

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, August 28, 2013**, 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
#601478-12)**

B2013-35

The official and required form of Proposal must be obtained at the Office of the City Clerk at Torrance City Hall, 3031 Torrance Boulevard, Torrance, California. (310) 618-2870. There is no cost if obtained at City Hall. A payment of \$5 is required if delivery is requested by mail. The \$5 includes tax and is not refundable. A prospective bidder must provide to the City Clerk the firm's name, mailing 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.

Bid Proposal (for reference only) and Specifications also are available for viewing and printing from the City's website at <http://www.torranceca.gov/25674.htm>. However, those who only view and/or print the Bid Schedule and Specifications from the City's website will not be added to the City's Plan Holder list for this project.

A bound Specifications booklet may also be obtained at the Office of the City Clerk at Torrance City Hall upon payment of \$15 if obtained at City Hall, or payment of \$20 if requested by mail. Both amounts include tax and neither amount is refundable. The \$15 or \$20 includes a copy of the official form of Proposal.

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: B2013-35**

The Engineer's estimate of the contract total is between **\$1,620,000 and \$1,700,000**. All work shall be completed within **80** 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.

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

The City has determined that either a Class **A** or **C8** Contractor's license is necessary to bid this project.

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 reference that the federal wage decision is included herein on page C-22, 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 minimum prevailing rate of per diem wages for each craft, classification, or type of workman needed to execute the Contract shall be those determined by the Director of Industrial Relations of the State of California. These wages are set forth in the General Prevailing Wage Rates for this project, available from the California Department of Industrial Relations' Internet web site 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. A **mandatory** Section 3 Pre-Bid Meeting will be held at **2:00 p.m. on Tuesday, August 20, 2013**, at the Torrance City Yard located at 20500 Madrona Avenue in Torrance, to explain the Section 3 bid preference and hiring goals.

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.

First Bid Preference

- 1A. Submits a responsible and "reasonable" bid; and
- 1B. Submits a Section 3 Business Certification form reporting the bidder **IS** a qualified Section 3 Business Concern; and

- 1C. Submits the Section 3 Resident Certification form to support the claim of a qualified Section 3 Business Concern.

OR

Second Bid Preference

- 2A. Submits a responsible and “reasonable” bid; and
- 2B. Submits a Section 3 Business Certification form reporting the bidder **IS NOT** a qualified Section 3 Business Concern; and
- 2C. Submits a written plan in the form of the Section 3 Economic Opportunity Plan to identify intent to achieve the employment, training and subcontracting opportunity goals; and
- 2D. Submits supporting documentation, prior to contract award, that demonstrates it has hired and/or subcontracted with qualified persons or businesses proposed in its written plan.

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.

A “reasonable” bid is within the Zone of Consideration (refer to the formula in the **Section 3 Bid Evaluation** form provided in the Appendices of the project Specifications).

If no bidders are responsive to the Section 3 bid preference opportunity, the contract may still be awarded to the lowest, responsive and responsible bidder, in accordance with the City of Torrance’s policies and procedures, consistent with the California Public Contract Code. Pursuant to the City of Torrance Ordinance Section 22.1.4, a responsible bid is determined after consideration of the following factors:

- a) The lowest cost to the City;
- b) The ability, capacity, facilities and skill of the bidder to perform the contract;
- c) The ability of the bidder to perform the contract within the time specified, without delay;
- d) The character, integrity, trustworthiness and reputation of the bidder;
- e) The competence, reputation and record of performance and experience of the bidder for the successful recent completion of similar work of comparable magnitude;
- f) The previous and existing compliance by the bidder with laws and ordinances relating to the type of work to be performed under the contract;
- g) The sufficiency of the bidder's financial resources as they relate to the ability of the bidder to perform the contract;
- h) The quality, availability and adaptability of the supplies and equipment to the particular use required;

- i) The ability of the bidder to provide future maintenance and service for the use of the subject of the contract;
- j) The number and scope of conditions and exceptions attached to the bid by the bidder.

However, the minimum requirement of Section 3 (30% of aggregate new hires must be income qualified) applies. A contractor also must sign a Section 3 Commitment form and document all efforts made during construction to hire low-income residents within the project area that would fill employment opportunities created during construction.

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.

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

For questions or information, please contact Elizabeth Overstreet, Engineering Manager, in the Public Works Department at (310) 618-3074 or Lea Reis, Associate Engineer, at (310) 618-3055.