

City of Oakley

ADDENDUM NO. 1 to contract documents for
MAIN STREET REALIGNMENT, CIP # 165
FEDERAL PROJECT NO. HPLUL 5477(005)

BID OPENING DATE: February 2nd, 2017 2:00 PM

Notice is hereby given that the following clarifications and revisions are made to the above referenced contract documents:

Updates to the Plans and Specifications pages:

Specifications Part I:
Updated Notice to Contractors

All bidders shall acknowledge receipt and acceptance of Addendum No. 1 by signing in the space provided at the end of this Addendum and submitting the signed addendum with their proposal.



Jason Kabalin

Associate Engineer
December 22nd, 2016

Contractor Signature

Date

Company Name

NOTICE TO CONTRACTORS

Sealed proposals will be received at the office of the City Clerk of the City of Oakley, 3231 Main Street, Oakley, CA 94561, until

2:00 PM

THURSDAY

February 2nd, 2017

for the following project:

CIP 165 – MAIN STREET REALIGNMENT

FEDERAL-AID PROJECT NO. HPLUL 5477 (005)

at which time they will be publicly opened and read aloud. Sealed proposals must be clearly marked on the outside with the Project number, date, and time of bid.

This following information is presented to indicate the size of the project and no warrant is made or intended as to final quantities:

Mandatory Pre-Bid Conference

A mandatory Pre-Bid Conference will be held on January 18th, 2017 at 10am at the parking lot on the north side of Main Street and Norcross Lane.

Project Description

Project includes but is not limited to: Pavement, median, sidewalk removal, pavement widening, PCC sidewalk and curb ramp construction, median construction, PCC curb and gutter construction, sidewalk and median landscaping and irrigation, Rubberized Hot Mix Asphalt repair of the roadway, including Rubberized Hot Mix Asphalt (RHMA) overlay, striping, traffic control, signal and street lighting; and various other items as specified in the Contract Documents, and as directed by the City Engineer.

Each bid must be accompanied by a cashier's check, certified check, or Bidder's Bond executed by a responsible corporate surety authorized to issue such bonds in the State of California and secured through an authorized agent with an office in California, payable to the City of Oakley, in an amount not less than ten percent (10%) of the amount of the Base Bid. The successful bidder will be required to furnish a Performance Bond in an amount equal to one-hundred percent (100%) of the contract price, and a Labor and Material Bond in an amount equal to one-hundred percent (100%) of the contract price. Said bonds shall also be executed by a corporate surety authorized to engage in such business in the State of California and be made payable to the City of Oakley.

This is a federally-assisted project and Davis-Bacon requirements will be strictly enforced.

If the successful bidder fails, neglects, or refuses for TEN (10) calendar days after the award of the contract to enter into the contract to perform the work, the cashier's check, certified check, or Bidder's Bond accompanying the bid and the amount therein named, shall be declared forfeited to the City and shall be collected by it and paid into its general fund. No bidder may withdraw his/her bid for a period of NINETY (90) calendar days after the date set for the opening thereof, and the same shall be subject to acceptance by the City during this period.

The City Council reserves the right to reject any or all bids, waive any irregularities in any bids and its determination as to which bid is the lowest responsible bid and is for the best interest of the City shall be final. The City Council shall have NINETY (90) calendar days from and after the opening of the bids within which to make its determination.

The Contractor receiving the award of the contract shall begin work within **TEN (10) Working days** after receipt of the Notice to Proceed and shall diligently prosecute the same to completion within the time restrictions as listed in the technical specifications and all work shall be completed by the time allotted in the technical specifications.

The anticipated construction start timing will be March 2017.

The Contractor shall have **ONE HUNDRED (100) Working Days** to complete this project. Working days will be counted starting from the date of the Notice-to-Proceed as day one. The amount of the liquidated damages to be paid by the Contractor to the City for failure to complete the work by the Completion Date (as extended, if applicable) is **TWENTY FIVE HUNDRED DOLLARS (\$2,500.00)** for each calendar day any work remains incomplete beyond the time fixed above for completion. Such amount is the actual cash value agreed upon as the loss to City resulting from Contractor's default.

At the time the Contractor's bid proposal is submitted, the Contractor shall possess a valid Class A California General Contractor's License. The Contractor shall also possess a valid City of Oakley Business License at the time the contract is awarded.

The City of Oakley, hereby notifies all bidders that the contract entered into pursuant to this advertisement will be awarded to the lowest responsible bidder without discrimination on the grounds of race, color, national origin, sex, religion, age or disability. **The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR, Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract, or such other remedy as recipient deems appropriate.**

Prevailing Rate of Wages: The Contractor must pay the higher of the State general prevailing wage or the Federal minimum wage rates. Attention is directed to Section 7-1.01A(2), "Prevailing Wage," of the Standard Specifications. The State general prevailing wage rates determined by the Director of Industrial Relations are considered a part of this contract. Pursuant to Section 1773 of the Labor Code, the general prevailing wage rates in the county in which the work is to be done have been determined by the Director of the California Department of Industrial Relations. These wages are set forth in the General Prevailing Wage Rates for this project, available at City of Oakley address and available from the California Department of Industrial Relations' Internet web site at: <http://www.dir.ca.gov>. In payment of labor, the Contractor shall comply with the provisions of Labor Code Sections 1770 to 1781.

Attention is directed to the Federal minimum wage rate requirements in Part II, Section 1-1.10. If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the general prevailing wage rates determined by the Director of the California Department of Industrial Relations for similar classifications of labor, the Contractor and subcontractors shall pay not less than the higher wage rate. The Department will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal wage determinations. Where Federal wage determinations do not contain the State wage

rate determination otherwise available for use by the Contractor and subcontractors, the Contractor and subcontractors shall pay not less than the Federal minimum wage rate which most closely approximates the duties of the employees in question. Current Federal minimum wage rates can be found at the following website: <http://www.gpo.gov/davisbacon/>

All apprentices employed on this job, including those employed by lower-tier contractors, must be enrolled in a federally-recognized apprenticeship program. All workers not enrolled as active apprentices must be paid the journeyman rate for the applicable trade for work performed. To be in compliance with the apprentice requirements the successful contractor must: employ enrolled apprentices; request apprentices; employ apprentices within the allowable apprentice-to-journeyman ratio; employ apprentices under the supervision of a journeyman; pay apprentices the correct prevailing wage and fringe benefits; pay the correct Apprentice Training Contribution.

The Contractor will be required to maintain and distribute certified payroll records in compliance with Section 1776 of the California Labor Code.

For any moneys earned by the Contractor and withheld by the City to ensure the performance of the contract, the Contractor may, at the Contractor's request and expense, substitute securities equivalent to the amount withheld in the form and manner and subject to the conditions provided in Article 8, (commencing with Section 10263), Chapter 1, Part 2, Division 2 of the Public Contract Code of the State of California.

Plans and Contract Documents for bidding this project may be obtained from the **Public Works & Engineering Department located at 3231 Main Street, Oakley, CA 94561**, weekdays, excluding holidays, between the hours of 8:00 a.m. and 6:00 p.m. A Non-refundable fee for full size plans and contract documents are **\$50.00 per set**. Please include Federal Express number with mail-in requests for plans and specifications. If mailing is desired, without a Federal Express number, an additional non-refundable cost of **\$20.00 per set** will be required. For further information, contact the Public Works and Engineering Department at (925) 625-7037.

ATTEST:

Libby Vreonis, City Clerk