

NOTICE INVITING BIDS

NOTICE IS HEREBY GIVEN that **SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT** invites sealed bids for the construction of **MONTEREY II - E.S. #48 - CATEGORY 5 (STRUCTURAL STEEL) RE-BID**, a project of the Facilities Management Department in the San Bernardino City Unified School District, County of San Bernardino, California. Bid Forms, together with required attachments to the Bid Form, **in a sealed envelope with a copy of the completed required bid cover sheet affixed to the outside of the envelope**, shall be delivered to the District and placed in the **Bid Box in the Purchasing Department** of San Bernardino City Unified School District, 777 North "F" Street, San Bernardino, CA 92410, not later than **2:00 p.m. on Thursday, October 5, 2006**. Bid Forms received within the stipulated time will be promptly opened in public and read aloud at said address. Bid Forms or Attachments thereto received after the stipulated time will be rejected without consideration. **The District will not be responsible for accepting bids not delivered as required herein whether by the bidder or courier/delivery service or for accepting bids sent to the address or location other than that specified herein. All bids submitted must be readily identifiable as bid submissions by the presence of the completed bid cover sheet affixed to the outside of the sealed envelope. Bids delivered in an outer envelope of a courier/delivery service or other envelope without a completed bid cover sheet affixed to the outside must have, within the outer envelope, a second sealed envelope containing the bid with the completed bid cover sheet affixed. District will not be responsible for timely identifying bids delivered in any envelope which does not have a clearly visible completed bid cover sheet affixed to it. IT IS THE RESPONSIBILITY OF EACH BIDDER TO MAKE CERTAIN THE BID IS DELIVERED ON TIME AT THE SPECIFIED LOCATION AND PLACED IN THE BID BOX.**

This Public Works project is being constructed based on multiple prime contracts with a CONSTRUCTION MANAGER retained by the DISTRICT. By entering into this CONTRACT, CONTRACTOR acknowledges that there may be other contractors on the site whose WORK will be coordinated with that of its own. CONTRACTOR expressly warrants and agrees that it will cooperate with other contractors and will do nothing to delay, hinder or interfere with the WORK of other separate contractors, the DISTRICT, the CONSTRUCTION MANAGER, the ARCHITECT or utilities. CONTRACTOR also expressly agrees that in the event it's WORK is hindered, delayed, interfered with or otherwise affected by a separate contractor, it's sole remedy will be a direct action against the separate contractor. To the extent allowed by law, the CONTRACTOR will have no remedy and hereby expressly waives any remedy against the DISTRICT, the CONSTRUCTION MANAGER or the ARCHITECT on account of delay, hindrance, interference or other events caused by a separate contractor.

Bid Category is as follows:

Category
5 - Structural Steel

All bids shall be made on a bid form furnished by the DISTRICT. Each bid shall be accompanied by cash, a cashier's check made payable to the DISTRICT, or a satisfactory bid bond in favor of the DISTRICT, executed by the bidder as principal and a California admitted surety company as Surety, in an amount not less than ten percent (10%) of the base bid in the proposal. The cash, check or bid bond shall be given as a guarantee that the bidder shall execute the contract if it be awarded to it, in conformity with the contract documents and shall provide the surety bonds as specified in the General Conditions within ten (10) calendar days after notification of the DISTRICT's award of the contract to the bidder. In case of refusal or failure to execute the Agreement and provide the bonds and other documents within ten (10) calendar days of the award, the cash, cashier's check, certified check or bid bond, as the case may be, shall be forfeited to the DISTRICT, as liquidated damages.

Each bid must conform and be responsive to all pertinent Bidding and Contract Documents. Copies are on file and open for public inspection at the Construction Manager's office.

Prospective contract bidders may secure up to one (1) set of said documents **ONLY** from the DISTRICT's Construction Manager, NEFF CONSTRUCTION, INC. 1701 South Bon View Avenue, Suite 104, Ontario CA 91761, upon payment of a refundable deposit of **\$375.00**. Deposits will be refunded upon the return of said documents to the Construction Manager in good condition within five (5) calendar days after bids on the project have been opened. A non-refundable mailing charge of **\$25.00** will be required for each set mailed to California cities (out of state locations will be higher). Bidders in need of more than one set of bid documents may purchase additional sets (only if available at the Construction Manager's Office) at **\$375.00** each non-refundable. All bidders intending to pick up plans at the Construction Manager's office are urged to call in advance to verify bid document availability. Bid documents (*with a sample bid form only*) may also be placed in the Construction Manager's Office Plan Room and also in the following plan rooms:

McGraw-Hill Plan Center
8755 Flower Road, Suite "A"
Rancho Cucamonga, CA 91730
Phone: 909-987-1579

McGraw-Hill Plan Center
2150 Town Center Place, Suite 100
Anaheim, CA 92806
Phone: 714-937-0831

It is very important that prospective prime bidders, which choose to use a plan room in lieu of obtaining their own complete set of bid documents, contact the Construction Manager, Neff Construction, Inc., 1701 South Bon View Avenue, Suite 104, Ontario, CA 91761 and request a **free** Bid Package. This Bid Package contains, among other important things, the bid form which **MUST** be used to submit a prime bid to the DISTRICT.

DVBE PARTICIPATION GOALS: In accordance with Education Code Section 17076.11, this District has a participation goal for disabled veteran business enterprises of at least 3 percent per year of the overall dollar amount of funds allocated to the District by the State Allocation Board pursuant to Leroy F. Greene School Facilities Act of 1998 for construction or modernization and expended each year by the School District. Prior to, and as a condition precedent for final payment under any contract for such project, the Contractor shall provide appropriate documentation to the District identifying the amount paid to disabled veteran business enterprises in conjunction with the contract, so that the District can assess its success at meeting this goal.

All local, small, minority, woman and disabled veteran business enterprises are encouraged to participate in this bid. As part of a good faith effort in support of the District's business outreach program, the District requests that contractors and subcontractors complete and submit the District's Business Outreach Program registration form along with their bid package. The District is using this form to monitor the participation of all non-local, local, small, minority, women and

disabled veteran business enterprises in the Facilities Capital Improvement Program. The program form and brochure may be found as attachments to the Bid and Contract Documents.

Each bid must be on DISTRICT'S Bid Form and shall be accompanied by Bidder's Noncollusion Affidavit; Site Visit Certification; Certification of Compliance with DVBE Policy; Proposed Subcontractors; Bid Bond; Bidder References and Responsibility Information and San Bernardino City Unified School District Business Outreach Registration.

Prime Contractors bidding this work shall require, pursuant to Public Contract Code Article 4108, all subcontractors providing labor and materials in excess of \$100,000.00 to supply an original signature and fully executed 100% Faithful Performance and 100% Payment Bond.

All prime contractors bidding on this work must specify this requirement for subcontractor bonds in their written or published request for subcontractor bids. Failure to comply with this requirement shall not preclude contractor from complying with the subcontractor bonding requirements.

Bonds are required for each specification section or combination of sections which exceed(s) the limit listed above.

The practice of issuing separate purchase orders and/or subcontracts for the purpose of circumventing the subcontractor bonding requirement shall not serve to exempt the Contractor from these requirements.

No payments, except for a reimbursement payment to the Prime Contractor for the cost of the Prime Contractor's own Faithful Performance and Payment Bonds, shall be made to the Prime Contractor until the Prime Contractor provides the aforementioned subcontractor bonds to the DISTRICT through the Construction Manager.

The District has adopted a Labor Compliance Program (LCP). Initial approval by the California Department of Industrial Relations ("DIR") will be received prior to award of contract consistent with Labor Code Section 1771.7. Each bidder agrees that if its bid is accepted, it shall comply with the provisions of the DISTRICT'S LCP. The successful bidder and all subcontractors utilized by the successful bidder on the project shall maintain and furnish to the DISTRICT, or its designated representative, on a periodic basis as directed by the DISTRICT, but in no event less frequent than once each month, certified copies of weekly payroll reports signed under penalty of perjury. The DISTRICT, or its designated representative, shall review the payroll reports to verify compliance with the prevailing wage requirements and shall conduct audits as it deems necessary. The prevailing rate of per diem wages and a description of employer payments are on file at the DISTRICT OFFICE and are available to any interested party upon request. If the payroll records or reports are delinquent or inadequate, the DISTRICT shall withhold contract payments. Additionally, if after an investigation it is established that an underpayment occurred, the DISTRICT shall withhold contract payments equal to the amount of underpayment and applicable penalties. The DISTRICT thereafter shall follow the requirements regarding notice to the prime contractor or subcontractor as provided in Labor Code Section 1771.6. Copy of the Labor Compliance Program is on file at District office for bidder review.

The DISTRICT has obtained from the Director of the Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work in the locality in which the work is to be performed for each craft, classification or type of work needed to execute the contract. Straight-time hourly rates and overtime hourly rates (daily, Saturday,

Sunday and holiday) shall be paid in accordance with the general prevailing wage determination issued by the Director of the Department of Industrial Relations.

The general prevailing rate of per diem wages determined can also be located on the internet at the following web address: <http://www.dir.ca.gov/DLSR/statistics-research.html#PWD>

Copies of schedules of rates so determined are on file at the DISTRICT's principal office located at **San Bernardino City Unified School District, 777 North "F" Street, San Bernardino, CA 92410** and are available to any interested party upon request.

In accordance with Sections 1773 and 1773.2 of the California Labor Code, the Contractor shall post a copy of the determination of prevailing rate of wages at each job site.

The schedule of per diem wages is based upon a working day of eight (8) hours.

The Contractor and any subcontractor(s) shall pay not less than the specified prevailing rates of wages to all workers employed by them in the execution of the contract.

A payment bond and performance bond will be required prior to the execution of the contract. The payment bond and performance bond shall be in the form and amount set forth in the Contract Documents.

In accordance with provisions of Public Contract Code Section 22300, substitution of eligible and equivalent securities for any monies withheld to ensure performance under this contract will be permitted at the request and expense of the contractor.

Consistent with Public Contract Code Section 20103.8 and Section 12E of the Information for Bidders Form relating to the use of alternate bids, the lowest responsible bidder for the project shall be determined using the following method:

The lowest bid shall be the lowest total bid prices on the Base Bid.

Once the lowest responsible bidder has been selected, the DISTRICT may determine to add to or deduct from the Contract any of the additive or deductive items.

License Requirements: Pursuant to Section 7028.15 of the Business and Professions Code and Section 3300 of the Public Contract Code, all bidders must possess proper licenses for performance of this Contract. At the time of bid, and for the duration of the Contract, if awarded, Contractors shall possess the following California Contractor's license in order to perform the specified Bid Category of Work.

Category	License
5 - Structural Steel	C-51

Subcontractors must possess the appropriate licenses for each specialty subcontracted. Additionally, Contractors must verify license requirements of local jurisdictions.

No bidder may withdraw his bid for a period of ninety (90) days after the date set for the opening thereof.

The DISTRICT reserves the right to reject any and all bids and to waive irregularities in any bid.

JOB WALK AND PRE-BID CONFERENCE: A pre-bid conference will be held for attendance by any interested bidder with representatives of the DISTRICT, the ARCHITECT and the CONSTRUCTION MANAGER. Although the walk is highly recommended, it is not mandatory. The walk will commence at **1:00 p.m. on Thursday, September 21, 2006. All attendees shall meet at the Monterey II - E.S. #48 jobsite at 1250 East Ninth Street, San Bernardino, CA 92410.**

For further information consult the Information for Bidders and the Contract Documents.

First publication: **Thursday, September 14, 2006**

Second publication: **Thursday, September 21, 2006**

Bids Due: **2:00 p.m. on Thursday, October 5, 2006**

Bids Opened: **2:00 p.m. on Thursday, October 5, 2006**