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**PERMANENTE CREEK FLOOD PROTECTION PROJECT  
MCKELVEY PARK DETENTION BASIN**

**Project No. 26244001**

**Contract No. C0616**

1. **Notice.** Notice is hereby given that sealed Proposals will be accepted by the Construction Program of the Santa Clara Valley Water District, Room B-108, of the District's Administration Building, 5750 Almaden Expressway, San Jose, California 95118 up to 2 p.m. on October 12, 2016, for furnishing all material and performing all work necessary for construction of the **Permanente Creek Flood Protection Project – McKelvey Park Detention Basin (Project)**, in the City of Mountain View, 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**

1. Installation of temporary pedestrian and vehicular detours, including all materials, concrete, fencing, signage, as required to safely detour pedestrians and vehicles as required to complete work;
2. Installation, maintenance and removal of storm water pollution prevention BMPs;
3. Application for City of Mountain View permits, payment therefor, and compliance therewith;

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4. Noticing of members of the public affected by construction;
  5. Clearing and grubbing of the project limits, including removal of existing trees;
  6. Removal and legal disposal of the existing improvements at the project site including underground utilities, buildings and bleachers;
  7. Removal and replacement of Park Drive and Miramonte Avenue AC pavement and PCC medians;
  8. Removal and replacement of sidewalk, curb and gutter along Mountain View Avenue, Park Drive and Miramonte Avenue;
  9. Removal, installation and abandonment of utilities within Park Drive and Miramonte Avenue;
  10. Excavation of approximately 110,000 cubic yards of material to construct a dual-use detention basin and ball fields at McKelvey Park;
  11. Installation of retaining walls of types including concrete, soldier pile, and sheet pile;
  12. Installation of pre-engineered pedestrian bridge;
  13. Installation of underground utilities on McKelvey Park site including water, storm drainage and sanitary sewer;
  14. Installation of ball fields and appurtenant structures including bleachers, concessions and meeting room buildings, scorekeepers booth, storage, restrooms and fencing;
  15. Installation of pump station including equipping, mechanical and data communications;
  16. Installation of street and ball field lighting;
  17. Installation of mini-park;
  18. Installation of landscaping and irrigation;
  19. Installation of various concrete driveways, walkways, median, valley gutter, and curbs and curb and gutters;
  20. Installation of approximately 3,300 linear feet of various types of fencing and access gates;
  21. Coordination of work activities with various utility companies including City of Mountain View and PG&E as needed to protect, arrange,

relocation, or provide trenching and backfilling of their overhead and underground facilities;

22. Provision of maintenance for 180 calendar days of plant establishment following the successful completion of the planting installation;

23. Other miscellaneous construction work and items necessary to satisfactorily complete the work.

**B. Sole Source Products.** The Bid Documents require the Contractors to provide the following sole source products in compliance with Public Contract Code §3400(c)(2).

<b>Specification Section</b>	<b>Description</b>
265710	Playfield Sports Lighting – Musco Lighting
328400	Central Controller- EGP Series, Rain Master

4. **Contract Time.** Time limit for the completion of the work is **970** calendar days, including 180 days of plant establishment maintenance.

A. Milestone #1: Opening of baseball fields for use by January 31, 2019

B. Milestone #2: Civil work completion by February 15, 2019

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 \$25 – 30 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.** Not used.

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 August 31, 2016. The conference will convene at 10:00 a.m. at the McKelvey Park parking lot in Mountain View, 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 \$100. Provide FedEx account number or add \$10 per set for packaging and postage. Electronic version is free, transferred via file transfer appliance (FTP) 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).

- 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).

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**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 above.

**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.**

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- 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. Permits.** The District has obtained all necessary regulatory permits.
- 21. Escrow Bid Documents.** Escrow Bid Documents must be submitted by the three apparent low bidders in a sealed container, separate from their proposal, no later than 5 p.m. on the 2nd business day after the Bid opening. Each container shall be clearly marked on the outside with the bidder's name, date of submittal, project name, and the words "Escrow Bid Documents." Timely submission of the Escrow Bid Documents is considered material by the District.

The Escrow Bid Documents must be accompanied by a separate certification, **Bid Form 10, Escrow Bid Documents Certification**, signed by an individual authorized by the bidder to execute the bidding proposal, stating that the material in the Escrow Documents constitutes all of the documentary information used in preparation of this bid, and that he/she has personally examined the contents of the Escrow Documents container and has found that the documents in the container are complete.

By order of the Board of Directors of the Santa Clara Valley Water District, San Jose, California, on August 9, 2016.

ATTEST: MICHELE L. KING, CMC

  
Clerk/Board of Directors