

C0668 – SOUTH COUNTY RECYCLED WATER PIPELINE**SHORT-TERM PHASE 1B/2A/1C/2B PROJECT****Project No. 91094009****INVITATION NO. VW0025**

- 1. Notice. Due to the County of Santa Clara Public Health Officer's Order, the Santa Clara Valley Water District offices remain closed to the public until further notice.**

Notice is hereby given that electronic Bids (eBids) will be received by the Santa Clara Valley Water District (Valley Water) and submitted into a public website through PlanetBids (PB System™) as indicated under Section 2, Santa Clara Valley Water District Vendor Portal up until **Wednesday, October 27, 2021 by 2:00 p.m.**, for furnishing all material and performing all work necessary for construction of the South County Recycled Water Pipeline Project Short-Term Phase 1B/2A/1C/2B Project, within the City of Gilroy, California.

Valley Water previously prequalified general contractors to bid on the South County Recycled Water Pipeline Short-Term Phase 1B/2A/1C/2B Project in a prequalification process that was completed on June 17, 2021. As a result of that prequalification process, the following contractors were determined to be prequalified and eligible to bid on this Project:

1. Garney Pacific, Inc.
2. Teichert Construction
3. Kiewit Infrastructure West Company
4. Sukut Construction, LLC
5. Mountain Cascade, Inc.
6. Anvil Builders, Inc.
7. Ranger Pipelines, Inc.
8. Steve P. Rados, Inc.
9. Cratus, Inc.
10. JMB Construction

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

- 2. Santa Clara Valley Water District Vendor Portal**

Santa Clara Valley Water District (Valley Water) Vendor Portal:
<https://pbsystem.planetbids.com/portal/48397/portal-home>.

- 3. Availability of Bid Documents**

The Notice to Bidders documents (herein referred to as "NTB document") specifying the requirements of the work and the details of the NTB procedures, Project Plans, Specification and Contract Documents, including the Instruction to Bidders and Bid Documents can be downloaded at the "Santa Clara Valley Water District (Valley Water) Vendor Portal": <https://pbsystem.planetbids.com/portal/48397/portal-home>

To download these documents, prospective Bidders must first register as a vendor at the Valley Water Vendor Portal indicated above. By registering as a vendor, Bidder will automatically receive notifications of upcoming Valley Water's 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.

It is highly recommended that prospective Bidders acquire the Contract Documents directly through the Valley Water Vendor Portal 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. The PB System™ will direct the prospective bidder to the Addenda tab if at least one acknowledgement is missing prior to entering the submission area.

For questions or assistance regarding the vendor registration, please select the help section within the PB System™ or contact the Valley Water Plan Room by email at scvwdplanroom@valleywater.org.

4. California State Department of Industrial Relations Contractor and Subcontractor Registration Requirements.

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 within 24 hours after the bid opening.

5. Summary of Work**A. Project Description.** The Project scope includes the following:

1. Drain, clean and video inspect approximately 2,000 linear feet of existing 30-inch to 36-inch diameter cement mortar lined recycle water pipeline. The Contractor shall complete this work prior to removing the bulkheads on each end of the existing 30-inch to 36-inch diameter cement mortar lined recycle water pipeline for connection to the new recycled water pipeline segments.
2. Furnish, install and test approximately 900 lineal feet of 36-inch diameter cement mortar coated and lined welded steel pipeline and associated appurtenances.
3. Furnish, install and test approximately 9,500 lineal feet of 30-inch diameter cement mortar coated and lined welded steel pipeline and associated appurtenances.
4. Furnish, install and test approximately 5,000 lineal feet of 36-inch diameter high density polyethylene (HDPE) pipeline and associated appurtenances.
5. Furnish and install, via bore and jack, approximately 430 lineal feet of 48-inch diameter welded steel pipeline casing and associated appurtenances.
6. Furnish and install, via bore and jack, approximately 130 lineal feet of 54-inch diameter welded steel pipeline casing and associated appurtenances.
7. Furnish, install, and test, via microtunneling, approximately 330 lineal feet of 30-inch diameter welded steel pipeline and associated appurtenances.
8. Furnish, install, and test approximately 3,200 linear feet of 24-inch high density polyethylene (HDPE) pipeline and associated appurtenances.
9. Furnish, install and test 12-inch diameter high density polyethylene piping and associated appurtenances, as required, to connect an existing 12-inch recycled water pipeline to the new 36-inch diameter pipeline. The existing 12-inch recycled water pipeline will be isolated using two valves north and south of the connection point.
10. Furnish, install, and test 24-inch to 18-inch, and 18-inch to 12-inch high density polyethylene (HDPE) reducers, as well as remove an existing 36-inch bulkhead to connect the newly installed 24-inch HDPE pipe and its appropriate appurtenances.
11. Furnish, install and test 10-inch and 14-inch diameter cement mortar lined and fusion bonded epoxy coated welded steel piping and associated appurtenances to connect the existing South County Regional Wastewater Authority Treatment Plant discharge piping to the new 36-inch diameter pipeline. The Contractor is advised that the existing treatment plant discharge piping will be shut down for eight (8) hours to allow for the connection of the new 10-inch and 14-inch assembly. The

Contractor is referred to Article 16.01 for general and shutdown constraints.

12. Furnish, install, and test all above- and below-grade and vaulted pipeline appurtenances and associated lateral piping, structures, foundations, and all other related work shown on the Drawings and detailed in the Specifications.
13. Furnish, install, and test all cathodic protection systems and associated components as shown on the Drawings and detailed in the Specifications.
14. Restore all impacted sites to a condition equal to or better than that existing prior to construction.
15. In addition, the Work completed under this Contract includes the Demolition of approximately 590 linear feet of 16-inch ductile iron pipe

B. Sole Source Products. None.

6. **Contract Time.** Time limit for the completion of the Work is **575** calendar days. See Contract Documents, Special Provisions, Article 12.03. Contract Time(s) for Milestones and Contract Times.
7. **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.
8. **Estimated Cost.** The estimated cost of the Project is between \$22.8 million and \$27.8 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. 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 Valley Water. The sum of the Total Base Bid and the Total Supplemental Bid will be used to determine the lowest Bid price.

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 Conference.** A **VIRTUAL** pre-bid conference will be conducted by Valley Water on Wednesday, September 22, 2021. The virtual conference will convene at 10:00 a.m. (Pacific Standard Time). The Zoom meeting address will be posted in the Valley Water Vendor Portal at <https://pbsystem.planetbids.com/portal/48397/portal-home>. 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 conference. A Bidder's failure to

attend the Mandatory Pre-Bid conference will result in rejection of the Bidder's Bid Proposal for non-responsiveness. Attendance at the Pre-Bid conference by subcontractors is not required.

Attendance by the Bidder at the Pre-Bid conference is:

- ☒ Mandatory
☐ Optional

The objective of the Pre-Bid conference is to familiarize prospective Bidders with the project site. Please confirm your intent to attend the Pre-Bid conference visit 24 hours in advance by registering at the Valley Water Vendor Portal at <https://pbsystem.planetbids.com/portal/48397/portal-home>. Additional information regarding the Pre-Bid conference will be sent to all prospective Bidders who confirm their intention to attend.

Reasonable efforts will be made to accommodate persons with disabilities wishing to attend the Pre-Bid conference. Please request accommodations when confirming attendance.

- 11. 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, paragraph #7. Questions During Bidding. Written questions must be submitted in the Valley Water Vendor Portal either before or at least nine (9) calendar days before the deadline for receipt of Bids.

Valley Water may issue written Addenda as appropriate for clarification or other purposes during the bidding period. Addendum will be posted on the Valley Water Vendor Portal and each planholder will be notified automatically.

- A. **Project Manager.** Valley Water's project manager for this Project is Calvin Nguyen.

12. Prevailing Wage Requirements

- A. This Contract is subject to state and federal requirements for payment of prevailing wages.
- B. The Federal minimum wage rates for this project as predetermined by the United States Secretary of Labor are available at <https://sam.gov/content/wage-determinations>. The applicable Federal Wage Determination for this Contract will be based on CA20210018 Modification 22 dated August 27, 2021. A copy of the Federal Wage Determination may also be found in Appendix G of the project specifications. Pursuant to Federal Labor Standards Provisions, Valley Water must notify Prospective Bidders of any modifications on Federal Wage Determinations 10 days prior to bid opening date will apply.
- C. Pursuant to Section 1773 of the Labor Code, the general prevailing wage rates in the County in which the work is to be done have been determined by the Director of the California Department of Industrial Relations. These wages are set forth in

the General Prevailing Wage Rates for this Project, available from the California Department of Industrial Relations' website at <http://www.dir.ca.gov>. The rates at the time of the bid advertisement date of the Project will remain in effect for the life of the Project in accordance with the California Code of Regulations.

- D. If there is a difference between the Federal Minimum Wages and the General Prevailing Wage Determinations as predetermined by the Secretary of Labor and by the Director of the California Department of Industrial Relations for similar classifications of labor, the contractor shall pay not less than the higher wage rate.

Due to the County of Santa Clara Public Health Officer's Order, Valley Water offices will remain closed to the public until further notice. The wage rates are therefore not currently available for review at Valley Water offices.

- E. This Project is also a "Public Works" as defined in Sections 1720 through 1720.6 of the California Labor Code. The contractor will be required to comply with the prevailing wage, hour and labor requirements set forth in California Labor Code Sections 1720 through 1861 (collectively "State Wage, Hour and Labor Requirements") to the extent that such requirements do not conflict with the Federal Wage, Hour and Labor Requirements and to the extent the Federal Wage, Hour and Labor requirements are not otherwise applicable.
- F. This Project is subject to compliance monitoring and enforcement by the State of California Department of Industrial Relations and Valley Water's Labor Compliance Program. Each contractor and subcontractor must furnish certified payroll records to the Labor Commissioner and Valley Water at least monthly.

13. **Bid Proposal Submittal.** Electronic Bid submittal must be at the Valley Water Vendor Portal: <https://pbsystem.planetbids.com/portal/48397/portal-home>. Bidder must submit in time for all information to be transferred to the PB System™ before the bid deadline. If the transfer is not completed before the bidding period closes, the offer will be rejected.
14. **Bid Opening.** Bid Opening will be through the Valley Water Vendor Portal: <https://pbsystem.planetbids.com/portal/48397/portal-home>.
15. **Errors or Discrepancies in the Bids.** Valley Water's 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).
16. **Bidder's Security.** Original Bidder's Bond documents with embossed seal from the Surety **must be received by Valley Water before the latest date/time for submitting Bid Proposals.** The original Bidder's Bond documents must be sent to the address indicated below. Non-compliance will result in a Bid Proposal being determined non-responsive.

BIDDER'S BOND DELIVERY. Bidders are allowed to submit a bid bond by third party carrier or by hand delivery.

- A. **THIRD PARTY CARRIER** such as: FEDEX, UPS, DHL, CA Overnight, Golden State Overnight, etc. **Any Bidder's Bond received after the latest date/time for submitting Bid Proposals will result in rejection of the Bidder's Bid**

Proposal for non-responsiveness. Late Bidder's Bond will be returned unopened.

NO DELIVERY WILL BE ACCEPTED VIA USPS (US MAIL). USPS (US Mail) does not deliver to 5905 Winfield Boulevard.

Address the outside delivery envelope as follows:

Santa Clara Valley Water District
Attention: Construction Contracts & Support Unit
**C0668 – South County Recycled Water Pipeline
Short-Term Phase 1B/2A/1C/2B Project
No. 91094009**
5905 Winfield Boulevard
San Jose, CA 95123 2428

- B. **HAND DELIVERY** shall only be between the hours of **1:00 p.m. to 2:00 p.m. on Wednesday, October 27, 2021, at the Administration Building located at 5750 Almaden Expressway, San Jose, CA 95118.** Bidder's Bond shall be delivered at a drop off box, marked "Bid/Submittal Drop Box," located in front of the entrance door. Bidder's must take a picture using its cellphone showing the sealed Bidder's Bond envelope and the "Official Bid Clock" timer as proof of delivery. Bidders must observe all Public Health Officers orders and wear proper face covering when dropping off your Bidder's Bond. **Any Bidder's Bond received after the date/time stated above will not be considered. Late Bidder's Bond will be returned unopened.**

17. 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.

The Board find that the Project is substantially complex based on the following reasons: (1) the design and construction of a pipeline crossing under Uvas Creek by microtunneling, a specialized construction method not typically used on Valley Water projects, which is permitted by the United States Army Corp of Engineers and California Department of Fish and Wildlife; (2) the deep jack-and-bores constructions under the Union Pacific Railroad's main line and spur line to be performed while the rail lines remain in active service; (3) the construction of pipeline in close proximity to and underneath existing SCRWA wastewater treatment plant facilities while the facilities remain in operation; and (4) the connection to the SCRWA wastewater treatment plant, which requires a time-constrained plant shutdown. Such construction work is complex and requires multiple coordination efforts between the Contractor, Valley Water, and various agencies.

- 18. 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 Section 22300.

19. **Small and Minority Businesses (SMBE), Women's Business Enterprises (WBE) and Labor Surplus Area Firms.** Please refer to the SMBE and WBE and Labor Area Surplus compliance requirements stated in the Instructions included with the Bid documents.
20. **Government-wide Debarment and Suspension.** The Bidder shall comply with 2 CFR 1400, Subpart C, and agrees to include a similar term or condition in all lower-tier covered transactions. A Contractor or subcontractor will not be awarded any party listed in the System for Award Management (SAM) exclusions.
21. **New restrictions on lobbying bidders and subcontractors at any tier with a covered transaction greater than \$100, "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.
22. This Project is partially funded by a grant from the United States Department of the Interior Bureau of Reclamation Assistance Agreement. The Bidders and Contractor are required to comply with federally mandated rules and requirements. Special attention is directed to Appendix H of the Specifications and the Federal Requirement Bid Forms included in this package.
23. **Equal Opportunity.** Valley Water is an equal opportunity employer, and all Contractors of Valley Water projects 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 Tuesday, SEPTEMBER 14, 2021.

ATTEST: MICHELE L. KING, CMC

Clerk, Board of Directors