

NOTICE TO BIDDERS

FOR

RAILROAD GRADE CROSSING IMPROVEMENTS - PHASE II
PROJECT NO. 05-230-38-207
FEDERAL AID PROJECT HP21L-5041(017)
Bid No. 04-05.030

1. BID OPENING. The bidder shall complete and submit the blue copy of the Proposal To The City of San Leandro form that is inserted in the Contract Book. No other copy of the Proposal Section will be acceptable. Sealed bids, containing said blue copies of the completed Proposal Section, and subject to the conditions named herein and in the specifications for **RAILROAD GRADE CROSSING IMPROVEMENTS - PHASE II, PROJECT NO. 05-230-38-207, FEDERAL AID PROJECT HP21L-5041(017)**, addressed to the City of San Leandro will be received at the **Finance Office, 2nd Floor, City Hall, 835 East 14th Street, San Leandro, CA 94577, (510) 577-3376, up to 3:00 p.m. on September 6, 2005**, at which time they will be publicly opened and read.

BID RESULTS. The bid results will be made available, via the internet, at

www.ci.san-leandro.ca.us/sl purchasingbids.html

2. WORK DESCRIPTION. The work to be done consists of:- obtaining and complying with Union Pacific Railroad permit; concrete and asphalt saw cutting & disposal; pavement grinding; removing existing concrete sidewalk, curb and gutter; placing base rock; constructing new concrete sidewalk, curb and gutter; placing asphalt surfacing; referencing, removing and replacing all affected pavement markings and thermoplastic striping; adjusting manhole frame & cover to grade; referencing & adjusting survey monument to grade; providing traffic control; notifying adjacent property owners, tenants and businesses; disposing of waste materials; cleaning the work site at the end of the job and doing all appurtenant work in place and ready for use, all as shown in the plans and described in the specifications entitled "**RAILROAD GRADE CROSSING IMPROVEMENTS - PHASE II, PROJECT NO. 05-230-38-207, FEDERAL AID PROJECT HP21L-5041(017)**" now on file in the office of the **Purchasing Supervisor** of said City. Reference to said plans and specifications is hereby made for further particulars.
3. This project has a goal of 9.0 percent disadvantaged business enterprise (DBE) participation.
4. The City of San Leandro hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises (DBE) will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.
5. CONTRACTOR'S LICENSE. A **Class "A"** Contractor's License is required for this work. No bid will be accepted from a contractor who has not been licensed in accordance with Chapter 9, Division 3 of the Business and Professional Code.
6. BID DEPOSIT. A Bid Deposit equal to at least 10% of the total amount of the bid shall be placed in the sealed proposal. The Bid Deposit shall be in one of the following forms: cash,

cashier's check or certified check payable to the City, or bidder's bond in favor of the City executed by an authorized surety company.

7. PERFORMANCE BONDS. Performance guaranty bonds as set forth in Section 2-4 of the Special Provisions will be required from the successful bidder.
8. CITY'S RIGHT TO REJECT BIDS. The right is reserved, as the interest of the City may require, to reject any or all bids, or to waive any informality or minor irregularity in the bids.
9. Minimum wage rates for this project as predetermined by the Secretary of Labor are set forth in the special provisions. If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the prevailing wage rates determined by the Department of Industrial Relations for similar classifications of labor, the Contractor and his subcontractors shall pay not less than the higher wage rate.
10. Pursuant to Section 1773 of the Labor Code, the general prevailing rate of wages in the county in which the work is to be done has been determined by the Director of the Department of Industrial Relations. These wage rates appear in the Department of Transportation publication entitled General Prevailing Wage Rates. Future effective wage rates, which have been predetermined and are on file with the Department of Industrial Relations are referenced but not printed in said publication.
11. GENERAL PREVAILING WAGE RATES. The Council has ascertained the general prevailing rate of wages applicable to the work to be done. A tabulation of the various classifications of workpersons to be employed and the prevailing rate of wages applicable thereto is on file in the City Clerk's office. Bidder's attention is directed to Section 7-2.2 of the Special Provisions.
12. FEDERAL MINIMUM WAGE RATES. Attention is directed to the Federal Minimum Wages included in these Special Provisions. If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the general prevailing wage rates determined by the Director of the California Department of Industrial Relations for similar classifications of labor, the Contractor and subcontractors shall pay not less than the higher wage rate. The Department will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal wage determinations. Where Federal wage determinations do not contain the State wage rate determination otherwise available for use by the Contractor and subcontractors, the Contractor and subcontractors shall pay not less than the Federal minimum wage rate which most closely approximates the duties of the employees in question.
13. OBTAINING THE PROJECT PLANS AND CONTRACT BOOK. The Project Plans and Contract Book may be purchased at the Kiosk Counter of the Building Division, Development Services Department, 1st floor, City Hall, 835 East 14th Street, San Leandro, CA 94577 (510) 577-3423, upon payment of a **non-refundable fee of \$25.00** for each set. Project Plans and the Contract Book will be mailed to prospective bidders upon payment of a **non-refundable fee of \$30.00** which includes postage and handling.

14. OBTAINING THE APWA STANDARD SPECIFICATIONS (GREENBOOK). The APWA Standard Specifications (Green Book) may be purchased directly from BNI Publications, Inc., 1612 S. Clementine Street, Anaheim, CA 92802, and (888) 264-2665 or for credit card orders call 1-888-BNI-BOOK.
15. WITHDRAWAL OF PROPOSALS. Any bid may be withdrawn at any time prior to the time fixed in the public notice for the opening of bids only by written request for the withdrawal of the bid filed with the Purchasing Supervisor. The request shall be executed by the bidder or his duly authorized representative. The withdrawal of a bid does not prejudice the right of the bidder to file a new bid. Whether or not bids are opened exactly at the time fixed in the public notice for opening bids, a bid will not be received after that time nor may any bid be withdrawn after the time fixed in the public notice for opening of bids.
16. RELIEF OF BIDDERS. As stated in Public Contract Code Sections 5100 to 5108, inclusive (State Contract Act) concerning relief of bidders and in particular to the requirement therein, that if the bidder claims a mistake was made in his bid, the bidder shall give the City Clerk written notice within five (5) days after the opening of the bids of the alleged mistake, specifying in the notice in detail how the mistake occurred.
17. DISQUALIFICATION OF BIDDERS. More than one proposal from an individual, firm, partnership, corporation, or combination thereof under the same or different names will not be considered. Reasonable grounds for believing that any individual, firm, partnership, corporation or combination thereof is interested in more than one proposal for the work contemplated may cause the rejection of all proposals in which such individual, firm, partnership, corporation or combination thereof is interested. If there is reason for believing that collusion exists among the bidders, any or all proposals may be rejected. Proposals in which the prices obviously are unbalanced may be rejected.
18. PREVIOUS DISQUALIFICATION, REMOVAL OR OTHER PREVENTION OF BIDDING. A bid may be rejected on the basis of a bidder, any officer of such bidder, or any employee of such bidder who has a proprietary interest in such bidder, having been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local project because of a violation of law or a safety regulation.
19. RESPONSIBILITY FOR VERIFYING CONTRACT ADDENDA. All bidders shall verify if any addenda for this project have been issued by the City of San Leandro. It is the bidder's responsibility to ensure that all requirements of contract addenda are included in the bidder's proposal. All bidders shall include a signed copy of all contract addenda with the proposal. Failure to comply with this requirement shall cause the proposal to be considered as non-responsive and shall be grounds for rejection of the bid.
20. ESTIMATED CONSTRUCTION COST. The estimated construction cost of this project is in the range of **less than \$100,000.**
21. PUBLIC CONTRACT CODE SECTION 22300: Pursuant to Public Contract Code Section 22300, for monies earned by the Contractor and withheld by the City to ensure the performance of the Contract, the Contractor, may, at its option, choose to substitute securities meeting the requirements of said Public Contract Code Section 22300.

22. 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, 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.

A handwritten signature in black ink, appearing to read "D. Sweet, C.P.M.", is written above a horizontal line. A vertical red line is positioned to the right of the signature.

Dated: August 8, 2005

Darryl Sweet, Purchasing Supervisor