



CITY OF PETALUMA

POST OFFICE BOX 61
PETALUMA, CA 94953-0061

ADDENDUM NO. 1

**Petaluma Boulevard South Road Diet
C16101601**

October 11, 2021

This Addendum No. 1 modifies the Bidding Documents for the Petaluma Boulevard South Road Diet Project C16101601. This Addendum shall become part of the Contract and all provisions of the Contract shall apply thereto. Bidders shall acknowledge all Addendums in the Bid Schedule.

NOTICE INVITING BID CHANGE

Refer to page 1, item 2 of the Notice of Inviting Bids. The Bids will be ~~publicly~~ opened and ~~read at 2:00 PM (enter time) on June 10~~ **read at 2:00 PM (enter time) on Thursday October 28th, 2021** at the ~~above-mentioned~~ office of the CITY. The CITY reserves the right to postpone the date and time for opening of Bids at any time prior to the aforesaid date and time.

The following paragraphs of the “Notice Inviting Bids” will be modified as described.

1. RECEIPT OF BIDS: Bids for this project will be submitted by email before 2:00 PM on **Thursday October 28th, 2021**. The emailed bid will include all of the completed documents found in the BID FORMS section of the Contract Documents. The bids will be emailed to: CITYCLERK@cityofpetaluma.org. The email subject line will be “PBS Road Diet Project C16101601”. The response email from the City Clerk will indicate the time stamp of the bid receipt.

2. Original copies of the Sealed Bids will be sent by standard United States Postal Service (USPS) mail services and received by the mail clerk at 11 English Street, Petaluma CA 94952. The Sealed Bids will be postmarked at USPS not later than the date of **October 28th, 2021**. Sealed Bids postmarked after **October 28th, 2021**, may not be considered. The Sealed Bids sent via USPS will include all of the original signed and sealed documents included in the Bid Form section of the Contract Documents. This packet will be clearly marked on the outside of the package “PBS Road Diet C16101601”.

OPENING OF BIDS: The emailed bids will be opened by the Project Manager and the City Clerk. The bids will be documented on the Bid Result template with the name of the bidding contractor and ranked by the Base Bid dollar amount. The Bid results will be posted on the City’s webpage at <https://cityofpetaluma.org/bid-opportunities-2/>

Teresa Barrett
Mayor

Brian Barnacle
D’Lynda Fischer
Mike Healy
Dave King
Kevin McDonnell
Dennis Pocekay
Councilmembers

Public Works & Utilities

City Engineer
11 English Street
Petaluma, CA 94952
Phone (707) 778-4303

Environmental Services
Ellis Creek Water
Recycling Facility
3890 Cypress Drive
Petaluma, CA 94954
Phone (707) 776-3777
Fax: (707) 656-4067

**Parks & Facility
Maintenance**
840 Hopper St. Ext.
Petaluma, CA 94952
Phone (707) 778-4303
Fax (707) 206-6065

Transit Division
555 N. McDowell Blvd.
Petaluma, CA 94954
Phone (707) 778-4421

Utilities & Field Operations
202 N. McDowell Blvd.
Petaluma, CA 94954
Phone (707) 778-4546
Fax (707) 206-6034

E-Mail: publicworks@cityofpetaluma.org

CONTRACT DOCUMENT REVISIONS AND CORRECTIONS

1. Section I; Bid Forms Reference; Federal – Required Contract Language; Page 7 of 24: Page 7 to be **deleted**. **Replace** with new Page 7 of 24 included in this Addendum No.1 package. Working days corrected from 10 to 90.

2. Section I; Bid Forms; Non-Collusion Affidavit: Bid Form **included** in this Addendum No. 1 package. Non-Collusion Affidavit to be submitted with bid forms.

CONTRACT DOCUMENT QUESTIONS

Question #1: The Table of Contents Section I asks for 15G & 15H to be submitted at bid time, Exhibit 12-G required Federal Aid Contract Language requires that 15G & 15H are to be submitted within 5 days of bid date, please clarify.

Response #1: The low bidder shall submit these forms within five (5) days of the bid opening per forms 12-G, Federal-Aid Contract Language . These forms are to be submitted directly to the project manager.

SUBMITTAL CLARIFICATION TO CONTRACTORS QUESTION AND ANSWER

Question #1: Can I submit the original copies of the sealed bid by FedEx, UPS, courier, other delivery service or drop the packet off myself?

Response #1: Due to COVID-19 restrictions, the City of Petaluma has closed City Hall to the general public to continue the practice of “social distancing”. We will only accept the sealed bid packet by the daily mail delivery of the United States Postal Service (USPS).

Question #2: What if the USPS delivers my original copies a week, or more, later?

Response #2: As long as the USPS postmark on the exterior of the package shows October 28, 2021, or earlier we will accept your original copies.

Question #3: What if my email doesn't go through the internet system because the attachments have too many megabytes?

Response #3: You may send multiple emails to CityClerk@cityofpetaluma.org. All emails and all attachments must be received and acknowledged by the City Clerk's response before 2:00PM on October 28, 2021. All emails must be titled “Bid PBS Road Diet Project C16101601”.

Question #4: What attachment file will you accept?

Response #4: PDF is preferred. Other common file formats are JPG, TIF, DOC, XLS.

Question #5: Will you video the bid opening?

Response #5: The bid opening will not be video taped.

Question #6: How am I assured that you are really choosing the lowest bid?

Response #6: The bid packets are kept by the City Clerk for the duration of the project. After the low bid is posted, if you want to see Bid information, please call the project manager.

Question #7: Why are you doing it this way?

Response #7: Due to COVID-19 restrictions we are trying to minimize person to person contact as much as possible to keep everyone as healthy as possible.

Question #8: What if my email goes to the junk or spam folder?

Response #8: You may send a trial email in advance of the bid submittal date. Please send your email to CityClerk@cityofpetaluma.org.

This Addendum No. 1 shall become part of the Contract and all provisions of the Contract shall apply thereto. Bidders shall acknowledge all Addendums in the Bid Schedule.

Summary of Changes: Bids will be emailed into the City Clerk, and original copies of the sealed bids will be mailed in. Correction of working days on federal form 12-G. Provision of Non-Collusion Affidavit Bid Form. Clarification on submission of federal forms 15-G and 15-H.

City of Petaluma,



Jeff Stutsman, P.E., T.E.
City Engineer, City of Petaluma

A signed copy of this Addendum and the attached acknowledgement form shall be attached to the bid proposal. Failure to do so may cause rejection of your bid as being non-responsive.

ADDENDUM NO. 1

Petaluma Boulevard South Road Diet C16101601

October 11, 2021

ACKNOWLEDGEMENT

Receipt of Addendum No. 1 is hereby acknowledged by _____
(Contractor's Name)

on the _____ day of _____, 2021.

By: _____
Signature

Title

Company

7. BEGINNING OF WORK, TIME OF COMPLETION AND LIQUIDATED DAMAGES

The Contractor shall begin work within 15 calendar days after the issuance of the Notice to Proceed.

This work shall be diligently prosecuted to completion before the expiration of 90 WORKING DAYS beginning on the fifteenth calendar day after the date shown on the Notice to Proceed.

The Contractor shall pay to the City of Petaluma the sum of \$ 1,500 per day, for each and every calendar days' delay in finishing the work in excess of the number of working days prescribed above.

8. BUY AMERICA

Furnish steel and iron materials to be incorporated into the work with certificates of compliance and certified mill test reports. Mill test reports must indicate where the steel and iron were melted and manufactured. Steel and iron materials must be produced in the U.S. except:

1. Foreign pig iron and processed, pelletized, and reduced iron ore may be used in the domestic production of the steel and iron materials [60 Fed Reg 15478 (03/24/1995)];
2. If the total combined cost of the materials does not exceed the greater of 0.1 percent of the total bid or \$2,500, materials produced outside the U.S. may be used.

Production includes:

1. Processing steel and iron materials, including smelting or other processes that alter the physical form or shape (such as rolling, extruding, machining, bending, grinding, and drilling) or chemical composition;
2. Coating application, including epoxy coating, galvanizing, and painting, that protects or enhances the value of steel and iron materials.

9. QUALITY ASSURANCE

The Agency uses a Quality Assurance Program (QAP) to ensure a material is produced to comply with the Contract. You may examine the records and reports of tests the Agency performs if they are available at the job site. Schedule work to allow time for QAP.

10. PROMPT PAYMENT OF FUNDS WITHHELD TO SUBCONTRACTORS

The agency may hold retainage from the prime contractor and shall make prompt and regular incremental acceptances of portions, as determined by the agency, of the contract work, and pay retainage to the prime contractor based on these acceptances. The prime contractor, or subcontractor, shall return all monies withheld in retention from a subcontractor within seven (7) days after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the agency, unless as agreed to in writing by the prime contractor and subcontractor, pursuant to Section 7108.5 of the Business and Professions Code and Section 10262 of the California Public Contract Code. Any violation of these provisions shall subject the violating prime contractor or subcontractor to the penalties, sanctions and other remedies specified therein. These requirements shall not be construed to limit or impair any contractual, administrative, or judicial remedies otherwise available to the prime contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the prime contractor, deficient subcontract performance, or noncompliance by a subcontractor.

11. FORM FHWA-1273 REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONTRACTS

(Excluding ATTACHMENT A - EMPLOYMENT AND MATERIALS PREFERENCE FOR APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS ROAD CONTRACTS)

12. DBE RUNNING TALLY OF ATTAINMENTS

After submitting an invoice for reimbursement that includes a payment to a DBE, but no later than the 10th of the following month, the prime contractor/consultant shall complete and email the Exhibit 9- F: Disadvantaged Business Enterprise Running Tally of Payments to business.support.unit@dot.ca.gov with a copy to the Agency.

[The following 12 pages must be physically inserted into the contract without modification.]

BIDDER'S AFFIDAVIT OF NON-COLLUSION SUBMITTED WITH BID

_____, *[Contractor]* hereby declares that:

He or she is _____ *[title/position]* of _____
_____, *[company name]* the party making the foregoing bid; that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract or anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: _____

Signature

Public Contract Code section 7106
Code of Civil Procedure section 2015.5

END OF BIDDER'S AFFIDAVIT OF NON-COLLUSION SUBMITTED WITH BID