

SECTION 00100

NOTICE INVITING SEALED BIDS

ARTICLE 1 – NOTICE INVITING SEALED BIDS

PUBLIC NOTICE IS HEREBY GIVEN that the City of Colfax as Owner, invites sealed bids for the **CITY OF COLFAX WWTP ALGAE REMOVAL PROJECT** and will receive such bids in the office of the:

**City Clerk
33 South Main Street,
PO Box 702
Colfax, California 95713**

Up to the hour of 3:00 p.m., on the 23rd day of February 2023, at which time bids will be opened in the Colfax City Hall Council Chambers. No phones are available at the City offices for use by the bidders. The clock in the City Clerk's Office will be the final determination of the time. Late submittals will be returned to the bidder unopened.

ARTICLE 2- DESCRIPTION OF PROJECT

The City of Colfax (City) is proposing to upgrade their existing wastewater treatment plant (WWTP) to mitigate algae growth in the existing Equalization Ponds. The proposed City of Colfax Algae Removal Project (Project) involves installing a new pre-engineered Suspended Air Flootation (SAF) System which will be used for the removal of algae from the flow collected in Equalization Pond Nos. 2 and 3. The project also includes installation of a new algae dewatering system as well as various improvements to existing facilities to support the new processes. Existing facilities to be rehabilitated as a part of this Project includes the Chlorine Contact Basin (Filter) Pump Station, the Pond No. 3 Pump Station, the Plant Water system, dilapidated electrical panels, and the outdated/inadequate SCADA system. The Project will ultimately allow the WWTP to effectively and reliably remove and dispose of accumulated algae which has historically been a reoccurring issue for wastewater treatment operations.

The project location is: 23550 Grand View Way Colfax, CA 95713

The work to be performed is estimated to cost \$ 3,100,000.

ARTICLE 3 - OBTAINING CONTRACT DOCUMENTS

Drawings, specifications, and other contract documents are available for viewing at the City of Colfax, Public Works Administrator's office, 33 South Main Street, Colfax, California 95713.

Contract documents are available for downloading free of charge through the Virtual Project Manager services of CIPLIST.com. **You must sign up to use this service which will automatically inform you of updates and amendments.** Plans and specifications are available for download at <http://www.ciplist.com/plans/> . Sign up or sign in to download the project documents including bidder's list, etc.

ARTICLE 4 - CONTRACTOR LICENSE

In accordance with the provisions of California Public Contract Code § 3300, and Business and Professions Code § 7028.15(e), the OWNER has determined that the contractor shall possess a valid Class A contractor's license at the time that the contract is awarded. Failure to possess the specified license shall render a bidder's bid as non-responsive and shall bar award of the contract to any bidder not possessing the specified license at the time of the award.

CONTRACTORS ARE REQUIRED BY LAW TO BE LICENSED AND REGULATED BY THE CONTRACTORS' STATE LICENSE BOARD. ANY QUESTIONS CONCERNING A CONTRACTOR MAY BE REFERRED TO THE REGISTRAR, CONTRACTORS' STATE LICENSE BOARD, P.O. BOX 2600, SACRAMENTO, CA 95826. At the time the contract is awarded, the contractor shall be properly licensed in accordance with the laws of this state. The first payment for work or material shall not be made unless and until the Registrar of Contractors verifies to the OWNER that the records of the Contractors' State License Board indicate that the contractor was properly licensed at the time the contract was awarded. Any bidder or contractor not so licensed shall be subject to all legal penalties imposed by law including, but not limited to, any appropriate disciplinary action by the Contractors' State Board. Failure of the bidder to obtain proper and adequate licensing for an award of a contract shall constitute a failure to execute the contract and shall result in the forfeiture of the security of the bidder. (Public Contract Code § 20103.5)

CONTRACTORS AND SUBCONTRACTORS ARE ALSO REQUIRED TO BE REGISTERED WITH THE CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS FOR ANY BID PROPOSAL SUBMITTED ON OR AFTER MARCH 1, 2015, AND FOR ANY CONTRACT FOR PUBLIC WORK ENTERED INTO ON OR AFTER APRIL 1, 2015. A contractor or subcontractor shall not be qualified to bid on, be listed on a bid proposal for, or perform any public work contract unless it is currently registered with the California Department of Industrial Relations as described in Labor Code § 1725.5.

ARTICLE 5 - SUBMISSION OF BIDS

Bids must be prepared on the approved bid forms in conformance with INSTRUCTIONS TO BIDDERS and submitted in the envelopes provided, sealed and plainly marked on the outside:

“SEALED BID FOR **CITY OF COLFAX WWTP ALGAE REMOVAL PROJECT,**
CITY OF COLFAX PUBLIC WORKS DEPT
DO NOT OPEN WITH REGULAR MAIL”

ARTICLE 6 - PRE-BID CONFERENCE

A non-mandatory Pre-Bid Conference is scheduled for February 9th, 2023 at 1:00 PM, at 23550 Grand View Way Colfax, CA 95713.

ARTICLE 7 - BID BONDS

The bid must be accompanied by a bid guarantee in the amount of 10% of the total bid by 3:00 p.m. ON THE DATE ADVERTISED FOR THE OPENING OF BIDS.

More specifically, pursuant to Public Contract Code §§ 20170 and 20171, all bids for the project shall be presented, under sealed cover and shall be accompanied by one of the following forms of bidder's security

in the amount of ten percent (10%) of the bid: (a) cash; (b) a cashier's check made payable to the City of COLFAX; (c) a certified check made payable to the City of COLFAX; or (d) a bidder's bond executed by an admitted surety insurer made payable to the City of COLFAX. Such security shall be forfeited should the successful bidder to whom the contract is awarded fails to timely execute the contract and to deliver the necessary bonds and insurance certificates as specified in the contract documents.

To the extent applicable, at any time during the term of the Agreement for the proposed project, the successful bidder may, at its own expense, substitute securities equivalent to the amount withheld as retention (or the retained percentage) in accordance with Public Contract Code § 22300.

ARTICLE 8 - PERFORMANCE AND MAINTENANCE BONDS

Pursuant to California Civil Code § 3247, the Contractor, awarded any contract by a public entity except as provided in subdivision (d) of Section 7103 of the Public Contract Code, involving an expenditure in excess of twenty-five thousand dollars (\$25,000) for any public work shall before entering upon the performance of work, file a payment bond with and approved by the officer or public entity by whom the contract was awarded.

If bid is accepted, Contractor shall agree to furnish the Performance Bond and the Labor and Materials Bond (each to be 100% of the bid amount), the Maintenance Bond (to be 50% of the bid amount) within ten (10) calendar days after written NOTICE OF AWARD of contract. The Labor and Materials Bond shall remain in force until 6 months after the date of recordation of the Notice of Completion. The performance bond shall remain in force until the date of recordation of the Notice of Completion. The maintenance Bond shall remain in force until one (1) year after the date of recordation of the notice of Completion.

The successful Bidder will be required to purchase and maintain insurance as stipulated in SECTION 00520 and Section 00700 of the Contract Documents.

All bonds are to be secured from a surety company acceptable to the OWNER and that meets all of the State of California bonding requirements, as defined in Code of Civil Procedure section 995.120, and is authorized by the State of California, and all documents required by Code of Civil Procedure section 995.660, to the extent required by law.

ARTICLE 9 - LABOR CODE (PREVAILING WAGE)

The OWNER has determined that the proposed project is a public works subject to the provisions of Labor Code § 1720 thereby requiring the Contractor to pay the prevailing wage rates for all work performed under the Contract. Accordingly, the proposed project is subject to compliance monitoring and enforcement by the California Department of Industrial Relations.

ARTICLE 10 - AWARD - OWNER'S RIGHTS

The award shall be made to the lowest responsive, responsible bidder whose Bid complies with the specified requirements. The award of Contract will be made by the City Council. The Contractor shall execute the Contract within ten (10) work days after receipt of the Contract from the OWNER.

The OWNER reserves the right to reject any and all bids.

ARTICLE 11 - ESCROW OF BID DOCUMENTS

The first, second and third low bidders will be required to provide escrow of bid documents as specified in the Instructions to Bidders.

ARTICLE 12 - DISQUALIFICATION OF BIDDERS

If there is 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.

ARTICLE 13 - BRAND OR TRADE NAME

Pursuant to Public Contract Code Section 3400 the Contract Documents designate certain materials, products, things, or services by specific brand or trade name for the statutorily enumerated purposes. As required by Section 3400 such designations are generally subject to “or equal” substitutions, as further described in the General Conditions.

Furthermore, pursuant to Section 3400 the City finds that the Suspended Air Floatation (SAF) system as supplied by Heron Innovators, Inc. may be sole sourced, and has no equal. Heron Innovators is a local firm located in Rocklin, CA and is the only known supplier for the specified floatation system. In addition, Heron Innovators, at their own expense, piloted this system at the Colfax WWTP to demonstrate its effectiveness in removing algae from its storage pond water. Other floatation systems require more energy, have a larger footprint, and have not been pilot tested at the Colfax WWTP.

Bidders shall procure the specified SAF system from Heron Innovators, Inc at the price and terms of the quotation included in the Appendix to the specifications. See the Bid Form for further information.

ARTICLE 14 – ADDENDA

The City will not accept written questions beyond Friday, February 17th, 2023 at 5:00 PM.

If you have any questions regarding the Project Plans and Specifications, please contact **JULIA RICHARDSON, EI**, Project Engineer to the City, at jrichardson@nexgenum.com or (916)-779-7309.