

INVITATION TO BID

Pursuant to Public Contract Code Sections 1600 and 1601, all bids or proposals shall be submitted through the City's electronic bid management system (PlanetBids) at <https://www.planetbids.com/portal/portal.cfm?CompanyID=43375> by **2:00 pm Pacific Standard Time on or before May 11, 2023** for the project listed below. A bid submitted after the time set shall not be considered. Bidders are required to submit (upload) all items listed in the section 4(d) of Instructions to Bidders, including a copy of the required Bidder's Bond and acknowledgement of all addendums. Bids will be received by the City via the electronic submission up to the date and time shown in the Notice of Inviting Bids. The City will be responsible for bid tabulations. Bids will be opened and read out loud by the City Clerk's Office in Council Chambers at the date and time stated in the Notice of Inviting Bids. Bid results will be made available to the public on the City's website in the electronic bid management system once the bid tabulation has been completed.

The foregoing notwithstanding, the award of any contract shall be subject to approval by the City Council at a duly noticed City Council meeting and the City Council reserves the right to reject all Bids.

The Bidder, by submitting their electronic proposal, agrees to and certifies under penalty of perjury under the laws of the State of California, that the certification, forms and affidavits submitted as part of this proposal are true and correct. The Bidder, by submitting its electronic bid, acknowledges that doing so carries the same force and full legal effect as a paper submission with a longhand (wet) signature. By submitting an electronic bid, the Bidder certifies that the Bidder has thoroughly examined and understands the entire Contract Documents (which consist of the plans and specifications, drawings, forms, affidavits and the solicitation documents), and that by submitting the electronic bid as its Bid proposal, the Bidder acknowledges, agrees to and is bound by the entire Contract Documents, including any addenda issued thereto, and incorporated by reference in the Contract Documents.

Zone 3 Street Improvement Project, CIP 053

The proposed work consists of pavement rehabilitation, removal and replacement of curb ramps, concrete curb, gutter, and sidewalk, and signing and striping replacement within the area of the City of El Monte, as set forth in the Contract Drawings and Technical Specifications for the project. The City Engineer's estimate for the project is Three Million Two Hundred Seventy-Eight Thousand One Hundred Seventy-Nine Dollars (\$3,278,179).

THIS PROJECT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE PROJECT LABOR AGREEMENT

Project Labor Agreement / Continuity of Work Agreement: The project is also subject to the terms and conditions of that certain project labor agreement executed by and between the City of El Monte and the Los Angeles and Orange Counties Building and Construction Trades Council and the Signatory Craft Unions on or about April 24, 2018 entitled "First Amendment to Continuity of Work Agreement", Contract No. 18PW04027 (hereinafter, the "Project Labor Agreement"). In the event of any conflict or inconsistency between the provisions of the Project Labor Agreement and the provisions of the other Contract Documents, the provisions of the Project Labor Agreement shall

govern and control to the fullest extent permitted by law. A true and correct copy of the Project Labor Agreement is included with the Supplementary and Special Conditions.

Completion of Work: All work shall be completed within 114 working days from the date designated on the Notice to Proceed.

Obtaining Contract Documents: Specifications and contract documents are posted in the City's electronic bid management system (PlanetBids) at <https://www.planetbids.com/portal/portal.cfm?CompanyID=43375>. All Bidders must first register as a vendor on the City of El Monte PlanetBids System website to participate in a Bid or to be added to a prospective Bidders list. Only those parties that have registered with the City as a plan holder on a particular project will receive the addendum(a) for that project. The City is not responsible for notifications to those parties who do not directly register as a plan holder on the City's database. It is the responsibility of all perspective Bidders to register on the City's database to ensure receipt of any addendum(a) prior to Bid submittals. Additionally, information on any addendum(a) issued for any bid specifications for any project will be available on the City website at: <https://www.planetbids.com/portal/portal.cfm?CompanyID=43375>. The City reserves the right to reject as nonresponsive any bid that fails to include the information required by any addendum(a) posted on the City website.

Questions: Project-specific questions must be submitted in writing through the City's electronic bid management system (PlanetBids) at <https://www.planetbids.com/portal/portal.cfm?CompanyID=43375> by 4:00 p.m. Pacific Standard Time on or before Thursday April 27, 2023. All posted questions will be answered in writing and conveyed via written addenda to all Bidders via posting on PlanetBids.

Mandatory Pre-Bid Meeting: A mandatory pre-bid meeting will be held on Monday April 24, 2023, 10:00 a.m. at El Monte Aquatic Center (Conference Room A), 11001 Mildred Street, El Monte, CA, 91731. **Every Bidder is required to attend the pre-bid meeting. Failure of a Bidder to attend will render that Bidder's Bid non-responsive.** No allowances for cost adjustments will be made if a Bidder fails to adequately examine the Project before submitting a Bid.

Submission of Proposals: All Bids or Proposals shall be submitted through the City's electronic bid management system (PlanetBids) at <https://www.planetbids.com/portal/portal.cfm?CompanyID=43375> no later than the date and time prescribed. All Bids must be signed by an authorized representative.

All required sections, including pricing, shall be submitted (uploaded) to PlanetBids via the website. The Bidder shall attach Subcontractor(s) Listing, Experience Form, Copy of Bid Security, and all other documents as listed in the BIDDER'S CHECKLIST to the PlanetBids Attachments Tab. The system will not accept a Bid for which any required information is missing. **Prior to the Bid due date and time, all Bidders shall submit the original Bid Security to:**

**Office of the City Clerk
City of El Monte – City Hall East
11333 Valley Blvd
El Monte CA, 91731**

The award of the contract by the City Council is contingent upon the Bidder submitting the required bonds and insurance, as described in the Contract, prior to the Bid due date and time. If the Bidder fails to comply with these requirements, the City may award the contract to the second or third lowest Bidder and the Bid security of the lowest Bidder may be forfeited.

Bids Remain Sealed Until Due Date and Time. Electronic Bids are transmitted into the City's bidding system via hypertext transfer protocol secure (https). Bids submitted prior to the due date and time are not available for review by anyone other than the submitter, who will have until the due date and time to change, rescind or retrieve its bid should they desire to do so. Upon the Bidder's entry of their bid, the system will ensure that all required fields are entered. The system will not accept a Bid for which any required information is missing. This includes all necessary pricing, subcontractor listing(s) and any other essential documentation and supporting materials and forms requested or contained in these solicitation documents. All Bid submission information must be fully transferred from the Bidder server to the bid system server before bid closing. Bids still transmitting at the time of bid closing will not be accepted. Bidders will receive an e-bid confirmation number with a time stamp from the bid management system indicating their bid was submitted successfully. The City will only receive those bids that were transmitted successfully. DO NOT FAX OR EMAIL.

Bid Security: Each proposal must be accompanied by a Bid Security in the form of a cashier's check, certified check, or bid bond executed on the prescribed form, in an amount not less than ten percent (10%) of the total bid price payable to the City of El Monte. Bidders are hereby notified that in accordance with the provisions of Public Contract Code section 22300, securities may be substituted for any monies which the City may withhold pursuant to the terms of this Contract to ensure performance.

Prior to the bid due date and time, all Bidders shall submit the original Bid Security to the City Clerk. Proof of delivery that is date/time stamped and signed for by the City Clerk from other couriers other than Certified mail will be accepted. A copy of the proof of delivery shall be submitted with the bid package by the bid due date.

Contractor's License: Bidder must possess a current **Class "A" - General Engineering Contractor license** issued by the State of California, at the time the bid is submitted.

Contractor Registration: All Bidders and listed subcontractors must have registered with the California State Department of Industrial Relations pursuant to Labor Code section 1725.5 prior to submitting a Bid. Furthermore, a Contractor and all subcontractors must be registered pursuant to Labor Code section 1725.5 before entering into a contract to work on a public project.

City's Right to Postpone Opening of Bids. The City reserves the right to postpone the date and time for the opening of Bids at any time prior to the date and time initially announced in this Invitation to Bid in accordance with applicable law.

Opening of Bids. Bids will be received by the City via the electronic submission up to the date and time shown in the Notice of Inviting Bids. The City will be responsible for bid tabulations. Bids will be opened and read out loud by the City Clerk's Office in

Council Chambers at the date and time stated in the Notice of Inviting Bids. Bid results will be made available to the public on the City's website in the electronic bid management system once the bid tabulation has been completed.

Award: The award shall be made to the lowest responsible Bidder whose proposal complies with the specified requirements. The foregoing notwithstanding, the award of any contract shall be subject to approval by the City Council at a duly noticed City Council meeting. Contractor shall execute the Contract within ten (10) days after it has received the Contract from the City. The City reserves the right to waive any irregularity in the proposals. No bid may be withdrawn for a period of sixty (60) days after the opening of bids.

Rejection of Bids: The City reserves the right to reject any and all Bids. The City further reserves the right to waive immaterial irregularities in any Bid. Any Bid not conforming to the intent and purpose of the Contract Documents may be rejected. The City reserves the right to make all awards in the best interest of the City.

Disqualification of Bidder: If there is a reason to believe that collusion exists among any Bidders, none of the Bids of the participants in such collusion will be considered and the City may likewise elect to reject all bids received.

Wage Rates: Bidders are hereby notified that the California Department of Industrial Relations has determined the general prevailing rate of wages for each craft, classification, or type of worker needed to execute the work. Copies of the current schedules for prevailing wages applicable to this project are on file in the City's office. It shall be mandatory for the Contractor and any subcontractor under it to pay not less than the said specified rates to laborers and workmen employed by them in the execution of the Contract. The contractor's duty to pay State prevailing wages can be found under Labor Code, Section 1770 et seq. Labor Code Sections 1775 and 1777.7 outline the penalties for failure to pay prevailing wages and employ apprentices including forfeitures and debarment.

Bonds: The successful Bidder will be required to furnish a payment bond in an amount equal to one hundred percent (100%) of the Contract price, and a faithful performance bond in an amount equal to one hundred percent (100%) of the Contract price.

[End of Invitation to Bid]