

**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:

**BASS LAKE ROAD FULL IMPROVEMENTS - PHASE 1A
CONTRACT NO. PW 11-30599, CIP NO. 66109**

will be received by the Department of Transportation (DOT), at the DOT Office, 2850 Fairlane Ct, Placerville, California, until **Wednesday March 6, 2013 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No Bid may be withdrawn after the time established for receiving bids or before the award and execution of the Contract, unless the award is delayed for a period exceeding sixty (60)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 BASS LAKE ROAD FULL IMPROVEMENTS - PHASE 1A"
CONTRACT NO. PW 11-30599, CIP NO. 66109
TO BE OPENED AT 2:00 P.M. – March 6, 2013**

LOCATION/DESCRIPTION OF THE WORK: The project is located along Bass Lake Road, in El Dorado County as shown on the Title sheet of the plans.

- A. The Work to be done is, described in the Special Provisions and shown on the Plans and generally consists of, but is not limited to:

Construction of 48 feet of double 5' x 3' precast box culvert placed across Bass Lake Road under one weekend road closure. The project location is approximately one thousand six hundred fifty seven feet (1657') south of Bass Lake Road and Hollow Oak Road intersection. The work also includes traffic control, construction area signing, removal and replacement of asphalt concrete, shoulder backing, and permanent roadway striping. Other items or details not mentioned above, that are required by the Standard 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 twenty (20) WORKING DAYS.
- D. For bonding purposes the anticipated project cost is less than \$140,000.
- E. A pre-bid meeting is scheduled for this project on **Wednesday February 27, 2013 at 1:30 PM** at the El Dorado County Department of Transportation, 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 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 TWENTY-FIVE DOLLARS (\$25.00) 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 TWENTY-FIVE DOLLARS (\$25.00), for a total of FIFTY DOLLARS (\$50.00), 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 purchased from the Department of Transportation will be acceptable for bid submittal.**

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 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, 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). 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: 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)**

Attention is further directed to the "Nondiscrimination Clause", set forth in Section 7-1.01A(4), "Labor 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.

PREVAILING WAGE REQUIREMENTS:

In accordance with the provisions of California Labor Code Sections 1770 et seq., 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. 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 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 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 El Dorado County Interim Director of the Department of Transportation (Director).

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 FAX number 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 the County of El Dorado, Department of Transportation, Attention Paul Hom, 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 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 in a Protest Denial Fax.
4. Within one (1) business day of the date and time of the Protest Denial Fax, the bidder may request a meeting with the El Dorado County Deputy Director of Engineering, Engineering Division, Department of Transportation (Deputy Director) at which the recommendation and bid protest will be considered. At this meeting, the Deputy Director will take comment from the bidder and make a recommendation to the Interim Director. In the event that the bidder does not request and attend a meeting, the bid protest may be dismissed by the Interim Director without further consideration of the merits; and

The decision of the Interim Director on the bid protest shall be final.

AWARD OF CONTRACT: Bids will be considered for award by the Interim Director. The Interim Director 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 schedule, 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 shall be directed to Paul Hom in the El Dorado County Department of Transportation, 2850 Fairlane Court, Placerville, CA 95667, telephone: (530) 621-5925, email paul.hom@edcgov.us. No oral responses to any questions concerning the content of the Contract Documents will be given. All responses will be in the form of written addenda to the Contract Documents 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.

The list of plan holders will also be posted on the Department of Transportation website at www.edcgov.us/Government/DOT/Bids.aspx.

Inquiries or questions based on alleged patent ambiguity of the specifications, or estimate must be communicated as a bidder inquiry prior to bid opening. Any such inquiries or questions, submitted after bid opening will not be treated as a bid protest.

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

Authorized by the Interim Director of Transportation on February 14, 2013, at Placerville, California.

By 

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