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**PERMANENTE CREEK FLOOD PROTECTION PROJECT**

**RANCHO SAN ANTONIO DETENTION BASIN**

**Project No. 26244001**

**Contract No. C0617**

1. **Notice.** Notice is hereby given that sealed Proposals will be accepted by the Construction Program of the Santa Clara Valley Water District, Room B108, of the District's Administration Building, 5750 Almaden Expressway, San Jose, California 95118 up to 2 p.m. on August 31, 2016, for furnishing all material and performing all work necessary for construction of the Permanente Creek Flood Protection Project – Rancho San Antonio Detention Basin (Project), in the City of Cupertino, California.
2. **California State Department of Industrial Relations Contractor and Sub Contractor Registration Requirements.** (See Article 3.05 and 6.04 for the full text) California Labor Code section 1771.1 requires:

A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, unless currently registered and qualified to perform public work pursuant to Section 1725.5 of the California Labor Code.

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

- (1) The subcontractor is registered prior to the bid opening.
- (2) Within 24 hours after the bid opening, the subcontractor is registered and has paid the penalty registration fee.
- (3) The subcontractor is replaced by another registered subcontractor pursuant to Section 4107 of the Public Contract Code.

3. **Summary of Work**

**A. Project Description.** The project scope includes the following:

1. Installation of temporary pedestrian detours, including all materials, concrete, fencing, signage, as required to safely detour pedestrians as required to complete work;
2. Clearing and grubbing of the project limits, including removal of existing trees;
3. Excavation of approximately 200,000 cubic yards of material to construct two detention basins at Rancho San Antonio Park; one on each side of Permanente Creek;

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4. Removal of the existing Permanente Creek concrete box culvert and construct a new concrete box culvert and wing walls beneath the Gate of Heaven Cemetery maintenance access road;
  5. Construction of a new concrete flood control structure adjacent to the new concrete box culvert;
  6. Installation of a concrete impact stilling basin inside the new north detention basin;
  7. Installation of storm drains and their outfall structures;
  8. Relocation of car and equestrian parking lot;
  9. Design and construction of a new restroom at the new parking lot;
  10. Installation of on-site wastewater system
  11. Construction of asphalt concrete access roads and realign existing trails;
  12. Installation of new irrigation well to serve the Gate of Heaven Cemetery with 6ft chain link fencing;
  13. Abandonment and removal of existing irrigation well;
  14. Installation of approximately 160 cubic yards of armoring aggregate for the maintenance roads and ramps;
  15. Installation of various concrete driveways, walkways, valley gutter, and curb and gutters;
  16. Installation of approximately 4000 linear feet of wood fencing, including relocated wood fencing;
  17. DELETED;
  18. Relocation of one locking swing gate;
  19. Removal and legal disposal of all structures, including abandoned asphalt concrete streets and concrete sidewalks, abandoned utilities, such as storm drains and storm drainage structures, waterlines, sewer lines, etc., and miscellaneous items as shown;
  20. Coordination of work activities with various utility companies as needed to protect or arrange relocation of their facilities;
  21. Installation of mitigation plantings;

- 22. Provision of maintenance for three years of wetland/riparian establishment following the successful completion of the mitigation plantings installation;
- 23. Other miscellaneous construction work and items necessary to satisfactorily complete the work.

**B. Sole Source Products.** The Bid Documents require the Contractor to provide the following sole source products in compliance with Public Contract Code §3400.

**Specification Section**

**Description**

33.05

Rain Master Irrigation Controller

- 4. **Contract Time.** Time limit for the completion of the work is **1,892** calendar days including 3 years for maintenance of wetland/riparian establishment.
  - A. Milestone #1 Completion of new parking area and access road by 4/1/2017.
  - B. Milestone #2 North Basin Construction must occur between 4/1/2017 and 3/31/2018.
  - C. Milestone #3 Completion of the mitigation planting and the remaining work by 12/31/2018.
  - D. Milestone #4 Completion of three years maintenance of wetland/riparian establishment by 12/31/2021.
- 5. **Liquidated Damages.** See Special Provisions Article 11.07 of the contract documents for requirements regarding Liquidated Damages.
- 6. **Estimated Cost.** The estimated cost of the Project is between \$15 million and \$19 million. This estimate is intended to serve merely as an indication of the magnitude of the work. Neither the Bidder(s) nor the Contractor will be entitled to pursue a claim or be compensated due to variance in the stated estimated cost range.
  - A. **Additive/Deductive Bid Items.** Not used.
  - B. **Supplemental Bid Items.** These Bid Items may or may not be required. They may be deleted entirely or in part, by deductive change order(s), at the sole discretion of the District. The sum of the Total Base Bid and the Total Supplemental Bid will be used to determine the lowest Bid price.
- 7. **Contractor's License Requirement.** The Bidder must possess a Class A Contractor's license when the Bid is submitted.
- 8. **Pre-Bid Conference and Site Showing.** A pre-bid conference/site visit will be conducted by the District on July 13, 2016. The conference will convene at 10:30 am at the equestrian parking lot at Rancho San Antonio County Park, Los Altos, California.

The pre-bid conference will begin with a District presentation on the Small Business Outreach Program. A Bid submitted by any Bidder not represented at a mandatory pre-bid conference/site visit will be considered non-responsive. Attendance at the pre-bid by subcontractors is not required.

Attendance by the Bidder at the pre-bid conference/site visit is:

- Mandatory
- Optional

A tour of the site will be conducted following the pre-bid conference. The objective of the site visit is to familiarize prospective Bidders with the site; no additional site visits will be allowed. Please confirm your intent to attend the pre-bid meeting and site visit 24 hours in advance by sending e-mail to [scvwdplanroom@valleywater.org](mailto:scvwdplanroom@valleywater.org).

Reasonable efforts will be made to accommodate persons with disabilities wishing to attend the pre-bid meeting/site visit. Please request accommodations when confirming attendance.

- 9. Availability of Bid Documents.** Contract Documents, including Drawings and Specifications, are available in both paper and electronic (pdf) formats. Paper copies may be purchased for the nonrefundable price of \$120. Provide FedEx account number or add \$10 per set for packaging and postage. Electronic version is free, transferred via file transfer appliance (FTA) site.

To order Contract documents:	Request Form and information available online. Website: <a href="http://www.valleywater.org/Programs/Construction.aspx">http://www.valleywater.org/Programs/Construction.aspx</a> Email: <a href="mailto:scvwdplanroom@valleywater.org">scvwdplanroom@valleywater.org</a> FAX: (408) 979-5631 Phone: (408) 630-3088
To pick up Contract documents in person:	Santa Clara Valley Water District 5700 Almaden Expressway San Jose, CA 95118 Business Hours: 8 a.m. – 5 p.m.

- 10. Inquiries.** The Bidder must submit all requests for clarification, or interpretation of the Bid Documents in accordance with the requirements stated in Article 3.04 of the Standard Provisions. Written questions must be directed to the project manager and submitted at least ten (10) calendar days before the deadline for receipt of Bids.

The District may issue written Addenda as appropriate for clarification or other purposes during the bidding period. Addendum notification(s) will be sent to each planholder at the email address provided by the contractor for the planholders list and addenda will be posted on the District’s website at [www.valleywater.org/Programs/Construction.aspx](http://www.valleywater.org/Programs/Construction.aspx).

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- A. Project Manager.** The District's project manager for this project is Lotina Nishijima and can be reached via e-mail at [lnishijima@valleywater.org](mailto:lnishijima@valleywater.org) or at (408) 630-2795.
  - B. Process Questions.** For questions regarding the advertisement process, contact the District Plan Room at (408) 630-3088, or [scvwdplanroom@valleywater.org](mailto:scvwdplanroom@valleywater.org).

**11. Prevailing Wage Requirements.**

- A.** Workers employed on this Project must be paid at rates at least equal to the prevailing wage rates as determined by the State of California Department of Industrial Relations pursuant to §1770 of the Labor Code. Said wage rates are incorporated herein by reference and may be inspected upon request. The rates are also available on the State of California Department of Industrial Relations website at <http://www.dir.ca.gov/>. See Standard Provisions — Articles 6.04 through 6.06 for related requirements.
- B.** This Project is subject to compliance monitoring and enforcement by the State of California Department of Industrial Relations. The Contractor and subcontractors must furnish the records specified in Section 1776 directly to the Labor Commissioner, in the following manner: monthly, in a format prescribed by the Labor Commissioner.

**12. Bid Proposal Submittal.** All Proposals must be submitted in sealed envelopes addressed to Construction Program of the Santa Clara Valley Water District, and state the Project name and Project number on the outside of the sealed envelope. Each Bid must be submitted on the prescribed Bid Forms. All information on Bid Forms must be completed in ink.

- A. Alternate Delivery for Bid Submittal.** Bidders electing to submit a Proposal by FEDEX, UPS, DHL, CA Overnight, Golden State Overnight, etc., must address the submittal in accordance with instructions stated in Paragraph 12 above. Any Proposal received after 2 p.m. will be considered non-responsive.

Address the outside delivery envelope as follows:

Santa Clara Valley Water District  
Attention: Construction Program – **BID**  
5905 Winfield Boulevard  
San Jose, CA 95123-2428

Note: USPS (US Mail) does not deliver to 5905 Winfield Boulevard.

**13. Bid Opening.** The Construction Program staff will open Proposals at the time and place stated in Paragraph 1.

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14. **Errors or Discrepancies in the Bids.** The District Board of Directors reserves the right to reject any and all Bid Proposals and to waive minor defects or irregularities in any submitted Bid Form(s).
15. **Bidders Security.** Each Proposal must be accompanied by cash, a certified or cashier's check, or a Bidder's bond in the sum of not less than 10 percent of the total aggregate of the Proposal including all additive Bid items. Said checks or bonds must be made payable to the Santa Clara Valley Water District.
16. **Contract Retention.**
- The Contract Retention for this Project is established at five percent of the Contract Price.
  - The Contract Retention for this Project is established at ten percent of the Contract Price. The Board of Directors has made a finding that the Project is substantially complex and therefore requires retention higher than five percent."
17. **Substitution of Securities.** The Contractor may, at the Contractor's request and expense substitute securities equivalent to the amount withheld by District to ensure the performance of the contract in accordance with §22300 of the Public Contract Code.
18. **Small Business Preference.** The District has elected to implement the small business preference provisions of Public Contract Code §2002(a)(1). For purposes of the District's program, a small or micro business is as defined in Government Code §14837. Please refer to the small business compliance requirements stated in the Small Business Instructions included with these Bid documents.
19. **Equal Opportunity.** The District is an equal opportunity employer and all contractors of District projects are to have and follow a policy of equal opportunity including adherence to all state and federal laws and regulations, including the Federal Equal Opportunity Clause.
20. **Permit.** The District has obtained the 404 permit from the U.S. Army Corps of Engineers (USACE), the Conditional Water Quality Certification from the Regional Water Quality Control Board (RWQCB), and the draft Streambed Alteration Agreement (SAA) from the California Department of Fish and Wildlife (CDFW) for the Project. The final SAA is expected to be issued in July of 2016. When this permit is received, copies will be issued via addendum prior to bid opening. No construction contract will be awarded by the District until all required permits are received.

By order of the Board of Directors of the Santa Clara Valley Water District, San Jose, California,  
on June 28, 2016.

ATTEST: MICHELE L. KING, CMC

ORIGINAL SIGNED BY MICHELE KING

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Clerk/Board of Directors