
**STEVENS CREEK BANK AND ACCESS/TRAIL ROAD REPAIR
DOWNSTREAM OF EL CAMINO REAL (SR 82) PROJECT**

Project No. 62062003

Contract No. C0638

- 1. Notice.** Notice is hereby given that sealed Proposals will be accepted by the Construction Program of the Santa Clara Valley Water District, Room B108, of the District's Administration Building, 5750 Almaden Expressway, San Jose, California 95118 up to 2 p.m. June 6, 2018, for furnishing all material and performing all work necessary for construction of the Stevens Creek Bank and Access/Trail Road Repair Downstream of El Camino Real, SR 82, from El Camino Real to Yuba Drive, Mountain View, California

Additional information and Instructions to Bidders is posted on the District's Construction Administration webpage: <http://www.valleywater.org/construction>

- 2. California State Department of Industrial Relations Contractor and Subcontractor Registration Requirements.**

(See Instructions to Bidders paragraph #13, "C." for the full text.)

California Labor Code section 1771.1 requires:

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.

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.

3. Summary of Work

A. Project Description. The work to be completed under this Contract shall consist of furnishing all tools, equipment, materials, supplies, and manufactured articles and furnishing all labor, transportation and services, including fuel, power, water, and essential communications, and performing all work, or other operations required to construct the as illustrated on the Plans and detailed in these Specifications. The work includes, but is not limited to the following:

1. Compliance with Stream Maintenance Program-2 Permits, including Storm Water Pollution Prevention Plan preparation, BMP Action Plan, and installation of BMP's;
2. Clearing and grubbing within the project limits, including the removal of chain link fences, vegetation, rock riprap, and other miscellaneous items;
3. Dewatering: Including but not limited to proper diversion of upstream channel flows with fish screen to enable access to the project site from the maintenance access ramp;
4. Channel excavation in compliance with CalOSHA, including testing and disposal of unsuitable materials;
5. Re-building channel embankment in compliance with CalOSHA, including proper compaction of reuse material and import fill; reconstruction and replacement of unsuitable material, as required and approved by the Engineer;
6. Implementation of proper and adequate shoring for construction of the slope protection elements in compliance with CalOSHA safety requirements;
7. Removal and reconstruction of large woody debris features along channel bottom;
8. Demolition and disposal of asphalt-concrete trail;
9. Installation and re-surfacing of asphalt concrete trail and installation of concrete curb and gutter;
10. Reconstruction of driveways, sidewalks, and curb and gutters and other pertinent existing facilities impacted by construction activities;
11. Installation and anchoring of geotextile fabric, geogrid soil reinforcement, rock slope protection, and chain link fences;
12. Working adjacent to, delineating of and demarcating of existing utility facilities;
13. Installation of erosion control fabric for winterization;
14. Protection of existing fences and trees during construction;

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15. Potholing and protection of existing utilities within and immediately adjacent to the project limits, as needed;
 16. Application of hydroseed on all constructed surfaces and exposed areas;
 17. Construction and removal of temporary access ramps, temporary access along the creek bed, and dewatering system(s);
 18. Installation of temporary trail detour signs around the project location;
 19. Control of water; including but not limited to proper handling and disposal of groundwater flows that are byproducts of the required construction;
 20. Traffic control;
 21. Establishment of construction staging areas;
 22. Replacement of chain link fence along District right-of-way property boundary;
 23. Other miscellaneous construction work and items necessary to satisfactorily complete the work.

B. Sole Source Products. Not used.

4. Contract Time - Time limit for the completion of the Work is 1,500 calendar days. (include required milestones here.)

- A. Milestone 1: Completion of all contract work items except the milestone #2 and all winterization activities by September 30, 2018.
- B. Milestone 2: Completion of the three-year planting establishment period no later than 1,500 calendar days from the first chargeable day of the Contract.

5. Liquidated Damages. See Standard Provisions, Liquidated Damages, Article 5.07 and Special Provisions, Liquidated Damages, Article 12.05 of the Contract Documents for requirements regarding Liquidated Damages.

6. Estimated Cost. The estimated cost of the project is between \$1.2M and \$1.6M. 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. Additive/Deductive Bid Items. – Not used.

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

7. Contractor's License Requirement. The Bidder must possess a Class A Contractor's license when the Bid is awarded.

8. **Pre-Bid Conference and Site Showing.** A pre-bid conference/site visit will be conducted by the District on May 9, 2018. The conference will convene at 1:00 PM at the intersection of Yuba Drive and Stevens Creek Trail, City of Mountain View. The pre-bid conference will begin with a District presentation on the Small Business Outreach Program. A Bid submitted by any Bidder not represented at a mandatory pre-bid conference/site visit will be considered non-responsive. Attendance at the pre-bid by subcontractors is not required. Limited parking is available within the trail parking areas.

Attendance by the Bidder at the pre-bid conference/site visit is:

- ☒ Mandatory
☐ Optional

The objective of the site visit is to familiarize prospective Bidders with the site; no additional site visits will be allowed. Please confirm your intent to attend the pre-bid meeting and site visit 24 hours in advance by sending e-mail to scvwdplanroom@valleywater.org.

Reasonable efforts will be made to accommodate persons with disabilities wishing to attend the pre-bid meeting/site visit. Please request accommodations when confirming attendance.

9. **Availability of Bid Documents.** Contract Documents, including Drawings and Specifications, are available in both paper and electronic (pdf) formats. Paper copies may be purchased for the nonrefundable price of \$40. Provide FedEx account number or add \$10 per set for packaging and postage. Electronic version is free, transferred via file transfer appliance (FTA) site.

To order Contract documents:	Request Form and information available online. Website: http://www.valleywater.org/construction Email: scvwdplanroom@valleywater.org FAX: (408) 979-5631 Phone: (408) 630-3088
To pick up Contract documents in person:	Santa Clara Valley Water District 5700 Almaden Expressway San Jose, CA 95118 Business Hours: 8 a.m. – 5 p.m.

10. **Inquiries.** The Bidder must submit all requests for clarification, or interpretation of the Bid Documents in accordance with the requirements stated in Instructions to Bidders, Questions During Bidding, paragraph #7. Written questions must be directed to the project manager and submitted at least nine (9) calendar days before the deadline for receipt of Bids.

The District may issue written Addenda as appropriate for clarification or other purposes during the bidding period. Addendum notification(s) will be sent to each planholder at the email address provided by the contractor for the planholders list and addenda will be posted on the District's website at www.valleywater.org/construction.

- A. **Project Manager.** The District's project manager for this Project is Roger Narsim and can be reached via e-mail at rnarsim@valleywater.org or at (408) 630-2928.
- B. **Process Questions.** For questions regarding the advertisement process, contact the District Plan Room at (408) 630-3088, or scvwdplanroom@valleywater.org.

11. Prevailing Wage Requirements.

- A. The prevailing wage rates as determined by the State of California Department of Industrial Relations pursuant to §1770 of the Labor Code. The State's wage rates are incorporated herein by reference and may be inspected upon request. The rates are also available on the State of California Department of Industrial Relations website at <http://www.dir.ca.gov/>. See Standard Provisions, Prevailing Wages Article 4.04. through Appendices Article 4.06. 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 Section 1776 directly to the Labor Commissioner, in the following manner: monthly, in a format prescribed by the Labor Commissioner.

12. Bid Proposal Submittal. All Proposals must be submitted in sealed envelopes addressed to Construction Program of the Santa Clara Valley Water District and state the project name and project number on the outside of the sealed envelope. Each Bid must be submitted on the prescribed Bid Forms. All information on Bid Forms must be completed in ink.

- A. **Alternate Delivery for Bid Submittal.** Bidders electing to submit a Proposal by FEDEX, UPS, DHL, CA Overnight, Golden State Overnight, etc., must address the submittal in accordance with instructions stated in Paragraph 12 above. Any Proposal received after 2 p.m. will be considered non-responsive.

Address the outside delivery envelope as follows:

Santa Clara Valley Water District
Attention: Construction Program — **BID**
5905 Winfield Boulevard
San Jose, CA 95123-2428

Note: USPS (US Mail) does not deliver to 5905 Winfield Boulevard.

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13. **Bid Opening.** The Construction Program staff will open Proposals at the time and place stated in Paragraph #1 above.
14. **Errors or Discrepancies in the Bids.** The District Board of Directors reserves the right to reject any and all Bid Proposals and to waive minor defects or irregularities in any submitted Bid Form(s).
15. **Bidders Security.** Each Proposal must be accompanied by cash, a certified or cashier's check, or a Bidder's bond in the sum of not less than 10 percent of the total aggregate of the Proposal including all additive Bid items. Said checks or bonds must be made payable to the Santa Clara Valley Water District.
16. **Contract Retention.**
- ☒ The Contract Retention for this Project is established at five (5) percent of the Contract Price.
- ☐ 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.
17. **Substitution of Securities.** The Contractor may, at the Contractor's request and expense substitute securities equivalent to the amount withheld by District to ensure the performance of the contract in accordance with Public Contract Code Section 22300.
18. **Small Minority Business Enterprise (SMBE), Women's Business Enterprise (WBE), and Labor Area Surplus Firms Business Preference.** Please refer to the SMBE and WBE and Labor Area Surplus compliance requirements stated in the Instructions included with these Bid documents.
19. **Governmentwide Debarment and Suspension.** The Bidder shall comply with the provisions of subpart C of 2 CFR Part 180, which generally prohibits entities that have been debarred, suspended, or voluntarily excluded from participation in Federal nonprocurement transactions. A Contractor or subcontractor will not be awarded any party listed in the SAM exclusions.
20. **New restrictions on lobbying bidders and subcontractors at any tier with a covered transaction greater than \$100,000 are subject to 15 CFR Part 28, "New Restrictions on Lobbying" including certification on Bid Form A.** Lower tier covered transactions must include a Form CD-512, "Certification Regarding Lobbying—Lower Tier Covered Transactions." Complete without modification.
21. **This project is partially funded by FEMA's Public Assistance Program Grant.** The Bidders and Contractor are required to comply with FEMA's Public Assistance Program and Policy, EP 104-009-2/April 2017. Special attention is directed to Appendix B of the Specifications to comply with FEMA's requirements.

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- 22. Permits.** This Project will be constructed under the 5-year, 2014 Stream Maintenance Program-2 permits referenced in the Section 19 of the Special Provisions. Approval of this project by the Regulators is expected before the Award of this contract.
- 23. Funding.** This Project is qualified for the FEMA's Public Assistance Grant based on the Disaster Declaration, DR-4301. The District's application is in the review process by FEMA. The Contractor shall comply with the FEMA's requirements referenced in the Section 14.15 of the Special Provisions.

The District is an equal opportunity employer and all contractors of District projects are to have and follow a policy of equal opportunity including adherence to all state and federal laws and regulations, including the State and Federal Equal Opportunity Clauses.

By order of the Board of Directors of the Santa Clara Valley Water District, San Jose, California, on April 24, 2018.

ATTEST: MICHELE L. KING

Clerk/Board of Directors

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