

CITY OF MERCED
DEPARTMENT OF ENGINEERING
(ENGINEERING PROJECTS AND STANDARDS)

NOTICE INVITING BIDS

N-1 NOTICE IS HEREBY GIVEN that sealed bids for the work shown on the plans entitled:

PROJECT NUMBER CP240046
CDBG MINI PARK ADA IMPROVEMENTS

will be received at the Office of the Purchasing Agent of the City of Merced, 2525 "O" Street, Merced, California, until **2:00 pm on November 28, 2023** at which time they will be publicly opened, read and recorded.

A map showing the location of the Purchasing Department is provided in the Appendix.

N-2 DESCRIPTION OF THE WORK: The work to be performed includes but not limited to clearing and grubbing; removal of concrete sidewalk and curb; installation of sidewalk, and the restoration of landscape irrigation.

Such other items or details, not mentioned above, that are required by the Plans, Standard Specifications, City of Merced Standard Designs and the Special Provisions shall be performed, placed, constructed or installed.

The project is located in the City of Merced, California. Bids are required for the entire work described herein.

N-3 AWARD OF CONTRACT: (a) The City reserves the right after opening bids to reject any or all bids, to waive any informality (non-responsiveness) in a bid, or to make award to the lowest responsive, responsible bidder and reject all other bids, as it may be best serve the interest of the City; (b) The ranking of bids will be based on the combination of bid schedules that the City awards; (c) As a condition of award, the successful bidder shall furnish a payment bond and a performance bond each in the full amount of the contract price. The successful bidder will also be required to submit proof of insurance for work involved.

N-4 BID SECURITY: Each bid shall be accompanied by a certified or cashier's check or Bid Bond in the amount of 10 percent of the total bid price, payable to the City of Merced.

N-5 CONTRACTOR'S LICENSE CLASSIFICATION: The Contractor shall possess a valid **Class A or C-8** license at the time of submitting bids.

Section 3-1.06, "Contractor License," of the Standard Specifications is amended to read:

Attention is also directed to the provisions of Public Contract Code Section 10164. For Federal-aid contract, the Contractor must be properly licensed as a Contractor from contract award through contract acceptance.

N-6 BUY AMERICA PROVISIONS: THIS PROJECT IS SUBJECT TO THE "BUY AMERICA" PROVISIONS OF THE SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982 AS AMENDED BY THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1991.

This contract is subject to state contract nondiscrimination and compliance requirements pursuant to Government Code, Section 12990.

N-7 RETAINAGE FROM PAYMENTS: The Contractor may elect to receive 100 percent of payments due under the Contract Documents from time to time, without retention of any portion of the payment by the City, by depositing securities of equivalent value with the City in accordance with the provisions of Section 22300 of the Public Contract Code.

N-8 PRE-BID CONFERENCE: A pre-bid conference will be held at 678 W. 18th Street, Merced, CA 95340, 2nd Floor, Planning Conference Room on **November 14, 2023 at 10:00 am** prevailing local time. All questions shall be submitted in writing/email to the City Engineer no later than **5:00 pm, November 17, 2023.**

N-9 OBTAINING OR INSPECTING CONTRACT DOCUMENTS: Printed copies of the plans are available at the City of Merced at 678 W. 18th Street Merced, CA 95341. Digital copies of the plans and specifications may be obtained from the City of Merced Engineering Department by sending an email to Laura Ivancich(ivancichl@cityofmerced.org) Fee for digital or hard copy is **\$35.00** Bids must be filed with the Purchasing Agent, at 2525 "O" Street, Merced, California 95340, not later than **November 28, 2023, at 2:00 pm** prevailing local time, at which time the bids will be publicly opened, read, and recorded.

N-10 INSURANCE REQUIREMENTS: The successful bidder must meet the insurance requirements provided for in the bid documents. Failure to meet the insurance requirements will cause the City to withdraw any award and the successful bidder will forfeit their bid bond. A payment bond, performance bond, guaranty and all insurance required for this contract must be filed with the contract documents and approved by the City Attorney before the Contractor enters upon performance of the work. Endorsement for additional insured shall be submitted on standard form CG 20101185. Endorsement forms CG 20101001 and CG 20371001, when used together, are acceptable in lieu of CG 20101185 for Public Works projects. Failure to meet the requirements will result in forfeiture of bid security. All Insurance required shall be from a California admitted insurance company.

N-11 LABOR CODE: 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 (DIR). These wages are set forth in the General Prevailing Wage Rates for this project, available at the Labor Compliance Office at the offices of the District Director of Transportation for the district in which the work is situated. The Federal minimum wage rates for this project as predetermined by the United States Secretary of Labor are set forth in the books issued for bidding purposes entitled "Proposal and Contract," and in copies of this book that may be examined at the offices described above where project plans, special provisions, and proposal forms may be seen. Addenda to modify the Federal minimum wage rates, if necessary, will be issued to holders of "Proposal and Contract" books. Future effective general 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.

No contractor or subcontractor may be listed on a bid proposal or be awarded a contract for public work unless registered with the DIR pursuant to the State Labor Code. This project is subject to compliance monitoring and enforcement by the DIR. Attention is directed to the Federal minimum wage rate requirements in the books entitled "Proposal and Contract." If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the general prevailing wage rates determined by the Director of the California Department of Industrial Relations for similar classifications of labor, the Contractor and subcontractors shall pay not less than the higher wage rate. The Department will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal wage determinations. Where Federal wage determinations do not contain the State wage rate determination otherwise available for use by the Contractor and subcontractors, the Contractor and subcontractors shall pay not less than the Federal minimum wage rate which most closely approximates the duties of the employees in question.

N-12 BID RIGGING: The U.S. Department of Transportation (DOT) provides a toll-free hotline to report bid rigging activities. Use the hotline to report bid rigging, bidder collusion, and other fraudulent activities. The hotline number is (800) 424-9071. The service is available 24 hours 7 days a week and is confidential and anonymous. The hotline is part of the DOT's effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General.

N-13 DISADVANTAGED BUSINESS ENTERPRISE: Bidders are advised that, as required by federal law, the City of Merced is implementing new Disadvantaged Business Enterprise requirements for Disadvantaged Business Enterprises (DBE). The City of Merced DBE contract goal is 14%.

N-14 ADDRESS AND MARKING OF BIDS: The envelope enclosing the Bid shall be sealed and addressed to the City of Merced, Purchasing Dept. 2525 O Street, Merced, CA 95340, and shall be hand delivered or mailed to the Office of the Purchasing Agent before **2:00 pm on November 28, 2023**. The envelope shall be plainly marked in the upper left hand corner with the name and address of the Bidder and shall bear the words "**Bid for CDBG MINI PARK ADA IMPROVEMENTS PROJECT NUMBER CP240046, November 28, 2023 at 2:00 pm**" The certified or cashier's check or Bid Bond shall be enclosed in the same envelope with the Bid.

This contract is subject to state contract nondiscrimination and compliance requirements pursuant to Government Code, Section 12990.

CITY OF MERCED

DATED: 10/24/23

BY: Michael Wegley
Michael Wegley P.E.
Interim City Engineer