

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:

**US 50/MISSOURI FLAT ROAD
INTERCHANGE IMPROVEMENTS
PHASE 1B
CONTRACT NO. 71336**

will be received by the Clerk of the Board of Supervisors, at the Board of Supervisors Office, 330 Fair Lane, Placerville, California, until **Friday, October 16, 2009, at 2:00 p.m.**, 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No Bid may be withdrawn after the time established for receiving bids or before the award and execution of the Contract, unless the award is delayed for a period exceeding sixty (60)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 US 50/MISSOURI FLAT ROAD
INTERCHANGE IMPROVEMENTS PHASE 1B"
CONTRACT NO. 71336**

TO BE OPENED AT 2:00 PM, FRIDAY, OCTOBER 16, 2009

LOCATION/DESCRIPTION OF THE WORK: The project is located in El Dorado County near the City of Placerville. The Work to be done is shown on the Plans, and generally consists of, but is not limited to:

- A. Widening of US 50 and the Weber Creek Bridge and reconstruction of US 50 on and off ramps, roadway improvements, retaining walls, bicycle and pedestrian facilities, traffic signal improvements, including stage construction to facilitate grading, clearing and grubbing, permanent and temporary fence removal and construction, drainage removal and construction, concrete drainage boxes and inlets, grade ditch, excavation, import borrow, rock base, asphalt paving, signing and striping, pavement obliteration, permanent and temporary erosion control. Other items or details not mentioned above, that are required by the 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 **FOUR HUNDRED AND FIFTY (450) WORKING DAYS.**
- D. For bonding purposes the anticipated project cost is less than \$32,000,000.
- E. A pre-bid meeting is scheduled for this project on **Monday, September 28, 2009, at 1:30 p.m.**, 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 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 and Plans (half size plans are included in each set) is **ONE HUNDRED AND THIRTY**

DOLLARS (\$130.00) and is not refundable. To receive Contract Documents and Plans by mail, send request and payment prior to shipping and include an additional **THIRTY** dollars (\$30.00), for a total of **ONE HUNDRED AND SIXTY DOLLARS (\$160.00)**, to include shipping and handling.

The contract cross-sections and an Informational Handout containing the Foundation Investigations, Geotechnical Design and Materials Report, the Bridge Design Hydraulic Study, Finalized Weber Reservoir Operation Plan, Subsurface Investigation, and applicable Revised Standard Plans and New Standard Plans are available to Contract Document holders. The Informational Handout and cross sections will be provided to the Contractor as .pdf files on the DOT's website: <http://www.edcgov.us//DOT/bids.html>. Requests for cross sections in dgn format (six files of approx. size: 10MB each) may be made by sending the signed Electronic Acknowledgement Usage Form, included in Attachment B of this document, to Janel Gifford at Janel.Gifford@edcgov.us or by fax to (530) 295-2655. Once the signed Electronic Usage Acknowledgement Form is received, the County will forward the files in accordance with the method requested on the Electronic Usage Acknowledgement Form.

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 the Contract is awarded, 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.

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD (CIWMB) DECLARATION: Bidder shall be qualified to complete, and must complete, the California Integrated Waste Management Board Declaration signed under penalty of perjury, stating that within the preceding three (3) years, none of the events listed in Section 17050 of Title 14, California Code of Regulations, Natural Resources, Division 7, has occurred with respect to the bidder. Failure of the successful Bidder to qualify for, and/or sign said Declaration will result in the Bidder being deemed non-responsive.

REQUIRED LISTING OF PROPOSED SUBCONTRACTORS: Each Proposal shall have listed therein the name and address of each subcontractor, to whom the bidder proposes to subcontract portions of the work in an amount in excess of 1/2 of one percent of its 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 include in the Subcontractor Listing the work portion to be performed by each subcontractor listed. The work portion shall be shown by listing the bid item number, description, and percentage of each bid item subcontracted. The percentage of each bid item subcontracted may be submitted with the Bidder's bid or sent via email or fax to Janel Gifford, El Dorado County Department of Transportation, email-Janel.Gifford@edcgov.us, Fax-(530) 295-2655, within 24 hours of the date and time listed for the bid opening in the Notice to Bidders. The email or fax shall contain the name of each subcontractor submitted with the Bidder's bid along with the percentage of each bid item subcontracted. The bidder's attention is invited to other provisions of the Act related to the imposition of penalties for a failure to observe its provisions by using unauthorized subcontractors or by making unauthorized substitutions

AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDS: Pursuant to the American Recovery and Reinvestment Act (ARRA) the County of El Dorado is implementing new contract requirements for submittal of Monthly Employment Report forms. Refer to section titled "Monthly Employment Report (American Recovery and Reinvestment Act)," under Section 5, "General," of these Special Provisions.

BUY AMERICA: 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.

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION: Bidders are advised that, as required by federal law, the County of El Dorado is implementing new Disadvantaged Business Enterprise requirements for Underutilized Disadvantaged Business Enterprises (UDBE). Section 2, "Proposal Requirements and Conditions," under subsection titled "Disadvantaged Business Enterprises (DBE)" and Section 5, "General," under subsection titled "Performance of Subcontractors" of these Special Provisions cover the UDBE requirements.

The Underutilized Disadvantaged Business Enterprise (UDBE) contract goal is 7.3%.

Bidders are advised that the El Dorado County Department of Transportation will give an overview of the DBE/UDBE requirements associated with this contract at the pre-bid meeting. Bidders are encouraged to attend.

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.

Attention is also directed to the Special Provisions and to the draft Agreement contained in these Contract Documents for additional nondiscrimination and fair employment practices provisions that will apply to this federal-aid contract.

The Department of Transportation hereby notifies all Bidders that it will affirmatively ensure that in any Contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, national origin, religion, age, or disability in consideration for the award.

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 requests to the California Department of Industrial Relations, Division of Labor Statistics and Research, P.O. 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, and in case of projects involving federal funds, federal wage requirements as predetermined by the United States Secretary of Labor have been included in the Contract Documents. Addenda to modify the Federal minimum wage rates, if necessary, will be issued as described in the Project Administration section of this Notice to Bidders.

In accordance with the provisions of Labor Code Section 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 also conform to and be bound by the provisions of Labor Code Sections 1810 through 1815.

In the case of federally funded projects, where federal and state prevailing wage requirements apply, compliance with both is required. This project is funded in whole or part by federal funds. Contractor's attention is directed to Section 14 of the Special Provisions and the requirements of, and compliance with the Copeland Act (18 U.S.C. 874

and 29 CFR Part 3), the Davis-Bacon Act (40 U.S.C. 276a to 276a-7 and 29 CFR Part 5), and the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330 and 29 CFR Part 5).

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, 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 Contractor and subcontractors, 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. Department of Transportation (USDOT) provides a toll-free "hotline" service to report bid rigging activities. Bid rigging activities can be reported Mondays through Fridays, between 8:00 a.m. and 5:00 p.m., eastern time, at (800) 424-9071. 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 USDOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

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 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).**

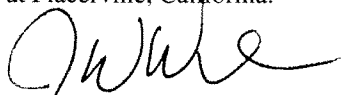
AWARD OF CONTRACT: Bids will be considered for award by the Board of Supervisors. The County of El Dorado reserves the right after opening bids to reject any or all bids, to waive any irregularity in a bid, or to make award to the lowest responsive, responsible Bidder and reject all other bids, as it may best serve the interests of the County. As a condition of award, the successful Bidder will be required to submit 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 responsible Bidder.

ESCROW BID DOCUMENTS: The Bidders' attention is directed to the Special Provision in the Contract Documents entitled "Escrow Bid Documents" for the provisions requiring the successful bidder to submit in a sealed lockable container to the Department of Transportation all documentary information used to prepare its bid.

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 and Plans shall be directed to Janel Gifford at the El Dorado County Department of Transportation, 2441 Headington Road, Placerville CA 95667, Janel.Gifford@edcgov.us. No oral responses to any questions concerning the content of the Plans and Contract Documents will be given. All responses will be in the form of written addenda to the Contract Documents and Plans 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/DOT/bids.html. It is the bidders' responsibility to check this website for responses to bidders' inquiries and addenda during the bid period.

BY ORDER OF the Director of the Department of Transportation, County of El Dorado, State of California.
Authorized by the Board of Supervisors on September 15, 2009, at Placerville, California.

By 
James W. Ware, P.E.
Director of Transportation