

CITY OF FULLERTON
of the
STATE OF CALIFORNIA

INVITATION TO BID
for

**ORANGETHORPE AVENUE INFRASTRUCTURE IMPROVEMENTS PROJECT
STATE COLLEGE BOULEVARD TO PLACENTIA AVENUE**

Plans and Specifications are available at ARC Document Solution. Please be advised that there is an additional charge for delivery. Upon payment of the purchase price, they become the property of the purchaser and may not be returned for refund.

The plans and specifications, and any addenda, may be accessed at the following URL <https://www.e-arc.com/location/costa-mesa/> under Planrooms, click Order from PlanWell. For help accessing and ordering, please contact an ARC Planwell Administrator at 949.660.1150.

Sealed Proposals for **ORANGETHORPE AVENUE INFRASTRUCTURE IMPROVEMENTS PROJECT STATE COLLEGE BOULEVARD TO PLACENTIA AVENUE**, in accordance with the Plans and Specifications, will be received at the office of the City Clerk, Fullerton City Hall, 303 West Commonwealth Avenue, Room 104, Fullerton, CA 92832 until **2:00 p.m. on Thursday June 27, 2024**, and shortly thereafter on this same day, they will be publicly opened and read in the City Council Chambers.

No Bid will be accepted unless it is made on the Bid Schedule form furnished by the Public Works Department, Engineering Division contained within the Specifications.

The Work shall consist of, but not limited to, abandoning and removing existing water main piping and appurtenances, furnishing and installing new water main piping and appurtenances; replacing concrete structures, including driveways, curb and gutter, sidewalk, and access ramps; removing and replacing existing roadway section, grinding of existing roadway pavement, and construction of new asphalt concrete pavement, adjustment of manholes, adjustment of valve boxes, signing and striping, traffic control, water pollution control, and all related work.

The time of completion of contract shall be **seventy-five (75) working days** as defined in the Standard Specifications for Public Works, 2021 Edition. Liquidated Damages, as defined in the referenced specifications, Section 6-9, shall be **\$2,500 per calendar day**.

The Engineer's estimate for this project is **\$4,310,000**.

For this contract, the contractor shall possess Classification "A" license at the time the bid is submitted.

Contractor shall take note of the following dates and milestones. Contractor will take full responsibility for completing all precursory requirements necessary for this issuance.

July 16, 2024	Award of Contract to Lowest Responsible Bidder
July 31, 2024	Deadline to submit agreement, bonds, insurance, Water Pollution Control Documents.

August 5, 2024	Preconstruction Meeting
August 19, 2024	Notice to Proceed/Start Construction

Contractor shall provide all labor, materials, tools, equipment and incidentals for the work, complete in place. The Contractor agrees to commence the work and related services upon the receipt of a written Notice to Proceed from the City. It is the Contractor's responsibility to provide sufficient and qualified personnel, equipment and materials.

Each bid must be accompanied by a certified or cashier's check, or bidder's bond, made payable to the City of Fullerton, for an amount equal to at least 10% of the amount bid, such guarantee to be forfeited should the bidder to whom the contract is awarded fail to enter into the contract.

In addition, a Performance Bond in the amount of 100% of the bid, and a Labor and Materials Bond in the amount of 100% of the bid shall be required of the successful bidder prior to entering into a contract. The City will permit substitution of approved securities for monies retained on this project in accordance with Section 7-3.2 of the Standard Specifications for Public Works Construction ("Greenbook"), 2021.

The Contractor shall also provide Commercial General Liability Insurance, Comprehensive Automobile Liability Insurance, Workers' Compensation, and if necessary, Umbrella/Excess Liability to the minimum limits as defined in the Supplemental Information to Bidders with Certificates of Insurance for each form of coverage.

No contract will be awarded to any contractor who has not been licensed in accordance with the provisions of Chapter 9 of Division III of the State Business and Professions Code, Section 7,000, et seq. The Contractor shall possess the appropriate legal and necessary licenses required to complete the work as shown in this contract at the time the bid is submitted.

No contractor or subcontractor may be listed on a bid proposal for public works project unless registered with the Department of Industrial Relations (DIR) pursuant to Labor Code 1725.5 and Senate Bill 854.

A contractor is prohibited from working on this contract with any subcontractor who is ineligible to perform work pursuant to Section 1777.1 or 1777.7 of the Labor Code.

Apprentices: Attention is directed to sections 1777.5, 1777.6 and 1777.7 of the California Labor Code concerning the employment of apprentices by the contractor or any such subcontractor under him.

Section 4.02.010 of the Fullerton Municipal Code requires that all contractors and sub-contractors shall obtain a City Business Registration Certificate. The contract will not be executed until the contractor and sub-contractor(s) obtain such certificate from the Business Registration Office at City Hall, 303 West Commonwealth Avenue, Room 104, Fullerton, CA 92832.

All bids are to be compared on the basis of the City Engineer's estimate of the quantities of work to be done. If the City Council makes an award, it will be to the **lowest responsible bidder**. For Unit Price bids, in the event there is a discrepancy between the extension and the unit cost, the unit cost will prevail.

By Resolution No. 6173, the City Council adopted the general prevailing rate of per diem wages

as determined and published by the State Director of the Department of Industrial Relations, pursuant to Sections 1770, 1773, and 1773.1 of the California Labor Code. Copies of these rates, the Federal Wage Rates, and the latest revisions thereto are on file in the office of the City Engineer and are available for review upon request. The contractor shall also comply with Sections 1771, 1774, 1775, 1776, 1777.5, 1813, and 1815 as required by the California Labor Code.

In the awarding of the contract, the City shall give equal opportunity to all bidders, regardless of sex, race, creed, color, national, or ethnic origin.

This project is federally funded and subject to the “Buy America” provisions including, but not limited to, the Code of Federal Regulations, Title 2 §200.322, Domestic Preferences for Procurements. As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards/subcontractor including all contracts and purchase orders for work or products under this project award.

The Contractor shall conform to the requirements of Davis Bacon Act. Should there be a conflict between Federal and State prevailing wage rates, the Contractor shall pay the higher of the two.

Although there is no specific project goal for DBE participation, bidders are urged to obtain DBE participation on this project. The City of Fullerton hereby notifies all bidders that it will ensure that any contract entered in pursuant to this advertisement, DBE enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration of an award.

The City Council reserves the right to reject any and all bids, to waive any informality or irregularity in the bidding, and to accept any bid when it is to the advantage and best interest of the City to do so, by order of the City Council of the City of Fullerton.

Any questions regarding this bid package may be referred to Jose Medina, Public Works Department Engineering Division at 714.738.6863.

David Grantham, P.E.
City Engineer/Assistant Public Works Director