

**COUNTY OF EL DORADO, CALIFORNIA  
DEPARTMENT OF TRANSPORTATION**

**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:

**PLACERVILLE AIRPORT, PLACERVILLE, CALIFORNIA  
HABITAT/SECURITY FENCE AND GATES  
AIP No. 3-06-0188-14  
PW #11-30584  
CIP #93124**

will be received by the County of El Dorado, Office of the Board Clerk located at 330 Fair Lane, Placerville, CA 95667, or by mailing to 330 Fair Lane, until **Wednesday, September 5, 2012 at 2:00 p.m.**, at which time bids will be publicly opened and read by the El Dorado County Office of Procurement and Contracts.

No Bid may be withdrawn after the time established for receiving bids or before the award and execution of the Contract, unless the award is delayed for a period exceeding sixty (60)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. The contract award will be made within sixty (60) calendar days after the date set for the opening of the bids and bids shall remain binding for this sixty-day period. Bids shall be executed in accordance with the instructions given and on the forms provided in the bound Contract Documents furnished by the El Dorado County, Department of Transportation. The proposal shall not be detached from the Contract Documents. All bids must be clearly marked on the envelope:

**"PROPOSAL FOR PLACERVILLE AIRPORT, PLACERVILLE, CALIFORNIA, HABITAT/SECURITY FENCE AND GATES, AIP NO. 3-06-0188-14, PW #11-30584, CIP #93124, TO BE OPENED AT 2:00 P.M. ON WEDNESDAY, SEPTEMBER 5, 2012."**

**LOCATION/DESCRIPTION OF THE WORK:** The project is located in El Dorado County, at 3501 Airport Road, Placerville, California.

**The Work to be done consists of, but is not limited to:**

- A. Furnish and Install 6- and 8-foot high Chain Link Habitat/Security Fence – approximately 16,600 ln. ft.
- B. Furnish and Install Automatic Sliding Gate, Pedestrian Gates, and Swing Gates

**Contract and Bidding information consists of the following:**

- A. Bids are required for the entire Work described herein.
- B. The contract time shall be **forty (40)** working days after the commencement date set forth in the Notice to Proceed.
- C. For bonding purposes the anticipated project cost is less than \$500,000.
- D. No pre-bid meeting will be held.

**IN CASE OF CONFLICT BETWEEN F.A.A. AND COUNTY SPECIFICATIONS, THE MORE RESTRICTIVE SPECIFICATION SHALL GOVERN.**

**OBTAINING OR INSPECTING CONTRACT DOCUMENTS:** The Contract Documents including 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, Telephone (530) 621-5900. The purchase price of each set of Contract Documents including half-size Plans is THIRTY FIVE dollars (\$35.00) for each set and is non-refundable. To receive Contract Documents including half-size Plans by mail, send request and payment prior to shipping and include an additional TEN dollars (\$10.00), for a total of FORTY FIVE dollars (\$45.00), to include shipping and handling. A full set or partial set of full-size plans is available at Brownie's Blueprint, 1322 V Street, Sacramento, California 95818, Telephone (916) 443-1322. The Contractor shall be responsible for payment of the cost of these full-size drawings.

**CONTRACTOR'S LICENSE CLASSIFICATION:** Bidders shall be properly licensed to perform the Work pursuant to the State Contractor's License Act (Business and Professions Code section 7000 et seq.) and shall possess a **CLASS A or C13 LICENSE** or equivalent combination required by the categories and type of Work included in the Contract Documents and Plans.

Pursuant to California Public Contract Code section 20103.5 for contracts involving Federal funds, bids submitted shall not be invalidated by the failure of the Bidder to be licensed in accordance with the laws of this state so long as at the time the Contract is awarded, the successful Bidder is properly licensed in accordance therein. Failure of the successful Bidder to obtain proper and adequate licensing for an award of the Contract shall constitute a failure to execute the Contract, and forfeiture as provided under that section.

**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 ½ of one percent of his total Bid in accordance with the Subletting and Subcontracting Fair Practices Act, commencing with Section 4100, through 4113 inclusive of the Public Contract Code. The Bidder's attention is invited to other provisions of said Act related to the imposition of penalties for a failure to observe its provisions by using unauthorized subcontractors or by making unauthorized substitutions.

**DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION:** In order to meet F.A.A. requirements, the Agency encourages the participation of Disadvantaged Business Enterprises (DBEs), as defined in 49 CFR 26 in the performance of contracts financed in whole or in part with Federal Funds. The Contractor shall not discriminate on the basis of race, national origin, or sex in the award and performance of subcontracts.

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). Division II, Section 1, "Proposal Requirements and Conditions," under subsection titled, "Disadvantaged Business Enterprises (DBE)" and Division II, Section 3, "Miscellaneous," under subsection titled, "Performance of Subcontractors" of these Contract Documents cover the UDBE requirements.

All DBE forms attached to this document shall be filled out by the Contractor per these specifications.

The Underutilized Disadvantaged Business Enterprise (UDBE) contract goal is 2.0%.

Bidder will take active affirmative steps to assure that minority firms, women's business enterprises and labor surplus area firms are used when possible.

**WAGE RATE REQUIREMENTS:**

- A) In accordance with the provisions of California Labor Code sections 1770, et seq., including but not limited to 1773, 1773.1, 1773.2, 1773.6 and 1773.7, and 1720, 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 their requests to the Department of Industrial Relations, Division of Labor Statistics and Research, PO 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.
- B) 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 principal office, and shall be made available upon request, and in the case of projects involving federal funds, federal wage requirements have been included in the Contract Documents.
- C) Federal prevailing wage rules and regulations are fully set forth in the Contract specifications. 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 in part by federal funds. The Contractor shall comply 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).

**LABOR CODE PROVISIONS:** All Contractors and subcontractors are subject to the provisions of sections 1810 through 1815 of the California Labor Code which provide for the maximum hours a worker is to be employed and the amount and rate of overtime compensation.

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.

**NONDISCRIMINATION:** During the performance of this Contract, the Department of Transportation notifies the bidders that it will affirmatively insure that no otherwise qualified person will be excluded from participation or employment, denied program benefits, or be subjected to discrimination based on race, color, ancestry, national origin, sex, age, handicap, physical disability (including HIV and AIDS), medical condition (cancer) religion, familial status or religious preference under any contract activity funded by these federal funds, as required by Title VI of the Civil Rights Act of 1964, Department of Justice regulations under 28 CFR Subpart 42, as amended, and the Age Discrimination Act of 1975 and title V, Section 504 of the Rehabilitation Act of 1973 (29 USC Section 974), and the Fair Employment and Housing Act and all implementing regulations. The successful Bidder and all of its subcontractors are hereby notified that it/they will be required to comply with these provisions and the applicable regulations promulgated thereunder.

**EQUAL EMPLOYMENT OPPORTUNITY:** The EEO requirements, labor provisions and wage rates are included in the specifications and bid documents and are available for inspection at the El Dorado County Department of Transportation located at 2850 Fairlane Court, Placerville, California 95667.

**NOTICES RELATED TO 41 CFR PART 60:**

A) Notice for Solicitations for Bids (Bid Notice) – 41 CFR Part 60-4.2

1. The Offeror's or Bidder's attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications" set forth herein.
2. The goals and timetables for minority and female participation, expressed in percentage terms for the contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

| Area Covered   | Timetable            | Goals (Percent) for Minority Participation for Each Trade | Goals (Percent) for Female Participation |
|--|----------------------|---|--|
| <u>State:</u><br><u>California</u><br>El Dorado County | Until Further Notice | 17.5 to 20.0  | 6.9                                      |

These goals are applicable to all the contractor's construction work (whether or not it is Federal or federally assisted) performed in the covered area. If the contractor performs construction work in a geographical area located outside of the covered area, it shall apply the goals established for such geographical area where the work is actually performed. With regard to this second area, the contractor also is subject to the goals for both its federally involved and nonfederally involved construction.

The contractor's compliance with the Executive Order and the regulations in 41 CFR Part 60-4 shall be based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations

required by the specifications set forth in 41 CFR 60-4.3(a), and its efforts to meet the goals. The hours of minority and female employment and training shall be substantially uniform throughout the length of the contract, and in each trade, and the contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from contractor to contractor or from project to project, for the sole purpose of meeting the contractor's goals shall be a violation of the contract, the Executive Order, and the regulations in 41 CFR Part 60-4. Compliance with the goals will be measured against the total work hours performed.

3. The contractor shall provide written notification to the Director, OFCCP, within 10 working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the name, address, and telephone number of the subcontractor; employer identification number of the subcontractor; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the subcontract is to be performed.
4. As used in this Notice and in the contract resulting from this solicitation, the "covered area" is Placerville, El Dorado County, California.

**B) Notice to Prospective Federally Assisted Construction Contractors – 41 CFR Part 60-1.8**

1. A Certification of Nonsegregated Facilities shall be submitted prior to the award of a federally-assisted construction contract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity Clause.
2. Contractors receiving federally-assisted construction contract awards exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause will be required to provide for the forwarding of the following notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the Equal Opportunity Clause. NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

**C) Notice to Prospective Subcontractors of Requirements for Certification of Nonsegregated Facilities**

1. A Certification of Nonsegregated Facilities shall be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity Clause.
2. Contractors receiving subcontract awards exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause will be required to provide for the forwarding of this notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the Equal Opportunity Clause. NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

**COMPLIANCE WITH FEDERAL AND STATE LAWS:** The successful Bidder and all of its subcontractors are hereby notified that it/they will be required to comply with all State and Federal requirements described in the bid documents including but not by way of limitation labor standards, non-discrimination and Equal Employment Opportunity regulations, the Americans with Disabilities Act, Title V, Section 504 of the Rehabilitation Act of 1973, Drug Free Workplace, Title VI of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

**FEDERAL REQUIREMENTS:** Each bidder must complete, sign and furnish, with his/her bid, the "Bidder's Statement on Previous Contracts Subject to EEO Clause" and a "Certification of Nonsegregated Facilities," the pertinent Disadvantaged Business Enterprise bid forms to facilitate Bidder's reporting of Disadvantaged Business Enterprise participation, as applicable, as contained in the Bid Proposal.

A contractor having 50 or more employees and his/her subcontractors having 50 or more employees and who may be awarded a contract of \$50,000 or more will be required to maintain an affirmative action program, the standards for which are contained in the specifications.

To be eligible for award, each bidder must comply with the affirmative action requirements that are contained in the specifications.

**BUY AMERICA PREFERENCE:** This project is subject to the Buy America Preference provisions of Title 49 United States Code (USC) Chapter 50101.

**BID SECURITY:** A bid security shall be provided with each Bid. Bid security shall be in an amount of not less than ten percent 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 form). The Bidder to whom award is made shall provide Certificates of Insurance as required in Article 8 of the El Dorado County Standard Specifications, and shall complete and submit the Performance Bond and Payment Bond forms contained in the Contract Documents.

**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 interest of the County.

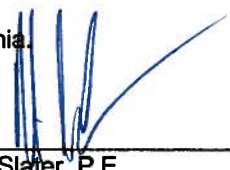
**As a condition of award, the successful Bidder will be required to submit bonds and evidence of insurance, as well as certifications required by the grant and set forth in the Contract Documents, within ten (10) calendar days of award of bid, not including Saturdays, Sundays and legal holidays, and 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 Bid Bond. Award will then be considered to the next lowest responsible Bidder.**

**RETAINAGE FROM PAYMENTS:** Provided that federal regulations and policies applying to this Contract allow for substitution, the Contractor may elect to receive 100 percent 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 the County of El Dorado, Department of Transportation, Attn: Janel Gifford, Office Engineer/Contract Services Unit, 2850 Fairlane Court, Placerville, California 95667, (530) 621-5974; with copies to Matthew Smeltzer, Deputy Director – Facilities Engineering, 2850 Fairlane Court, Placerville, California 95667, (916) 621-5912. No oral responses to any questions concerning the content of the Plans and Contract Documents will be given. All responses shall be in 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/Government/DOT/Bids.aspx](http://www.edcgov.us/Government/DOT/Bids.aspx). 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 August 14, 2012 at Placerville, California.

By   
Robert S. Slater, P.E.  
Assistant Director  
Department of Transportation  
County of El Dorado

