

**C0708 – STEVENS CREEK EVELYN FISH PASSAGE PROJECT****Project No. 62084001****Invitation No. VW0565****1. Notice.**

Notice is hereby given that electronic Bids (eBids) will be received by the Santa Clara Valley Water District (Valley Water) submitted through Valley Water's Vendor Portal in PlanetBids (PlanetBids) as indicated in Section 2. Valley Water's Vendor Portal in PlanetBids, on **WEDNESDAY, JUNE 4, 2025**, by **2:00 p.m.**, for furnishing all material and performing all Work necessary for the construction of the **STEVENS CREEK EVELYN FISH PASSAGE PROJECT** located in City of Mountain View, California.

Valley Water previously prequalified general contractors to bid on the **STEVENS CREEK EVELYN FISH PASSAGE PROJECT** in a prequalification process completed on **FEBRUARY 19, 2025**. As a result of that prequalification process, the following contractors were determined to be prequalified and eligible to bid on this Project:

1. A. Teichert & Son, Inc.
2. Ghilotti Construction Company, Inc.
3. Gordon N. Ball, Inc.
4. Granite Construction Company
5. Granite Rock Company
6. Hanford Applied Restoration & Conservation
7. McGuire and Hester
8. Odin Environmental Solutions, LLC
9. Stacy and Witbeck, Inc.
10. Suulutaaq, Inc.

Only the above-identified prequalified contractors are eligible to submit bids for the Project.

**2. Valley Water's Vendor Portal in PlanetBids.**

<https://vendors.planetbids.com/portal/48397/portal-home>

**3. Availability of Bid Documents.**

- A. The Notice to Bidders (NTB) documents specifying the requirements of the Work and the details of the NTB procedures, Project Plans, Specifications, and Contract Documents, including the Instructions to Bidders and Bid Documents, can be downloaded at PlanetBids.
- B. To download these documents, prospective Bidders must first register as a vendor at PlanetBids indicated above. By registering as a vendor, Bidder will automatically receive notifications of upcoming Valley Water bidding opportunities. Once registered, Bidder can download the documents and the Bidder will be automatically included in the planholders list. There is no charge for downloading these documents.

- C. It is highly recommended that prospective Bidders acquire the Contract Documents directly through PlanetBids in order to bid on this Project and be assured that their Bids include all Addenda. All Addenda must be acknowledged online before selecting “Place eBid” to start the electronic submission process. PlanetBids will direct the prospective bidder to the Addenda tab if at least one acknowledgment is missing prior to entering the submission area.
  - D. For questions or assistance regarding the vendor registration, please select the “Help” section within PlanetBids or contact the Valley Water Planroom by sending an email to [scvwdplanroom@valleywater.org](mailto:scvwdplanroom@valleywater.org).
4. **California State Department of Industrial Relations Contractor and Subcontractor Registration Requirements.**
- A. California Labor Code Section 1771.1 requires:
    - 1. A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, unless currently registered and qualified to perform public work pursuant to Section 1725.5 of the California Labor Code.
  - B. An inadvertent error in listing a subcontractor who is not registered pursuant to Section 1725.5 in a bid proposal shall not be grounds for filing a bid protest or grounds for considering the bid nonresponsive, provided that any of the following apply:
    - 1. The subcontractor is registered prior to the bid opening.
    - 2. Within 24 hours after the bid opening, the subcontractor is registered and has paid the penalty registration fee.
    - 3. The subcontractor is replaced by another registered subcontractor pursuant to Section 4107 of the Public Contract Code within 24 hours after the bid opening.

5. **Summary of Work.**

A. Project Description

A fish passage project was originally built in 2015 on the main channel of Stevens Creek at this location, with seven steel sheet pile grade controls, a concrete weir-pool fishway under the Caltrain bridge, an upstream bypass overflow weir composed of large boulders, and about 600 feet of channel fill with rock. Subsequent to construction in 2015, the winter storms of 2017 eroded the creek bed at levels that no longer provided fish passage. The sheet piles and the concrete weir-pool remained intact; however, the remaining rock channel fill no longer provides fish passage and the upstream bypass weir no longer functions as designed for flood overflows.

To restore fish passage, this Project replaces the 2015 project with larger, more stable rock for channel fill; finished grades for a roughened channel based on fluvial

geomorphic principles; a modification of a boulder flood bypass weir; bank stabilization, and an instream rootwad habitat structure.

1. The Project scope includes the following:
  - a. Site mobilization and demobilization for temporary access to a confined and incised creek.
  - b. Develop a Storm Water Pollution and Prevention Plan, and implement the approved best management practices before, during and after construction in accordance with the NPDES Construction General Permit requirements;
  - c. Control of water at the project site including developing a creek diversion and dewatering plan and implementing the approved plan to ensure the work is constructed in dry conditions;
  - d. Clearing and grubbing within the project limits, including the removal and legal disposal of the designated trees, tree and brush trimming, and miscellaneous downed trees and limbs within the creek bed, as specified in these Specifications and as shown on the Drawings;
  - e. Demolition, removal, and disposal/recycling of existing concrete and rubble, debris and other miscellaneous items in the creek bed, and cutting of existing steel sheet piles;
  - f. Channel excavation, removal, and disposal of creek bed materials as shown on the Drawings;
  - g. Protection of trees and roots identified on the Drawings during creek access, clearing and grubbing, demolition, and grading operations; Contractor shall hire and coordinate an on-site arborist during construction;
  - h. Furnish and install rock and gravel materials to construct approximately 650 feet of natural roughened channel with eight (8) chutes and seven (7) pools, with large (3 to 4 feet diameter) boulders placed as grade control and structural rocks;
  - i. Construct approximately 80 lineal feet of rock slope protection downstream of Evelyn Ave on the west bank as shown on the Drawings;
  - j. Salvage and temporarily stockpile existing rock that make up a weir upstream of the bypass channel; reuse existing rock and furnish new rock to construct the bypass weir as shown on the Drawings;
  - k. Install a habitat structure composed of two rootwads and a footer log provided by Valley Water and anchors and hardware provided by the Contractor, as shown on the Drawings;

- I. Furnish and install erosion control mats and hydroseeding on reconstructed banks, and disturbed ground surfaces in accordance with the approved Storm Water Pollution and Prevention Plan;
- m. Ensure compliance with the project regulatory permits under the Santa Clara Valley Water District Stream Maintenance Program, including the California Department of Fish and Wildlife Lake and Streambed Alteration Agreement; San Francisco Bay Regional Water Quality Control Board Water Quality Certification; U.S. Army Corps of Engineers Regional General Permit No. 27 for Aquatic Habitat Restoration, Enhancement, and Establishment Activities; and the National Marine Fisheries Service Biological Opinion;
- n. Following the construction of the fish passage channel, the Contractor shall include maintenance services for up to one year to repair erosion sites within the creek alignment, replace elements of the roughened channel, rock slope protected bank, bypass weir, or rocks that have displaced, due to storm flows or other natural causes;
- o. The scope of Work is comprised of 4 Milestones as provided in the Special Provisions, Section 12. Work and Contract Time(s), Article 12.03. Contract Time(s), for Milestones and Contract Times.

B. Sole Source Products. **NOT USED.**

**6. Contract Time.**

Time limit for completion of the Work is **912** calendar days. See Contract Documents, Special Provisions, Section 12. Work and Contract Time(s), Article 12.03. Contract Time(s), for Milestones and Contract Times.

**7. Liquidated Damages.**

See Contract Documents, Standard Provisions, Section 5. Prosecution and Progress of Work, Article 5.08. Liquidated Damages, and Special Provisions, Section 12. Work and Contract Time(s), Article 12.05. Liquidated Damages, for requirements regarding Liquidated Damages.

**8. Estimated Cost.**

The estimated cost of the Project is between **\$5** million to **\$7** million. This estimate is intended to serve merely as an indication of the magnitude of the Work. Neither the Bidder(s) nor the Contractor will be entitled to pursue a claim or be compensated due to variance in the stated estimated cost range.

A. Supplemental Bid Items.

1. These Bid Items, as listed in PlanetBids, may or may not be required. They may be deleted entirely or in part, by deductive change order(s), at the sole discretion of Valley Water. The sum of the Total Base Bid and the Total Supplemental Bid Items will be used to determine the lowest Bid price.

B. Additive/Deductive Bid Items. **NOT USED.**

## 9. Contractor's License Requirement.

The Bidder must possess a current Class A Contractor's license issued by the California Department of Consumer Affairs, Contractor's State License Board when the Bid is submitted. Regardless of whether a subcontractor must be identified at the time of Bid, each subcontractor must also be properly licensed to perform its scope of Work.

## 10. Pre-Bid Meeting and Site Visit.

- A. A Pre-Bid meeting and site visit will be conducted by Valley Water on **TUESDAY, MAY 6, 2025**. The Pre-Bid meeting and site visit will convene at **10 a.m.** (Pacific Standard Time), at **94 WEST EVELYN AVE, CITY OF MOUNTAIN VIEW, CA.**

Anyone not in attendance at the meeting by **10:05 a.m.** will be considered late and as having not attended this **MANDATORY** Pre-Bid meeting and site visit. A Bid submitted by any Bidder not represented at the entire mandatory Pre-Bid meeting and site visit will not be considered and its Bid will not be accepted. Attendance at the Pre-Bid meeting and site visit by subcontractors is not required.

- B. Attendance by the Bidder at the Pre-Bid meeting/site visit is:

1. ☒ Mandatory
2. ☐ Optional

- C. The objective of the Pre-Bid meeting/site visit is to familiarize prospective Bidders with the site. Please confirm your intent to attend the Pre-Bid meeting/site visit 24 hours in advance by registering at the Valley Water Vendor Portal. Additional information regarding the Pre-Bid meeting/site visit will be sent to all prospective Bidders who confirm their intention to attend.
- D. Valley Water will require all participants to bring and wear the appropriate Personal Protection Equipment (PPE) in order to be allowed entrance onto the site and to remain on the site.
- E. Reasonable efforts will be made to accommodate persons with disabilities wishing to attend the Pre-Bid meeting. Please send an email to [scvwdplanroom@valleywater.org](mailto:scvwdplanroom@valleywater.org) to request accommodations at least two (2) business days before the Pre-Bid meeting.

**11. Inquiries.**

- A. The Bidder must submit all requests for clarification, or interpretation of the Bid Documents in accordance with the requirements stated in Instructions to Bidders, paragraph #8. Questions During Bidding. Written questions must be submitted in PlanetBids no later than nine (9) calendar days before the deadline for receipt of Bids.
- B. Valley Water may issue written Addenda as appropriate for clarification or other purposes during the bidding period. Addenda will be posted on PlanetBids and each planholder will be notified automatically.

**12. Project Labor Agreement.**

- A. Valley Water and the Santa Clara and San Benito Counties Building and Construction Trades Council have entered into a Project Labor Agreement (PLA) approved by Valley Water's Board of Directors on January 11, 2022. A Project Labor Agreement is a multi-union pre-hire agreement that governs wages, benefits, work rules, and other terms and conditions of employment at a construction site. The PLA is an agency-wide agreement applicable to all Covered Projects as defined in the PLA, Article 1 Definitions. 1.7, Covered Project.
- B. A copy of the executed PLA is in the Contract Documents in Appendix A, Project Labor Agreement.
- C. The Contractor must execute Project Labor Agreement, Addendum A - Agreement to be Bound and submit in accordance with the deadline stated in the Instructions to Bidders. Submission of Addendum A - Agreement to be Bound is not required at the time of Bid submittal.
- D. The Bidder must complete and submit Bid Form No. 11, Project Labor Agreement Acknowledgement, at the time of Bid in order for its Bid to be considered responsive.
- E. It is the responsibility of the Contractor to coordinate and schedule a Pre-Construction Conference with the Santa Clara and San Benito Counties Building and Construction Trades Council (Council) prior to starting work at the Project site. The Contractor must provide the Council with the documentation required for the Council to schedule and host a Pre-Construction Conference within 2 weeks after a Notice to Proceed is issued by Valley Water. The Contractor will be subject to the requirements stated in the Special Provisions, Article 12.05 Liquidated Damages, if the Pre-Construction Conference does not occur within this time frame due to late submission of the required documentation by the Contractor.

**13. Prevailing Wage Requirements.**

- A. Workers employed on this Project must be paid at rates at least equal to the prevailing wage rates as determined by the State of California Department of Industrial Relations pursuant to Section 1770 et seq. of the Labor Code. Said wage rates are incorporated herein by reference and may be inspected upon

request. Visit <https://www.dir.ca.gov/oprl/DPreWageDetermination.htm> to view the rates available on the State of California Department of Industrial Relations website. See Contract Documents, Standard Provisions, Section 4. Legal Regulations and Responsibilities, Article 4.04. Prevailing Wages, through Article 4.06. Apprentices, for related requirements.

This Project is subject to compliance monitoring and enforcement by the State of California Department of Industrial Relations. The Contractor and subcontractors must furnish the records specified in California Labor Code Section 1776 directly to the Labor Commissioner, in the following manner: monthly, in a format prescribed by the Labor Commissioner.

**14. Bid Proposal Submittal.**

Electronic Bid submittal must be at the Valley Water Vendor Portal. The Proposal must be submitted in time for all information to be transferred to PlanetBids before the Bid submission deadline. If the transfer is not completed before the Bid closes, it will be considered submitted late and the Bid Proposal will not be accepted.

**15. Bid Opening.**

The Bids shall be made available to the public to view in PlanetBids on the date and time stated in this Notice to Bidders, Section 1. Notice.

**16. Errors or Discrepancies in the Bids.**

Valley Water reserves the right to reject any and all Bid Proposals. Valley Water also reserves the right to waive minor defect(s) or irregularities in any Bid received.

**17. Bidder's Security.**

- A. Each Proposal must be submitted electronically through PlanetBids and accompanied by a Bidder's Bond in the sum of not less than 10 percent of the total aggregate of the Proposal including all additive and Supplemental Bid items, if any.
- B. Bids shall be presented with an electronic Bidder's Bond (e-Bond) executed and verified by an admitted surety, made payable to Valley Water.
- C. Bidder's Security must be submitted in the form of a verified e-Bond through either Surety2000 at <https://www.surety2000.com> or Tinubu at <https://www.tinubu.com/ebonding> in PlanetBids before the latest date and time for submitting Bid Proposals as specified in Section 1. Notice. The PlanetBids Contract ID for this Project is VW0565.
  1. Bidders are solely responsible for completing Surety2000 or Tinubu registration, and payment of associated fees and charges.
  2. Valley Water is not responsible to Bidders for (a) Surety2000 or Tinubu acts or omissions; (b) the completeness or timely verification of the authenticity of the issued e-Bond; or (c) any other errors by third parties in the issuance of the e-Bond.



- D. Paper originals of Bidder's Bond that are physically delivered to Valley Water will not be accepted.

**18. Contract Retention.**

- A. ☒ The Contract Retention for this Project is established at five (5) percent of the Contract Price.
- B. ☐ The Contract Retention for this Project is established at ten (10) percent of the Contract Price. The Board of Directors has made a finding that the Project is substantially complex and therefore requires retention higher than five (5) percent.

**19. Substitution of Securities.**

The Contractor may, at the Contractor's request and expense, substitute securities equivalent to the amount withheld by Valley Water to ensure the performance of the contract, in accordance with Public Contract Code §22300.

**20. Small Business Preference.**

Valley Water has elected to implement the small business preference provisions of Public Contract Code §2002(a)(1). For purposes of Valley Water's program, a small business is as defined in Government Code §14837. See <http://www.valleywater.org/construction> to view the Small Business Enterprise Outreach Program Policy.

**21. Rights of Way.**

- A. This Project will be constructed within Valley Water's existing rights-of-way, the City of Mountain View rights-of-way, and County of Santa Clara rights-of-way.
- B. The contractor will be required to provide certificates of insurance naming the City of Mountain View and the County of Santa Clara as additionally insured, as part of the permits.
- C. The Contractor will be required to have Railroad Property Liability (RRPL) insurance. Insurance coverage requirements will be determined through a Site Specific Work Plan (SSWP) submittal and review process with Caltrain.
- D. Please refer to Contract Document, Special Provisions, Section 18. Permits and Regulations, Article(s) 18.01.01. District-Obtained Permits and 18.01.02. Contractor Obtained Permits and Regulatory Deliverables.

**22. Permits.**

- A. This Project will be implemented using the Stream Maintenance Program 2 (SMP-2) Permit. Each year Valley Water submits a list of projects to SMP-2 regulators for their approval of work activities to be conducted in a channel, during the summer season (June 15 - October 15). This Project has been submitted to the SMP-2 regulators and staff expects to receive their approval during the Bid advertisement period. Other local permits include City of



Mountain View Excavation Permit and Right of Entry / License Agreement ("Bid Only" permits provided by Valley Water, Contractor to provide final permits), County of Santa Clara Encroachment Permit (Contractor to provide), and a Peninsula Joint Powers Board permit (provided by Valley Water).

- B. Please refer to Contract Document, Special Provisions, Section 18. Permits and Regulations, Article(s) 18.01.01. District-Obtained Permits and 18.01.02. Contractor Obtained Permits and Regulatory Deliverables.

### 23. Escrow Bid Documents.

- A. Escrow Bid Documents must be submitted by the Bidders submitting the three apparent low Bids. The Escrow Bid Documents must be submitted in a sealed container, separate from the Bidder's Bid proposal, no later than 5 p.m. on the third business day following the Bid opening. Each container shall be clearly marked on the outside with the Bidder's name, date of submittal, Project name, and the words "Escrow Bid Documents." Timely submission of these Documents and Bid Form 10 is considered material by Valley Water.
- B. The Escrow Bid Documents must be accompanied by a separate certification, **FC 1897 "Bid Form 10, Escrow Bid Documents Certification of Completeness,"** signed by an individual authorized by the bidder to execute the Bid Proposal. The Bidder certifies that the material in the Escrow Bid Documents constitutes all of the documentary information used in preparation of this Bid, and that the Bidder's authorized individual has personally examined the contents of the Escrow Bid Documents container and has determined that the Documents in the container are complete.

### 24. Equal Opportunity.

Valley Water is an equal opportunity employer, and all Contractors of Valley Water are to have and follow a policy of equal opportunity including adherence to all state and federal laws and regulations, including the Federal Equal Opportunity Clause.

By order of the Board of Directors of the Santa Clara Valley Water District, San Jose, California, on **APRIL 22, 2025**.

ATTEST: CANDICE KWOK-SMITH

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Interim Clerk, Board of Directors

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