

**UPPER GUADALUPE RIVER REACH 6
AQUATIC HABITAT IMPROVEMENT PROJECT**

Project No. 26154002

Contract No. C0660

- 1. Notice. Due to the County of Santa Clara Public Health Officer's Order, the Santa Clara Valley Water District offices remain closed to the public until further notice.**

Notice is hereby given that sealed Bids will be received by the Construction Program of the Santa Clara Valley Water District (District), delivered either by a third party carrier such as FED EX, UPS, DHL, Overnight, Golden State Overnight, etc. or by hand delivery, at the District's Winfield Warehouse Building located at 5905 Winfield Boulevard, San Jose, California 95123 2428 only between the hours of 1:00 p.m. to 2:00 p.m. on **Wednesday, May 5, 2021**, for furnishing all material and performing all work necessary for construction of **Upper Guadalupe River Reach 6 Aquatic Habitat Improvement Project**, within the City of San Jose, California, and within Santa Clara County, California.

NO BIDS WILL BE ACCEPTED VIA USPS (US MAIL).

Additional information and Instructions to Bidders are posted on the District's Construction Administration webpage: <https://www.valleywater.org/construction>.

- 2. California State Department of Industrial Relations Contractor and Subcontractor Registration Requirements.**

California Labor Code Section 1771.1 requires:

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 currently registered and qualified to perform public work pursuant to Section 1725.5 of the California Labor Code.

An inadvertent error in listing a subcontractor who is not registered pursuant to Section 1725.5 in a bid proposal shall not be grounds for filing a bid protest or grounds for considering the bid nonresponsive, provided that any of the following apply:

1. The subcontractor is registered prior to the bid opening.
2. Within 24 hours after the bid opening, the subcontractor is registered and has paid the penalty registration fee.
3. The subcontractor is replaced by another registered subcontractor pursuant to Section 4107 of the Public Contract Code within 24 hours after the bid opening.

3. Summary of Work

A. Project Description. The Work to be completed under this Contract shall consist of furnishing all tools, equipment, materials, supplies, and manufactured articles, and all labor, transportation and services, including fuel, power, water, and essential communications, and for performing Work or other operations required to construct the Upper Guadalupe River Reach 6 Aquatic Habitat Improvement Project. The Work includes, but is not limited to, the following:

1. BMP Action Plan preparation, installation of BMPs, and implementing the approved BMP Action Plan.
2. Compliance with the project regulatory permits provided in Appendix C of the Specifications including the Lake and Streambed Alteration Agreement (CDFW), the General Order for Clean Water Act Section 401 Certification and Waste Discharge Requirements (SFBRWQCB), Amended Clean Water Act Section 404 Individual Permit (USACE), and Biological Opinion (NMFS).
3. Monitor noise and vibration generated from construction activities in accordance with the Specifications.
4. Develop and implement a traffic control plan for access to the project area upon approval by the City of San Jose.
5. Obtain an encroachment permit for traffic control and truck hauling from the City of San Jose.
6. Develop and implement a control of water plan to temporarily divert river water around the project area and manage ground water.
7. Removal of trees and vegetation (including existing riparian species) identified on the Drawings, and removal and disposal of other miscellaneous items identified in the Drawings.
8. Construction of two gravel augmentation sites within the project area.
9. Protect the floodplain and maintenance roads by implementing site access protective matting, and after completion of the Work, restore the project site to the pre-project conditions as shown in the Drawings.
10. Perform revegetation Work using hand tools.

B. Sole Source Products. None

4. Contract Time. Time limit for the completion of the Work is 190 calendar days. See Contract Documents, Special Provisions, Article 12.03. Contract Time(s) for Milestones and Contract Times.

5. **Liquidated Damages.** See Standard Provisions, Liquidated Damages, Article 5.07 and Special Provisions, Liquidated Damages, Article 12.05 of the Contract Documents for requirements regarding Liquidated Damages.
6. **Estimated Cost.** The estimated cost of the Project is between \$500,000 to \$700,000. This estimate is intended to serve merely as an indication of the magnitude of the Work. Neither the Bidder(s) nor the Contractor will be entitled to pursue a claim or be compensated due to variance in the stated estimated cost range.
- A. Additive/Deductive Bid Items. [NOT USED].**
- B. Supplemental Bid Items. [NOT USED].**
7. **Contractor's License Requirement.** The Bidder must possess a current Class A Contractor's license issued by the California Department of Consumer Affairs, Contractor's State License Board when the Bid is submitted. Regardless of whether a subcontractor must be identified at the time of Bid, each subcontractor must also be properly licensed to perform its scope of Work.
8. **Pre-Bid Conference and Site Showing.** A pre-bid conference/site showing will be conducted by the District on Thursday, April 8, 2021. The conference will convene at 10:00 a.m. (by District time), at the corner of Virginia Street bridge and Harliss Avenue.

Attendance at the Pre-Bid conference and site showing by subcontractors is not required.

Attendance by the Bidder at the Pre-Bid conference/site visit is:

- Mandatory
- Optional

The objective of the Pre-Bid conference and site visit is to familiarize prospective Bidders with the site; no additional site visits will be allowed. Please confirm your intent to attend the Pre-Bid conference/site visit 24 hours in advance by sending an email to scvwdplanroom@valleywater.org. Additional information regarding the Pre-Bid conference/site visit will be sent to all prospective Bidders who confirm their intention to attend. Every attendee will be required to show a government-issued photo ID (Driver's License, Photo ID, or passport).

In response to the COVID-19 pandemic, the District will require that all participants adhere to the orders of Social Distancing. All persons attending the Pre-Bid conference/site visit are required to adhere to the orders of Social Distancing and are also required to bring and wear the appropriate Personal Protection Equipment (PPE), i.e., protective face covering, in order to be allowed entrance onto the site and to remain on the site.

Reasonable efforts will be made to accommodate persons with disabilities wishing to attend the Pre-Bid conference/site visit. Please request accommodations when confirming attendance.

9. Availability of Bid Documents

Due to the County of Santa Clara Public Health Officer's Order, District offices will remain closed to the public until further notice. The Contract Documents are only available in electronic (PDF) format. Electronic version is free and will be transferred via file transfer appliance (FTA) site.

To request for electronic Plans, Specification and Contract Documents:

- A. Complete "Request for Plans and Specs Form" which can be found at the District's Website: <https://www.valleywater.org/construction>

Please allow up to four business hours to receive your requested documents. Submitting incomplete contact information may result in delays.

10. **Inquiries.** The Bidder must submit all requests for clarification, or interpretation of the Bid Documents in accordance with the requirements stated in Instructions to Bidders, paragraph #7. Questions During Bidding. Written questions must be directed to the Contracts Administrator at scvwdplanroom@valleywater.org and submitted at least nine (9) calendar days before the deadline for receipt of Bids.

The District may issue written Addenda as appropriate for clarification or other purposes during the bidding period. Addendum notification(s) will be sent to each planholder at the email address provided by the contractor for the planholders list and addenda will be posted on the District's website at <https://www.valleywater.org/construction>.

- A. **Project Manager.** The District's project manager for this Project is Karl Neuman and can be reached via e-mail at kneuman@valleywater.org or by phone at (650) 730-0312.
- B. **Process Questions.** For questions regarding the bid process, please contact the District Plan Room by email at scvwdplanroom@valleywater.org.

11. Prevailing Wage Requirements

- A. Workers employed on this Project must be paid at rates at least equal to the prevailing wage rates as determined by the State of California Department of Industrial Relations pursuant to Section 1770 et seq. of the Labor Code. Said wage rates are incorporated herein by reference and are available on the State of California Department of Industrial Relations website at: <http://www.dir.ca.gov/>. See Standard Provisions, Prevailing Wages Article 4.04. through Apprentices Article 4.06. for related requirements.

Due to the County of Santa Clara Public Health Officer's Order, District offices will remain closed to the public until further notice. The wage rates are therefore not currently available for review at District offices.

- B. This Project is subject to compliance monitoring and enforcement by the State of California Department of Industrial Relations. The Contractor and subcontractors must furnish the records specified in California Labor Code Section 1776 directly to the Labor Commissioner, in the following manner: monthly, in a format prescribed by the Labor Commissioner

- 12. Bid Proposal Submittal.** All Bids must be submitted in sealed envelopes addressed to the Santa Clara Valley Water District. Attention: Construction Programs and state the Project name and Project number on the outside of the sealed envelope. Each Bid must be submitted on the prescribed Bid Forms. All information on Bid Forms must be completed in ink.

BID SUBMITTAL DELIVERY. Bidders are allowed to submit a bid proposal by third party carrier or by hand delivery.

- A. THIRD PARTY CARRIER** such as: FEDEX, UPS, DHL, CA Overnight, Golden State Overnight, etc., and must address the submittal in accordance with instructions stated in this paragraph 12. **Any Proposal received after 2 p.m. will not be considered. Late Bids will be returned unopened.**
- B. HAND DELIVERY** shall only be between the hours of 1:00 p.m. 2:00 pm. on the bid due date, at the Winfield Warehouse located at 5905 Winfield Boulevard, San Jose, CA 95123. Upon entrance to the gate, turn left towards the warehouse building. Bid submittal shall be delivered at a drop off box, marked "Bid/Submittal Drop Box," located in front of the warehouse entrance door. Bidder's must take a picture using its cellphone showing the "Official Bid Clock" timer as proof of delivery. Bidders must observe all Public Health Officers orders and wear proper face covering when dropping off your Bid. **Any Proposal received after 2 p.m. will not be considered. Late Bids will be returned unopened.**

NO BIDS WILL BE ACCEPTED VIA USPS (US MAIL). USPS (US Mail) does not deliver to 5905 Winfield Boulevard.

Address the outside delivery envelope as follows:

Santa Clara Valley Water District
Attention: Construction Contracts & Support Unit
**C0660 - UPPER GUADALUPE RIVER REACH 6 AQUATIC HABITAT
IMPROVEMENT PROJECT**
Project No. 26154002
5905 Winfield Boulevard
San Jose, CA 95123 2428

13. **Bid Opening.** For the duration of the COVID 19 pandemic, to ensure the safety of the public and District employees and requisite social distancing requirements by Order of the County of Santa Clara Public Health Officer, the opening of bids shall be made available to the public only by video teleconference, live stream, on the date stated in this Notice to Bidders, paragraph #1. Notice, above, at **2:30 p.m.** The results will be posted on the District's website at <https://www.valleywater.org/construction> no later than close of business the following day.

- A. **Join Zoom Meeting.** Any person interested in attending the live stream bid opening may do so by accessing the link below, or join via phone by calling the toll free number listed below:

Join Zoom Meeting: <https://valleywater.zoom.us/j/3796054075>

Meeting ID: 379 605 4075

One tap mobile:

+16699009128, 3796054075# US (San Jose)

+13462487799, 3796054075# US (Houston)

Dial by your location:

+1 669 900 9128 US (San Jose)

+1 346 248 7799 US (Houston)

+1 253 215 8782 US (Tacoma)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Meeting ID: 379 605 4075

Find your local number: <https://valleywater.zoom.us/j/3796054075>

14. **Errors or Discrepancies in the Bids.** The District Board of Directors reserves the right to reject any and all Bid Proposals and to waive minor defects or irregularities in any submitted Bid Form(s).
15. **Bidder's Security.** Each Proposal must be accompanied by cash, a certified check, cashier's check, or an original Bidder's bond in the sum of not less than 10 percent of the total aggregate of the Proposal including all additive and supplemental Bid items, if any. Said checks or bond must be made payable to the Santa Clara Valley Water District.

16. Contract Retention

- The Contract Retention for this Project is established at five (5) percent of the Contract Price.
- The Contract Retention for this Project is established at ten (10) percent of the Contract Price. The Board of Directors has made a finding that the Project is substantially complex and therefore requires retention higher than five percent.

17. Substitution of Securities. The Contractor may, at the Contractor's request and expense substitute securities equivalent to the amount withheld by District to ensure the performance of the contract, in accordance with Public Contract Code Section 22300.

18. Small Business Preference. [NOT USED].

19. Equal Opportunity. The District is an equal opportunity employer and all Contractors of District projects are to have and follow a policy of equal opportunity including adherence to all state and federal laws and regulations, including the Federal Equal Opportunity Clause.

By order of the Board of Directors of the Santa Clara Valley Water District, San Jose, California, on Tuesday, March 23, 2021.

ATTEST: MICHELE L. KING, CMC


Clerk, Board of Directors