

## NOTICE AND INVITATION TO BIDDERS

THE CITY OF IMPERIAL  
STATE OF CALIFORNIA

### **Plate Settler Replacement**

BID 2020-04

NOTICE IS HEREBY GIVEN that sealed bids for the above project shall be received in the offices of the City Clerk at the City of Imperial at 420 So. Imperial Ave, Imperial, CA 92251, until **3:00 p.m.** Pacific Standard Time, on **June 4, 2020**. Bids will not be accepted in person from Bidders. Bidders will be required to have their bids delivered by one of the following: FedEx, UPS, or USPS. Bids will be opened on **June 4, 2020 at 3:05 p.m.** Pacific Standard Time. Bidders and the public will not be allowed to view the bid opening, however the bid opening will be recorded and placed onto the City's website for viewing, along with a tabulated spreadsheet of the bid.

The Contract for the work advertised shall be awarded to lowest responsible bidder. City reserves the right to reject all bids.

***A prebid site tour will not be conducted.*** Bidders are directed to **Appendix A** to view photos of the site and sedimentation facilities or can coordinate with the City to arrange a site visit.

#### PROJECT DESCRIPTION:

Contractor shall furnish all labor, material, equipment and services to perform and complete all work required for the **Plate Settler Replacement** as per the Project Specifications. The project will include the removal of the existing plate settlers and sludge collection system from two (2) sedimentation basins, cleaning of the sedimentation basins and the installation of new stainless steel plate settlers and sludge collection systems. Bid packages are available on the City's website, [www.cityofimperial.org](http://www.cityofimperial.org).

Engineer's Estimate for this Project is \$715,000.

#### CONTRACTOR'S LICENSE:

Contractor must have a California State Contractor's Class "A" license. A City of Imperial business license is required prior to start of project.

A bid submitted by any contractor not properly licensed shall be considered non-responsive and will be rejected.

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)]. No contractor or subcontractor may be awarded a contract for public work on a public works projects (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code 1725.5. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. Any bid submitted by a contractor or subcontractor not property licensed and not registered with the Department of Industrial Relations shall be considered non-responsive and will be rejected.

#### APPRENTICES:

Section 1777.5 requires the Contractor or Subcontractor employing tradesmen in any apprenticeable occupation to apply to the Joint Apprenticeship Committee nearest the site of the public works project and which administers the apprenticeship program in that trade for a certificate of approval. The certificate will also fix the ratio of apprentices to journeymen to be used in the performance of the contract.

The Contractor is required to make contributions to funds established for the administration of apprenticeship programs if he employs registered apprentices or journeymen in any apprenticeable trade and if other Contractors on the public works site are making such contributions.

Information relative to apprenticeship standards, contributions, wage schedules and other requirements may be obtained from the State Director of Industrial Relations or from the Division of Apprenticeship Standards.

#### PREVAILING WAGE RATES:

Not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which this contract is to be performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work fixed as provided in Chapter 1 (commencing with Section 1720) Part 7, Division 2 of the Labor Code, shall be paid to all workers employed on this public work. Statutory provisions for penalties for failure to pay prevailing wages will be enforced. A copy of the applicable rate of per diem wages is on file in the office of the City Clerk, 420 South Imperial Avenue, Imperial, California.

#### BID BOND:

Each bid must be accompanied by a guaranty of cash, certified check, cashier's check or bid bond made payable to the City of Imperial for an amount equal to at least ten percent (10%) of the bid. Such guaranty to be forfeited should the bidder to whom the contract is awarded fails to enter the contract. All guaranties to be returned after the

contract is awarded. In conformance with the State of California Public Contract Code Section 22300, the contractor may substitute securities for any funds withheld by the City to ensure performance under the contract.

At request and expense of the contractor, securities equivalent to the amount withheld shall be deposited with the City or with a State or Federally chartered bank as the escrow agent who shall pay such funds to the contractor upon notification by the City of contractor's satisfactory completion of contract.

The type of securities deposited and the method of release shall be approved by the City Attorney.

#### PERFORMANCE BOND:

The successful Bidder shall furnish a Performance Bond on forms approved by the City, executed by a corporate surety acceptable to the City, and authorized and admitted to issue surety bonds in California. The Performance Bond shall be in an amount equal to 100% of the Contract Price. The entire cost of the Performance Bond shall be borne by the successful Bidder.

#### PAYMENT BOND:

If the successful bid is in excess of \$25,000, the successful bidder shall be required to post a payment bond in the amount of the bid in accordance with California Civil Code Section §3247.

#### RETENTION:

The City shall retain five (5%) percent of the Contract price. The retention shall be released (with the exception of one hundred fifty percent of any disputed amount) within sixty days after the date of completion of the work. The Contractor may substitute securities in place of the retained funds withheld by the City. Alternatively, an escrow agreement, in the form prescribed under Ca. Pub. Cont. Code § 22300, may be used by Contractor.

#### RESOLUTION OF CLAIMS:

Claims shall be managed as set forth in Public Contracts Code Section 20104 and 9204. Where there is conflict, the provisions of 9204 shall control. In general terms, said process contemplates a meet and confer procedure and non-binding mediation as a precursor to litigation.

#### MISCELLANEOUS:

All inquiries regarding this project should be directed to:

City of Imperial  
Jackie Loper – Public Services Director  
420 South Imperial Avenue  
Imperial, California 92251  
760-427-4238  
jloper@cityofimperial.org

THE CITY OF IMPERIAL

By: Dennis Morita, Interim City Manager  
Dated: May 7, 2020