

CITY OF DESERT HOT SPRINGS

NOTICE INVITING SEALED BID PROPOSALS

for

Federal Project No. HSIPL 5384(025) | City Project No. 3021

HSIP 9-3 – Palm Drive Median

RECEIPT OF BID PROPOSALS: Sealed bids will be received by the City of Desert Hot Spring Department of Public Works, for furnishing of all labor, material, tools, and equipment necessary for street improvements including sidewalk, ADA ramps, striping and the performance of other appurtenant works as more particularly described in the specifications under Federal Project No. HSIPL 5384(025) – City Project No. 3021, HSIP 9-3 – Palm Drive Median, in the City of Desert Hot Springs.

The Sealed bids must be submitted on the Proposal Form at the Office of City Clerk, located at 11999 Palm Drive, Desert Hot Springs, CA 92240, before 2:00 p.m. on January 3, 2023. **Public Works “Bid: HSIP 9-3 – Palm Drive Median, City Project No. 3021” shall appear on the envelope of each sealed bid proposal and each bid proposal sealed envelope shall be addressed to the City Clerk, City Hall, 11999 Palm Drive, Desert Hot Springs, Ca 92240.** The bids will then be publicly opened and read in the Office of the City Clerk, City Hall, 11999 Palm Drive, Desert Hot Springs, CA 92240 at 2:00 p.m. on January 3, 2023.

The bids must be submitted on the proposal forms included in the bidder's package of the contract documents.

SCOPE OF WORK: The Project includes, without limitation, furnishing all necessary labor, materials, equipment, and other incidental and appurtenant work necessary to satisfactorily complete the Project, as more specifically described in the contract documents, permits from regulatory agencies with jurisdiction, and applicable regulations. The quantity of work to be performed and materials to be furnished are approximations only, being given as a basis for the comparison of bids. Actual quantities of work to be performed may vary at the discretion of the City Engineer.

The **HSIP 9-3 – Palm Drive Median** Project is consisting of removal and existing improvements and the construction of concrete median curb and stamped and colored concrete; placement of asphalt concrete pavement on aggregate base adjacent to new concrete improvements; installation of solar-powered flashing traffic signs on new poles; and the installation of new pavement markers and thermoplastic and paint traffic lines, markings, and legends.

TIME OF COMPLETION: BIDDER must agree to commence work within 5 days of the date of the written “**Notice to Proceed**” (NTP) of the AGENCY and to fully complete the project in 30 working days.

OBTAINING CONTRACT DOCUMENTS: Plans, Specifications, and Bid Package for the **HSIP 9-3 – Palm Drive Median** are ONLY available to be ordered online at; www.planitreprographics.com. For orders by phone contact: Planit Reprographics at (760) 345-2500.

Additional information regarding the purchase of contract Plans and Specifications may be obtained by telephoning (760) 329-6411 ext. 220.

INCORPORATION OF STANDARD SPECIFICATIONS: The contract Specifications include by reference the “City of Desert Hot Springs Standard Specifications” (available online at www.cityofdhs.org); Mission Springs Water District (MSWD), “Developer / Contractor Handbook and Guidelines for Design and Construction of Water and Sewer Facilities,” Latest Manual; Southern California Edison, “Underground Structures Standard (USG),” Latest Manual; “Standard Specifications for Public Works Construction,” 2015 Edition, as published by Building News, Inc.; and “Standard Specifications for State of California, Department of Transportation,” Latest Edition. The MSWD, **on-line** version of the manual is available at MSWD Web site, the SCE “Underground Structures Standard (USG) Manual,” **on-line** version of the manual is available at SCE’s Standards & Publications Web site, “Standard Specifications for Public Works Construction,” 2015 Edition is available at Building News, Inc., 1612 South Clementine Street, Anaheim, CA 92802, Tel: (714) 517-0970, and “Standard Specifications for State of California, Department of Public Works,” may be obtained from: State of California, Department of Transportation Publication Distribution Unit, 1900 Royal Oaks Drive, Sacramento, CA 95815 (916)263-0822 or Publication Unit Web site: <http://caltrans-opac.ca.gov/publicat.htm>.

ADDITIONAL BID INFORMATION AND REQUIREMENTS: Pre-bid inquiries should be directed to Mrs. Jilleen Ferris, P.E. City Engineer at **(760) 329-6411 X 220, or via email at jferris@cityofdhs.org**. Pre-Bid questions regarding Plans and Specifications shall be submitted to: John Gabor via email only at jgabor@omnis-inc.com. Include “Pre-bid Questions for HSIP 9-3 - Palm Drive Median, Project No. 3021” in the “Subject Line”. **Pre-bid questions will not be accepted after 2 p.m. on Tuesday, December 20, 2022.**

The successful CONTRACTOR and his subcontractors will be required to possess business licenses from the City of Desert Hot Springs.

The contract, if awarded, will be awarded to a responsible contractor with the lowest responsive bid; however, the City of Desert Hot Springs reserves the right to reject any and all bid proposals. The City reserves the right to find a Bid Proposal of a bidder who has been delinquent, is in current litigation with the City or has been within the preceding 12 months or was unfaithful in any former contract with the City non-responsible. No BIDDER may withdraw his/her Bid Proposal for a period of sixty days after the date of the bid proposal opening.

A responsible contractor is one who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the contract. It is the City’s policy to conduct business only with responsible contractors.

The successful bidder will be required to fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees and comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance throughout the duration of the contract. Failure to comply may be cause for termination of the contract or initiation of debarment proceedings.

The successful bidder must provide full disclosure of False Claims Act violations, labor law/payroll violations, debarments, and civil/criminal legal actions as provided in the Instructions to Bidders. Failure to complete these forms may result in a determination that the bidder is nonresponsive and/or not responsible.

Affirmative action to ensure against discrimination in employment practices on the basis of race, color, national origin, ancestry, sex, or religion will also be required. The City hereby

affirmatively ensures that minority business enterprises will be afforded full opportunity to submit bids in response to this notice and will not be discriminated against on the basis of race, color, national origin, ancestry, sex, or religion in any consideration leading to the award of contract.

The City supports and encourages equal opportunity contracting.

REGISTRATION WITH THE DEPARTMENT OF INDUSTRIAL RELATIONS: In accordance with Labor Code Sections 1725.5 and 1771.1, no contractor or subcontractor shall be qualified to bid on, be listed in a bid proposal, subject to the requirement of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public works, unless currently registered and qualified to perform public work pursuant to Section 1725.5 [with limited exceptions for bid purposes only under Labor Code Section 1771.1(a)].

BONDS: Each submitted bid proposal must be accompanied by a certified or cashier's check, or a surety bond, payable to the City of Desert Hot Springs in the amount equivalent to at least 10% of the total aggregate bid price of such bid proposal, as a guaranty that the bidder, if its bid proposal be accepted, will enter into and execute the awarded contract, and furnish the required bonds in connection therewith, in accordance with the terms of the aforementioned Specifications.

The successful bidder, hereinafter called "the CONTRACTOR" to whom this contract is awarded will be required, before execution of the contract by the City of Desert Hot Springs, hereinafter "the AGENCY," to file with said AGENCY surety bonds as follows:

A "Faithful Performance Bond" amounting to 100% of the total contract price is required for all contracts.

A "Payment Bond" (labor and material) amounting to 100% of the total contract price is required for all contracts.

A "Certificate of Liability Insurance," naming the City of Desert Hot Springs and The County of Riverside as an additional insured. See "Insurance and Bonds" paragraphs within the Special Instructions to Bidders Section.

A "Certificate of Worker's Compensation Insurance".

And a "Certificate of Commercial Vehicle Liability Insurance" (See "Insurance and Bonds" paragraphs within the Special Instructions to Bidders Section.

Surety bonds shall be subject to the condition that the surety thereon be approved by the AGENCY Attorney and AGENCY Council. Bonding forms are included in this document.

As provided for in Section 4590 of the California Government Code and in Section 22300 of the State Public Contract Code, the contractor may substitute securities for any monies withheld by the Agency to ensure performance under the contract, or enter into an escrow agreement for payment of such monies to an escrow agent.

FEDERAL FUNDING: This project is being financed with Highway Safety Improvement Program (HSIP) funding.

PREVAILING WAGES: Pursuant to Section 1773 of the Labor Code, the general prevailing wage rates, including the per diem wages applicable to the work, and for holiday and overtime work, including employer payments for health and welfare, pension, vacation, and similar purposes, in the County of Riverside in which the work is to be done, have been determined by the Director of the Department of Industrial Relations, State of California. These wages are set

forth in the General Prevailing Wage Rates for this project, available from the California Department of Industrial Relations' Internet web site at www.dir.ca.gov. Future effective prevailing wage rates which have been predetermined and are on file with the California Department of Industrial Relations, are referenced but not printed in the general prevailing wage rates.

The Federal minimum wage rate requirements, as predetermined by the Secretary of Labor, are set forth in the books issued for bidding purposes, referred to herein as Project Bid Documents (Special Federal Provisions), and in copies of this book which may be examined at the office described above where the project plans, special provisions, and proposal forms may be seen. Addenda to modify the minimum wage rates, if necessary, will be issued to holders of the Project Bid Documents.

TRENCHES AND OPEN EXCAVATIONS: Pursuant to Labor Code Section 6707, if this project involves the construction of a pipeline, sewer, sewage disposal system, boring and jacking pits, or similar trenches or open excavations, which are five feet or deeper, each bid submitted in response hereto shall contain, as a Bid item, adequate sheeting, shoring, and bracing, or equivalent method, for the protection of life or limb, which shall conform to applicable safety orders.

LICENSES: Each Bidder shall possess a valid Class "A" General Engineering Contractor's License. For any electrical work he shall possess a C-10 Electrical Contractor License. The respective License has to be issued by the California State Contractors License Board at the time of the Bid submission, unless this Project has any federal funding, in which case the successful Bidder must possess such a license at the time of Contract award. The successful Contractor must also possess a current City business License.

RETENTION SUBSTITUTION: Five percent (5%) of any progress payment will be withheld as retention. In accordance with Public Contract Code Section 22300, and at the request and expense of the Contractor, securities equivalent to the amount withheld may be deposited with the City or with a State or federally chartered bank as escrow agent, which shall then pay such moneys to the Contractor. Upon satisfactory completion of the Project, the securities shall be returned to the Contractor. Alternatively, the Contractor may request that the City make payments of earned retentions directly to an escrow agent at the Contractor's expense. No such substitutions shall be accepted until all related documents are approved by the City Attorney.

TRADE NAMES OR EQUALS: Requests to substitute an equivalent item for a brand or trade name item must be made by written request submitted no later than ten (10) Calendar Days before the Bid submission deadline. Requests received after this time shall not be considered. Requests shall clearly describe the product for which approval is requested, including all data necessary to demonstrate acceptability.

LIQUIDATED DAMAGES: Liquidated damages shall accrue in the amount of \$2,900 for each calendar day that work remains incomplete beyond the Project completion deadline specified in the Contract Documents.

BIDDING PROCESS: The City reserves the right to reject any Bid or all Bids, and to waive any irregularities or informalities in any bid or in the bidding, as deemed to be in its best interest.

DISADVANTAGED BUSINESS ENTERPRISE (DBE): The City is implementing the California Department of Transportation (Caltrans) DBE program applicable to all federally funded local transportation projects. The DBE contract goal for the Project is 15 Percent (15%).

BUY AMERICA: The Project is subject to the “Buy America” provisions, 23 USC 313, and regulations, 23 CFR 635.410, issued pursuant thereto.

PROPOSED CONSTRUCTION SCHEDULE: The following schedule is to be required for the proposed project. The schedule may be extended by the City due to circumstances unforeseen at the time of advertisement.

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| December 1, 2022 | Request For Proposal Advertised |
| December 20, 2022 | Questions Submitted by 2:00 PM |
| January 3, 2023 | Seal Bid Submitted by 2:00 PM |
| January 17, 2023 | Anticipated award of construction contract |
| January 17, 2023 | Contracts fully executed / Notice to proceed issued |
| February 13, 2023 | Construction begins |
| March 27, 2023 | Construction completed |

CITY OF DESERT HOT SPRINGS
JERRYL SORIANO, CMC, CITY CLERK
City of Desert Hot Springs
11999 Palm Drive,
Desert Hot Springs, California 92240
(760) 329-6411

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