

CITY OF TORRANCE, CALIFORNIA

NOTICE INVITING BIDS

Notice is hereby given that sealed bids for performing the following described work will be received at the Office of the City Clerk of the City of Torrance, California, **until 3:00 p.m. on Wednesday, November 16, 2016**, after which time they will be publicly opened and read at 3:15 p.m. in the Council Chambers of said City:

**CONSTRUCTION OF
SIDEWALK REPAIR FOR HANDICAP ACCESSIBILITY, I-135
(CDBG #601792-16)
B2016-60**

Specifications are available on the City's website at <http://www.torranceca.gov/30733.htm>

Those who only view and/or print the Specifications from the City's website will not automatically be added to the City's Plan Holder list for this project.

The official Bidder's Submittal packet must be obtained from the Office of the City Clerk, City Hall, 3031 Torrance Boulevard, Torrance, California. Contact the City Clerk's office at (310) 781-7530 or CityClerk@TorranceCA.gov for more information. There is no cost if the Bidder's Submittal is obtained at City Hall. A payment of \$5 is required if requested by mail. The amount includes tax and is not refundable. A prospective bidder must provide to the City Clerk the firm's name, address, telephone and fax numbers, a contact person and a valid email address. This will ensure that your firm is listed as a "Plan Holder" and that you will be informed of any and all information issued subsequent to obtaining the official form of Proposal. Addenda will be issued only by email and only to those that provide the required information to the City Clerk. Receipt of any Addendum must be acknowledged by a bidder in its submitted form of Proposal. **If a bidder submits its Bidder's Submittal on forms other than the official Bidder's Submittal forms, the City may declare the bid as non-responsive.**

A bound Specifications booklet may also be obtained at the same Office of the City Clerk, upon payment of \$15 if obtained at City Hall, or payment of \$20 if requested by mail. Both amounts include tax. Neither amount is refundable. The \$15 or \$20 includes a copy of the official Bidder's Submittal packet. If requesting any item(s) by mail, please send check to the following:

**CITY OF TORRANCE
OFFICE OF THE CITY CLERK
3031 TORRANCE BLVD
TORRANCE, CA 90509
ATTN: B2016-60**

The Engineer's estimate for work is between \$300,000 and \$400,000. All work shall be completed within **eighty-five (85) working** days from the date of the Notice to Proceed (NTP).

Per Division 2, Chapter 2 of the Torrance Municipal Code, the Torrance City Council may reject any and all bids, waive any informality or irregularity in such bids, and determine the lowest responsible bidder. No facsimile bids shall be accepted by the City.

The City of Torrance hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, underutilized disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation.

Substitution of securities for withheld funds is permitted per Section 22300 of the Public Contract Code.

The City has determined that a Class **A** or **C8** Contractor's license is necessary to bid this project, but reserves the right to accept another Class at the sole discretion of either the Public Works Director or City Engineer.

This project is subject to the "Buy America" provisions of the Surface Transportation Assistance Act of 1982 as amended by the Intermodal Surface Transportation Efficiency Act of 1991.

THIS PROJECT IS UTILIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND IS SUBJECT TO ALL FEDERAL RULES AND REGULATIONS INCLUDED IN THESE CONTRACT DOCUMENTS.

This is a Federally-assisted construction contract. Federal Labor Standards Provisions outlined in the enclosed HUD-1040 form, including the prevailing wage requirements of the Davis-Bacon and Related Acts (DBRA) will be enforced. The Contractor's duty to pay State prevailing wages can be found under Labor Code Section 1770 et seq. and Labor Code Sections 1775 and 1777.7 outline the penalties for failure to pay prevailing wages and employ apprentices including forfeitures and debarment. The "current Federal Wage Decision" is the one in effect 10-days prior to the bid opening and can be found on-line at <http://www.wdol.gov>. In the event of a conflict between Federal and State prevailing wage rates, the higher of the two will prevail. Please note that the federal wage decision is referenced in Section F, and may be updated via an addendum to the bid package prior to bid opening.

Pursuant to Section 1770, et. seq., of the California Labor Code, the successful bidder shall pay not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations. These wage rates are available from the California Department of Industrial Relations' Internet website at <http://www.dir.ca.gov/DLSR/PWD>

The Contractor is directed to the provisions in Sections 1777.5, 1777.6 and 1777.7 of the California Labor Code and Title 8, California Administrative Code, Section 200 et seq. to ensure compliance and complete understanding of the law concerning the employment of apprentices by the contractor or any subcontractor under them.

Certified payrolls shall be submitted weekly by the contractor hired for this project.

This is a HUD Section 3 covered construction contract. The City will conduct a non-mandatory Section 3 Pre-Bid Meeting at **11:00 a.m. on Friday, November 4, 2016**, at the Torrance City Yard Training Room located at 20500 Madrona Avenue, Torrance, CA 90503 to explain the Section 3 requirements and possible bid preference. All bidders are encouraged to attend.

A responsive bid and preference order for responsive bids will be determined based on submittal of the items below. To receive consideration for the Section 3 bid preference, a bidder must submit completed and signed forms with its bid proposal.

Bid Preference

- A. Submits a responsive and "reasonable" bid; and
- B. Submits a Section 3 Business Certification form reporting the bidder **IS** a qualified Section 3 Business Concern; and
- C. Submits the Section 3 Resident Certification form to support the claim of a qualified Section 3 Business Concern.

A bidder who submits no completed Section 3 Business Certification form and no supporting documents is not responsive to the Section 3 requirements of the Housing Development Act of 1968 (as amended), outlined above, and will receive no consideration for a bid preference.

SECTION 3 BID PREFERENCE may be given to a bidder who is a qualified Section 3 Business Concern; and provides a reasonable bid.

A Section 3 Business is a business where fifty-one percent (51%) of the business is owned by a resident of Los Angeles/Orange County that meets the income guidelines; or 30% or more of the permanent workforce are residents who live in Los Angeles/Orange County and meet the income guidelines.

A Section 3 RESPONSIVE BIDDER is a bidder that submits a Section 3 Business Certification form with their bid, documenting that they qualify as a Section 3 business concern because they are;

- a) 51% of the business is owned by a resident of Los Angeles County/Orange County who meet the income guidelines; or
- b) 30% or more of the permanent workforce is comprised of residents who live in Los Angeles/Orange County that meet income guidelines.

A Section 3 NON-RESPONSIVE BIDDER is a bidder that fails to provide a Section 3 Business Certification form and all signed Resident Certification supporting forms with a bid response,

A Section 3 REASONABLE BID is a bid that is not more then the value of “X” HIGHER than the LOWEST BID. The X- FACTOR; a standard formula used to determine the maximum dollar amount that can be add to the lowest bid when considering a bid preference for Section 3 qualified business concern. Calculate the maximum acceptable bid or highest dollar amount that can be considered in awarding the contract to a Section 3 qualified business concern by adding the lesser of the percentage (dollar amount of the lowest bid) or the dollar amount provided in the row for the bid range column (see chart below). The lowest bid can be increased by the calculated dollar amount resulting from this computation when you are applying the bid a preference.

BID RANGE – if the Lowest Bid is		The X-FACTOR	
At Least	But Less Than	is the lesser than	
\$100,000	N/A	10%	\$9,000
\$100,000	\$200,000	9%	\$16,000
\$200,000	\$300,000	8%	\$21,000
\$300,000	\$400,000	7%	\$24,000
\$400,000	\$500,000	6%	\$25,000
\$500,000	\$1,000,000	5%	\$40,000
\$1,000,000	\$2,000,000	4%	\$60,000
\$2,000,000	\$4,000,000	3%	\$80,000
\$4,000,000	\$7,000,000	2%	\$105,000
\$7,000,000		1.5%	

NOTE: If the lowest bid of a qualified Section 3 Responsive Bidder is not reasonable (not within the Zone of Consideration), OR no bidders are responsive to Section 3 requirements, no preference should be given and the contract will be awarded to the lowest bid from any responsive

and responsible bidder in accordance with the LCA's policy and procedures, consistent with California Public Contracting Code.

When awarding a contract to the lowest and responsible the contractor must commit to documenting good-faith efforts to achieve Section 3 goals of:

- Hiring 30% of aggregate new hires who reside in Los Angeles/Orange County and are income qualified,
- Subcontract 25% of the total subcontracting dollars to Section 3 qualified business concerns

This commitment is accomplished by submitting a signed Section 3 Commitment form and with a detailed Economic Opportunity Plan attached to the commitment prior to signing a contract. The contractor will be required to provide the LCA with an Economic Opportunity Report with their final Certified Payroll Report.

In the procurement of supplies, equipment, construction, and services by sub-recipients, the conflict of interest provisions in 24 CFR 85.36, OMB Circular A-110, and 24 CFR 570.611, respectively, shall apply. No employee, officer or agent of the sub-recipient shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.

The City of Torrance hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation.

It is policy to award a fair share of contracts to Small Business and Minority Firms. Accordingly, affirmative steps must be taken to assure that Small Business and Minority Owned Firms are utilized, when possible, as sources of supplies, equipment, construction and services.

Pursuant to Section 1725.5 of the California Labor Code, 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 at the time the contract is awarded. Contractors and subcontractors may find additional information for registering at the Department of Industrial Relations website at <http://www.dir.ca.gov/Public-Works/PublicWorks.html>.

Pursuant to Labor Code section 1771.1, no contractor or subcontractor may be listed on a bid proposal for a public works project submitted on or after March 1, 2015 unless registered with the Department of Industrial Relations. Furthermore, all bidders and contractors are hereby notified that no contractor or subcontractor may be awarded, on or after April 1, 2015, a contract for public work on a public works project unless registered with the Department of Industrial Relations.

Pursuant to Labor Code section 1771.4, all bidders are hereby notified that this project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. Also refer to Special Provisions Section 7-2.6 of this document. (SB854)

The U.S. Department of Transportation (DOT) provides a toll-free "hotline" service to report bid rigging activities. Bid rigging activities can be reported Mondays through Fridays, between 8:00 a.m. and 5:00 p.m., Eastern Time, Telephone No. 1-800-424-9071. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report these activities. The "hotline" is part of the DOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

By order of the City Council of the City of Torrance, California.

For further information, please contact Shin Furukawa, Engineering Manager in the Public Works Department at (310) 618-3073 or via the main office at (310) 781-6900.