

NOTICE INVITING BIDS

NOTICE IS HEREBY GIVEN that the Governing Board of the Fontana Unified School District, hereinafter referred to as "DISTRICT", is calling for and will receive sealed bids for the award of a contract for: Bid No. 09/10-1321; 5 School Site Restoration (Cypress, Live Oak, Maple, Oleander and Virginia Primrose Elementary Schools)

<u>Bid Package #</u>	<u>Description</u>	<u>License Required</u>
01	Concrete	B or C-8
02	Asphalt Paving	A or C-12
03	Landscaping	C-27
04	Misc. Metals and Fencing	B or C-13
05	Playground Re-Surfacing	B or C-12

Engineer's Estimate: \$585,000.00

All bids shall be made and presented on forms presented by the school district. Bids will be publicly opened and read aloud at 2:00 p.m. on the 9th day of December, 2009, at Fontana Unified School District Purchasing Department, 9680 Citrus Avenue, Building #30, Fontana, California 92335. It is each bidder's sole responsibility to ensure its bid is timely delivered and received at the location designated. Any bids received after the time specified or after any extensions due to material changes shall be returned unopened.

As the DISTRICT has included additive/deductive alternates which require all bidders to price as part of their bid, the DISTRICT will utilize the following method to determine the lowest bidder in accordance with Public Contract Code section 20103.8: "The lowest bid shall be the lowest bid price on the base contract without consideration of the prices on the additive or deductive items.

Prospective bidders may secure a set of bid documents from A&I Reprographics, 898 Via Lata, Suite L, Colton, California 92324, p)800-233-8435; f)909-514-0754; bid@aandirepro.com upon payment of a non-refundable charge of \$25.00 (make check payable to Fontana Unified School District) for each set plus any applicable shipping charges. No partial sets will be available. **Bid Documents will be available on 11/17/09.** Plans may also be available at the job walk if contractor sends advance notice to A&I Reprographics prior to the job walk.

There will be a **Mandatory** Job Walk on Wednesday November 18, 2009 at 8:00am. Bidders shall meet at Virginia Primrose Elementary School, 751 N. Maple Ave, Fontana, CA 92336. Any Contractor bidding on the project who fails to attend the entire job walk will be deemed a non-responsive bidder and will have its bid returned unopened. During the Pre-Bid Conference/Job Walk, the District's Labor Compliance Program and the state labor law requirements applicable to this Project will be discussed.

Each bidder shall be licensed to perform the work called for in the contract documents, pursuant to the California Business and Professions Code. All bidders must possess a valid and active License per the requirements stated above at time of bid opening and license must remain valid and active for the duration of contract. The Contractor's California State License number shall be clearly stated on the bidder's proposal.

In accordance with Labor Code section 1771.7, the DISTRICT will initiate and enforce a Labor Compliance Program ("LCP") on this Project. The DISTRICT operates an Approved LCP. The LCP sets forth the requirements contained in Chapter 1, Part 7, Division 2 of the Labor Code that

all contractors are required to comply with on this Project. However, nothing contained in the LCP shall be deemed to supersede any applicable laws, orders or regulations issued by competent authority governing wages, hours of work of the employment of labor, or to condone any violation of such laws, orders or regulations.

The successful contractor and all of its subcontractors for the Project will be required to attend a **mandatory** Pre-Job Conference before commencing work. During the Pre-Job Conference, the District's Labor Compliance Program and the state labor law requirements applicable to this Project will be discussed. The contractor and all subcontractors will be required to certify that it acknowledges and understands the District's Labor Compliance Program and all of the state labor law requirements for this Project. The successful contractor or any of its designated subcontractors shall not perform any work on the Project prior to attending the Pre-Job Conference and executing the appropriate certification. The District will not process any payment applications for any work by the contractor or any subcontractor that does not attend the Pre-Job Conference and execute the certification.

Each bid must strictly conform with and be responsive to the contract documents as defined in the General Conditions.

The DISTRICT reserves the right to reject any or all bids or to waive any irregularities or informalities in any bids or in the bidding.

Each bidder shall submit with his bid, on the form furnished with the contract documents, a list of the designated subcontractors on this project as required by the Subletting and Subcontracting Fair Practices Act, California Public Contract Code Sections 4100 et. seq. All listed subcontractors shall be licensed pursuant to California law for the trades necessary to perform the work called for in the contract documents. All listed Subcontractors must possess a valid and active license at time of bid opening and license must remain valid and active for the duration of contract.

In accordance with California Public Contract Code Section 22300, the DISTRICT will permit the substitution of securities for any moneys withheld by the DISTRICT to ensure performance under the contract. At the request and expense of the CONTRACTOR, securities equivalent to the amount withheld shall be deposited with the DISTRICT, or with a state or federally chartered bank as the escrow agent, who shall then pay such moneys to the CONTRACTOR. Upon satisfactory completion of the contract, the securities shall be returned to the CONTRACTOR.

Each bidder's bid must be accompanied by one of the following forms of bidder's security: (1) cash; (2) a cashier's check made payable to the DISTRICT; (3) a certified check made payable to the DISTRICT; or (4) a bidder's bond executed by a California admitted surety as defined in Code of Civil Procedure Section 995.120, made payable to the DISTRICT in the form set forth in the contract documents. Such bidder's security must be in an amount not less than ten percent (10%) of the maximum amount of bid as a guarantee that the bidder will enter into the proposed contract, if the same is awarded to such bidder, and will provide the required Performance and Payment Bonds and insurance certificates. In the event of failure to enter into said contract or provide the necessary documents, said security will be forfeited.

General prevailing rate of per diem wage rates, including holiday and overtime work, as well as employer payments for health and welfare, pension, vacation, and similar purposes, are available from the Director of the Department of Industrial Relations. Pursuant to California Labor Code Sections 1720 et seq., it shall be mandatory upon the CONTRACTOR to whom the contract is awarded, and upon any subcontractor under such CONTRACTOR, to pay not less than the said

specified rates to all workers employed by them in the execution of the contract and to comply with the District's Labor Compliance Program (if applicable).

No bidder may withdraw any bid for a period of ninety (90) calendar days after the date set for the opening of bids.

Separate payment and performance bonds, each in an amount equal to 100% of the total contract amount, are required, and shall be provided to the DISTRICT prior to execution of the contract and shall be in the form set forth in the contract documents. All bonds (Bid, Performance, and Payment) must be issued by a California admitted surety as defined in California Code of Civil Procedure Section 995.120.

Where applicable, bidders must meet the requirements set forth in California Code of Regulations, Title 2, Section 1896.60 et seq. regarding Disabled Veteran Business Enterprise ("DVBE") Programs.

Any request for substitutions, pursuant to Public Contracts Code Section 3400, must be made on the form set forth in the contract documents and presented to the District not less than five (5) calendar days prior to the bid opening.

No telephone or facsimile machine will be available to bidders on the DISTRICT premises at any time.

Fontana Unified School District
Board of Education

Publication Date: 11/11/09
Job Walk: 11/18/09 at 8:00am
Bid Opening: 12/09/09 at 2:00pm