

SECTION 1 - NOTICE TO CONTRACTORS (Continued)

B - ADVERTISEMENT FOR BIDS

1. Sealed Bids, marked "ACACIA-JOSEPHINE STORM DRAIN IMPROVEMENT" CITY PROJECT NO. CP - 1007000 will be received by the City Clerk in the City Hall, 11222 Acacia Parkway, Garden Grove, California until **11:00 AM**, on **June 30, 2021**, at which time they will be publicly opened in the 1-North Conference Room in City Hall (1st floor).

Due to Covid-19 (Coronavirus) and social distancing recommendations, bidders will need to mail in bid proposals to the City Clerk's Office, to the address listed above, prior to or by the deadline. The bid opening will be teleconferenced; teleconferencing information will be made available at least 7 days ahead of the bid opening date.

2. **Due to Covid-19 (Coronavirus) City Hall has no public counter services. Plans, specifications and contract documents can be obtained upon payment of a fee of one-hundred dollars (\$100) for each electronic set of plans and specifications. Please email rjacot@ggcity.org or contact the Engineering Division during normal business hours at (714) 741-5192 for payment information. This fee is not refundable.**
3. In conformance with Section 37931 of the Government Code, all bids shall be presented under sealed cover on the proposal form provided and accompanied by one of the following forms of bidder's security:
 - a. Cash.
 - b. Cashier's check made payable to the City of Garden Grove.
 - c. A certified check made payable to the City of Garden Grove.
 - d. A bidder's bond executed by an admitted surety insurer, prepared on the forms provided and made payable to the City of Garden Grove.
4. The security shall be in an amount equal to at least 10 percent of the amount bid. A bid shall not be considered unless one of the forms of bidder's security is enclosed with it.
5. A Surety Bond for payment of Labor and Material in the amount of 100 percent of the estimated total contract price and Faithful Performance Bond in the amount of 100 percent of the total contract price, both prepared on the forms provided, will be required at the time of signing the contract agreement.
6. Attention is directed to Section 3-1.01 of the Standard Specifications regarding the award of contract to the lowest responsible bidder.

The City reserves the right to reject the bid of any or all Bidders for any reason and to waive any informality or irregularity in the bids received. The City also reserves the right to withdraw this Invitation for Bids at any time for any reason without prior notice and the City makes no representations that the contract will be awarded to any Bidder responding to this Invitation for Bids.

The City also reserves the right to determine whether a Bidder is a responsible Bidder based on the Bidder's trustworthiness, quality, fitness, capacity, experience, and ability to perform as required under this Invitation for Bids. Any Bidder, or any officer of such Bidder, or an employee of such Bidder who has a proprietary interest in such Bidder, who has been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local project because of a violation of law or a safety regulation, may be determined to be a non-responsible Bidder.

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A designee or designees of the Public Works Director shall perform the evaluation of a Bidder's responsibility. When the Public Works Director's designee determines that a Bidder is disqualified as non-responsible, the Public Works Director's designee shall mail to the affected Bidder the disqualification determination, the basis for the determination, and any supporting evidence that the Public Works Director's designee received or relied on relating to such determination.

Any Bidder, who disagrees or disputes the non-responsible determination, may appeal such rating or determination. Such appeal may only be taken by filing a written notice of appeal with the City Manager within five working days after the Public Works Director's designee has mailed notice of the rating or determination. Within five working days of the receipt of an appeal, the City Manager, or a designee of the City Manager who has not been involved in the evaluation of qualifications of contractors for the subject project, shall conduct a hearing on the appeal. During the hearing, the affected Bidder shall have the opportunity to rebut any evidence used as a basis for the non-responsible determination and to present evidence to the City Manager or the City Manager's designee hearing the appeal as to why the Bidder should be found responsible. Within five working days of the conclusion of the hearing, the City Manager or the General Manager's designee hearing the appeal shall issue a written decision on the appeal and such decision shall be final.

7. The City Council has hereto determined the prevailing rate of per diem wages for the doing of said work, which said scale of wages is set forth by Resolution No. 5730 79 of the City Council, said resolution being on file in the office of the City Clerk of the City of Garden Grove, California, and is hereby made a part of and is incorporated herein.
8. Apprentices may be employed in conformity with Section 1777.5 and 1777.6 of the California Labor Code. Every apprentice shall be paid the standard wage paid to apprentices under the regulations of the trade at which he is employed. Information relative to employment of apprentices shall be obtained from the Director of Industrial Relations, who is the Administrative Officer of the California Apprenticeship Council.
9. Copies of all collective bargaining agreements relating to the work as set forth in the aforementioned Labor Code are on file and available for inspection in the office of the State of California, Department of Industrial Relations, Division of Labor Statistics and Research.
10. In order to help eliminate combinations or schemes, which restrain free competition in the procurement of bids on public construction projects and, in compliance with a request from the Department of Justice, **the completion of the "Questionnaire to General Contractors" is mandatory for a valid bid.** Said questionnaire is found in Section 4 of this document and is to be returned with bid proposal.
11. It is the policy of the City of Garden Grove to take positive steps to maximize the utilization of minority business enterprises in all contract activity administered by the City.

The Contractor will utilize his best efforts to carry out this policy in the award of his subcontracts to the fullest extent consistent with the efficient performance of this contract. As used in this contract, the term "minority business enterprise" means a business, at least 50 percent of which is owned by minority group members or, in the case of publicly owned businesses, at least 51

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percent of the stock is owned by minority group members. For the purpose of this definition, minority group members are black, Hispanics, Asians, Native Americans, Alaskans, or Pacific Islanders.

12. **No contractor or subcontractor may be listed on a bid proposal for a public works project 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)].**

No contractor or subcontractor may be awarded a contract for public work on a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

13. **The CWA requires that the successful bidder in a covered project being awarded the contract to agree to abide by the CWA and to submit an executed Letter of Assent, the form of which is included in Section 4. The Letter of Assent shall be executed by the prime and all subcontractors and included with the bid submitted by bidders, in addition to the bid bond, subcontractor list, non-collusion affidavit, etc.**

14. **Acacia-Josephine Storm Drain Project is assisted with funds provided by the United States Housing and Urban Development Department through Community Development Block Grant funds.**

The work to be performed for this project is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, and as amended in this Specifications.