

CITY OF FULLERTON
of the
STATE OF CALIFORNIA

INVITATION TO BID
for

BASTANCHURY/VALENCIA MESA BIKE PATH

Plans and Specifications are available at Consolidated Reprographics. Please be advised that there is an additional charge for delivery. Upon payment of the purchase price, they become the property of the purchaser and may not be returned for refund.

You may access the plans through the following website under Public Planroom:

www.crplanwell.com

For help accessing and ordering, please contact a Planwell Administrator at 714.424.8525.

Sealed Proposals for ***Bastanchury/Valencia Mesa Bike Path*** in accordance with the Plans and Specifications, will be received at the office of the City Clerk, Fullerton City Hall, 303 West Commonwealth Avenue, Room 104, Fullerton, CA 92832 until **time 2:00 p.m, Friday, May 2, 2014** and shortly thereafter on this same day, they will be publicly opened and read in the City Council Chambers.

No Bid will be accepted unless it is made on a Bid Schedule form furnished by the Public Works Department, Engineering Division contained within the Specifications.

Bids are required for the entire work as described below:

PCC bike path; retaining wall; signing and striping; landscape and irrigation; clear and grub; water pollution control; traffic control; and all related work.

The time of completion of contract shall be **40 working days, excluding the landscape maintenance period** as defined in the Standard Specifications for Public Works, 2012 Edition. Liquidated Damages, as defined in the referenced specifications, Section 6-9, shall be **\$1,500 per day**. The Engineer's estimate for this project is in the range of **\$400,000 to \$450,000**. The project is expected to start construction in July 2014.

Each bid must be accompanied by a certified or cashier's check, or bidder's bond, made payable to the City of Fullerton, for an amount equal to at least 10% of the amount bid, such guarantee to be forfeited should the bidder to whom the contract is awarded fail to enter into the contract.

In addition, a Performance Bond in the amount of 100% of the bid, and a Labor and Materials Bond in the amount of 100% of the bid shall be required of the successful bidder prior to entering into a contract. The City will permit substitution of approved securities for monies retained on this project in accordance with Section 9-3.2 of the Standard Specifications for Public Works Construction ("Green Book"), 2012

The Contractor shall also provide Commercial General Liability Insurance, Comprehensive Automobile Liability Insurance, Workers' Compensation, and if necessary, Umbrella/Excess Liability to the minimum limits as defined in the Supplemental Information to Bidders with Certificates of Insurance for each form of coverage.

This project is federally funded and the Contractor shall conform to the requirements of the Davis Bacon Act. Should there be a conflict between Federal and State prevailing wage rates, the Contractor shall pay the higher of the two.

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.

Bidders are advised that, in accordance with federal financial assistance agreements with the U.S. Department of Transportation (U.S. DOT) and Orange County Transportation Authority (OCTA), this project is subject to compliance with the Race-Neutral Disadvantaged Business Enterprise (DBE) Policy and Program, in conformance with Title 49 CFR Part 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Programs". The project is subject to these stipulated regulations. In order to ensure that the CITY achieves its overall DBE Program goals and objectives, the CITY encourages the participation of DBEs as defined in 49 CFR 26 in the performance of contracts financed in whole or in part with U.S. DOT funds. The City is required to report to OCTA DBE participation for this Federal-Aid contract.

No contract will be awarded to any contractor who has not been licensed in accordance with the provisions of Chapter 9 of Division III of the State Business and Professions Code, Section 7,000, et seq. The Contractor shall possess the appropriate legal and necessary licenses required to complete the work as shown in this contract at the time the contract is awarded.

For this contract, the contractor shall possess Classification "A" license at the time the bid is submitted.

A contractor is prohibited from working on this contract with any subcontractor who is ineligible to perform work pursuant to Section 1777.1 or 1777.7 of the Labor Code.

Apprentices: Attention is directed to sections 1777.5, 1777.6 and 1777.7 of the California Labor Code concerning the employment of apprentices by the contractor or any such subcontractor under him.

Section 4.02.010 of the Fullerton Municipal Code requires that all contractors and sub-contractors shall obtain a City Business Registration Certificate. The contract will not be executed until the contractor and sub-contractor(s) obtain such certificate from the Business Registration Office at City Hall, 303 West Commonwealth Avenue, Room 104, Fullerton, CA 92832.

All bids are to be compared on the basis of the City Engineer's estimate of the quantities of work to be done. If the City Council makes an award, it will be to the **lowest responsible bidder**. For Unit Price bids, in the event there is a discrepancy between the extension and the unit cost, the unit cost will prevail.

By Resolution No. 6173, the City Council adopted the general prevailing rate of per diem wages as determined and published by the State Director of the Department of Industrial Relations,

pursuant to Sections 1770, 1773, and 1773.1 of the California Labor Code. Copies of these rates, the Federal Wage Rates, and the latest revisions thereto are on file in the office of the City Engineer and are available for review upon request. The contractor shall also comply with Sections 1771, 1774, 1775, 1776, 1777.5, 1813, and 1815 as required by the California Labor Code.

In the awarding of the contract, the City shall give equal opportunity to all bidders, regardless of sex, race, creed, color, national, or ethnic origin.

The Contractor, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT assisted contracts. Failure by the Contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate. Each subcontract signed by the bidder must include this assurance.

The City Council reserves the right to reject any and all bids, to waive any informality in the bidding, and to accept any bid or portion thereof, by order of the City Council of the City of Fullerton.

Any questions regarding this bid package may be referred to Allison Tran, Public Works Department Engineering Division at 714.738.6870.

Donald K. Hoppe
Public Works Director

