

1 BOARD OF SUPERVISORS COUNTY OF FRESNO STATE OF CALIFORNIA

2
3 NOTICE TO BIDDERS

4
5 Sealed proposals will be received at
6 <https://www.bidexpress.com/businesses/36473/home>, and at the Fresno County
7 Department of Public Works and Planning, Office of the Design Engineer, Seventh
8 Floor, Fresno County Plaza Building, 2220 Tulare Street, Fresno, CA 93721 until

9
10 **2:00 P.M., (1400 hours and 00 seconds)**
11 **Thursday, April 13, 2023**

12
13 at which time the bidding will be closed.

14
15
16 **If you have any questions about bid submission, please contact us at**
17 **DesignServices@fresnocountyca.gov or call (559) 600-4241.**

18
19 Promptly following the closing of the bidding all timely submitted bids will be publicly
20 opened and viewable via a livestream (the link for which will be posted at
21 <http://www.co.fresno.ca.us/planholders>), for construction in accordance with the
22 specifications therefor, to which special reference is made as follows:

23
24 **GENERAL BUILDING JOB ORDER CONTRACT**

25
26 **Contract Numbers.: 22-J-02, Class B**
27 **22-J-03, Class B**
28 **22-J-04, Class B**

29
30 A Job Order Contract is an indefinite quantity contract pursuant to which the Contractor
31 will perform an ongoing series of individual projects at different locations throughout
32 the County of Fresno. The bid documents include a Construction Task Catalog®
33 containing construction tasks with preset Unit Prices. All Unit Prices are based on local
34 labor prevailing wages, material and equipment prices and are for the direct cost of
35 construction.

36
37 **A MANDATORY pre-bid conference will be held at 10:00 a.m., on Tuesday,**
38 **March 21, 2023 for the purpose of discussing the Job Order Contract concept,**
39 **documents, bid considerations and to discuss Job Order Contracting from a**
40 **contractor's viewpoint. The MANDATORY pre-bid conference will be held online**
41 **(the link for which will be posted at <http://www.co.fresno.ca.us/planholders>).**

42
43 **Prospective bidders whose representative(s) attend the MANDATORY pre-bid**
44 **conference will receive the electronic link to the official specification books, the**
45 **Construction Task Catalog® and Technical Specifications.**

46
47 Bidders will bid three sets of Adjustment Factors to be applied to the Unit Prices. One
48 set of Adjustment Factors for County/State-funded projects, one set of Adjustment
49 Factors for Federally-funded projects and one set of Adjustment Factors for
50 County/State-funded projects in a Secure Facility. Each set of Adjustment Factors will

Contract No.: 22-J-02
22-J-03
22-J-04

Notice to Bidders
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JOB ORDER CONTRACTS

1 include one Adjustment Factor for performing work during Normal Working Hours and
2 a second Adjustment Factor for performing work during Other Than Normal Working
3 Hours. All Adjustment Factors apply to every task in the Construction Task Catalog®.
4

5 Upon award of contract and as projects are identified, the Contractor will jointly scope
6 the work with the County Project Manager. The County Project Manager will prepare
7 a Detailed Scope of Work and issue a Request for Proposal to the Contractor. The
8 Contractor will then prepare a Work Order Proposal for the project including a Work
9 Order Price Proposal, Schedule, Sketches or Drawings, a list of subcontractors, and
10 other requested documentation. The value of the Work Order Price Proposal shall be
11 calculated by summing the total of the calculation for each Pre-priced Task (Unit Price
12 x quantity x Adjustment Factor) plus the value of all Non-Pre-priced Tasks.
13

14 If the Work Order Price Proposal is found to be reasonable, a Work Order may be
15 issued. The Contractor is required to complete each Detailed Scope of Work for the
16 Work Order Price within the Job Order Completion Time.
17

18 A Work Order will reference the Detailed Scope of Work and set forth the Work Order
19 Completion Time, and the Work Order Price. The Work Order Price is determined by
20 multiplying the preset Unit Prices by the appropriate quantities and by the appropriate
21 Adjustment Factor. The Work Order Price shall be a lump sum, fixed price for the
22 completion of the Detailed Scope of Work.
23

24 A separate Work Order will be issued for each project. Extra work, credits, and
25 deletions will be contained in a Supplemental Work Order.
26

27 Minimum and Maximum Contract Values:

- 28 A. There is no Minimum Contract Value for this Contract. If a contract is awarded,
29 the Contractor is not guaranteed to receive a specified minimum amount of
30 work during the Contract Term.
31
- 32 B. The Maximum Contract Value is \$5,700,000.00. The Contractor is not
33 guaranteed to receive this volume of Work Orders. It is merely an estimate. The
34 Owner has no obligation to issue Work Orders in excess of the Minimum
35 Contract Value.
36
- 37 C. The successful bidder shall furnish a payment bond and a performance bond
38 in the amount of \$2,000,000 each as security for the payment of all persons
39 performing and furnishing materials in connection with this Contract. If the
40 aggregate outstanding Job Orders issued under the contract exceeds
41 \$2,000,000, increases in the Payment and Performance Bonds in increments
42 of \$500,000 will be required such that the amount of the Payment and
43 Performance Bonds are not less than one hundred percent (100%) of the
44 outstanding aggregate Job Orders issued. Bonds shall remain in force for the
45 duration and until completion of any outstanding Job Order. At no time may the
46 sum of outstanding Job Orders exceed the amount of the Payment and
47 Performance Bonds.
48

49 Contract Term:

- 50 A. The Contract Term commences on the date the contract is executed by the
51 County of Fresno Board of Supervisors (i.e.: the effective date of the Contract).

1
2 B. The term of the Job Order Contract will be either for one year or when issued
3 Work Orders totaling the Maximum Contract Value have been completed,
4 whichever occurs first. All Work Orders must be issued but not necessarily
5 completed within one calendar year of the effective date of the Contract. All
6 Work Orders for which a Notice to Proceed is issued by the County Contract
7 Manager during the term of this Contract shall be valid and in effect
8 notwithstanding that the Detailed Scope of Work may be performed, payments
9 may be made, and the guarantee period may continue, after the Contract Term
10 has expired. All terms and conditions of the Contract apply to each Work Order.
11 No notices to proceed will be issued after 5:00, P.M. on the final day of the
12 Contract Term.
13

14 Bidders may fill out a Request to be Added to Planholders list:

15
16 <https://www.co.fresno.ca.us/departments/public-works-planning/divisions-of-public-works-and-planning/design-division/planholders-list-request-to-be-added>
17
18

19 Requesters will then be listed as a planholder for the project on the website and
20 receive email notifications and addenda regarding the project.
21

22 Prospective bidders may also select the project on www.BidExpress.com. Those that
23 demonstrate interest in the project will also be added to the planholders list, and will
24 receive notifications and addenda regarding this project.
25

26 Planholder and exchange/publication names may be obtained from the Fresno County
27 website at <http://www.co.fresno.ca.us/planholders>. Electronic copies in “.pdf” file
28 format of the official project plans and specifications and such additional supplemental
29 project information as may be provided at the mandatory pre-bid conference.
30

31 The bid documents are available online at:
32 <https://www.bidexpress.com/businesses/36473/home> and bids may be submitted
33 electronically through that website.
34

35 If a bidder is unable to submit a bid via Bid Express, Bid books, which contain bid
36 proposal sheets necessary to submit a bid, may be obtained at
37 <http://www.co.fresno.ca.us/planholders>. Paper bids shall be submitted in a sealed,
38 opaque envelope addressed to the Department and labeled with the name of the
39 bidder, the name of the project, the contract number, and the statement 'Do Not Open
40 Until The Time Of Bid Opening.'
41

42 A Summary of Bids for the apparent low bidder will be posted at the above listed
43 website, generally within 24 hours of the Bid Opening.
44

45 All questions regarding this contract shall be in writing and shall be received by the
46 Department of Public Works and Planning, Design Division, no later than 2:00 P.M.
47 on the seventh (7th) calendar day before bid opening. Any questions received after
48 this deadline will not receive a response unless the Department of Public Works and
49 Planning elects to issue an addendum to revise the bid opening date. In the event that
50 the bid opening date is revised, the deadline for questions will be extended to no later
51 than 2:00 P.M. on the seventh (7th) calendar day before the revised bid opening date.

1 Questions shall be submitted on the Request for Clarification form provided on the
2 contract website at:

3
4 [http://www.co.fresno.ca.us/departments/public-works-and-planning/construction-](http://www.co.fresno.ca.us/departments/public-works-and-planning/construction-bidding-opportunities/22-j-02-22-j-03-22-j-04-class-b-general-building-job-order-contract/request-for-clarification-form)
5 [bidding-opportunities/22-j-02-22-j-03-22-j-04-class-b-general-building-job-order-](http://www.co.fresno.ca.us/departments/public-works-and-planning/construction-bidding-opportunities/22-j-02-22-j-03-22-j-04-class-b-general-building-job-order-contract/request-for-clarification-form)
6 [contract/request-for-clarification-form](http://www.co.fresno.ca.us/departments/public-works-and-planning/construction-bidding-opportunities/22-j-02-22-j-03-22-j-04-class-b-general-building-job-order-contract/request-for-clarification-form)
7

8 Any changes to, or clarification of, the Contract documents and specifications shall be
9 in the form of a written addendum issued to planholders of record. Questions that
10 prompt a change or clarification shall be included in the addendum with the
11 subsequent answer.

12
13 Any oral explanation or interpretations given to this project are not binding.

14
15 Bidders will submit one (1) bid that will be considered for three potential Contracts
16 being offered.

17
18 Bidders will bid three (3) sets of Adjustment Factors to be applied to the Unit Prices:

- 19 • One set of Adjustment Factors for County/State-funded projects.
- 20 • One set of Adjustment Factors for Federally-funded projects.
- 21 • One set of Adjustment Factors for County/State-funded projects in a Secure
22 Facility.

23
24 Each set of Adjustment Factors will include one Adjustment Factor for performing work
25 during Normal Working Hours and a second Adjustment Factor for performing work
26 during Other Than Normal Working Hours. All Adjustment Factors apply to every task
27 in the Construction Task Catalog®.

28
29 The County intends to award a contract to each of the three (3) lowest responsible
30 bidders. One proposal must be submitted by each bidder wishing to bid for one of the
31 three contracts in the Class B license category. Bids will be compared, for purposes
32 of identifying the apparent low bidder for proposed award of the contract, on the basis
33 of the Award Criteria Figure. The Award Criteria Figure is the sum of the weighted
34 Adjustment Factors.

35
36 The Construction Task Catalog® is priced at a net value of 1.0000. The bid shall be an
37 increase to (e.g., 1.1000) or decrease to (e.g., 0.9500) the Unit Prices listed in the
38 Construction Task Catalog®. Bidders who submit separate Adjustment Factors for
39 separate Unit Prices will be considered non-responsive and their bid will be rejected.

40
41 The Owner selected The Gordian Group's (Gordian) Job Order Contracting (JOC)
42 Solution for their JOC program. The Gordian JOC Solution™ includes Gordian's
43 proprietary JOC Software and JOC Applications, construction cost data, and
44 Construction Task Catalog® which shall be used by the Contractor solely for the
45 purpose of fulfilling its obligations under this Contract, including the preparation and
46 submission of Job Order Proposals, Price Proposals, subcontractor lists, and other
47 requirements specified by the Owner. The Contractor shall be required to execute
48 Gordian's JOC System License and Fee Agreement and pay a 1% JOC System
49 License Fee to obtain access to the Gordian JOC Solution™. The JOC System
50 License Fee applies to all Job Orders issued to the Contractor under the terms this

1 Contract. The Contractor shall include the JOC System License Fee in the Adjustment
2 Factors.

3
4 Bid security in the amount \$25,000, and in the form of a bid bond issued by an admitted
5 surety insurer licensed by the California Department of Insurance, cash, cashier's
6 check or certified check shall accompany the bid. Bid security shall be made in favor
7 of the County of Fresno. You must either attach an electronic bid bond or provide an
8 original bid bond (or other form of bid security authorized by Public Contract Code
9 Section 20129(a)), prior to the bid opening, in accordance with the detailed directions
10 set forth in Section 1.04 ("PREPARATION OF PROPOSALS") of the Instructions to
11 Bidders. Each paper bid bond shall be submitted in a sealed envelope addressed to
12 the Department and labeled with the name of the bidder, the name of the project, the
13 contract number, and the statement 'Bid Bond - Do Not Open Until The Time Of Bid
14 Opening.'

15
16 No contract will be awarded to a contractor who has not been licensed in accordance
17 with the provisions of the Contractors State License Law, California Business and
18 Professions Code, Division 3, Chapter 9, as amended, or whose bid is not on the
19 proposal form included in the contract document. A valid California Contractor's
20 License, **Class B, (General Building)** is required for this project.

21
22 Pursuant to Section 1773 of the Labor Code, the general prevailing wage rates in the
23 county, or counties, in which the work is to be done have been determined by the
24 Director of the California Department of Industrial Relations. These wages are set
25 forth in the General Prevailing Wage Rates for this contract available from the
26 California Department of Industrial Relations' Internet web site at
27 <http://www.dir.ca.gov/DLSR/PWD>. Future effective general prevailing wage rates,
28 which have been predetermined and are on file with the California Department of
29 Industrial Relations are referenced but not printed in the general prevailing wage rates.

30
31 **This project is subject to compliance monitoring and enforcement by the**
32 **Department of Industrial Relations.** No contractor or subcontractor may be listed
33 on a bid proposal or awarded a contract for a public works project unless registered
34 with the Department of Industrial Relations pursuant to Labor Code section 1725.5
35 [with limited exceptions from this requirement for bid purposes only under Labor Code
36 section 1771.1(a)].

37
38 This contract is subject to state contract nondiscrimination and compliance
39 requirements pursuant to Government Code, Section 12990.

40
41 The Federal minimum wage rates for this project as predetermined by the United
42 States Secretary of Labor are set forth in **General Decision Number CA20230018,**
43 **Dated 03/03/2023,** which is incorporated in these special provisions by this reference
44 as if fully set forth herein and which can be viewed at <https://www.SAM.gov>, under
45 CA20230018. Said Federal wage rates, as well as project plans, special provisions,
46 and bid forms, may also be examined at the County of Fresno office described in the
47 preceding paragraph. Addenda to modify the reference to Federal minimum wage
48 rates to reflect revisions thereto, if necessary, will be issued to planholders of record.

49
50 Attention is directed to the federal provisions in the "Federal Requirements" section of
51 these specifications. If there is a difference between the minimum wage rates
52 predetermined by the Secretary of Labor and the general prevailing wage rates
53 determined by the Director of the California Department of Industrial Relations for

1 similar classifications of labor, the Contractor and subcontractors shall pay not less
2 than the higher wage rate. The Department will not accept lower State wage rates not
3 specifically included in the Federal minimum wage determinations. This includes
4 "helper" (or other classifications based on hours of experience) or any other
5 classification not appearing in the Federal wage determinations. Where Federal wage
6 determinations do not contain the State wage rate determination otherwise available
7 for use by the Contractor and subcontractors, the Contractor and subcontractors shall
8 pay not less than the Federal minimum wage rate, which most closely approximates
9 the duties of the employees in question.

10
11 The successful bidder shall furnish a faithful performance bond in the amount of 100
12 percent of the Maximum Contract Value, a payment bond in the amount of 100 percent
13 of the Maximum Contract Value, and One Year Warranty Bond in the amount of 10
14 percent of the Maximum Contract Value. Each bond specified in this Notice (bid bond,
15 faithful performance bond and payment bond) shall meet the requirements of all
16 applicable statutes, including but not limited to those specified in Public Contract Code
17 section 20129 and Civil Code section 3248.

18
19 Each bond specified in this Notice shall be issued by a surety company designated as
20 an admitted surety insurer in good standing with and authorized to transact business
21 in this state by the California Department of Insurance, and acceptable to the County
22 of Fresno. Bidders are cautioned that representations made by surety companies will
23 be verified with the California Department of Insurance. Additionally, the County of
24 Fresno, in its discretion, when determining the sufficiency of a proposed surety
25 company, may require the surety company to provide additional information supported
26 by documentation. The County generally requires such information and
27 documentation whenever the proposed surety company has either a Best's Key Rating
28 Guide of less than **A** and a financial size designation of less than **VIII**. Provided,
29 however, that the County expressly reserves its right to require all information and
30 documentation to which the County is legally entitled from any proposed surety
31 company.

32
33 Pursuant to Public Contract Code Section 22300, substitution of securities for any
34 moneys withheld by the County of Fresno to ensure performance under the contract
35 shall be permitted.

36
37 The Board of Supervisors reserves the right to reject any or all bids.

38
39 Board of Supervisors, County of Fresno

40
41 Paul Nerland, County Administrative Officer

42
43 Bernice E. Seidel, Clerk to the Board

44
45 Issue Date: March 7, 2023

46
47
END OF SECTION