

INVITATION TO BID

Pursuant to Public Contract Code Sections 1600 and 1601, all bids or proposals shall be submitted through the City's electronic bid management system (PlanetBids) at <https://www.planetbids.com/portal/portal.cfm?CompanyID=43375> by **2:00 pm Pacific Standard Time on or before May 12, 2022** for the project listed below. A bid submitted after the time set shall not be considered. Bidders are required to submit (upload) all items listed in the **section 4(d) of Instructions to Bidders**, including a copy of the required Bidder's Bond and acknowledgement of all addendums. Bids will be received by the City via the electronic submission up to the date and time shown in the Notice of Inviting Bids. The City will be responsible for bid tabulations. Bids will be opened and read out loud by the City Clerk's Office in Council Chambers at the date and time stated in the Notice of Inviting Bids. Bid results will be made available to the public on the City's website in the electronic bid management system once the bid tabulation has been completed.

The foregoing notwithstanding, the award of any contract shall be subject to approval by the City Council at a duly noticed City Council meeting and the City Council reserves the right to reject all Bids.

The Bidder, by submitting their electronic proposal, agrees to and certifies under penalty of perjury under the laws of the State of California, that the certification, forms and affidavits submitted as part of this proposal are true and correct. The Bidder, by submitting its electronic bid, acknowledges that doing so carries the same force and full legal effect as a paper submission with a longhand (wet) signature. By submitting an electronic bid, the Bidder certifies that the Bidder has thoroughly examined and understands the entire Contract Documents (which consist of the plans and specifications, drawings, forms, affidavits and the solicitation documents), and that by submitting the electronic bid as its Bid proposal, the Bidder acknowledges, agrees to and is bound by the entire Contract Documents, including any addenda issued thereto, and incorporated by reference in the Contract Documents.

Sidewalk & Curb Ramp Reconstruction Project, CIP 052

The proposed work consists of but not limited to removal and reconstruction of sidewalk, curb and gutter, driveway approaches, AC pavement, curbs, tree and stump removal, adjust to grade of water meter box, sidewalk grinding, construct ADA curb ramp, and all other work as indicated in the construction documents. It is the goal of this project to improve pedestrian safety, mobility and access within the City. The City Engineer's estimate for the project is Four Hundred Thousand Dollars (\$400,000).

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 Declaration of Intent to comply with Section 3 requirements, including benchmarks. **A Section 3 MANDATORY Pre-Bid Meeting will be held at 10:00am on Thursday, April 21, 2022 at El Monte Aquatic Center (Conference Room A), 11001 Mildred St, El Monte, CA, 91731, to discuss the Section 3 bid preference and 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 forty-five (45) working days from the date designated on the Notice to Proceed. Liquidated damages as provided for in the General Conditions of the Contract shall be in the sum of One Thousand Dollars (\$1,000.00) for each and every day as defined therein for each different scope of work as defined by the Base Bid and each change order except as otherwise specified in the General Conditions.

Obtaining Contract Documents: Specifications and contract documents are posted in the City’s electronic bid management system (PlanetBids) at <https://www.planetbids.com/portal/portal.cfm?CompanyID=43375>. All Bidders must first register as a vendor on the City of El Monte PlanetBids System website to participate in a Bid or to be added to a prospective Bidders list. Only those parties that have registered with the City as a plan holder on a particular project will receive the addendum(a) for that project. The City is not responsible for notifications to those parties who do not directly register as a plan holder on the City’s database. It is the responsibility of all perspective Bidders to register on the City’s database to ensure receipt of any addendum(a) prior to Bid submittals. Additionally, information on any addendum(a) issued for any bid specifications for any project will be available on the City website at:

<https://www.planetbids.com/portal/portal.cfm?CompanyID=43375>. The City reserves the right to reject as nonresponsive any bid that fails to include the information required by any addendum(a) posted on the City website.

Submission of Proposals: All Bids or Proposals shall be submitted through the City's electronic bid management system (PlanetBids) at <https://www.planetbids.com/portal/portal.cfm?CompanyID=43375> no later than the date and time prescribed. All Bids must be signed by an authorized representative.

All required sections, including pricing, shall be submitted (uploaded) to PlanetBids via the website. The Bidder shall attach Subcontractor(s) Listing, Experience Form, Copy of Bid Security, and all other documents as listed in the BIDDER'S CHECKLIST to the PlanetBids Attachments Tab. The system will not accept a Bid for which any required information is missing. **Prior to the Bid due date and time, all Bidders shall submit the original Bid Security to:**

**Office of the City Clerk
City of El Monte – City Hall East
11333 Valley Blvd
El Monte CA, 91731**

The award of the contract by the City Council is contingent upon the Bidder submitting the required bonds and insurance, as described in the Contract, prior to the Bid due date and time. If the Bidder fails to comply with these requirements, the City may award the contract to the second or third lowest Bidder and the Bid security of the lowest Bidder may be forfeited.

Contractor's License: Bidder must possess a current **Class "A" - General Engineering Contractor license or Class "C-8" – Concrete Contractor** issued by the State of California, at the time the bid is submitted.

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.

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.

[End of Invitation to Bid]