

**COUNTY OF EL DORADO, CALIFORNIA  
COMMUNITY DEVELOPMENT AGENCY  
TRANSPORTATION DIVISION**

**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:

**FOREST VIEW WATER QUALITY PROJECT  
CONTRACT NO. PW 14-31060, CIP NO. 95195**

will be received at the County of El Dorado Community Development Agency, Transportation Division (Transportation Division) office in South Lake Tahoe, California, at 924B Emerald Bay Road, until **August 7, 2014, at 2:00 PM**, at which time bids will be publicly opened and read by the County of El Dorado Transportation Division.

No Bid may be withdrawn after the time established for receiving bids or before the award and execution of the Contract, unless the award is delayed for a period exceeding sixty (60)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 Transportation Division. The Proposal shall not be detached and shall be submitted with the Contract Documents bid package in its entirety. All bids must be submitted in a sealed envelope and clearly marked on the envelope:

**“PROPOSAL FOR THE  
FOREST VIEW WATER QUALITY PROJECT”  
CONTRACT NO. PW 14-31060, CIP NO. 95195**

**TO BE OPENED AT 2:00 PM, Thursday, August 7, 2014**

**LOCATION/DESCRIPTION OF THE WORK**

The Project area is located in eastern El Dorado County, in the Tahoe Basin, west of State Route 89, near Scenic Drive, north of Emerald Bay, and east of Lonely Gulch Creek. The Work to be done is shown on the Plans, and generally consists of, but is not limited to:

- A. Construction of erosion control improvements including storm drain manhole, sediment traps, storm drain pipe, and asphalt concrete paving. 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 **TWENTY (20) WORKING DAYS**.
- D. For bonding purposes the anticipated project cost is less than \$120,000.
- E. A pre-bid meeting is scheduled for this project on **Thursday, July 31, 2014 at 2:00 P.M.** at the Transportation Division in South Lake Tahoe, California, at 924B Emerald Bay Road. Attendance at this meeting is not mandatory.
- F. This project is being informally bid in accordance with the Public Contract Code 22032 and County of El Dorado Ordinance Code section 3.14.040.

**OBTAINING OR INSPECTING CONTRACT DOCUMENTS**

The Contract Documents and Plans may be examined at the Transportation Division or may be purchased in person or by mail from the Transportation Division office, 924B Emerald Bay Road, South Lake Tahoe, California 96150. The Contract Documents including full size Plans can be purchased with a **check only**, for EIGHTY FIVE dollars (\$85.00) and is non-refundable. To receive the Contract Documents including full size Plans by Federal Express, send request and payment prior to shipping and include an additional FIFTY dollars (\$50.00), for a total

of ONE HUNDRED THIRTY FIVE dollars (\$135.00), to include shipping and handling. **Only Contract Documents and Plans purchased from the Transportation Division will be acceptable for bid submittal.**

### **CONTRACTOR'S 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 bids are submitted, and shall maintain a valid license through completion and acceptance of the Work including guarantee and acceptance period. 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 shall result in 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.

### **REQUIRED LISTING OF PROPOSED SUBCONTRACTORS**

Each Proposal shall have listed therein the name, contractor's license number and address of each subcontractor to whom the bidder proposes to subcontract portions of the work in an amount in excess of 0.5% of the 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 describe in the Subcontractor Listing the work to be performed by each subcontractor listed. The work to be performed by the subcontractor shall be shown by listing the bid item number, bid item description, and portion of the work to be performed by the subcontractor in the form of a percentage (not to exceed 100%) calculated by dividing the work to be performed by the subcontractor by the respective bid item amount(s) (not by the total bid price). The percentage of each bid item subcontracted may be submitted with the Bidder's bid or sent via email or fax to Donald Palaroan, County of El Dorado Community Development Agency, Transportation Division, email-donald.palaroan@edcgov.us, Fax-(530) 541-7049 by 4:00 p.m. on the first business day after the bid opening. The email or fax shall contain the name of each subcontractor submitted with the Bidder's bid along with the bid item number, bid item description, and the percentage of each bid item subcontracted, as described above. At the time bids are submitted, all listed subcontractors shall be properly licensed to perform their designated portion of the work. The bidder's attention is directed to other provisions of the Act related to the imposition of penalties for failure to observe its provisions by using unauthorized subcontractors or by making unauthorized substitutions.

### **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 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 draft Agreement contained in these Contract Documents for additional fair employment practices provisions that will apply to this Contract.

During the performance of this Contract, the Contractor and its subcontractors shall not unlawfully discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, age, or sex. The Contractor and its subcontractors shall ensure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination. The Contractor and its subcontractors shall comply with the provisions of the Fair Employment

and Housing Act (Government Code Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this Contract by reference and made a part hereof as if set forth in full. The Contractor and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

## **PREVAILING WAGE REQUIREMENTS**

Contractor's attention is directed to the requirements of Division 2 Part 7, Chapter 1 of the California Labor Code, 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. 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/OPRL/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 Transportation Division's principal office, and are available upon request.

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

This project is subject to the requirements of Title 8, Chapter 8, Subchapter 4.5 of the California Code of Regulations including the obligation to furnish certified payroll records directly to the Compliance Monitoring Unit under the Labor Commissioner within the Department of Industrial Relations Division of Labor Standards Enforcement in accordance with Section 16461.

## **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 and shall be **on the form provided in the Proposal section of these Contract Documents (do not detach the form)**.

## **BID PROTEST PROCEDURE**

The protest procedure is intended to handle and resolve disputes related to the bid award for this project pursuant to County of El Dorado policies and procedures. A protestor must exhaust all administrative remedies with the County of El Dorado.

The protest procedure is an extension of the informal bid process and allows those who wish to protest the recommendation of an award after bid the opportunity to be heard.

**Policy:** Upon completion of the bid evaluation, the Community Development Agency, Transportation Division shall notify all bidders of the recommendation of award, the basis therefore, and the date and time on which the recommendation for award will be considered and acted upon by the County of El Dorado Director of Transportation (Director).

**Procedure:** If a bidder wishes to protest the award, the procedure shall be as follows:

1. The Transportation Division will review the bids received in a timely fashion under the terms and conditions of the Notice to Bidders, and notify the bidders in writing, at the address designated in the bid, of its recommendation including for award or rejection of bids ("All Bidders Letter").

2. Within five (5) working days from the date of the "All Bidders Letter," the bidder protesting the recommendation for award shall submit a letter of protest to and shall be received by the County of El Dorado, Community Development Agency, Transportation Division, Attention Donaldo Palaroan, 924B Emerald Bay Road, South Lake Tahoe, CA 96150, and state in detail the basis and reasons for the protest. The bidder must provide facts to support the protest, including any evidence it wishes to be considered, together with the law, rule, regulation, or criteria on which the protest is based.

3. If the Community Development Agency, Transportation Division finds the protest to be valid, it may modify its award recommendations and notify all bidders of that decision. If the Community Development Agency, Transportation Division does not agree with the protest, or otherwise fails to resolve the protest, the Transportation Division will notify the bid protestor and all interested parties of its decision and the date and time that the recommendation for award for the Director's consideration and action. The Community Development Agency, Transportation Division shall also include in its report to the Director the details of the bid protest.

4. Within one (1) business day of the date and time of the Protest Denial Fax, the bidder may request a meeting with the El Dorado County, Community Development Agency, Transportation Division, Deputy Director of Engineering (Deputy Director) at which time the award and bid protest will be considered. At this meeting, the Deputy Director will take comment from the bidder and make a recommendation to the Director. In the event that the bidder does not request and attend a meeting, the bid protest may be dismissed by the Director without further consideration of the merits; and,

The decision of the Director on the bid protest shall be final.

### **AWARD OF CONTRACT**

Bids will be considered for award by the Director of Transportation. 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 prior to execution of the Agreement by the County. Failure to meet this requirement constitutes abandonment of the Bid by the Bidder and forfeiture of the Bidder's security. Award will then be made to the next lowest, responsive, responsible Bidder.

### **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 are 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 Donaldo Palaroan at the County of El Dorado Community Development Agency, Transportation Division, 924B Emerald Bay Road, South Lake Tahoe, CA 96150, telephone-(530) 573-7900, email-donaldo.palaroan@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 and addenda will be posted on the Transportation Division website at <http://www.edcgov.us/Government/DOT/Bids.aspx>. It is the Bidders' responsibility to check this website for responses and addenda during the bid period.

The list of plan holders will also be posted on the Community Development Agency, Transportation Division website at [www.edcgov.us/Government/DOT/Bids.aspx](http://www.edcgov.us/Government/DOT/Bids.aspx).

**BY ORDER OF** the Director of the Community Development Agency, County of El Dorado, State of California.

Authorized by the Director of Transportation on July 14, 2014 at Placerville, California.

By Steven M. Pedretti  
Steven M. Pedretti, Director of Transportation  
Community Development Agency Director  
County of El Dorado