

BOARD OF SUPERVISORS COUNTY OF FRESNO STATE OF CALIFORNIA

NOTICE TO BIDDERS

Sealed proposals will be received at:

<https://www.bidexpress.com/businesses/36473/home>

and at the Fresno County Department of Public Works and Planning (Department), Office of the Design Engineer, Seventh Floor, Fresno County Plaza Building, 2220 Tulare Street, Fresno, CA 93721 until

**2:00 P.M., (1400 hours and 00 seconds)
Thursday, October 15, 2020**

at which time the bidding will be closed.

Due to the COVID-19 restrictions and guidelines, the Department's bid reception desk may be closed and all bidders are encouraged submit bids online through Bid Express.

If a bidder is unable to submit online, please mail bid or e-mail DesignServices@fresnocountyca.gov or call (559) 600-9908 in advance, so that arrangements may be made to hand deliver your bid.

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

COUNTY SERVICE AREAS 30 & 32 WATER SYSTEM IMPROVEMENTS

SWRCB PROJECT NUMBER: 1000359-005C

DWR PROJECT NUMBER: 4600011626

CONTRACT NUMBER 20-10-C

The work to be done consists, in general, of furnishing all labor, materials and equipment necessary for the installation of a new water distribution system with service lines within the service limits of Fresno County Service Areas (CSA) 30 and 32, the Cantua Elementary School and nearby properties. The construction sites are located in the communities of Three Rocks and Cantua Creek. The work includes, but is not limited to, installation of water mains, water services, fire hydrants, appurtenances, water system tie-ins to the existing tank sites, disinfecting, testing, trench resurfacing, striping, and abandonment of the existing water distribution system. The work involves removal of Asbestos Cement Pipe as necessary.

A pre-bid conference will be held at 10 a.m. on Monday, September 14, 2020. The meeting will be held online (the link for which will be posted at <http://www.co.fresno.ca.us/planholders>). A brief presentation will be made by County staff, and a discussion of the project will be held. Attendance at the pre-bid conference is not mandatory.

Funding for this project has been provided in full or in part by the United States Environmental Protection Agency (USEPA) and the State Water Resources Control Board (SWRCB). The contents of this document do not necessarily reflect the views and policies of the USEPA or the SWRCB, nor does the USEPA or the SWRCB endorse trade names or recommend the use of commercial products mentioned in this document.

Bidders are advised that their Good Faith Effort implementation, as described pursuant to the Guidelines for Meeting the California State Revolving Fund (CASRF) Programs

Disadvantaged Business Enterprise (DBE) Requirements (Proposal 17 of the Bid Book), will be evaluated to determine bidder responsiveness, regardless of whether fair share objectives have been met. Meeting or exceeding the objectives will not be considered evidence of adequate Good Faith Efforts. Emphasis is placed on the need for contractors to post solicitations for bids or proposals for a minimum of 30 calendar days before the bid opening date. Failure to comply with the Good Faith Efforts requirements will be considered non-responsive.

The County of Fresno 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. Bidders are advised that Disadvantaged Business Enterprise (DBE) requirements are included in Section 2, "Bidding," under subsection 2-1.12 "Disadvantaged Business Enterprises (DBEs)".

This project is subject to the "American Iron and Steel" provisions of the Consolidated Appropriations Act Of 2014. Unless a predominantly iron or steel product qualifies for an exemption, as listed by the United States Environmental Protection Agency, all manufactured iron and steel products must be certified as produced within the United States.

Bidders may fill out a Request to be Added to Planholders List:

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

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

Planholder and exchange/publication names may be obtained from the Fresno County website at <http://www.co.fresno.ca.us/planholders>.

Electronic copies, in ".pdf" file format, of the official project plans and specifications, as well as cross sections and such additional supplemental project information as may be provided, are available to view, download, and print at <http://www.co.fresno.ca.us/planholders>. Bids may be submitted online on Bid Express: <https://www.bidexpress.com/businesses/36473/home>.

If a bidder is unable to submit a bid via Bid Express, Bid Books, which contain bid proposal sheets necessary to submit a bid, may be obtained within the Specifications documents posted on the Fresno County website.

A Summary of Bids and a list of subcontractors for the apparent low bidder will be posted at the above listed website, generally within 24 hours of the Bid Opening.

All questions regarding this project shall be in writing and shall be received by the Department of Public Works and Planning, Design Division, no later than 2:00 P.M. on the seventh (7th) calendar day before bid opening. Any questions received after this deadline will not receive a response unless the Department of Public Works and Planning elects to issue an addendum to revise the bid opening date. In the event that the bid opening date is revised, the deadline for questions will be extended to no later than 2:00 P.M. on the seventh (7th) calendar day before the revised bid opening date. Questions shall be submitted on the "CONTRACTOR REQUEST FOR CLARIFICATION" form provided on our website <http://www.co.fresno.ca.us/planholders>.

Any changes to, or clarification of, the project specifications shall be in the form of a written addendum issued to planholders of record. Questions that prompt a change or clarification shall be included in the addendum with the subsequent answer.

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

Hardcopy bids shall be submitted in a sealed envelope addressed to the Department and labeled with the name of the bidder, the name of the project and the statement 'Do Not Open Until The Time Of Bid Opening.' Electronic bids shall be submitted via the Bid Express website.

Bid security in the amount of ten (10) percent of the amount of the bid, and in the form of a bid bond issued by an admitted surety insurer licensed by the California Department of Insurance, cash, cashier's check or certified check shall accompany the bid. Bid security shall be made in favor of the County of Fresno.

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

Pursuant to Section 1773 of the Labor Code, the general prevailing wage rates in the county, or counties, in which the work is to be done have been determined by the Director of the California Department of Industrial Relations. These wages are set forth in the General Prevailing Wage Rates for this project, available at County of Fresno, Department of Public Works and Planning, 2220 Tulare Street, Sixth Floor, Fresno CA 93721-2104 and available from the California Department of Industrial Relations' Internet web site at <http://www.dir.ca.gov/DLSR/PWD>. Future effective general prevailing wage rates, which have been predetermined and are on file with the California Department of Industrial Relations are referenced but not printed in the general prevailing wage rates.

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

No contractor or subcontractor may 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 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].

No contractor or subcontractor may 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 contract is subject to state contract nondiscrimination and compliance requirements pursuant to Government Code, Section 12990.

The Federal minimum wage rates for this project as predetermined by the United States Secretary of Labor are set forth in **General Decision Number CA20200018**, Dated 08/21/2020, which is incorporated in these special provisions by this reference as if fully set forth herein and which can be viewed at <https://beta.sam.gov/wage-determination/CA20200018/17/document>. Said Federal wage rates, as well as project plans, special provisions, and bid forms, may also be examined at the County of Fresno office described in the preceding paragraph. Addenda to modify the reference to Federal minimum wage rates to reflect revisions thereto, if necessary, will be issued to planholders of record.

Attention is directed to the provisions in the "Federal Requirements" section of these specifications. If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the general prevailing wage rates determined by the Director of the California Department of Industrial Relations for similar classifications of labor, the Contractor and subcontractors shall pay not less than the higher wage rate. The Department will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal wage determinations. Where Federal wage determinations do not contain the State wage rate determination otherwise available for use by the Contractor and subcontractors, the Contractor and subcontractors shall pay not less than the Federal minimum wage rate, which most closely approximates the duties of the employees in question.

The U.S. Environmental Protection Agency (EPA) provides a toll-free "hotline" (Telephone No. 1-888-546-8740) service to report bid rigging activities. Anyone with knowledge of possible bid rigging,

bidder collusion, or other fraudulent activities should use the “hotline” to report these activities. The “hotline” is part of the EPA’s continuing effort to identify and investigate contract fraud and abuse and is operated under the direction of the EPA Inspector General. All information will be treated confidentially and caller anonymity will be respected. Additional information may be obtained at https://www.epa.gov/office-inspector-general/epa-oig-hotline#file_now.

Bids are required for the entire work described herein, including a bid for the base bid and a bid for each of the additive bids. The total amount of the base bid and additive bid is the cumulative sum of the bid amounts listed for the individual line items. Bids will be compared, for purposes of identifying the apparent low bidder for proposed award of the project, on the basis of the total of the base bid plus the total of all additive bids; provided however, that the ultimate scope of the project, as subsequently determined by the Board of Supervisors at the time of award, may or may not include all or any of the additive bids.

The successful bidder shall furnish a faithful performance bond in the amount of 100 percent of the contract amount and a payment bond in the amount of 100 percent of the contract amount. Each bond specified in this Notice (bid bond, faithful performance bond and payment bond) shall meet the requirements of all applicable statutes, including but not limited to those specified in Public Contract Code section 20129 and Civil Code section 3248.

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

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

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

Board of Supervisors, County of Fresno

Jean Rousseau, County Administrative Officer

Bernice E. Seidel, Clerk to the Board

Issue Date: August 25, 2020