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**DOCUMENT 00 11 00**  
**NOTICE TO BIDDERS****East Wing BMS Upgrade- Phase 2**  
**Owner's Project Manager- Mike Cook****ARTICLE 1 — GENERAL**

**1.01** NOTICE IS HEREBY GIVEN that sealed Bids will be accepted 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, 10th Floor, East Wing of the County Government Center, 70 West Hedding Street, San Jose, CA, 95110 **no later than 2PM, on September 19, 2019** for East Wing BMS Upgrade, Project Number 263-BL9006, located at 70 W Hedding St., San Jose, CA 95110, in accordance with Bid Documents on file for the Work in the Office of the Clerk of the Board of Supervisors.

**1.02 THE WORK**

.A The Work will consist of:

HVAC Building Management System (BAS) upgrade. See Section 01 11 00, Summary of Work and Drawings for details.

.B Key personnel

- .1 Contractor must provide a minimum full-time staff of key personnel who must be at the site at all times when Work is being performed. These staff include, at a minimum:
  - .a General Superintendent (per Section 01 31 00, "Project Management")
  - .b Quality Control ("QC") Manager or Alternate (Per section 01 45 00, "Quality Control") (Note: General Superintendent may also function as the QC Manager).
- .2 No Work may begin on site until Contractor submits, and Owner approves, the positions in .a - .b above.
- .3 The following personnel must be at the Project Site five (5) Days, forty (40) hours a week:
  - .a Project Manager (Section 01 31 00);
  - .b QC Assistant (Section 01 45 00);
- .4 No Work may begin on-Site until the Contractor submits, and the Owner approves, the positions in .a - .b above.
- .5 The following personnel must be on-Site during specified periods of Work when designated Work is being performed:
  - .a Commissioning Coordinator ("CC"). Per Section 01 91 00, "Commissioning," the CC must be at the Work Site during all Functional Testing; and
  - .b QC Specialist(s) as required per Section 01 45 00.

**1.03 SPECIAL INSPECTIONS/PERMITS**

.A N/A

**1.04 ESTIMATED COST**

.A The estimated cost for the base Bid for this work is: **\$900,000.00**

.B The estimated costs for additive or deductive Bid items, if any, are:

**1.05 ADDITIVE/DEDUCTIVE BID ITEMS**

.A Additive **\$50,000.00**

**1.06 CONTRACT TIMES**

.A The Contract Time for the completion of all the Work of the Project is **60** calendar Days from the Commencement Date in Owner's Notice to Proceed. Designated portions of the Work must be completed according to the following Milestones:

**"NO INTERMEDIATE MILESTONES"**

.A Contractor shall achieve Substantial Completion of the entire Work no later than **60** Days from the Commencement Date.

.B Contractor shall achieve Final Completion of the entire Work no later than **90** Days from the Commencement Date.

.C Interim Milestones (if any). No Later than N/A \_\_ Days from the Commencement Date, Contractor shall achieve Substantial Completion of Interim Milestones:

i. Interim Milestone: \_\_\_ N/A \_\_\_.

ii. Interim Milestone: \_\_\_ N/A \_\_\_.

iii. Interim Milestone: \_\_\_ N/A \_\_\_.

**1.07 LIQUIDATED DAMAGES**

Liquidated Damages are associated with Substantial Completion and Final Completion. Liquidated damages are set forth in Document 00 52 00, "Agreement" as **\$1,500.00 per day**.

**1.08 BIDS MUST BE ADDRESSED TO** the President of the Board of Supervisors of the County of Santa Clara, and bear the Project name and Project number as they appear on the cover of the Project Manual.

**1.09 BIDDER'S SECURITY**

.A Each Bid must be accompanied by cash, a certified or cashier's check, or a bond in the sum of not less than ten percent (10%) of the total aggregate of the Bid price, including all additive Bid items.

.B The check or bond must be made payable to "The County of Santa Clara."

**1.10 BID OPENING**

.A The Clerk of the Board of Supervisors will open Bids at the time and place stated in Document 00 11 00, Part 1.01.

- .B The Clerk will report the results of the Bid at a publicly noticed regular or special meeting of the Board of Supervisors following the date of opening of the Bids.

**1.11 ERRORS OR DISCREPANCIES IN THE BIDS**

- .A The Board of Supervisors reserves the right to reject any and all Bids and to waive any errors or discrepancies in the Bids.

**ARTICLE 2 — OTHER NOTICES**

**2.01 CONTRACTOR’S LICENSING REQUIREMENT**

- .A Pursuant to Document 00 21 13 (“Instructions to Bidders”), Article 3 (“Compliance with Contractor’s License Law”), the Contractor must possess a C4, C10, C20, C36, and C38 Contractor’s License.
- .B The Contractor must possess the required classification(s) of Contractor’s License at the time the Bid is submitted (per Business and Professions Code §7028.15).
- .C If federal funds are involved in this Project as indicated below, the Contractor must possess the required classification of Contractor’s License at the time of the Contract Award (per Public Contract Code §20103.5). Federal funds:
  - .1  Are involved in the Project.
  - .2  Are NOT involved in the Project.

**2.02 PREVAILING WAGE REQUIREMENT**

- .A Pursuant to Document 00 73 43 (“Labor and Wage Rate Requirements”), all workers employed in the Work is subject to payment of not less than prevailing wages under California Labor Code Section 1770 *et seq.*

The rates are available on the State of California Department of Industrial Relations website at California Department of Industrial Relations Home Page.  
<http://www.dir.ca.gov/DLSR/PWD/index.htm>

- .B The work is subject to compliance monitoring and enforcement by the Department of Industrial Relations. All contractors must be registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5 in order to submit a Bid. All subcontractors must also be registered with the Department of Industrial Relations. No contractor or subcontractor may be awarded a contract for public work on a public works project unless registered with the Department of Industrial Relations. Additional information regarding prevailing wage requirements is available on the State of California Department of Industrial Relations Web Site: [www.dir.ca.gov](http://www.dir.ca.gov).
- .C In submitting a Bid, Contractor represents and warrants that it is registered with the Department of Industrial Relations. Contractor further represents and warrants that it shall maintain its registration with the Department of Industrial Relations throughout the course of the Work. Contractor is responsible for verifying that each Subcontractor, including any Subcontractor not listed on the Bid proposal for the Project, is registered with the Department of Industrial Relations at the time the Subcontractor performs Work on the Project. If any Subcontractor is not registered at the time the Subcontractor is to commence Work, Contractor shall require the Subcontractor to register and may not permit the Subcontractor to commence Work until the Subcontractor’s registration is complete.
- .D The Labor Commissioner’s Office, also called the Division of Labor Standards

Enforcement (DLSE), is part of the California Department of Industrial Relations. The Public Works Unit of the Labor Commissioner's Office actively monitors public works projects and may investigate asserted violations. Any member of the public can report an alleged violation of the State's labor laws on a public works project to the Labor Commissioner's website: [www.dir.ca.gov/dlse/HowToFilePWComplaint.htm](http://www.dir.ca.gov/dlse/HowToFilePWComplaint.htm). The Labor Commissioner's Office in the County of Santa Clara can also provide instruction on how to file a complaint and where a violation should be reported. The Labor Commissioner's Office in the County of Santa Clara is located at the following address:

- .1 Division of Labor Standards Enforcement (DLSE)  
100 Paseo de San Antonio, Room 120  
San Jose, CA 95113  
(408) 277-1266
- .E Contractor must comply with all applicable requirements of Division 2, Part 7, Chapter 1 of the California Labor Code.

### 2.03 BONDS AND INSURANCE

- .A The successful Bidder must deliver signed Contract Bonds (payment bond and performance bond), and all required insurance documents to the Clerk of the Board of Supervisors for acceptance before Owner will execute the Agreement and issue a Notice to Proceed with the Work.

### 2.04 PRESERVATION OF CULTURAL RESOURCES

- .A If the Project Site is deemed "Archaeologically Sensitive" as indicated below, the provisions in Document 00 73 10 ("Site Conditions"), Article 6 ("Preservation of Cultural Resources") will apply.
  - .1  The Project Site has not been deemed "Archaeologically Sensitive."
  - .2  The Project Site has been deemed "Archaeologically Sensitive."

### 2.05 RETENTION FROM PAYMENTS DURING CONTRACT TIME

- .A Pursuant to Document 00 72 00 ("General Conditions"), Article 9 ("Retentions"), Contractor may substitute securities for any money withheld from progress payments, using the attached Escrow Agreement form, Document 00 62 90 ("Sample Escrow Agreement for Security Deposit In Lieu of Retention").

### 2.06 AVAILABILITY OF BID DOCUMENTS

- .A Bid Documents are available via Bidsync.com, [www.bidsync.com](http://www.bidsync.com), bid number **ITB-FAF-FY20-0008**.
- .B Bid Documents will become available on August 14, 2019. Bidders may obtain copies of the Bid Documents from Prints Charles Repro, 1643 South Main Street, Milpitas, CA 95035, (408) 240-3330, [www.printscharlesrepro.com](http://www.printscharlesrepro.com). Plans will be available in the Public Plan Room under. **Plans will be available in the Public Plan Room under Project Number 263-BL9006.**
- .C Following Award of the Contract, Owner will furnish the successful Bidder with five (5) copies of the Contract Documents without charge. Additional copies may be obtained from Owner at the successful Bidder's expense.

### 1.01 PRE-BID CONFERENCE

- .A A Pre-Bid Conference/site visit will be held **Wednesday, August 28th at 8:30am** at 70

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W Hedding St., San Jose, CA 95110, East Wing Cafeteria (Room 042).

.B Attendance by the Bidder at the Pre-Bid Conference is:

.1  Mandatory

.2  Not Mandatory

**1.02 PROJECT MANAGER**

.A The County's Project Manager for this Project is Mike Cook at phone number 408-993-4633. E-Mail to: [mike.cook@faf.sccgov.org](mailto:mike.cook@faf.sccgov.org).

**1.03 OWNER'S AUTHORIZED REPRESENTATIVE**

.A The Owner's Authorized Representative for this Project, who has authority as set forth in the Contract Documents is Mike Cook.

**1.04 BID PERIOD CLARIFICATIONS AND ADDENDA**

- .A Contractor must submit all requests for clarification, or interpretation of the Bid Documents in writing at least ten (10) Days before the deadline for receipt of Bids.
- .B Owner may issue written Addenda as appropriate for clarification or other reasons during the bidding period.
- .C Addenda will be mailed or delivered to each person included on the Owner's planholders list for the Project.
- .D Owner is not responsible for any explanation or interpretation of the Bid Documents not communicated to Bidders in an Addendum.
- .E Unless otherwise clarified in an Addendum, resolution of supposed discrepancies, conflicts, omissions or errors in the Bid Documents are governed by Document 00 72 00 ("General Conditions") Part 1.04 ("Interpretation of the Contract Documents").

**1.05 SUBSTITUTIONS**

- .A 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 any 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.
- .B Proposals for alternative material(s), process, article(s), or equipment must be submitted in writing, in accordance with the requirements of [Section 01 60 00 \("Product Requirements"\)](#) and Section 01 25 00 ("Substitution Procedures") over a period of thirty-five (35) Days, starting with the Notice to Proceed.

**1.06 OPERATIONS AND MAINTENANCE ("O&M") MANUALS**

.A Contractor's attention is drawn to Section 01 78 23 ("Operation and Maintenance Data") of the Project Manual. In addition to the requirement of the O&M manuals as a specific Milestone in the contract, the requirements for detailed and comprehensive O&M manuals as described in Section 01 78 23 should be noted by bidding Contractors.

**1.07 MANUFACTURER CERTIFICATION AND APPROVAL OF CONTRACTOR**

.A Contractor must submit, as required by Section [Insert Section No.] of the Technical Specifications, written approval from the manufacturer of the [Insert Equipment Name] affirming that the Contractor is certified and approved for system installation and service required by the Bid Documents. After Contract Award by Owner and before Owner will issue a Notice to Proceed, Contactor must submit such certification and approval documentation to the Owner’s Project Manager for approval and acceptance.

**1.08 SINGLE SOURCE/SOLE SOURCE PRODUCTS – N/A**

.A Pursuant to Public Contract Code Section 3400.b.2, in order to match other products currently in use by Owner, and/or Public Contract Code section 3400 .b .3, for products only available from one source, the Bid Documents require the Contractor to Provide the following sole source Products:

- | <u>.1 Specification Section</u> | <u>Description</u>           |
|---------------------------------|------------------------------|
| .2 Sole Source Product #1       | [Insert product description] |
| .3 Sole Source Product #2       | [Insert product description] |
| .4 Sole Source Product #3       | [Insert product description] |

**BY ORDER OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, on August 14, 2019.**

**Signed and Certified that a copy of this document has been delivered by electronic or other means to the President, Board of Supervisors**

**ATTEST:**

\_\_\_\_\_  
**Megan Doyle**  
**Clerk of the Board of Supervisors**

**END OF DOCUMENT 00 11 00**