



**CITY OF EAST PALO ALTO, CALIFORNIA**

**INVITATION FOR BIDS FOR**

Joel Davis Park Restroom

**PUBLIC WORKS PROJECT NO. PK-05**

**DATE OF AD PUBLICATION**

TUESDAY, FEBRUARY 14, 2023

**BIDS DUE:**

3/14/2023

At the Office of the City Clerk  
City of East Palo Alto  
2415 University Avenue  
East Palo Alto, CA 94303

Contact Person During Bidding Period:

Batool Zaro, Associate Engineer

(650) 388-8921

[bzaro@cityofepa.org](mailto:bzaro@cityofepa.org)

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**CITY OF EAST PALO ALTO**  
**I. NOTICE INVITING BIDS**

**Joel Davis Park Restroom**  
City Project No. PK-05

SEALED BIDS will be received by the City of East Palo Alto City Hall, 2415 University Avenue , East Palo Alto, California 94303, 3/14/2023 on 2pm at which time they will be publicly opened in the City Hall, 2415 University Avenue, East Palo Alto, Ca, via a Zoom Call (Meeting ID: 880 6668 2944

Passcode: 948184) which will be sent to all plan holders on the bidders list and read for performing work as follows:

Furnishing all labor, materials, and equipment and performing all work necessary and incidental to the completion of the project known as Joel Davis Park Restroom (the "Project") consisting of mobilization site preparation, utility work, concrete work, and so on according to plans and specifications prepared by the City of East Palo Alto.

Project is to be completed within a total maximum of sixty (60) working days. Restroom lead time will not be counted as working days. Once the notice to proceed is issued, the contractor is responsible for placing the order for the restroom and notifying the City of the lead time.

Bid documents can be obtained by downloading the set from the City website at [www.cityofepa.org](http://www.cityofepa.org) under RFP-RFQ-Bids. Questions should be directed to Batool Zaro, Associate Engineer, (650)388-8921, [bzaro@cityofepa.org](mailto:bzaro@cityofepa.org).

Bid Security in an amount not less than ten percent (10%) of the total bid dollar amount and conforming to the prescribed bidding procedures is required to be submitted with each bid.

Pursuant to the provisions of the California Labor Code Section 6707, if applicable to this job, each bid submitted in response to this Notice Inviting Bids shall contain, as a bid item, adequate sheeting, shoring, and bracing, or equivalent method, for the protection of life and limb in trenches and open excavation, which shall conform to applicable safety orders.

Pursuant to Public Contract Code Section 22300, for monies earned by the Contractor and withheld by the City of East Palo Alto to ensure the performance of the contract, the Contractor may, at his or her option, choose to substitute securities meeting the requirements of Section 22300.

To be considered, all bidders shall:

- Be licensed under the provisions of Chapter 9, Division 3 of the Business and Professions Code of the State of California to do the type of work contemplated in the project. The general class or type of work called for under the Contract requires a class "A" license.
- Perform with their own organization's work amounting to at least (25)% of the contract price, except specialty items.
- Have completed a minimum of three (3) projects involving work of similar type and complexity, each project valued at not less than \$400,000 in the last five years.
- Meet other mandatory bid requirements set forth in the bid documents.

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## **II. INSTRUCTIONS TO BIDDER**

1. Preparation of Bid – Bid shall be made on Bid Forms inserted in the cover of this Invitation for Bids. The Bid Forms include the documents entitled Bid, Bid Schedule, Subcontractor List, Bidder's Information, Statement of Qualifications, and Non-Collusion Affidavit. Bidder shall enter all requested information in the appropriate spaces on the Bid Forms. No oral, telephone, facsimile or electronic bids will be accepted. All costs of bid preparation shall be borne by the bidder.
2. Mandatory Qualifications – In order for a bid to be considered responsive to this invitation for bids, the minimum experience of the bidder shall be the completion of three (3) projects of similar type and complexity, and value not less than \$400,000.00. Documentation of mandatory qualifications shall be made on the document entitled "Bidder's Information" included in the Bid forms.
3. Pre-Bid Conference – The City of East Palo Alto will hold a pre-bid site walk so interested bidders can examine the site. The pre-bid meeting is set for 02/28/2023 at 11:00 am. Please meet in front of the 1960 Tate Street Office Building in East Palo Alto, CA 94303.
4. Examination of Bid Documents – The Bid Documents consist of this Invitation for Bids, each and every document listed in the Table of Contents of the invitation, any documents referenced in the specifications, and any addenda which may have been issued. Bidder shall thoroughly examine and be familiar with all Bid Documents, including legal and procedural aspects. Submission of a bid shall constitute bidder's acknowledgment upon which the City may rely that bidder has thoroughly examined and is familiar with the Bid Documents. Failure or neglect of bidder to receive or examine all or part of the Bid Documents shall in no way relieve the bidder from any obligations with respect to this bid invitation or any resultant contract. No claim for additional compensation will be allowed which is based upon a lack of knowledge of any part of the Bid Documents.
5. Inspection of Site – Bidder must examine and judge for itself the location of the proposed work and the nature and extent of the work to be done. The technical specifications, including drawings, plans, maps, diagrams and/or other graphic representations of the project, show conditions as they are supposed or believed by City to exist at the site, but the conditions shown do not constitute a representation by City that they actually exist. Utilities (underground or above-ground), buildings, structures and other improvements may be within or adjacent to the project site. These may or may not be included in the project's technical specifications. Bidder is required to inspect the project location to satisfy itself, by examination or other appropriate means, of the actual conditions at the site.  
  
Submission of a bid shall constitute a representation by bidder that it has visited and examined the project site and is relying on its own examination and knowledge of the site in making its bid, and not on any representation by City. No claim for additional compensation shall be allowed that is based upon a failure to examine, or lack of knowledge of, the work site.
6. Interpretation of Bid Documents and Addenda – Should a bidder discover conflicts or ambiguity in the bid documents that require a decision or explanation, bidder may request an interpretation. Such a request shall be made in writing and delivered to the person identified on the cover page of this bid invitation no later than five (5) working days before the deadline for receipt of bids. Every interpretation made to bidders will be in the form of an Addendum issued by the City. Addenda, if issued, will be sent as promptly as possible to all parties that have been issued bid documents. All such Addenda will become part of the bid documents and shall be binding in the same way as if originally written in the bid documents. Only properly issued addenda shall be binding upon City, any oral and/or other form of interpretation or clarification will have no legal or

contractual effect. Bidders shall acknowledge the receipt of Addenda on the Bid Forms.

7. Bid Security – Bidder shall submit bid security with the bid in an amount equal to at least ten percent (10%) of the total bid amount (Base Bid plus Alternates, if any) and in the form of a certified check, cashier's check or surety bond issued by an admitted surety insurer authorized to conduct business in the State of California. *The total amount of the successful bidder's bid security shall be forfeited to the City if the bidder fails to execute the contract and furnish bonds and insurance as required by the bid documents within ten (10) calendar days after being notified in writing by City that the contract award has been made.*
8. Bonds and Insurance – The successful bidder shall furnish performance and payment (labor and materials) bonds, each in an amount equal to one hundred percent (100%) of the total contract price (Base Bid plus Alternates, if any) and issued by an admitted surety insurer authorized to operate in the State of California. The only bonds acceptable to the City shall be those included with the bid documents. The successful bidder shall also maintain throughout performance of the work the insurance coverage specified in the bid documents.
9. Employment of Apprentices – The provisions of Sections 1777.5, 1777.6 and 1777.7 of the California Labor Code concerning the employment of apprentices are applicable during the performance of the work described in the bid documents.
10. Wage Rates – Pursuant to Sections 1770, 1771 and 1774 of the California Labor Code, the successful bidder shall pay not less than the prevailing rate of per diem wages as determined by the Director of the State of California Department of Industrial Relations. Copies of such prevailing wage rates are available for review at the City. Wage rates can also be obtained through the California Department of Industrial Relations website at: <http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm>.

Bidders shall promptly notify the person identified on the cover page of this bid invitation, in writing, about all labor classifications not listed in the prevailing wage determinations but necessary for the performance of the work described in the bid documents.

The successful bidder/contractor, and each subcontractor shall keep accurate payroll records, and comply in all respects with Labor Code section 1776, including the timely response to written notices requiring copies of such records, as provided for in such section. In the event the contractor or subcontractor fails to comply within the ten day period, that contractor or subcontractor shall forfeit one hundred dollars (\$100.00) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated, as provided by Labor Code section 1776(h).

11. Contractor Registration with the State of California – In order to be considered for contract award, Contractor and any Subcontractors must be registered with the State of California, Department of Industrial Relations (DIR) through the Public Works Contractor Registration Program. Contractors shall list all applicable DIR registration numbers on the Bid Form.
12. Utilization of Local Workforce in Construction Projects – When possible, it is encouraged that the contractor shall utilize local workforces, including State-certified apprentices, as a means of supporting economic opportunities for all members of the community.
13. Sheeting, Shoring and Bracing (As Applicable) – In accordance with the provisions of Section 6707 of the California Labor Code, when bidding on a project that calls for trenches or open excavations, bidder shall specify on the Bid Forms that the item price for such work includes adequate sheeting, shoring and bracing, or equivalent method, to protect its employees and others from injury to life or limb, in conformance with applicable California Construction Safety Orders. This section shall not be construed to impose tort liability on the City or any of its employees or agents.

14. Subcontractors – Bidder shall complete the “List of Subcontractors” included in the Bid Forms. Bidder shall include all requested information for each subcontractor who will perform work or render service to the bidder during the performance of the work described in the bid documents and any subcontractor licensed by the State who, under subcontract to the bidder, specially fabricates and installs a portion of the work or improvements described in the bid documents. Bidder shall complete the List in each instance where the amount of the subcontractor’s work is in excess of one-half of one percent (.5%) of the bidder’s total bid, or, in the case of bids or offers for the construction of streets or highways, including bridges, in excess of one-half of one percent (.5%) of the total bid or ten thousand dollars (\$10,000), whichever is greater.

The apparent successful bidder will be required to establish, to the City’s satisfaction, the responsibility and reliability of the subcontractors it has listed. Prior to the award of the contract, the Purchasing Officer will notify the apparent successful bidder, in writing, if City, after due investigation, has a reasonable objection to any proposed subcontractor. If, after notification of such objection, bidder is unable to address City’s concern with the subcontractor, City shall give bidder the opportunity to submit an acceptable substitute. In the event bidder is unable to provide such a substitute, its bid will be deemed non-responsive.

A bidder whose bid is accepted may not substitute a different subcontractor in place of the subcontractor listed in the original bid, except with the prior written consent of the City and in accordance with the procedures set forth in Section 4107 of the Public Contract Code.

15. Bidders Interested in More Than One Bid – A bidder submitting a bid as a prime contractor may submit only one bid as a prime contractor and may not also submit one or more bids as a subcontractor to competing prime contractors. Failure to comply with this requirement will result in the rejection of all bids from the non-complying bidder. A bidder who is not submitting a bid as a prime contractor may submit any number of bids as a subcontractor to competing prime contractors.
16. Bid Price – Bid price shall include all costs for:
- a. Furnishing all tools, equipment, materials, apparatus, facilities, labor, transportation, supervision and management necessary to perform the work described in the bid documents;
  - b. Providing the necessary safety precautions for the protection of the public, such as barricades and warning signs;
  - c. Cleanup activities to restore the work site to a satisfactory condition;
  - d. Federal, state and local taxes; and
  - e. All permits and licenses required to perform the work described in the bid documents.

Any items shown in the specifications, contract drawings, or any part of the contract documents, and not specifically listed in the bid price are to be considered included; and no additional or special compensation will be allowed.

17. Submission of Bid – Bidder shall submit the completed Bid Forms and the required bid security no later than the time and date set for receiving bids as stated in the Notice Inviting Bids or any modifying Addenda. Bid shall be delivered in a sealed envelope *clearly marked with the applicable bid number* addressed to:
- City of East Palo Alto  
Office of the City Clerk  
2415 University Avenue  
East Palo Alto, CA 94303

18. Modification or Withdrawal of Bids
- a. Before Date and Time for Receipt of Bids - Bids that contain mistakes discovered by a bidder before the date and time for receipt of bids may be modified or withdrawn by written notice to City’s Purchasing Officer received prior to the deadline. Any modification shall be clearly identified as such and shall be made in writing, executed and submitted in the same form and manner as the original bid.



- b. After Date and Time for Receipt of Bids - A bidder may not change its bid after the date and time set for receipt of bids except that the bidder may seek the City's consent to the substitution of a subcontractor where the bidder can demonstrate, under the provisions of state law, that the name of the substituted subcontractor was listed as the result of an inadvertent clerical error. A bidder alleging a mistake in a bid may be permitted to withdraw its bid in conformance with state law (see Public Contract Code Sections 5101, 5103 and 5105).
19. Postponement of Opening; Extensions – The City reserves the right to postpone the date and time for receipt of bids at any time prior to the date and time announced in the Notice Inviting Bids. The date and time shall be extended by at least 72 hours in the event the City issues any material changes, additions or deletions to the bid documents within 72 hours prior to the bid closing.
20. Late Bids – Bidder shall be responsible for the timely delivery of bid. Bids received after the deadline for receipt of bids shall not be accepted and shall be returned to bidder unopened unless necessary for identification purposes.
21. Public Opening of Bids – Each bid, irrespective of any defects or irregularities, that has been received by the deadline for receipt of bids, except those that have been properly withdrawn, will be publicly opened by a representative of the Purchasing Division at the date and time announced for such opening. If one or more members of the public are present, the name and address of each bidder, the total amount of each bid, and the nature and amount of the bid security furnished with each bid will be read aloud at or shortly following the deadline for receipt of bids.
22. Bid to Remain Open – The bidder shall guarantee its bid for a period of ninety (90) calendar days from the date of bid opening.
23. Bid Evaluation – City's Purchasing Officer will evaluate all bids received to determine if the bidder is responsive and responsible. A Bidder will be deemed to be responsive if it has submitted a bid that conforms in all material respects to the requirements of the bid documents and demonstrates compliance with the mandatory experience as described in Section 2. A Bidder will be deemed to be responsible if the Bidder:
- Has the ability, capacity, experience and skill to perform the work in accordance with the bid specifications;
  - Has the ability to perform the work promptly or within the time specified, without delay;
  - Has equipment, facilities and resources of such capacity and location to enable it to perform the work;
  - Has a record of satisfactory or better performance under prior contracts with the City or others; and
  - Has complied with laws, regulations, guidelines and orders governing prior or existing contracts.
24. Mandatory Post Bid-opening Information – In order to assist in the bid evaluation, the apparent low bidder will be required to complete and submit the form entitled "Statement of Qualifications" included in the Bid forms within two working days of notification by City that it is the apparent low bidder. Notice may be given orally, by telephone, or by facsimile sent to the number supplied by bidder. Failure to submit the Statement of Qualifications by 5:00 p.m. of the second day may result in the bid being deemed non-responsive, and the City will then determine the next apparent low bidder.
25. Discrepancies in Bid Forms – The City may waive minor defects of irregularities in any bid, provided that the discrepancy does not materially affect the bid amount or give the bidder an advantage over others. For instance, if there are unit price bid items in a bid schedule, and the amount indicated for a unit price bid item does not equal the product of the unit price and quantity

listed, the unit price shall govern. Likewise, if there is more than one bid item in a bid schedule, and the total of the schedule does not equal the sum of the bid items, the individual amounts of the bid items shall govern. If there is a difference between the bid price entered in words and the bid price entered in figures for the same quotation, the price in words shall prevail.

The City may make any investigations deemed necessary to determine if a bidder is responsive and responsible.

26. Rejection of Bids – The City reserves the right to reject any and all bids; and further reserves the right to reject any bids that are found to be non-responsive or submitted by a bidder that is not responsible.
27. Tie Bids – In the event that an identical price is received from two or more responsive and responsible bidders, the City may re-advertise for bids or the successful bidder may be determined by the casting of lots with the tie bidders in public at a date and time set by City's Purchasing Officer.
28. East Palo Alto Business License – The successful bidder must either possess a current, valid East Palo Alto business license or must have submitted a East Palo Alto business license application and fee at the time of contract execution.
29. Contract Award – Contract award will be made to the lowest responsive and responsible bidder. In the event that bids are required on a Base Bid and Additive Alternates, contract award will be based solely on the Base Bid. The acceptance of a bid will be evidenced by a written Notice of Award delivered to the successful bidder.
30. Bid Protest – The City will issue a Notice of Intent to Award prior to the actual award. Any Bid protest must be submitted in writing to the Purchasing Division, City Hall Annex, 2415 University Avenue , East Palo Alto, California 94303, before 5:00 p.m. of the fifth (5th) calendar day following posting of a Notice of Intent to Award for Construction in the Lobby of the City Hall Annex. City will use reasonable efforts to deliver by electronic means a copy of the Notice of Intent to Award to all Bidders who submitted Bids and provided an email address or other forms of electronic communication no later than the working day after issuance, although any delay or failure to do so will not extend the Bid protest deadline described above. The following conditions will apply to all protests.
  - a. The initial protest document must contain a complete statement of the basis for the protest;
  - b. The protest must refer to the specific portion of the document that forms the basis for the protest;
  - c. The protest must include the name, address and telephone number of the person representing the protesting party. If a fax number is available, it should also be included;
  - d. 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 that 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.

The procedure and time limits set forth in this paragraph are mandatory and are Bidder's sole and exclusive remedy in the event of Bid protest. 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. A Bidder may not rely on a protest submitted by another Bidder, but must timely pursue its own protest.

31. Post-Notice of Award Requirements

- a. Within ten (10) calendar days of Notice of Award, the successful bidder shall submit to the person identified on the cover of this bid invitation the following:
  1. The General Construction Contract executed in duplicate by the successful bidder;
  2. Performance and Payment Bonds;
  3. Guaranty
  3. Evidence of the required insurance coverage;
  4. A East Palo Alto business license tax and fee if bidder does not already possess such license; and
  5. A completed Internal Revenue Service Form W-9.
- b. Successful Bidder's failure to submit the documents required herein, in a proper and timely manner, entitles City to rescind its award, and to cause Bidder's Bid Security to be forfeited as provided in paragraph 32.
- c. City may elect in its sole discretion to extend the time to receive any of the documents listed herein.

32. Failure to Execute and Deliver Documents – If Bidder to whom Notice of Award is issued shall, for 10 days after such award, fail or neglect to execute and deliver all required contract documents, bonds, insurance certificates and other documents, City may, in its sole discretion, deposit Bidder's surety bond, cashier's check or certified check for collection, and retain the proceeds thereof as liquidated damages for Bidder's failure to perform. Bidder agrees that calculating the damages City may suffer as a result of Bidder's failure to execute and deliver all documents would be extremely difficult and impractical, and that the amount of Bidder's required Bid security shall be the agreed and presumed amount of City's damages. City may then turn to the next Apparent Low Bidder and proceed as if this Apparent Low Bidder were the original Apparent Low Bidder.

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**III. BID FORMS**

**Joel Davis Park Restroom**

Project No. PK-05

Bid To: City of East Palo Alto, City Clerks Office  
2415 University Avenue  
East Palo Alto, CA 94303

The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with the City in the form included in the Contract Documents to perform the Work as specified or indicated in these Contract Documents entitled: Joel Davis Park Restroom, Project PK-05.

Bidder accepts all the terms and conditions of the Contract Documents, including without limitation those in the Notice Inviting Bids and Instructions to Bidders, dealing with the disposition of the Bid Security. Attached hereto is a cashier's check, certified check or bid bond in the amount of \$\_\_\_\_\_ as required in the Notice Inviting Bids.

This bid will remain open for the period stated in the Instructions to Bidders. Bidder will enter into an Agreement within the time and in the manner required in the Information to Bidders, and will furnish the insurance certificates, Payment Bond, Performance Bond, and Permits required by the Contract Documents.

Bidder has examined copies of all the Contract Documents including the following Addenda (receipt of which is hereby acknowledged):

Number _____	Number _____
Number _____	Number _____
Number _____	Number _____

Bidder has familiarized itself with the nature and extent of the Contract Documents, the Work, the site, the locality where the Work is to be performed, the legal requirements (federal, state, and local laws, ordinances, rules, and regulations), and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as Bidder deems necessary.

In conformance with current statutory requirements of California Labor Code Section 1860, et seq., the undersigned confirm the following as its certification:

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self insurance in accordance with the provisions before commencing the performance of the work of this contract.

Bidder agrees to complete the Work required under the Contract Documents (including all Bid Schedules, Subcontractor List, Bidder's General Information, and Non-Collusion Affidavit contained in these Bid Forms) within the Contract Time specified, and to accept in full payment the Contract Price based on the Lump Sum or Unit Bid Price(s) listed in the Bid Schedule(s).

Dated: \_\_\_\_\_ Bidder: \_\_\_\_\_

By: \_\_\_\_\_  
(Print Name)

By: \_\_\_\_\_  
(Signature)

Title: \_\_\_\_\_

## BID SCHEDULE

This Bid Schedule must be completed and included with the sealed Bid Proposal. The lump sum or unit cost for each item must be inclusive of all costs, whether direct or indirect, including profit and overhead.

### BASE BID

Item Number	Item Description	Qty	Unit	Unit Cost	Total Cost
1	Mobilization	1	LS		
2	Site Preparation and Grading	1	LS		
3	Water Piping	80	LF		
4	Sewer Piping	80	LF		
5	Electrical Conduits	160	LF		
6	Building Plumbing and Utility Connection	1	LS		
7	4" Concrete Sidewalk	186	SF		
8	Concrete Footing	1	LS		
9	Construction Signage	2	EA		
10	Prefabricated Double Restroom	1	LS		
11					
12					
13					
13					
<b>TOTAL</b>					

TOTAL BASE BID IN WORDS: \_\_\_\_\_

### ALTERNATIVE BID 1: SINGLE RESTROOM

Item Number	Item Description	Qty	Unit	Unit Cost	Total Cost
1a	Prefabricated Single Restroom				
2a					

Remark: The lowest responsible bidder shall be determined by adding bid item 1 through 10. Alternative 1a is subject to City budget restrictions. If the base bid exceeds the City's budget, the City will remove bid item 10 and replace it with alternate item 1a.

**SUBCONTRACTOR LIST**  
(Public Contract Code 4100 et seq.)

Name of Subcontractor	Address of Subcontractor and License Number <small>(PWC Registration Numbers shall be included in Part E under the 'Statement of Qualifications')</small>	Work to Be Performed	Value of Work to Be Performed by Subcontractor (\$)
1.	(License No.).....		
2.	(License No.).....		
3.	(License No.).....		
4.	(License No.).....		
5.	(License No.).....		

*Bidder:* \_\_\_\_\_

*By:* (signature or initials) \_\_\_\_\_

### BIDDER'S INFORMATION

The Bidder shall furnish the following information. Additional sheets shall be attached as required.

1. BIDDER'S name and street address:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

2. BIDDER'S telephone No.: ( ) \_\_\_\_\_ Fax No.: ( ) \_\_\_\_\_

BIDDER's E-mail Address: \_\_\_\_\_

3. BIDDER'S East Palo Alto Business License No.: \_\_\_\_\_ BIDDER'S Tax ID No.: \_\_\_\_\_

4. TYPE OF BUSINESS

If you are an individual or partnership, so state. If you are a partnership, list the names of all general partners composing the partnership. If a corporation, list the names of president, secretary, treasurer, and manager.

Individual \_\_\_\_\_ Name(s): \_\_\_\_\_

Partnership \_\_\_\_\_ \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Corporation \_\_\_\_\_ Names of Corporate Officers

State of Incorporation \_\_\_\_\_ President \_\_\_\_\_

Secretary \_\_\_\_\_

Treasurer \_\_\_\_\_

Manager \_\_\_\_\_

Joint Venture \_\_\_\_\_

Other \_\_\_\_\_

(Describe)

5. CONTRACTOR'S license: Primary Classification \_\_\_\_\_



State License No.: \_\_\_\_\_ Expiration Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Supplemental license classifications: \_\_\_\_\_

6. NAME of person who inspected the site of the proposed Work for the Bidder:

Name: \_\_\_\_\_ Date of inspection: \_\_\_\_\_

7. BIDDER'S EXPERIENCE

- 1. Bidder has been doing business under its present name for \_\_\_\_\_ years.
- 2. Bidder has experience in work comparable in type and complexity with that required under the proposed contract for \_\_\_\_\_ years as a General Contractor.

Bidder shall sign under penalty of perjury that all the information provided in this information sheet is true and correct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

### STATEMENT OF QUALIFICATIONS

Apparent low bidder shall complete this entire Statement of Qualifications questionnaire and submit it to City upon notification, in accordance with paragraph 23, Instruction to Bidders. Failure to complete the questionnaire or inclusion of any false statement is grounds for immediate disqualification. The City reserves the right to waive minor irregularities, inconsequential deviations and to make all final determinations. The City will evaluate the information contained in each applicant's questionnaire and responses received in reference checks. The sole and discretionary judgment of the City will determine if the Contractor is deemed qualified.

### CONTACT INFORMATION

Company Name: \_\_\_\_\_

Form of Company: \_\_\_\_\_ Sole Proprietor \_\_\_\_\_ Partnership \_\_\_\_\_ Non-Profit 501 C3  
\_\_\_\_\_ Corporation \_\_\_\_\_ other (please attach explanation)

Owner of Company: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Street Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Federal Tax I.D. No. \_\_\_\_\_

### PART A: GENERAL INFORMATION

Complete Part A before proceeding to Part B.

- 1. Contractor possesses a valid and current California Contractor's "C39" license for the work proposed. Yes \_\_\_ No \_\_\_
- 2. Contractor has a minimum of \$1,000,000.00 liability insurance coverage. Yes \_\_\_ No \_\_\_
- 3. Contractor's license has been revoked at any time in the last five (5) years. Yes \_\_\_ No \_\_\_

4. Contractor has been "default terminated" by an owner (not for convenience), or a Surety has completed a contract for Contractor within the last five (5) years. Yes \_\_\_ No \_\_\_
5. Contractor has been cited more than twice for failure to pay prevailing wages in the last five (5) years. Yes \_\_\_ No \_\_\_

Contractor will be immediately disqualified if any answer to questions 1 or 2 is No.

Contractor will be immediately disqualified if any answer to question 3 is Yes.

Contractor may be immediately disqualified if the answer to questions 4 or 5 is Yes. At a minimum to avoid such disqualification, Contractor must include with this Questionnaire a full description of the applicable circumstance and sufficient information to permit City to evaluate Contractor's overall qualifications to perform the work. City retains sole discretion to disqualify any Contractor who answers yes to either question 4 or 5.

## **PART B: SAFETY, PREVAILING WAGE, DISPUTES AND BONDS**

### SAFETY

1. Has CAL OSHA, Federal OSHA, the EPA or any Air Quality Management District cited your firm in the past five (5) years? Yes \_\_\_ No \_\_\_ If yes, attach description of each citation.
2. How often do you require documented safety meetings be held for:
- |                  |            |               |             |                       |
|------------------|------------|---------------|-------------|-----------------------|
| Field Supervisor | Weekly ___ | Bi-weekly ___ | Monthly ___ | Less than monthly ___ |
| Employees        | Weekly ___ | Bi-weekly ___ | Monthly ___ | Less than monthly ___ |
| New Hires        | Weekly ___ | Bi-weekly ___ | Monthly ___ | Less than monthly ___ |
| Subcontractors   | Weekly ___ | Bi-weekly ___ | Monthly ___ | Less than monthly ___ |
3. How often do you conduct documented safety inspections?
- Quarterly \_\_\_      Semi-annually \_\_\_      Annually \_\_\_
4. Do you have home office safety representatives who visit/audit the job site?
- Quarterly \_\_\_      Semi-annually \_\_\_      Annually \_\_\_

### PREVAILING WAGE PROVISIONS

5. Has your firm been fined, penalized or otherwise found to have violated any prevailing wage or labor code provision? If yes, attach description of each fine/penalty. Yes \_\_\_ No \_\_\_

(License Provisions)

6. Has your company changed names or license numbers in the past 10 years? If so, please state reason for change. Yes \_\_\_\_\_ No \_\_\_\_\_ Reason \_\_\_\_\_

(Disputes)

7. Has your firm had any claims, litigation, or disputes ending in mediation or arbitration, or termination for cause associated with any project in the past five (5) years? If yes, attach description of each such instance including details of total claim amount, settlement amount, and owner's name and phone number.

Yes \_\_\_\_\_ No \_\_\_\_\_

**PART C: EXPERIENCE**

The unique nature of this project requires prior similar project experience of the firm. Summarize your similar project experience below and provide the detailed project information requested:

General Contractor - List at least three (3) projects of similar size and scope with a construction cost not less than \$400,000 completed in the past (5) years.

Project name	Const. Cost (\$)	Date completed (year)	Name, address and telephone number of owners representative

**Most Recently Completed Project.**

In order to be considered responsive, Contractor must provide information about its most recently completed project. Names and references must be current and verifiable. If a separate sheet is used, it must contain all of the following information:

- Project Name: \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Owner: \_\_\_\_\_  
 Owner Contact (name and phone number): \_\_\_\_\_  
 Architect: \_\_\_\_\_  
 Architect Contact (name and phone number): \_\_\_\_\_  
 Const. Mgr. or Project Mgr. (name and phone number): \_\_\_\_\_  
 Description of Project, Scope of Work Performed: \_\_\_\_\_

Value of Construction Contract: \_\_\_\_\_  
 Value of Change Orders: \_\_\_\_\_  
 Original Scheduled Date of Completion: \_\_\_\_\_  
 Time Extensions Granted (number of days): \_\_\_\_\_  
 Actual Date of Completion: \_\_\_\_\_  
 Number of Stop Notices filed by subcontractors or suppliers: \_\_\_\_\_

**PART D: FINANCIAL AND OTHER INFORMATION**

1. Has your firm ever reorganized under the protection of the bankruptcy laws? Yes \_\_\_\_ No \_\_\_\_
2. Have you ever had insurance terminated by a carrier? Yes \_\_\_\_ No \_\_\_\_  
 If yes, explain on separate signed sheet.

Contractor shall sign under penalty of perjury that all the information provided in this questionnaire is true and correct. Contractor's signature authorizes the City and its agents and representatives, to obtain a credit report and/or verify any of the above information

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Title

**PART E: CONTRACTOR REGISTRATION WITH STATE OF CALIFORNIA**

Please list your Public Works Contractor (PWC) Registration number(s) and Email Addresses:

		Name	PWC Registration Number	Email Address (Please Print)
1.	General Contractor			
2.	Subcontractors			

**NON-COLLUSION AFFIDAVIT**

State of California )  
 )  
County of \_\_\_\_\_)

I, \_\_\_\_\_, being first duly sworn, deposes and says that he or she is \_\_\_\_\_ of \_\_\_\_\_ the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, an undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; and that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

\_\_\_\_\_  
Name of Bidder

\_\_\_\_\_  
By (Signature)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Seal and Notary Acknowledgement  
subscribed and sworn to me this

\_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_