

NOTICE TO BIDDERS

1. Sealed bids will be received by the Finance Department – General Services Division in their office, **2180 Milvia Street, 3rd Floor**, Berkeley, California up to the hour of:

2:00 P.M., Thursday, January 11, 2024

at which time bids will be publicly opened and read by a representative of the General Services Division for the work provided for in the plans and specifications. One (1) full set of originals and two (2) additional original signature pages (Page A11) of the bid must be submitted, on forms which were prepared for this purpose and furnished by the City. Proposals must be submitted in a sealed envelope marked **SANITARY SEWER REHABILITATION – VIRGINIA STREET, RUSSELL STREET, ET AL., SPECIFICATION No. 24-11621-C**

Pre-Award Conference: The apparent low bidder will be invited to a pre-award conference scheduled for 10:00 A.M., Tuesday, February 20, 2024 at 1947 Center Street, 4th Floor, Berkeley, CA.

2. Scope of Work:

The work to be done consists of, but is not limited to:

Traffic control, replacement of approximately 7,355 linear feet of 6-inch to 15-inch diameter mains using Traditional Open-cut and Pipe Reaming methods, rehabilitation of maintenance holes, sewer main spot repairs, cold planing existing asphalt, hot mix asphalt, and related work.

Caltrans permit conditions apply for work in the Virginia Street and San Pablo Avenue (SR 123) intersection. BART permit conditions apply for work near the intersection Virginia and Acton and work on Northside Avenue.

3. California Contractor License Classification required:

- A General Engineering, or
- C-34 Pipeline, or
- C-42 Sanitation System

4. Location: Various Locations through the City. See location map and plan herein.
5. Plans and Specifications will be made available online for download, under the project's listing, at the City of Berkeley's Public Works website under Current Construction Project Bid Opportunities: <https://berkeleyca.gov/doing-business/working-city/bid-proposal-opportunities>. Bidders are responsible for notifying Adadu Yemane, P. E., Associate Civil Engineer via email at AYemane@berkeleyca.gov to be included on the Planholders List. Please include the following in the email subject header: "Spec. 24-11621-C – Request to be included in project Planholders List". In the body of the email, please state the

Company Name, Address, Telephone Number, and Fax Number.

6. Compliance with SB 854: Public Works Reform: 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 pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].

No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

7. The plans and specifications may be examined by appointment at the Engineering Office, 1947 Center Street, 4th Floor, Berkeley, California. Hard copies are no longer available for purchase or shipping. Bid documents are available online for download at the web address shown above.
8. Each proposal must be accompanied by an unconditionally certified or cashier's check or bid bond made payable to the City of Berkeley, and such check or bond shall be in an amount equal to at least 10% of the amount of the bid.
9. During construction, the City may request or authorize additional work as part of the contract. Prior to commencement of any Contract Change Order (CCO) or Contract Amendment (CA), the Contractor shall submit Surety Company Bond Riders for the new contract amount. The new contract amount is the contractor's bid amount or authorized contract amount plus the CCO or CA. The Riders for any additional work shall be provided at no cost to the City. Typically, the maximum authorized contract amount requiring a Rider is the Contractor's bid amount plus 10%.
10. Pursuant to City Council Resolution No. 59,853-N.S., each proposal must include a signed copy of the Oppressive States Resolution Disclosure Form regarding the Contractor's relationships with certain entities in Oppressive States.
11. Each proposal must include a signed copy of the Nuclear Free Zone Disclosure Form.
12. Each proposal must include a signed copy of the Equal Benefits Ordinance Disclosure Form.
13. Each proposal must include a signed copy of the Sanctuary City compliance Statement Form
14. Each proposal must include a signed copy of the Experience and Financial Qualifications and Taxpayer Identification Report.
15. Pursuant to City Council Resolution No. 70,926-N.S., this contract will be subject to the

Community Workforce Agreement approved by the Berkeley City Council on June 27, 2023. The successful bidder and **all** subcontractors, at **any tier, will be required to sign** an Agreement to be Bound as a condition precedent to entering into any contract for this project. A copy of the Report and Resolution is attached herein. Refer to Appendix 5 of the Specifications. “Contractors(s)” and/or “Subcontractor(s)” means any individual, firm, partnership or corporation, or combination thereof, including joint ventures, which is an independent business enterprise and has entered into a contract with the City or any of its contractors or subcontractors of any tier, with respect to the construction work necessary for any part of the Project. This shall include subcontractors not required to be listed in the bid documents. As applicable depending on its context, “Contractor” shall refer to Contractor or Contractor and Subcontractor.

16. Prior to starting work, the Contractor must furnish the following:
- a. Faithful Performance Bond in an amount not less than 100% of the amount of the contract, executed on the City of Berkeley Standard Performance Bond agreement form.
 - b. Labor and Material Bond in the sum of not less than 100% of the amount of the contract.
 - c. A certificate of Worker's Compensation Insurance with waiver of subrogation in favor of the City of Berkeley.
 - d. Commercial general liability insurance coverage of no less than \$2 million each occurrence Bodily Injury and \$2 million each occurrence Property Damage, with defense costs payable in addition to policy limits.
 - e. Comprehensive automobile liability insurance of no less than \$2 million each occurrence Bodily Injury and \$2 million each occurrence Property Damage.
 - f. Commercial Pollution Liability Insurance of no less than \$1,000,000 Per Occurrence and \$2,000,000 General Aggregate limit for bodily injury property damage (including loss of use of damaged property or of property which has not been physically injured or destroyed). See Special Condition No. 29 for additional information.
 - g. Insurance policies shall contain an endorsement naming the City, their employees, representatives and agents as additional insureds, but only with respect to liability arising out of the activities of the named insured.
 - h. The policies shall apply separately to each insured against whom claim is made or suit is brought except with respect to the limits of the company's liability.
 - i. Written notice of cancellation or of any limits reduction or change in said policy shall be mailed to the City and the Project Manager thirty (30) days in advance of the

effective date thereof.

- j. Contractor's insurance shall be primary insurance and no other insurance or self-insured retention carried or held by City shall be called upon to contribute to a loss covered by insurance for the named insured.
- 17. All forms and insurance certificates must have original signatures in blue ink.
 - 18. See attached BIDDER'S AND CONTRACTOR'S CHECK LIST for additional items to be submitted.
 - 19. In accordance with California State Labor Code, the wage scale is on file with the Engineering Office, or is attached herewith.
 - 20. Award will be made by the City Council at a meeting within 75 days subsequent to the date set for bid opening. The Council reserves the right to reject any or all bids or any combination of bids.
 - 21. Questions and Addendums:
 - a. General information or plan holder's list: (510) 981-6400.
 - b. Questions concerning the anticipated work or scope of the project should be directed to Adadu Yemane, P. E., Associate Civil Engineer, at (510) 981-6413 AYemane@berkeleyca.gov or the Engineering Division, 1947 Center Street, 4th Floor, Berkeley, CA 94704, at (510) 981-6400, **no later than 5:00 P.M., Thursday, January 4, 2023.**
 - c. It is the bidder's responsibility to check for answers to questions or any addenda on the City of Berkeley's website at:
<https://berkeleyca.gov/doing-business/working-city/bid-proposal-opportunities>.

General Services Manager