

NOTICE TO BIDDERS

Bid Opening Date: **Tuesday, August 30, 2016**

General work description: Construct one concrete box girder bridge and two pre-cast prestressed wide flange girder bridges, retaining walls, roadway pavement, drainage systems, sewer and waterline work and electrical work in accordance with the Contract Documents.

The Authority will receive sealed bids for BALFOUR INTERCHANGE PROJECT, ON ROUTE 4, IN CONTRA COSTA COUNTY IN THE CITY OF BRENTWOOD FROM 1.1 MILES NORTH OF BALFOUR ROAD TO 0.6 MILES SOUTH OF BALFOUR ROAD.

District-County-Route-Post Mile: 04-CC-4- M34.5/M36.2

CCTA Contract Number: 427
Caltrans Contract Number: 04-4H1604
Project ID: 0413000100

Proposal forms for this work are included in a separate book entitled:

PROPOSAL AND CONTRACT
FOR
BALFOUR INTERCHANGE PROJECT

Submit bids under sealed cover plainly marked as a proposal and identified with the project number, the date and time for receipt of sealed bids and the name of the bidder. Bids will only be accepted from registered plan holders. You become a registered Plan Holder by signing up to obtain the contract documents at ***www.planroom.us/contracostatrans***. Bids not properly marked will be considered nonresponsive.

Contract Documents can be obtained at ***www.planroom.us/contracostatrans***. Any addenda issued for this project will also be available at this website.

The Contractor must have either a Class A license or a combination of class C licenses that make up a majority of the work at the time of bid opening.

This project contains the use of a proprietary source item on the slope paving. The bridge slope paving must be Basalite or approved equal to match the color and texture of the slope paving on this Route at the Lone Tree Way Undercrossing.

You are prohibited from bidding on the project if you are ineligible to perform work on a public works project under § 1777.1 or § 1777.7 of the Labor Code.

Bids will be on a unit price basis. Complete work within 560 working days.

The estimated cost of construction is \$40,200,000.

A pre-bid (pre-proposal) meeting is scheduled for *1:00 p.m. on Wednesday, August 10, 2016*, in the Board Room (Suite 110) at the office of the Authority located at 2999 Oak Road, Suite 100, Walnut Creek, CA 94597. Attendance at the pre-bid meeting is NOT mandatory.

The Authority shall receive sealed bids until 2:00 p.m. on the bid opening date in the Board Room (Suite 110) at the office of the Authority located at 2999 Oak Road, Suite 100, Walnut Creek, CA 94597. Bids received after this time will not be accepted. Bids will be valid for ninety (90) calendar days after the bid opening date.

The Authority will immediately open and publicly read the bids at the mentioned location after the specified closing time.

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Questions about alleged patent ambiguity of the plans, specifications, or estimate must be submitted as a bidder inquiry before bid opening. After this time, the Authority will not consider these questions as bid protests.

Email bidders' inquires and other communications relative to this project to Andy Gust of Psomas at agust@psomas.com. Submit all bidder inquires on the Bidder Inquiry Form included in the *Proposal and Contract Booklet*. Bid inquiries must be received by 4:00 p.m. on August 25, 2016. All responses to bidder inquires and addendums will be available at www.planroom.us/contracostatrans. It is each bidder's responsibility to check the website for these documents.

Submit your bid with bid security equal to at least ten percent (10%) of the bid amount. The bid security shall be in the form of cash, certified or cashier's check or bid bond in favor of the Authority.

All prime contractors are encouraged to use qualified Small Business Enterprise ("SBE") subcontractors and directly purchase goods from qualified SBEs by utilizing SBE vendors when available and the price of the goods sought reasonable. All prime contractors are required to report on SBE usage on a quarterly basis during the term of each contract, using the form provided by the Authority.

The work covered by this proposal (bid) is not federally funded. As such, no specific Disadvantaged Business Enterprise (DBE) goal is established for this project; however, you are encouraged to use qualified DBE firms as subcontractors.

Pursuant to Section 1770, et seq. of the California Labor Code, you and all subcontractors under you will pay not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations and comply with all applicable Labor Code provisions, which include the employment of apprentices, the hours of labor and the debarment of contractors and subcontractors. Pursuant to Labor Code Section 1773, the Authority has obtained the prevailing rate of per diem wages and the prevailing wage rate for holiday and overtime work applicable in Contra Costa County from the Director of the Department of Industrial Relations for each craft, classification, or type of worker needed to execute this contract. A copy of these prevailing wage rates may be obtained via the internet at: www.dir.ca.gov/dlsr/. In addition, a copy of the prevailing rate of per diem wages is available at the Authority's offices and shall be made available to interested parties upon request. If you are awarded a contract, you must post a copy of the prevailing wage rates at the job site.

California Department of Transportation has made available Notices of Suspension and Proposed Debarment from the Federal Highway Administration. For a copy of the notices, go to http://www.dot.ca.gov/hq/esc/oe/contractor_info. Additional information is provided in the Excluded Parties List System at <http://www.epls.gov>.

Only registered Plan Holders may protest this solicitation process. Submit all solicitation process protests in writing before the deadline stated below along with a \$2,500 protest fee. The submitted protest fee shall be made payable to the "Contra Costa Transportation Authority." The protest fee will be refunded to you only if the protest is upheld by the Authority. Written protests with the \$2,500 protest fee must be addressed to Ivan Ramirez, Construction Manager, Contra Costa Transportation Authority, 2999 Oak Road, Suite 100, Walnut Creek, CA 94597.

You may protest the terms of this solicitation on the grounds that:

- (a) a material provision is ambiguous,
- (b) any aspect of the procurement process is contrary to express legal requirements under this procurement, or
- (c) this solicitation in whole or in part exceeds the Authority's authority.

Protests regarding this solicitation may be filed only after the registered plan holder has informally discussed the nature and basis of the protest with Authority's Construction Manager, Ivan Ramirez (925-256-4737), in an effort to remove the grounds for protest. Any protests regarding this solicitation must completely and clearly state the grounds for protest and include all factual and legal documentation in sufficient detail to establish the merits of the protest. Protests regarding this solicitation must be filed as soon as the basis for protest is known to you, but no later than five (5) business-days before the deadline

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for final receipt of bids. No hearing will be held on the protest, but it will be decided, based on the written submissions, by the Contra Costa Transportation Authority Executive Director, whose decision will be final and conclusive. The Executive Director may, but need not, request other registered Plan Holders submit statements or arguments regarding the protest and may, in his/her sole and absolute discretion, discuss the protest with the protestant. A decision regarding any protest shall be in writing and, if necessary, appropriate revisions to this solicitation may be made by issuing addenda.

Failure to raise a ground for a protest regarding this solicitation will preclude consideration of that ground in any protest of a selection unless such ground was not and could not have been known to you in time to protest before the final date for such protests. The written decision will be available to all registered Plan Holders. The Authority may extend the deadline for final receipt of bids to address any such protest issues.

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

- a) Subcontractor is registered prior to bid opening.
- b) Within 24 hours after the bid opening, the subcontractor is registered and has paid the penalty registration fee specified in subparagraph (E) of paragraph (2) of subdivision (a) of Labor Code section 1725.5
- c) Subcontractor is replaced by another registered subcontractor pursuant to Public Contract Code section 4107.

Labor compliance oversight will be conducted by the Department of Industrial Relations, Division of Labor Standards Enforcement. You must comply with the requirements under section 1771.3 of the Labor Code and Subchapter 4.5 of Chapter 8 of Title 8 of the California Code of Regulations. In accordance with Labor Code section 1771.4, you and each of your subcontractors must furnish the certified payroll records directly to the Department of Industrial Relations on the specified interval and format prescribed by the Department of Industrial Relations, which may include electronic submission. You must comply with all requirements and regulations from the Department of Industrial Relations relating to labor compliance monitoring and enforcement. It is your sole responsibility in submitting a bid to evaluate and include the cost of complying with all labor compliance requirements under the contract and applicable law in the bid amount.

Pursuant to Labor Code sections 1725.5 and 1771.1, all contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract to perform public work must be registered with the Department of Industrial Relations. No Bid will be accepted nor any contract entered into without proof of your and your subcontractors' current registration with the Department of Industrial Relations to perform public work. If awarded a contract, you and your subcontractors, of any tier, shall maintain active registration with the Department of Industrial Relations for the duration of the Project.

If you are awarded a contract, you will be required to furnish the Authority with payment and performance bonds equal to 100% of the total bid for each bond.

Pursuant to Public Contract Code Section 22300, you may substitute certain securities for funds withheld by the Authority to ensure your performance under the contract.

Award of Contract: The Authority will award the contract for the work to the lowest responsive, responsible bidder as determined from the base bid alone by the Authority. The Authority reserves the right to reject any or all bids or to waive any irregularities or informalities in any bids or in the bidding process.

BY THE ORDER OF THE CONTRA COSTA TRANSPORTATION AUTHORITY:

Randell H. Iwasaki, Executive Director