

## SECTION 00010

### NOTICE INVITING BIDS

Notice is hereby given that sealed bids will be received by the Castro Valley Sanitary District (CVSan) in their office located at 21040 Marshall Street, Castro Valley, CA 94546-6020, at any time prior to **2:00 p.m. on Tuesday, July 11, 2023**, for furnishing all labor, materials, equipment, and services for the construction of improvements designated as:

#### **Inflow and Infiltration Reduction Project District Project No. 97 (2022-01)**

Bids will be publicly opened, examined and declared on said day and hour, and will be referred to CVSan's Board of Directors for subsequent action.

A pre-bid conference will be held at 2:00 p.m. on Tuesday, June 27, 2023, through virtual video conference. Please contact CVSan at (510) 756-4200 for virtual video conference details..

All of said work is to be done in accordance with the Contract Documents, at the places and in the particular locations, of the form, sizes and dimensions and of the materials, and to the lines and grades and at the elevations as shown on the Plans and Specifications made therefore and approved by CVSan.

The successful Bidder will have the opportunity to enter into a partnering agreement with CVSan. Partnering consists of a voluntary effort by all parties to develop joint goals and establish a cooperative rather than adversarial atmosphere while executing the Contract. The objective of partnering is effective completion of the work on schedule, within budget, and in accordance with the Contract Documents. Partnering shall commence and be conducted in accordance with industry practice.

Under California Laws and Regulations, CVSan shall inform all prime contractors of public works, to the extent feasible, of relevant public work requirements. Therefore, CVSan hereby advises all bidders that the successful bidder shall:

1. Employ the appropriate number of apprentices on the job site as set forth in California Labor Code 1777.5;
2. Provide workers' compensation coverage, as set forth in California Labor Code Sections 1860 and 1861;
3. Keep and maintain the records of work performed on the public works project, as set forth in California Labor Code Section 1812;
4. Keep and maintain the records required under California Labor Code Section 1776 which shall be subject to inspection pursuant to California Labor Code Section 1776 and

California Code of Regulations, Division 1, Chapter 8, Subchapter 3, Article 6, Section 16400 (e); and

5. Be subject to other requirements imposed by law.

Bidders are hereby notified that, pursuant to the provisions of California Labor Code, Section 1770 et. seq., CVSan has obtained from the Director of the Department of Industrial Relations, the general prevailing rate of per diem wages and a general prevailing rate for holidays, Saturdays and Sundays, and overtime work for public work projects of more than one thousand dollars (\$1,000) in the locality in which the work is to be performed for each craft, classification, or type of worker required to execute the contract. A copy of said prevailing rate of the per diem wage is on file at the offices of CVSan, 20211 Patio Drive, Suite 200, Castro Valley, CA 94546. Said prevailing rate of per diem wages will be made available to any interested party upon request, and a copy thereof shall be posted at the job site. Bidders intending to use a craft or classification not shown on the prevailing rate determinations may be required to pay the rate of the craft or classification most closely related to it. (Ref: [http://www.dir.ca.gov/dlsr/statistics\\_research.html#PWD](http://www.dir.ca.gov/dlsr/statistics_research.html#PWD))

CVSan will not recognize any claim for additional compensation because of the payment by the Contractor of any wage rate in excess of the prevailing wage rates on file as aforesaid. The possibility of a wage increase is one of the elements to be considered by the contractor in determining his/her or its Bid and will not, under any circumstances, be considered as the basis of a claim against CVSan on the Contract.

The successful Bidder and its subcontractors shall employ workers which consistently display and demonstrate proper moral, ethical, and professional conduct to all fellow workers, employees and representatives of CVSan and other involved parties.

Pursuant to the provisions of California Labor Code Section 6707, each Bid submitted in response to this Notice to Contractors shall contain, as a Bid item, adequate sheeting, shoring, and bracing, or equivalent method, for the protection of life and limb in trenches and open excavation, which shall conform to applicable safety orders. By listing this sum, the Bidder warrants that its action does not convey tort liability to CVSan, the Design Consultant, the Construction Manager, and their employees, agents, and subconsultants.

Physical copies of the Contract Documents are now on file and available for public inspection at the CVSan's Capital Improvements Office, 20211 Patio Drive, Suite 200, Castro Valley, CA 94546 where they may be obtained for a non-refundable \$85.00 charge. Contract Documents will be mailed for an additional charge of \$10.00 per set.

Each Bid must conform and be responsive to the invitation, the Plans and Specifications, and all documents comprising the pertinent Contract Documents. Each Bid shall be presented under sealed cover and shall be accompanied by a certified check, cashier's check, cash or bidder's bond, made payable to CVSan, in an amount not less than ten (10) percent of the bid. The said check shall be given as a guarantee that the Bidder will execute the Contract in conformity with the form of agreement contained within the Contract Documents and will furnish bonds and insurance policies as specified within ten (10) days after notification of the award of the Contract to the successful Bidder.

Addenda issued during the time of bidding shall be covered in the Contractor's Bid and shall become part of the Contract Documents.

Bidders shall develop and submit bids at their own expense. CVSan will not reimburse any costs associated with the development and submittal of any and all Bids.

CVSan reserves the sole right to reject any and all Bids and to waive any informality in a Bid.

No Bidder may withdraw its bid for a period of sixty (60) days after the date set for the opening thereof.

Any Bid protest must be submitted in writing to Castro Valley Sanitary District, 21040 Marshall Street, Castro Valley, CA 94546, by 4:30 p.m. of the 5<sup>th</sup> business day following the Bid opening. The initial protest document must identify the protestant and contain a complete statement of the basis for the protest with reference to any portion of the bid documents which the protestant relies on as the basis of the protest. The above time and content requirements are mandatory, and failure to comply therewith shall constitute a waiver of any further right to pursue a bid protest, including filing a Government Code claim or legal proceedings. Bid protests shall be acted upon by CVSan's Board of Directors.

At the successful Contractor's option, securities may be substituted for the required retention, in accordance with the provisions of Section 22300 of the State of California Public Contract Code.

In accordance with the provisions of California Public Contract Code Section 3300, CVSan has determined that the Contractor shall possess a valid Class A – General Engineering; Class C-34 – Pipeline Contractor; or Class C-42 – Sanitation System Contractor license.

In accordance with the provisions of California Business and Professions Code Section 7028.15, a Bid submitted to CVSan by a Contractor who is not licensed in accordance with Chapter 9 of the California Business and Professions Code shall be considered non-responsive and shall be rejected by CVSan.

The above-mentioned Project is a public work. Therefore, the prime contractor and all subcontractors for the Project must be registered with the California Department of Industrial Relations pursuant to the provisions of Labor Code Section 1725.5 in order to be qualified to bid on, be listed in a bid proposal, or engage in the performance of any work under the Contract for the Project. (All code references herein are to California codes). A bid shall not be accepted nor any contract or subcontract be entered into without proof of the contractor's or subcontractor's current registration to perform public work pursuant to Labor Code Section 1725.5.

Pursuant to Labor Code Section 1771.4, the Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. The prime contractor shall post jobsite notices as prescribed by regulation and the prime contractor and each subcontractor shall furnish the records specified in Labor Code Section 1776 directly to the Labor Commissioner as specified in said Section 1771.4. Pursuant to Labor Code Section 1773.3, CVSan shall provide notice to the Department of Industrial Relations of the award of this Contract within 30 days of the award.

By: \_\_\_\_\_  
Roland Williams, General Manager  
Castro Valley Sanitary District

Date: \_\_\_\_\_

**\*\*\* END OF SECTION \*\*\***