

## INVITATION TO BID

Sealed proposals will be received at the Office of the City Clerk located at El Monte City Hall – East, 11333 Valley Boulevard, City Hall West, El Monte, CA 91731 until January 7, 2020 at 2:00 p.m., at which time and place they will be publicly opened and read-aloud for the:

### ***FLETCHER “FETCH” DOG PARK IMPROVEMENTS, CIP 820***

The proposed work consists of the demolition, grading, construction of two dog play areas, fencing, gates, concrete improvements, planting and irrigation, electrical and lighting, DG trail improvements, site furniture improvements and play equipment as set forth in the Contract Drawings and Technical Specifications for the project.

This is a federally assisted construction contract. Federal Labor Standards Provisions outlined in the HUD-4010 form, including prevailing wage requirements of the Davis-Bacon and Related Acts (DBRA), will be enforced.

The “current Federal Wage Decision” is the one in effect ten (10) days prior to the bid opening date and can be found online at <http://www.wdol.gov>. In the event of a conflict between federal and state wage rates, the higher of the two will prevail. “The Contractor’s duty to pay State prevailing wages can be found under Labor Code Section 1770 et seq. and Labor Code Sections 1775 and 1777.7 outline the penalties for failure to pay prevailing wages and employ apprentices including forfeitures and debarment.” This Project is a “public work,” and thus, the Contractor and any Subcontractors must pay wages in accordance with the determination of the Director of the Department of Industrial Relations (“DIR”) regarding the prevailing rate of per diem wages. Copies of those rates are on file with the Director of Public Works and are available to any interested party upon request. The contractor shall post a copy of the DIR’s determination of the prevailing rate of per diem wages at each job site.

**Section 3 Statement:** This is a HUD Section 3 construction contract. First preference will be given to a bidder who provides a reasonable bid and is a qualified Section 3 Business Concern. Second preference will be given to a bidder who provides a reasonable bid and commits to achieving the Section 3 employment, training, and subcontracting opportunity goals by submitting a written commitment (Economic Opportunity Plan). **A Section 3 MANDATORY Pre-Bid Meeting will be held at 9:00am on December 19, 2019 at the Fletcher Park 3404 Fletcher Parkway, El Monte, CA 91731**, to discuss the Section 3 bid preference and hiring goals. A bidder who is not responsive to the Section 3 requirements of the Housing Development Act of 1968 (as amended), will not receive consideration for a bid preference.

A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work unless registered with the

Department of Industrial Relations pursuant to Labor Code section 1725.5. It is not a violation for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.

**Completion of Work:** All work shall be completed within 60 calendar days from the date designated on the Notice to Proceed.

**Obtaining Contract Documents:** An electronic copy of the Contract Documents must be obtained by emailing Leticia Ortiz, Senior Project Manager at [lortiz@elmonteca.gov](mailto:lortiz@elmonteca.gov).

**Questions:** Project-specific questions must be made in writing and sent to Leticia Ortiz, Senior Project Manager, at [lortiz@elmonteca.gov](mailto:lortiz@elmonteca.gov). If appropriate, the City will post responses to bidder questions received at the following address: [www.elmonteca.gov](http://www.elmonteca.gov). The cutoff date for submittal of questions is **January 2, 2020, by 12:00 p.m.** Pacific Standard Time.

**Job Walk:** There will be a job walk on December 19, 2019 at 9:30am at 3404 Fletcher Parkway, El Monte, California 91731. Attendance at the job walk is highly recommended but is not mandatory.

**Submission of Proposals:** All proposals must be submitted not later than the date and time prescribed. The Bidder is wholly responsible to ensure its bid is submitted on the date and at the time and place designated for the opening of bids. Any bid received after the time and date specified shall not be considered. Any bid may be withdrawn prior to the scheduled time for opening bids. Each bid must conform and be responsive to this notice and shall be made on the official proposal forms furnished with the Contract Documents.

**Bid Security:** Each proposal must be accompanied by a Bid Security in the form of a cashier's check, certified check, or bid bond executed on the prescribed form, in an amount not less than ten percent (10%) of the total bid price payable to the City of El Monte. Bidders are hereby notified that in accordance with the provisions of Public Contract Code section 22300, securities may be substituted for any monies which the City may withhold pursuant to the terms of this Contract to ensure performance.

**Contractor's License:** Bidder must possess a current General Engineering Contractor's A license issued by the State of California, at the time the bid is submitted.

**Contractor Registration:** All Bidders and listed subcontractors must have registered with the California State Department of Industrial Relations pursuant to Labor Code section 1725.5 prior to submitting a bid. Furthermore, a Contractor and all subcontractors must be registered pursuant to Labor Code section 1725.5 before entering into a contract to work on a public project.

**City's Right to Postpone Opening of Bids.** The City reserves the right to postpone the date and time for the opening of bids at any time prior to the date and time initially announced in this Invitation to Bid in accordance with applicable law.

**Award:** The award shall be made to the lowest responsible Bidder whose proposal complies with the specified requirements. The award of the Contract will be made by the City Council of the City of El Monte, and the Contractor shall execute the Contract within ten (10) days after it has received the Contract from the City. The City reserves the right to waive any irregularity in the proposals. No bid may be withdrawn for a period of sixty (60) days after the opening of bids.

**Rejection of Bids:** The City reserves the right to reject any and all bids, or to waive immaterial irregularities in any bid. Any bid not conforming to the intent and purpose of the Contract Documents may be rejected. The City reserves the right to make all awards in the best interest of the City.

**Disqualification of Bidder:** If there is a reason to believe that collusion exists among any Bidders, none of the bids of the participants in such collusion will be considered, and the City may likewise elect to reject all bids received.

**Wage Rates:** Bidders are hereby notified that the California Department of Industrial Relations has determined the general prevailing rate of wages for each craft, classification, or type of worker needed to execute the work. Copies of the current schedules for prevailing wages applicable to this project are on file in the City's office. It shall be mandatory for the Contractor and any subcontractor under it to pay not less than the said specified rates to laborers and workmen employed by them in the execution of the Contract. The contractor's duty to pay State prevailing wages can be found under Labor Code, Section 1770 et seq. Labor Code Sections 1775 and 1777.7 outline the penalties for failure to pay prevailing wages and employ apprentices, including forfeitures and debarment.

**Conflict of Interest:** In the procurement of supplies, equipment, construction, and services by sub-recipients, the conflict of interest provisions in 24 CFR 85.36 OMB Circular A-110, and 24 CFR 570.611, respectively, shall apply. No employee, officer, or agent of the sub-recipient shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.

***Notice Requirements:***

- A. No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].

- B. No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.
- C. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.
- D. the contractors and subcontractors must furnish electronic certified payroll records to the Labor Commissioner.

**Bonds:** The successful Bidder will be required to furnish a payment bond in an amount equal to one hundred percent (100%) of the Contract Price, and a faithful performance bond in an amount equal to one hundred percent (100%) of the Contract price.

[End of Invitation to Bid]