

SECTION 00020

NOTICE INVITING BIDS

I. RECEIPT AND OPENING OF BIDS

- A. Sealed Bids will be received by the North Marin Water District only at the District Office, 999 Rush Creek Place, California 94945 until 3:00 pm local time on March 1, 2012 for the construction of the Work entitled:

**NORTH MARIN WATER DISTRICT
RECYCLED WATER EXPANSION - SOUTH SERVICE AREA PHASE 1a
NMWD PROJECT NO. 5 6056.11
SRF PROJECT NO. 7802-110**

- B. Bids will be publicly opened and read aloud at the place and time stated above. Bidders are invited to be present.
- C. Project Description. The work of this project includes: installation of 195 LF 12" welded steel pipeline, 9,559 LF 12" PVC pipeline, and 120 LF 6" PVC pipeline, between the Las Gallinas Valley Sanitary District and Bolling Circle, Novato, total 9,874 LF recycled water line including all appurtenances thereto and all restorations.
1. The Project is partially funded by the American Recovery and Reinvestment Act of 2009. The Owner hereby advises all bidders that successful bidder shall:
- (i) Comply with all requirements of the American Recovery and Reinvestment Act of 2009 including:
 - a. Certified payroll
 - b. Progress payment invoices
 - c. Davis-Bacon Act
 - d. Buy American
 - e. Federal prevailing wage requirements
 - f. Small and Minority Firms, Women's Business Enterprise and Labor Surplus Area Firms

- (ii) Employ the appropriate number of apprentices on the job site as set forth in California Labor Code 1777.5;
 - (iii) Provide Workers' Compensation coverage, as set forth in California Labor Code Sections 1860 and 1861;
 - (iv) Keep and maintain the records of work performed on the public works project, as set forth in California Labor Code Section 1812 and federal labor laws;
 - (v) Keep and maintain the records required under California Labor Code Section 1776 which shall be subject to inspection pursuant to California Labor Code Section 1776 and California Code of Regulations, Division 1, Chapter 8, Subchapter 3, Article 6, Section 16400 (e) and federal labor laws; and
 - (vi) Be subject to other requirements imposed by law.
2. The Project is also being funded in part by the Clean Water State Revolving Fund (SRF). As such, the Project must include opportunities for minority and women owned businesses to participate in contracts and subcontracts. Bidders are hereby notified that in accordance to be considered responsive, they must provide the Good Faith Effort documentation as specified in these contract documents. The successful bidder must insure that employees and applicants for employment are not discriminated against on the basis of age, color, race national origin, ancestry, religion, sex, sexual preference, marital status, and comply with the Americans With Disabilities Act.

D. The work is to furnish any and all plant, labor, services, material, tools, equipment, supplies, transportation, utilities, skills, and all other items and facilities necessary for the construction completion of the **RECYCLED WATER EXPANSION – SOUTH SERVICE AREA - PHASE 1a PROJECT**; and to construct said Work within a contract time indicated below.

II. INQUIRIES ABOUT THE PROJECT AND SECURING BID DOCUMENTS

A. The North Marin Water District will be the Owner of the Project. **All** technical inquires about the project and the Contract Documents are to be directed in writing via regular mail, e-mail, or fax to be received by the District no later than 10:00 a.m., February 20, 2012 and directed to:

North Marin Water District - Owner
 999 Rush Creek Place
 Novato, CA 94945
 Attn: David Jackson

E-mail: djackson@nmwd.com
Telephone No.: (415) 897-4133, ext. 8490
Fax No.: (415) 892-8043

- B. The Contract Documents for this project consists of one volume of Contract Drawings and one volume entitled Project Manual. Bidders may examine and/or purchase the Contract Documents at the District office at the following address:

North Marin Water District – Owner
999 Rush Creek Place
P.O. Box 146
Novato, CA 94948
Attn. Eileen Blue
Email: eblue@nmwd.com
Telephone No.: 415-897-4133, ext. 8460
Fax No.: 415-892-8043

The Contract Documents, including the Instructions to Bidders and the plans and specifications, for the work, will be available at the North Marin Water District's ("Owner's") office, located at 999 Rush Creek Place, Novato, California 94945 on January 23, 2012. **Contract documents including specifications and half size drawings will be available at the District office at a price of \$115 per set. Please email requests to eblue@nmwd.com.** Full-size drawings can be requested in advance from the District office for an additional price of \$75 per set. An electronic copy of Contract Documents on CD-ROM in "Adobe Acrobat" format may be obtained from the Owner's office upon request and payment of \$40.00. The amount of the payment for all contract documents is nonrefundable. The Bidder's attention is directed to the Instructions to Bidders for complete instructions regarding submission of a bid.

- III. **CONTRACT TIME.** The Contract Time for Substantial Completion of all the Work is hereby established as one hundred fifty-five (155) consecutive calendar days beginning with the date of the Notification to Proceed (NTP) from the Owner.

The Contract Time for Final Completion is established at thirty (30) consecutive calendar days following and beginning with the date of certification of Substantial Completion of the Work.

- IV. **LIQUIDATED DAMAGES.** The fixed liquidated damages amount is hereby established as Five Hundred Dollars (\$500) for each calendar day of unauthorized delay in substantial completion and final completion of the Work. The liquidated damages for final completion will not be cumulative to those for substantial completion.
- V. **CONTRACTOR'S LICENSE.** Contractor must possess a valid Class A Contractor's license issued by the California Contractor's State License Board.

- VI. **BIDS.** Bidders must comply with and agree to all instructions and requirements in this Notice and in the Instructions to Bidders, including post-bidding procedures.
- A. All Bids must be submitted on the prescribed Bid Form. Sealed bids shall be addressed to "North Marin Water District," and labeled "Bid for Construction of the Recycled Water Expansion - South Service Area Phase 1a".
 - B. Each Bid must be accompanied by the prescribed bid security in an amount equal to ten percent (10%) of the total amount of the Bid, including the aggregate of all separate bid items and schedules covered by the Bid.
 - C. Requests for interpretation of the Contract Documents or for approval of proposed substitute or equal items, referenced in IB-07 of Section 00100 (Instruction to Bidders), shall be submitted in writing to the Engineer not later than the 10th calendar day preceding the date set for the receipt of Bids.
 - D. No Addendum will be issued to Bidders after the 5th calendar day preceding the date set for the receipt of Bids.
 - E. No Bid or bid security may be withdrawn for ninety (90) calendar days after the date Bids are received.
 - F. If the Contract is awarded, the Owner will give the successful Bidder a Notice of Award within ninety (90) calendar days of the opening bids. The successful Bidder shall execute the Contract, furnish required bonds and insurance certificates within ten (10) working days after the date of the Notice of Award.
 - G. The successful Bidder shall furnish a Performance Bond and a Payment Bond, each in an amount equal to the Contract Price before execution of the Contract Agreement.
 - H. The successful Bidder shall furnish insurance including a certificate of insurance and an additional insured policy endorsement in accordance with the Contract Documents before execution of the Contract Agreement.
 - I. The Owner may withhold issuance of the Notice to Proceed for a period not to exceed sixty (60) calendar days after the date the Contract Agreement is executed.
 - J. The Contractor shall start the Work within ten (10) working days after the date of the Notice to Proceed.
 - K. **A MANDATORY PRE-BIDDING CONFERENCE** will be held at 2:00 pm local time (PST), on February 9, 2012 at the North Marin Water District office, 999 Rush Creek Place, Novato, California 94945, to answer bidders' questions regarding the Contract Documents. A site visit tour will be conducted immediately following the pre-bidding conference. **Attendance at both the pre-bid conference and**

subsequent site visit is mandatory for all contractors submitting a bid. No other site visits by contractors submitting bids will be considered adequate or acceptable to meet this requirement. Any changes, additions, or deletions resulting from this pre-bidding conference and site visit will be addressed in an addendum to the Contract Documents.

- L. The Owner reserves the right in its sole discretion to reject any or all bids; to make any awards or any rejections in what it alone considers to be in the best interest of the Owner; and to waive any irregularities in the bids. The Owner further reserves the right in its sole discretion to reject any bid not conforming to the intent and purpose of the Contract Documents as determined by the Owner.

VII. **DOCUMENTS TO BE SUBMITTED WITH BID.** Bidders must submit the following list of bidding documents:

- A. Bid Forms
- B. Bid Security Forms
- C. Bid Guaranty Bond
- D. Non-Collusion Affidavit
- E. Disadvantaged Business Enterprise Program DBE Subcontractor Performance Forms - EPA Form 6100-3 and 6100-4
- F. If applicable, Escrow Agreement in lieu of retention

VIII. **BID PROTEST**

Any Bid protest must be submitted in writing to the Project Engineer before 4:30 p.m. on the seventh (7th) day following Bid opening.

- A. The initial protest document must contain a complete statement of the basis for the protest, and all supporting documentation.
- B. The party filing the protest must have actually submitted a Bid for the Work. A subcontractor of a party submitting a Bid for the Work may not submit a Bid protest. A party may not rely on the Bid protest submitted by another Bidder, but must timely pursue its own protest.
- C. The protest must refer to the specific portion of the bid document which forms the basis for the protest.
- D. The protest must include the name, address and telephone number of the person representing the protesting party.

- E. The party filing the protest must concurrently transmit a copy of the initial protest document and any attached documentation to all other parties with a direct financial interest which may be adversely affected by the outcome of the protest. Such parties shall include all other Bidders who appear to have a reasonable prospect of receiving an award depending upon the outcome of the protest.
- F. The Owner will give the Bidder that is the subject of the protest seven (7) days after the receipt of the protest to submit a written response. The responding Bidder shall transmit the response to the protesting Bidder concurrent with delivery to the Owner.
- G. The procedure and time limits set forth in this section are mandatory and are the Bidder's sole and exclusive remedy in the event of Bid protest. The Bidder's failure to comply with these procedures shall constitute a waiver of any right to further pursue the Bid protest, including filing a Government Code Claim or legal proceedings
- H. If the Owner determines that a protest is frivolous, the protesting bidder may be determined to be non-responsible and that bidder may be determined to be ineligible for future contract awards.

IV. APPROVAL. This Notice is approved and authorized by the Board of Directors of the North Marin Water District.

1/20/12
Date


Drew McIntyre, Chief Engineer
North Marin Water District

END OF SECTION