SECTION A

NOTICE INVITING SEALED BIDS

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CITY OF TUSTIN, CALIFORNIA

NOTICE INVITING SEALED BIDS

FOR THE

MOFFETT DRIVE EXTENSION BRIDGE AND ROADWAY CONSTRUCTION PROJECT

CIP NO. 70224

NOTICE IS HEREBY GIVEN that the CITY OF TUSTIN, as AGENCY invites sealed bids for the below stated project and will receive sealed bids for the construction, materials, supplies, equipment and/or services set forth herein, subject to all conditions outlined in the Bid Package.

1. Project Name and Description

"Moffett Drive Extension Bridge and Roadway Construction Project, CIP No. 70224"

This work shall consist in part of furnishing all labor, materials, tools, equipment and incidentals as required by the plans, specifications and contract documents for the above stated project.

The work to be done hereunder consists of grading, bridge, roadway and wet and dry utility construction on the following:

- Moffett Drive overcrossing Peters Canyon Channel.

The project schedule is Three Hundred Twenty (320) Working Days.

The engineer's estimate for the work included in the contract is $ 5,900,000.

2. Obtaining Bid Documents

A PDF CD of the Bid Package (including the plans, specifications, and contract documents) are available for purchase from the Office of the City Engineer, Public Works Department, 300 Centennial Way, Tustin, California 92780, upon payment of $15.00 per set nonrefundable fee if pick up, or payment of $20.00 nonrefundable fee if mailed via USPS.

3. Bid Opening

Bid opening date and time: **Tuesday, November 8, 2016 at 10:00 A.M.**

Sealed bids will be received at all times during normal business hours prior to the Bid Opening, at the Office of the City Clerk, 300 Centennial Way, Tustin, California 92780. Bids will be publicly opened at the Bid Opening time stated, in the Office of the City Clerk, or as otherwise posted.

The **outside** of the sealed envelope of each bid submitted shall be clearly marked: **"Moffett Drive Extension Bridge and Roadway Construction Project, CIP No. 70224"**.

4. Contractor's License

In accordance with provisions of Section 3300 of the California Public Contract Code, the AGENCY has determined that the Contractor shall possess a valid California Contractor's License for the work, in the classification of "**A**". Further, it is a misdemeanor not to have a license at the time of the bid (Business and Professions Code Section 7028.15 (a). In the case of City contracts which involve Federal funds, the Contractor must be properly licensed at the time of award of the contract (Public Contract Code Section 20103.5). Failure to possess such license may render the bid non-responsive and bar the award of the contract to that non-responsive Bidder. The successful Contractor and his/her subcontractors will be required to possess business licenses from the AGENCY.

5. Prevailing Wages

In accordance with the provisions of Section 1770, et seq., of the Labor Code, the Director of the Industrial Relations of the State of California has determined the general prevailing rate of wages applicable to the work to be done. The Contractor and any subcontractor under him, will be required to pay to all persons employed on the project by the Contractor sums not less than the sums set forth in the documents entitled "General Prevailing Wage Determination made by the Director of Industrial Relations pursuant to California Labor Code, Part 7, Chapter 1, Article 2, Sections 1770, 1771, 1773, 1773.1 and 1774." These documents can be reviewed in the office of the City Engineer or may be obtained from the State.

Notice Requirements

- No contractor or subcontractor shall be listed on a bid proposal for a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5.

- No contractor or subcontractor shall be awarded a contract for public work on a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5

- This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

6. Bid Security

Each bid shall be accompanied by bid security in the form of a cashier's check, certified check or bid bond in the amount of Ten Percent (10%) of the total bid amount. All cashier's checks or certified checks must be drawn on a responsible bank doing business in the United States and shall be made payable to the CITY OF TUSTIN. A bonding company admitted and licensed to do business in the State of California must issue bid bonds. Bids not accompanied by the required bid security shall be rejected. Cash and personal or company checks are **not** acceptable.

7. Payment Bond and Performance Bond

A Labor and Material Bond and a Faithful Performance Bond, each in the amount of one hundred percent (100%) of the contract amount, will be required of the Contractor. Said bonds shall be issued by an admitted Surety company that is duly authorized to issue such bonds in the State of California.

8. **Insurance**

Prior to execution of contract, Contractor shall provide AGENCY with insurance certificate(s) with endorsements evidencing commercial general liability and automobile liability insurance as prescribed in the contract, with a company of A.M. Best's Key Rating of Grade A and Class VII (seven) or better with an Admitted Insurer, or rated Grade A- or better and Class X (ten) or better with a Surplus Line Broker. Workers' Compensation Insurance with a company of A.M. Best's Key Rating of Grade B- or better and Class VII (seven) or better, or offered by State Compensation Fund, is acceptable.

Contractor shall provide to the AGENCY within Ten (10) Working Days after the date of notice of award of contract the aforementioned insurance certificate(s) with endorsements which must meet the requirements of the specifications and comply with the contract documents. Failure to comply with this requirement will result in annulment of the award, forfeiture of the bid security and AGENCY will pursue award to the next qualified responsive bidder. Contractor is advised that insurance requirements are non-negotiable and AGENCY will not consider waiving insurance requirements. There are no exceptions.

9. **Retention**

In accordance with the Contract, Five Percent (5%) of any progress payment will be withheld as retention. Pursuant to Section 22300 of the Public Contract Code, at the request and expense of the Contractor, approved securities equivalent to the amount withheld may be deposited with the AGENCY or with a state or federally chartered bank as the escrow agent, and AGENCY shall then pay such moneys to the Contractor. Refer to the Contract for further clarification.

10. **Contact Person**

Questions regarding this Notice Inviting Bids shall be directed in writing to: City of Tustin Public Works Department - Engineering, 300 Centennial Way, Tustin, CA 92780. Telephone No. 714-573-3150.

THE AGENCY RESERVES THE RIGHT TO REJECT ANY BID OR ALL BIDS AND TO WAIVE ANY INFORMALITY OR IRREGULARITY IN ANY BID AND TO TAKE ALL BIDS UNDER ADVISEMENT FOR A MAXIMUM PERIOD OF SIXTY (60) DAYS.

ANY CONTRACT AWARDED WILL BE LET TO THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER.

NO BID SHALL BE CONSIDERED UNLESS IT IS PREPARED ON THE APPROVED PROPOSAL FORMS IN CONFORMANCE WITH THE INSTRUCTIONS TO BIDDERS.

By order of the City Council of the City of Tustin, California, on the 20th day of September, 2016.

Attest:

Carrie Woodward
City Clerk For: Erica Rabe

Published Tustin News:

October 6, 2016
October 13, 2016