SECTION 100 - NOTICE TO BIDDERS

Notice is hereby given that sealed bids will be received by the Clerk of the Board of Supervisors of the County of Santa Clara, State of California in the Office of the Clerk of the Board of Supervisors, County Government Center, 10th Floor, East Wing, 70 West Hedding Street, San Jose, California 95110, up to 2:00 p.m. on the day of May 31, 2007 for the Project Replacement of Uvas Creek Bridge on Uvas Road, bridge No. 37C-0093 (New Bridge no. 37C-0599)

The Work consists of removal of the existing four span reinforced concrete bridge founded on spread footings, two stage construction of 68 meter long by 11.67 meter wide, three span replacement bridge comprised of reinforced concrete deck with precast-prestressed I-girders supported on reinforced concrete pier walls founded on cast-in-drilled hole piles with reinforced concrete seat-type abutments on spread footings, the construction of cast in place reinforced concrete cantilever retaining walls and all other items or details not mentioned above that are required by the plans, County Standard Specifications, State Standard Specifications, and these Special Provisions.

100-01 TIME OF COMPLETION

The time limit for the completion of Work is 480 working days commencing on the 20th day following the Notice of Award by the County of Santa Clara.

Liquidated damages shall be assessed in the amount of $1,500 for each calendar day the Work remains incomplete beyond the time limit for completion.

Owner may withhold said liquidated damages from payments as such damages accrue, or, at Owner's discretion, withhold liquidated damages from any payments due or that may become due under the Contract, including retention and final payment (pursuant to California Government Code §53069.85).

100-02 BID PLANS AND SPECIAL PROVISIONS

Bid Plans and Special Provisions may be acquired at the Plan Counter of the County of Santa Clara Roads and Airports Department, 101 Skyport Drive, San Jose, California 95110, (408) 573-2440, upon a non-refundable payment of $100 per set. An additional $15.00 fee is required to mail the documents.

A copy of the County of Santa Clara Standard Specifications may be obtained at the Plan Counter, 101 Skyport Drive, San Jose, California 95110, upon payment of $25.00.

A copy of the County of Santa Clara Standard Details Manual may be obtained at the Plan Counter, 101 Skyport Drive, San Jose, California 95110, upon payment of $10.00.

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100-03 PROJECT ENGINEER

A Bidder may discuss these Bid Plans and Special Provisions with the County of Santa Clara in accordance with Section 2.04 “Interpretation of Documents Prior to Bidding” of the County of Santa Clara Roads & Airports Department Standard Specifications. The Project Engineer for this Project is Hosalli Gangadhara who can be contacted at (408) 573-2495.

Email: hosalli.gangadhara@da.sccgov.org.

100-04 CONTRACTOR LICENSE

The Contractor shall possess a Class A License.

If a Bidder does not possess the required Contractor License(s) at the time of award (Public Contract Code § 20103.5), the Bid shall be considered non-responsive and shall be rejected by the Owner. The Owner may enforce the required forfeiture of the Bidder's Bond.

The Bidder and any Subcontractors must be licensed by the Contractors State License Board of the State of California.

100-05 DISADVANTAGED BUSINESS ENTERPRISE

This Project is subject to Title 49 Code of Federal Regulations Part 26 (49 CFR 26) entitled “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Program.” In order to ensure that Caltrans achieves its federally-mandated statewide overall Disadvantaged Business Enterprise (DBE) goal, the County of Santa Clara (County) encourages the participation of DBEs, as defined in 49 CFR 26, in the performance of contracts financed in whole or in part with Federal funds.

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. Each subcontract signed by the Contractor must include this assurance statement.

Bidders are notified that all firms the Bidder intends to use and count toward the DBE participation must be certified by the California Unified Certification Program (CUCP).

Listings of CUCP-certified DBEs are available from the Caltrans' DBE Directory and Caltrans' Civil Rights website at http://www.dot.ca.gov/hq/brp/index.htm as specified in Section 106-01 (E) of these Special Provisions.

Bidders' attention is directed to Section 106-01 -- Disadvantaged Business Enterprise Contract Provisions of these Special Provisions.

Bidders are also encouraged to call the Equal Opportunity Office for assistance in DBE participation at (408) 299-5865.

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100-06 PRE-BID OPENING CONFERENCE

A Pre-Bid Opening conference will be held on: May 21, 2007 at 10:30 a.m.
in Room no. 101 of the County of Santa Clara Roads & Airports Department at 101
Skyport Drive, San Jose, California 95110. Representatives of the County will be present to discuss:

- Disadvantaged business enterprises program;
- Equal employment opportunity requirements;
- Coordination of Work to be performed; and
- Pertinent Contract requirements and Bid Forms.

Bidders should have fully inspected the Project site in all particulars and become thoroughly familiar
with the terms and conditions of the Bid Plans and Special Provisions and local conditions affecting
the performance and costs of the Work prior to this conference. Bids are required for the entire Work
described herein. This Contract is subject to the State Contract nondiscrimination and compliance
requirements.

100-07 BID SUBMITTAL

- Bidder’s original signature(s) must appear on all Bid Forms and on the original Bidder’s Bond.

- Bidder’s Bond: Each Bid must be accompanied by a Bidder’s Bond, cash, or a certified cashier’s
check, in the sum of not less than 10% of the total aggregate of the Bid, including all additives
and/or all alternate bid items. The original Bid Bond must be provided by an admitted Surety
insurer, authorized to issue Surety bonds in the State of California, and it must execute the Bid
Bond. The check or bond shall be made payable to the order of the County of Santa Clara.

- Bid Forms must be completed in ink, completely filled out, and submitted on the forms furnished as
part of the Bid Documents. Faxed Bids or alteration to any Bid Form will not be considered by
Owner. If the Bid amount or other material information is changed, the change must be initialed.

- All Bids must be addressed to the Chair of the County of Santa Clara Board of Supervisors, and
shall bear the title or name of the project as it appears on the Bid Documents.

- All Bids mailed or express delivered shall be in a sealed envelope inside the mailing envelope. The
inner sealed envelope shall be clearly printed “BID PROPOSAL – DO NOT OPEN” in large letters
on the front and back.

100-08 BID OPENING

Bids will be publicly opened and read by the Clerk of the Board of Supervisors at the time and place
indicated above. A report of the results will be made by the Clerk of the Board of Supervisors at a
publicly noticed regular or special meeting of the Board of Supervisors. The anticipated date of the
meeting will be announced at the Bid opening.

100-09 BID ACCEPTANCE/REJECTION

The acceptance of Bid for award is subject to approval by the County of Santa Clara Board of
 Supervisors. The County of Santa Clara Board of Supervisors reserves the right to reject any and/or all

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Bids and to waive any minor irregularities or discrepancies in the Bids.

All other factors being equal, a tie Bid will be determined by the flip of a coin in the presence of Bidders and witnesses.

All Bids greater than the Reasonable Bid Amount may be subject to rejection by the Board of Supervisors. The Reasonable Bid Amount is comprised of the engineer’s estimate plus a ten (10) percent allowance factor.

100-10 SUBSTITUTIONS

Contractor may offer any material, process, article, or equipment that is substantially equal or better in every respect to that so indicated or specified; provided, however, that if the material, process, article, or equipment offered by Contractor is not, in the opinion of the Owner’s Authorized Representative, substantially equal or better in respect to that specified, then Contractor must furnish that material, process, article, or equipment specified or one that in the opinion of the Owner’s Authorized Representative is substantially equal or better in every respect.

Proposals for alternative material(s), process, article(s), or equipment must be submitted in writing during a period starting with the Notice to Proceed and ending 35 days later, in accordance with the requirements of Section 6.09 “Trade Names and Alternatives” of the County of Santa Clara Roads and Airports Department Standard Specifications amended as stated in Section 107 of these Special Provisions.

100-11 BONDS AND INSURANCE

The successful Bidder shall deliver signed Payment Bond, Performance Bond, Certificates of Insurance and Special Endorsements to the Clerk of the Board of Supervisors for approval before Owner will issue a Notice to Proceed with the Work. No contractual relationship shall exist between the parties until all bonds and insurance coverages have been approved by the Owner.

100-12 SUBSTITUTION OF SECURITIES

Pursuant to Section 9.06 “Substitution of Securities” of the County of Santa Clara Roads & Airports Department Standard Specifications, the Contractor may substitute securities for any money withheld from progress payments, using the Escrow Agreement form provided in Section 113 “Contract Forms” of these Special Provisions.

100-13 PREVAILING WAGE REQUIREMENT

Contractor’s attention is directed to Section 7.07 “Prevailing Wage & Payroll Records” of the County of Santa Clara Roads & Airports Department Standard Specifications.

Pursuant to Section 7.07 “Prevailing Wage & Payroll Records” of the County of Santa Clara Roads & Airports Department Standard Specifications, workers employed in the Work must be paid at the rates at least equal to the prevailing wage rates last adopted by the Director of the California Department of Industrial Relations, which rates are filed in the Office of the Clerk of the Board of Supervisors, incorporated herein by reference, and copies of which are available to any interested parties on request.

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The rates are also available on the State of California Department of Industrial Relations website at California Department of Industrial Relations Home Page http://www.dir.ca.gov/.

Federal Minimum Wage Rates are included herein for reference in Section 106 "Federal Requirements" of these Special Provisions.

PRESERVATION OF CULTURAL RESOURCES

☐ The Work site is deemed “Archeologically Sensitive” and the provisions relating to preservation of cultural resources in Section 8.14 “Preservation of Cultural Resources” of the County of Santa Clara Roads & Airports Department Standard Specifications shall apply.

☒ The Work site has not been deemed “Archeologically Sensitive.”

100-15 ADDITIVE AND/OR DEDUCTIVE BID ITEMS (NOT USED)

100-16 LOCATIONS OF POSSIBLE MATERIALS (SUCH AS BORROW PIT OR GRAVEL BED) FOR USE IN CONSTRUCTION PROJECT (NOT USED)

By order of the County of Santa Clara, State of California, on April 24, 2007

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Clerk of the Board of Supervisors

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