# 90096)" by H2GeoL Consultants, dated March 15, 2012; "Revised Soil Vapor Workplan, Tower Mart #182, 130 Pleasant Valley Rd, Diamond Springs, CA 95619, El Dorado File #00077, RWQCB Case #090096", by West Associates Env. Engineers, Inc, dated May 2012; "No Further Action Request (NFAR) and Case Closure Summary, Tower Mart #182, 130 Pleasant Valley Rd, Diamond Springs, CA 95619, El Dorado File #00077, RWQCB Case #090096", by West Associates Env. Engineers, Inc, dated Dec 2011; "Sampling and Analysis of Aerially Deposited Lead, Road Improvement Projects, Pleasant Valley Rd (SR-49) at Patterson Dr Intersection Signalization, Milepost 10.6 to 10.9, El Dorado County, CA", by EDC Env. Management Dept., dated Sept 12, 2011; "Phase I Environmental Site Assessment, Pleasant Valley Road at Patterson Drive, Diamond Springs, CA" by Youngdahl, dated July 2011; Applicable Revised Standard Plans and New Standard Plans.

Supplemental Project Information and Informational Handout will be provided to Contract document holders as pdf files on the DOT's 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 equivalent combination of Classes required by the categories and type of Work included in the Contract Documents and Plans at the time bids are submitted, 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 for an award of the Contract 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 County of El Dorado 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.

SUBCONTRACTORS LIST:

Each Proposal shall have listed therein the name, contractor's license number and address of each subcontractor to whom the bidder proposes to subcontract portions of the work in an amount in excess of 0.5 % of the total bid or \$10,000, whichever is greater, 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 bid item number, bid item description, 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 respective bid item amount(s) (not by the total bid price). The percentage of each bid item subcontracted may be submitted with the Bidder's bid or sent via email or fax to Janel Gifford, County of El Dorado Community Development Agency, Transportation Division, email-Janel.Gifford@edcgov.us, Fax-(530) 626-0387 by 4:00 p.m. on the first business day after the bid opening. The email or fax shall contain the name of each subcontractor submitted with the Bidder's bid along with the bid item number, the bid item description, and the percentage of each bid item subcontracted, as described above. At the time bids are submitted, all listed subcontractors shall be properly licensed to perform their designated portion of the work. The bidder's attention is directed to other provisions of the Act related to the imposition of penalties for failure to observe its provisions by using unauthorized subcontractors or by making unauthorized substitutions.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION:

The County of El Dorado 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.

Bidder will take all necessary affirmative steps to assure that minority firms, women's business enterprises and labor surplus area firms are used when possible.

NONDISCRIMINATION:

Comply with Chapter 5 of Division 4 of Title 2, California Code of Regulations and the following:

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

Comply with Section 7-1.01A(4), "Nondiscrimination", of the Standard Specifications, which is applicable to all nonexempt State contracts and subcontracts, and to the "Standard California Nondiscrimination Construction Contract Specifications" set forth therein. The specifications are applicable to all nonexempt State construction contracts and subcontracts of \$5,000 or more.

Comply with the fair employment practices provisions in the *Draft Agreement* contained in these Contract Documents that will apply to this Contract.

PREVAILING WAGE REQUIREMENTS:

Contractor's attention is directed to the requirements of Division 2 Part 7, Chapter 1 of the California Labor Code, including but not limited to Sections 1773, 1773.1, 1773.2, 1773.6, and 1773.7. 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.

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/OPRL/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 County of El Dorado Community Development Agency, Transportation Division'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.

This project is subject to the requirements of Title 8, Chapter 8, Subchapter 4.5 of the California Code of Regulations including the obligation to furnish certified payroll records directly to the Compliance Monitoring Unit under the Labor Commissioner within the Department of Industrial Relations Division of Labor Standards Enforcement in accordance with Section 16461.

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 Bid for 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 **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 Title 49 Code of Federal Regulations Part 18 Section 18.36 (b) (12)(i)-(ii) and County of El Dorado policies and procedures. A protestor must exhaust all administrative remedies with the County of El Dorado before pursuing a protest with a Federal Agency. Reviews of protests by the Federal agency will be limited to:

- (i.) Violations of Federal law or regulations and the standards of 49 CFR Part 18 Section 18.36 (b) (12) (i)-(ii). Violations of State of California or local law will be under the jurisdiction of the State of California or the County of El Dorado; and
- (ii.) Violation of the County of El Dorado's protest procedures for failure to review a complaint or protest. Protests received by the Federal agency other than those specified above will be referred to the County of El Dorado.

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 County of El Dorado Community Development Agency, Transportation Division will 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, this is the procedure:

1. The County of El Dorado Community Development Agency, Transportation Division 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 fax number designated in the Proposal, 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 must submit a letter of protest to and must be received by the County of El Dorado Community Development Agency, Transportation Division, Attention Janel Gifford, 2850 Fairlane Court, 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 County of El Dorado Community Development Agency, Transportation Division finds the protest to be valid, it may modify its award recommendations and notify all bidders of that decision. If the Community Development Agency Transportation Division does not agree with the protest, or otherwise fails to resolve the protest, the Community Development Agency Transportation Division 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 County of El Dorado Community Development Agency, Transportation Division will 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 will 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, responsive, responsible Bidder.

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 book and Plans shall be directed to Janel Gifford in County of El Dorado Community Development Agency, Transportation Division, 2850 Fairlane Court, 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 book and Plans or written responses to bidders' inquiries. Responses to bidders' inquiries and addenda will be posted on the County of El Dorado Community Development Agency, Transportation Division 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.

The list of plan holders will also be posted on the County of El Dorado Community Development Agency, Transportation Division website at www.edcgov.us/Government/DOT/Bids.aspx.

BY ORDER OF the Director of the Community Development Agency, County of El Dorado, State of California.

Authorized by the Board of Supervisors on September 10, 2013, at Placerville, California.

By 

Kimberly A. Kerr, Interim Transportation Director
Acting Community Development Agency Director
County of El Dorado