

**C0715 – Calabazas Creek Erosion Repair Project, Miller Avenue to Bollinger Road  
(Project)****Project No. 62084001****Invitation No. VW0568****1. Notice**

- A. 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 25, 2025, by 2:00 p.m., for furnishing all material and performing all Work necessary for the construction of the Calabazas Creek Erosion Repair Project, Miller Avenue to Bollinger Road (Project) located in Cupertino, California.

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

- A. Go to: <https://pbsystem.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 vendor registration, please select the "Help" section within PlanetBids or contact the Valley Water Planroom by sending an email to [scwvdplanroom@valleywater.org](mailto:scwvdplanroom@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

1. The Project scope includes, but is not limited to, the following Work to repair and stabilize channel banks at three locations:
  - a. Pre-construction and Post-construction documentation;
  - b. Mobilization, demobilization, clearing and grubbing, site access development for equipment and materials;
  - c. Site and noise monitoring;
  - d. Creek erosion repairs using grouted rock riprap and ungrouted rock riprap;
  - e. Compliance with project regulatory and local permits;
  - f. Compliance with NPDES permits, including Storm Water Pollution Prevention Plan, installation of Best Management Practices (BMPs);
  - g. Control of water, including diversion of upstream drainage and channel flows, monitoring measurements and reporting of water quality before and after construction as needed, and proper handling and disposal of groundwater and flows that are byproducts of the required construction;
  - h. Creek excavation and embankment fill, including reuse of excavated soil, as required to re-establish the channel geometry;

- i. Method A and Method B placement of rock riprap;
- j. Traffic control to perform the Work as incorporated and described in the final plans, specifications, and addendums, including within the City of Cupertino Creekside Park, Miller Avenue, Bollinger Road, staging area(s), and other ingress and egress locations to and from the project sites;
- k. Establishment of construction staging area(s);
- l. Proper winterization of exposed construction work prior to significant rain events, including removal of construction equipment and appurtenances from the main channel;
- m. Protection of existing residential fences, City of Cupertino's gates and fences and their associated appurtenances;
- n. Other miscellaneous construction activities and items necessary to satisfactorily complete the Work as incorporated and described in the final plans, specifications, and addendums. :

2. The scope of Work is comprised of **2** Milestones:

- a. Milestone 1: Completion of all erosion repairs and other civil Work. The Contractor must complete Milestone 1 prior to October 15, 2025, or before the expiration of 60 Days from the first chargeable Day of the Contract, whichever comes first.
- b. Milestone 2: Completion of the Project as defined in the Specifications. The Contractor must complete Milestone 2 prior to November 30, 2025, or before the expiration of 90 Days from the first chargeable Day of the Contract, whichever comes first.

**6. Sole Source Products. NOT USED.**

**7. Contract Time.** Time limit for completion of the Work is **90** calendar days. See Contract Documents, Special Provisions, Article 12.03. Contract Time(s), for Milestones and Contract Times.

**8. Liquidated Damages.** See Contract Documents, Standard Provisions, Article 5.08. Liquidated Damages, and Special Provisions, Article 12.05. Liquidated Damages, for requirements regarding Liquidated Damages.

**9. Estimated Cost.** The estimated cost of the Project is between **\$800,000** to **\$1.2 M**. 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 will be used to determine the lowest Bid price.

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

## 10. Contractor's License Requirement

- A. 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.

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

- A. A Pre-Bid Meeting and Site Visit will be conducted by Valley Water on **Wednesday, June 4, 2025**. The Pre-Bid meeting and Site Visit will convene at **10:00 a.m.** (Pacific Standard Time) at **LOCATION 1**, Creekside Park, 10455 Miller Avenue, Cupertino, CA. Approximately 15 minutes after the conclusion of the Site Visit at **LOCATION 1**, at the time specified by Valley Water before leaving **LOCATION 1**, Prospective Bidders must sign in at **LOCATION 2**, the Bollinger Access Ramp Site, located behind 10850 E. Estates Drive, in Cupertino, CA.

Anyone not in attendance at **LOCATION 1**, the Creekside Park Site, by **10:05 a.m.** and **LOCATION 2**, the Bollinger Access Ramp Site, by the time specified by Valley Water at the conclusion of the **LOCATION 1** Site Visit, will be considered late and as not having 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 and Site Visit is:

1.  Mandatory
2.  Optional

- C. The objective of the Pre-Bid Meeting and Site Visit is to familiarize prospective Bidders with the site. Please confirm your intent to attend the Pre-Bid Meeting and Site Visit 24 hours in advance by registering at the Valley Water Vendor Portal. Additional information regarding the Pre-Bid Meeting and 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 sites and to remain on the sites.
- E. Reasonable efforts will be made to accommodate persons with disabilities wishing to attend the Pre-Bid Meeting and Site Visit. Please send an email to

[scvwdplanroom@valleywater.org](mailto:scvwdplanroom@valleywater.org) to request accommodations at least two (2) workdays before the Pre-Bid Meeting and Site Visit.

**12. 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 #7. 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.

**13. Project Labor Agreement. NOT USED.**

**14. 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, Article 4.04. Prevailing Wages, through Article 4.06. Apprentices, for related requirements.
- B. 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.

**15. 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.

**16. 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. Valley Water will not conduct a live stream teleconference of the Bid opening.

**17. 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.

**18. 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 VW0568.
  - 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.

#### 19. 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 percent.

**20. 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.

**21. 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. Please refer to the small business compliance requirements in the Small Business Instructions included in these Bid documents. See <http://www.valleywater.org/construction> to view the Small Business Enterprise Outreach Program Policy.

#### 22. Rights of Way.

- A. This Project will be constructed within Valley Water's existing rights-of-way.

**23. Permits.**

- A. The Contractor will be required to obtain permits from the City of Cupertino for use of the public right away for hauling and traffic control. See Contract Documents, Special Provisions, Article 18.01.02. Contractor Obtained Permits and Regulatory Deliverables, for permits obtained by the Contractor.

**24. 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 forms is considered material by Valley Water.

The Escrow Bid Documents must be accompanied by a separate certification, **FC 1889 "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.

- 25. 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 **May 27, 2025**.

ATTEST: Candice Kwok-Smith

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Clerk of the Board

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