

NOTICE TO BIDDERS

1. Notice is hereby given that the governing board ("Board") of the _____ ("District") will receive sealed bids for the following project, Bid No. _____, Bid Package _____ ("Project" or "Contract"):

2. The Project consists of:

3. To bid on this Project, the Bidder is required to possess one or more of the following State of California contractors' license(s):

A, B, and/or C-___

The Bidder's license(s) must remain active and in good standing throughout the term of the Contract.
4. To bid on this Project, the Bidder is required to be registered as a public works contractor with the Department of Industrial Relations pursuant to the Labor Code.
5. Contract Documents will be available on or after _____, 20____, for review at the District Facilities Office, and may be downloaded from the District's website, www.XXXXX.XXX, using the [***Facilities Projects and Information***] link. In addition, Contract Documents are available for bidders' review at the following builders' exchanges:
 - A. Builder's Exchange of _____ County (____) _____ - _____
 - B. _____
6. Contract Documents are also available for purchase for _____ dollars (\$_____) at the District Facilities Office. This fee is refundable if the Contract Documents are returned in clean condition back to the District Facilities Office no later than ten (10) calendar days after the date of the bid opening.
7. Sealed bids will be received until _____ a.m./p.m., _____, 20____, at the District Facilities Office, _____, _____, California _____, at or after which time the bids will be opened and publicly read aloud. Any bid that is submitted after this time shall be nonresponsive and returned to the bidder. Any claim by a bidder of error in its bid must be made in compliance with section 5100 et seq. of the Public Contract Code.
8. Pursuant to Public Contract Code section 20111.5, only prequalified bidders will be eligible to submit a bid for this Project. Any bid submitted by a bidder who is not prequalified shall be non-responsive and returned unopened to the bidder.

[OR]

Pursuant to Public Contract Code section 20111.6, only prequalified bidders will be eligible to submit a bid for contracts \$1 million or more using or planning to use state bond funds. Any bid submitted by a bidder who is not prequalified shall be non-responsive and returned unopened to the bidder. Moreover, any bid listing subcontractors holding C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43 or C-46 licenses who have not been prequalified shall be deemed nonresponsive.

9. All bids shall be on the form provided by the District. Each bid must conform and be responsive to all pertinent Contract Documents, including, but not limited to, the Instructions to Bidders.
10. A bid bond by an admitted surety insurer on the form provided by the District a cashier's check or a certified check, drawn to the order of the _____, in the amount of ten percent (10%) of the total bid price, shall accompany the Bid Form and Proposal, as a guarantee that the Bidder will, within seven (7) calendar days after the date of the Notice of Award, enter into a contract with the District for the performance of the services as stipulated in the bid.
11. A mandatory/voluntary pre-bid conference and site visit will be held on _____, 20____, at ____m. at _____, California. All participants are required to sign in front of the _____ Building, _____, California. The site visit is expected to take approximately _____. Failure to attend or tardiness will render bid ineligible.
12. The successful Bidder shall be required to furnish a 100% Performance Bond and a 100% Payment Bond if it is awarded the Contract for the Work.
13. Pursuant to Education Code section 17550, the District is requiring the Bidder to purchase and to remove from the school grounds all old materials required by the specifications to be removed from any existing school building on the same school grounds and not required for school purposes and to state in his or her bid the amount which he or she will deduct from the price bid for the work as the purchase price of the old materials. The board shall let the contract to any responsible bidder whose net bid is the lowest, or shall reject all bids.
14. The District has elected to provide an owner-controlled or wrap-up insurance program ("OCIP"). The successful Bidder and its subcontractors shall be required to participate in and comply with the OCIP.
15. The successful Bidder may substitute securities for any monies withheld by the District to ensure performance under the Contract, in accordance with the provisions of section 22300 of the Public Contract Code.
16. The successful bidder will be required to certify that it either meets the Disabled Veteran Business Enterprise ("DVBE") goal of three percent (3%) participation or made a good faith effort to solicit DVBE participation in this Contract if it is awarded the Contract for the Work.
17. The Contractor and all Subcontractors under the Contractor shall pay all workers on all Work performed pursuant to this Contract not less than the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work as determined by the Director of the Department of Industrial Relations, State of California, for the type of work performed and the locality in which the work is to be

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performed within the boundaries of the District, pursuant to section 1770 et seq. of the California Labor Code. Prevailing wage rates are also available from the District or on the Internet at: <<http://www.dir.ca.gov>>.

18. This Project is subject to labor compliance monitoring and enforcement by the Department of Industrial Relations pursuant to Labor Code section 1771.4 and subject to the requirements of Title 8 of the California Code of Regulations. The successful Bidder shall comply with all requirements of Division 2, Part 7, Chapter 1, Articles 1-5 of the Labor Code.
19. The District has entered into a Project Labor Agreement that is applicable to this Project. A copy of the Project Labor Agreement is available for review at the District Facilities Office and may be downloaded from the District's website, www.XXXXX.XXX, using the ["**Facilities Projects and Information**"] link. The successful bidder and all subcontractors will be required to agree to be bound by the Project Labor Agreement.
20. The Contractor and all Subcontractors under the Contractor shall comply with applicable federal, State, and local requirements relating to COVID-19 or other public health emergency/epidemic/pandemic protocols.
21. The District's Board has found and determined that the following item(s) shall be used on this Project based on the purpose(s) indicated. (Public Contract Code section 3400(c).) A particular material, product, thing, or service is designated by specific brand or trade name for the following purpose(s):
 - (1) In order that a field test or experiment may be made to determine the product's suitability for future use: _____.
 - (2) In order to match other products in use on a particular public improvement either completed or in the course of completion: _____.
 - (3) In order to obtain a necessary item that is only available from one source: _____.
 - (4) In order to respond to an emergency declared by a local agency: _____.
22. This Project is funded in whole or in part with federal funds, and therefore the Contractor shall comply with the Davis-Bacon Act, applicable reporting requirements, and any other applicable requirements for federal funding.
23. The District shall award the Contract, if it awards it at all, to the lowest responsive responsible bidder based on:
 - A. The base bid amount only.

[OR]

 - B. The base bid amount plus the following alternates:

Deleted: including, if required, preparing, posting, and implementing a Social Distancing Protocol

Deleted: Contractor shall further comply with the California Department of Public Health's August 11, 2021, Order requiring workers on District sites to be fully vaccinated against COVID-19, or else subject to weekly testing for COVID-19.

Deleted: This Project is also subject to Buy American requirements.

[AS EXAMPLES ONLY: "all alternates;" or "additive alternate no. 1 only."]

[OR]

- C. Up to a total Project fund amount [of \$_____] **[OR]** [to be stated before bids are opened], **[THIS AMOUNT NEED NOT BE STATED HERE BUT MUST BE STATED PRIOR TO OPENING ANY BIDS]** including the additive alternates or deductive alternates needed, in the stated order, to be equal to or less than that amount:

[AS EXAMPLES ONLY: "additive alternate no. 1; and deductive alternate no. 3."]

[OR]

- D. Based on a process that conceals the identity of bidders from the District until the bids have been ranked.

24. The Board reserves the right to reject any and all bids and/or waive any irregularity in any bid received. If the District awards the Contract, the security of unsuccessful bidder(s) shall be returned within sixty (60) days from the time the award is made. Unless otherwise required by law, no bidder may withdraw its bid for ninety (90) days after the date of the bid opening.

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