

**COUNTY OF SAN MATEO
STATE OF CALIFORNIA**

NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN, that

Sealed bids will be received at the office of the County Executive Office/Clerk of the Board of Supervisors, Hall of Justice and Records, 400 County Center, Redwood City, California, 94063 until the hour of

2:00 PM, Wednesday, February 28, 2024

where the bids will be publicly opened and read aloud for the following projects in accordance with the specifications therefore and to which special reference is made as follows:

**JOB ORDER CONTRACT FOR
ENGINEERING, CONSTRUCTION, ROADS AND UTILITIES
PROJECT NO. JOC-2422
PROJECT NO. JOC-2423
PROJECT NO. JOC-2424
PROJECT NO. JOC-2425**

**WITH WORK
IN SAN MATEO COUNTY**

Bids are required for the entire work described herein.

This Job Order Contract is a competitively bid, firm fixed priced, indefinite quantity contract which the Contractor may perform an ongoing series of individual Projects at different locations throughout the County. The bid documents include a Construction Task Catalog® containing construction tasks with preset Unit Prices. All Unit Prices are based on local labor, material and equipment prices and are for the direct cost of construction. It is placed with the "Contractor" for the accomplishment of general engineering work, repair, maintenance, rehabilitation, demolition and construction of infrastructure, or other real property.

The Contractor will bid two Adjustment Factors to be applied to the Unit Prices. One Adjustment Factor for performing work during Normal Working Hours and a second Adjustment Factor for performing work during Other Than Normal Working Hours. The same two Adjustment Factors shall apply to every Pre-priced Task in the Construction

Task Catalog[®]. Four (4) Contracts will be individually awarded to the four (4) lowest, responsive, responsible bidders.

Thereafter, as projects are identified the Contractor will jointly scope the work with the Owner. The County will prepare a Detailed Scope of Work and issue a Request for Proposal to the Contractor. The Contractor will then prepare a Job Order Proposal for the Project including a Job Order Price Proposal, drawings and sketches, a list of subcontractors and materialmen, construction schedule, and other requested documentation. The Job Order Price shall equal the value of the approved Job Order Price Proposal. The value of the Job Order Price Proposal shall be calculated by summing the total of the calculation for each Pre-priced Task (Unit Price x quantity x Adjustment Factor) plus the value of all Non-Pre-priced Tasks.

If the Job Order Proposal is found to be complete and reasonable, a Job Order may be issued.

A Job Order will reference the Detailed Scope of Work and set forth the Job Order Completion Time, and the Job Order Price. The Job Order Price shall be a lump sum, fixed price for the completion of the Detailed Scope of Work. A separate Job Order will be issued for each Project. Extra work, credits, and deletions will be contained in a Supplemental Job Order.

The work of this Contract will be set forth in the Detailed Scopes of Work referenced in the individual Job Orders. The Contractor is required to complete each Detailed Scope of Work for the Job Order Price within the Job Order Completion Time.

This Contract is for construction work and related services to be performed within a **designated area of the County**. However, if the need arises, the County reserves the right to require the Contractor to work at any location or facility under the jurisdiction of the County.

The Maximum Contract Value for each Job Order Contract is **\$5,000,000**. The Contractors will not be issued Job Orders which in total exceed the Maximum Contract Value. The County does not guarantee the Contractors will receive this volume of Work. There is no Minimum Contract Value. The County may award contracts to other contractors for the same or similar Work during the term of these Job Order Contracts.

The term of the Job Order Contract will be either for one (1) year or when issued Job Orders totaling the Maximum Contract Value have been completed, whichever occurs first. All Job Orders must be issued but not necessarily completed within one (1) calendar

year of the commencement date of the Contract. All Job Orders issued during the term of this Contract shall be valid and in effect notwithstanding that the Detailed Scope of Work may be performed, payments may be made, and the guarantee period may continue, after such period has expired. All terms and conditions of the Contract apply to each Job Order.

There are two Adjustment Factors for this Contract. When preparing a Job Order Price Proposal, the Contractor shall select the appropriate Adjustment Factor for each task. The Normal Working Hours Adjustment Factor is for work performed between 8:00 AM and 5:00 PM, Monday through Friday. Other than Normal Working Hours is for work performed outside of Normal Working Hours including all day Saturday, Sunday and County Holidays. The Other than Normal Working Hours Adjustment Factor must be equal to or greater than the Normal Working Hours Adjustment Factor.

All Unit Prices listed in the Construction Task Catalog® are priced at a net value of 1.0000. The Adjustment Factors shall be an increase or decrease to all the Unit Prices listed in the Construction Task Catalog®. For example, 1.1000 would be a 10% increase to the Unit Prices and 0.9500 would be a 5% decrease to the Unit Prices. Bidders who submit separate Adjustment Factors for separate Unit Prices will be considered non-responsive and their bid will be rejected.

Bidders are advised of the following:

1. **Contractor should be on the Plan Holders List for bidding. To be placed on the Plan Holders List, the Contractor shall either:**
 - a. **Bidder shall register and create an account on the Public Purchase website to download all bidding documents including forms of proposal and contract, directly from www.publicpurchase.com. The Contractor is advised downloads should be completed no later than three (3) working days prior to the bid opening date.
Project's Public Purchase Reference Number**

RFP – Job Order Contracts for Engineering, Construction, Roads and Utilities Project No. JOC-2422, Project No. JOC-2423, Project No, JOC-2424 and Project No. JOC-2425 - Bid Id: 183483
 - b. **If bidding documents are obtained through a source other than those outlined in 1a above, complete and sign the following Plan Holder's Affidavit and return to the County.**

Plan Holder's Affidavit	
Project Title	Job Order Contracts for Engineering, Construction, Roads and Utilities Project No. JOC-2422, Project No. JOC-2423, Project No. JOC-2424 and Project No. JOC-2425
Project No.	<u>RU008</u> Project Engineer: <u>Sina Oshaghi</u>
	Project Manager: <u>Wency Ng</u>
Bid Open Date and Time:	<u>2:00 p.m., Wednesday, February 28, 2024</u>
Company Name:	_____
Mailing Address:	_____
Phone Number:	_____ Fax Number: _____
E-mail Address:	_____
(Name and Title of Authorized Representative of Bidder)	
(Signature of Authorized Representative of Bidder)	

2. The Plan Holders List will be posted to the County of San Mateo's Public Works website two (2) working days prior to the bid open date.
3. Questions regarding the Contract Documents concerning items such as discrepancies, conflicts, omissions, doubts as to meanings, or regarding scope of bid items shall be referred to the Engineer. Inquiries must be received in writing via email, to aoshaghi@smcgov.org and wng@smcgov.org, by 5PM on February 23, 2024. Inquiries will be answered in writing via email response if written clarification is warranted, in the opinion of the Engineer, then inquiries and responses will be posted to the Project's page on the County of San Mateo's Public Works website. It will be the Contractor's sole responsibility to ensure that they receive responses, *if any*. The County will not be responsible for oral clarifications.
4. It will be the Contractor's sole responsibility to ensure that they have received addendums, *if any*, which will be posted to the County of San Mateo's Public Works website on the same day issued. Said addendums will also be sent to all current plan holders and made available during

purchase of Plans and Specifications.

5. **No contractor or subcontractor may be listed on a bid proposal for a public works project 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 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.**

6. Owner selected The Gordian Group's (Gordian) Job Order Contracting (JOC) Solution for their JOC program. The Gordian JOC Solution™ includes Gordian's proprietary JOC Information Management System ("JOC IMS"), construction cost data, and Construction Task Catalog® which shall be used by the Contractor solely for the purpose of fulfilling its obligations under this Contract, including the preparation and submission of Job Order Proposals, Price Proposals, subcontractor lists, and other requirements specified by the Owner. **The Contractor shall be required to execute Gordian's General Terms of Use and pay a 1% JOC System License Fee to obtain access to the Gordian JOC Solution™.** The JOC System License Fee applies to all Job Orders issued to the Contractor under the terms of this Contract. The Contractor shall include the JOC System License Fee in the Adjustment Factors.

For bids and contract updates, the Department of Public Works website will be updated as needed and can be accessed under the Department's tab found on the County of San Mateo website: <https://www.smcgov.org/publicworks/job-order-contracts-engineering-construction-roads-and-utilities-joc-2422-thru-joc-2425>

Payment to the Contractor for materials furnished and work completed shall be made by the County in accordance with Section 9 of the "Special Provisions" portion of these Contract Documents. Pursuant to Section 22300 of the Public Contract Code, Contractor may, upon his request and at Contractor's expense, substitute equivalent securities for any moneys retained from such payment for the fulfillment of the Contract.

An Initial Payment Bond and Performance Bond in the amount of \$500,000 each is required as security for the payment of all persons performing and furnishing materials in connection with this Contract. If the aggregate outstanding Job Orders issued under the contract exceeds \$500,000, increases in the Payment and Performance Bonds in increments of \$500,000 will be required such that the amount of the Payment and Performance Bonds are not less than one hundred percent (100%) of the outstanding aggregate Job Orders issued, which bonds shall remain in force for the duration and until completion of any outstanding Job Order. At no time may the sum of

outstanding Job Orders exceed the amount of the Payment and Performance Bonds.

An outstanding Job Order shall be considered as any Job Order issued under this contract for which a Notice of Completion has not yet been filed.

“Payment” and “Performance” Surety Bonds have been approved as to form by County Attorney, of which samples of same are attached as Appendix C in the Special Provisions.

Pursuant to Section 1773 of the Labor Code, prevailing wage rates in the County have been established by the California Department of Industrial Relations, and copies are available in the office of the Director of Public Works. Said prevailing wage rates shall be made available to any interested party on request, and the successful Bidder shall post a copy of the wage rates at the job site.

When applicable, both Contractor and Subcontractor hereby agrees to pay not less than prevailing rates of wages and be responsible for compliance with all the provisions of the California Labor Code, Article 2-Wages, Chapter 1, Part 7, Division 2, Section 1770 et seq and Section 1810 et seq. A copy of the prevailing wage scale established by the Department of Industrial Relations is on file in the office of the Director of Public Works, and available at www.dir.ca.gov/DLSR or by phone at 415-703-4774. California Labor Code Section 1776(a) requires each contractor and subcontractor keep accurate payroll records of trades workers on all public works projects and to submit copies of certified payroll records upon request.

Additionally, pursuant to State Senate Bill SB 854 (Stat. 2014, chapter 28), effective January 1, 2015:

- 1. No contractor or subcontractor may be listed on a Job Order Contract bid proposal for a public works project, 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)].**
- 2. No contractor or subcontractor may be awarded a Job Order Contract for public work on a public works project, unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.**
- 3. This Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.**

Wage rates for overtime shall be paid at not less than one and one-half (1-1/2) times the above rates. Wage rates for Sundays and holidays shall be paid at not less than two (2) times the above rates.

The holidays upon which such rates shall be paid shall be all holidays recognized in the collective bargaining agreement applicable to the particular craft, classification, or type of worker employed on the Project.

It is the policy of the County that Contractors on public projects employ their workers and craftsmen from the local labor market whenever possible. "Local Labor Market" is defined as the labor market within the geographical confines of the County of San Mateo, State of California. Consistent with this policy, the Contractor is requested to employ craftsmen and other workers from the local labor market whenever possible to do so.

Each bidder shall submit with the bid, Certificates of Compliance and Intent on a form provided in the "Proposal" section of these Contract Documents, a certificate that bidder is in compliance with the provisions of the Equal Employment Opportunity Requirement of Executive Order 11246, Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act and any other federal, state and local laws and regulations relating to equal employment opportunity. With the execution of said certificates, bidder also agrees that bidder will maintain or develop and implement, during the course of the work concerned, a program of hiring and employment, conducted without regard to race, religion, color, national origin, ancestry, sexual orientation, or sex of the applicants. With this certification, bidder shall submit any and all information that may be required by the County in connection with the particular project.

Each bidder is hereby notified of Section 9204 and Section 20104 et seq. of the Public Contract Code as those Sections (attached hereto as Appendix E) relate to resolution of construction claims, and to Section 3186 of the Civil Code, as amended January 1, 1999 with regard to stop notices and public entity's rights to retain monies in order to provide for that entity's reasonable cost of litigation. The bidder is further notified that all provisions of Section 9204 and 20104 et seq. of the Public Contract Code and Section 3186 of the Civil Code, as outlined above shall be considered as incorporated into and become an integral part of these specifications.

Questions relating to equal employment should be directed to the County of San

Mateo Department of Public Works, Equal Employment Opportunity Program, 555 County Center, 5th Floor, Redwood City, California, 94063-1665, telephone (650) 363-4100.

Additional technical questions should be directed to the office of the Director of Public Works, 555 County Center, 5th Floor, Redwood City, California, 94063-1665, telephone (650) 363-4100 or email Sina Oshaghi (aoshaghi@smcgov.org) or Wency Ng (wng@smcgov.org).

The Contractor shall possess a valid Class A license or a combination of Class C licenses that are applicable for the majority of the work at the time this contract is awarded. No Contract will be awarded to a Bidder who is not licensed as required by laws of the State of California.

The Contractor is advised that a virtual informational pre-bid conference will occur on February 21, 2024 at 11:00 AM. The following link shall be used to join the meeting:

<https://gordian.zoom.us/j/83699135225?pwd=4RKEEbi1jtrKggwTCu5ubhwRkTMWaN.1>

Meeting ID: 836 9913 5225

Passcode: 242723

Dial by your location

+1 669 900 6833 US (San Jose)

+1 669 444 9171 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 689 278 1000 US

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 931 3860 US

Find your local number: <https://gordian.zoom.us/j/kcV9Fi99wG>

The Contractor is advised to participate in this meeting to ensure they have a full and clear understanding of the Job Order Contracting process prior to bidding.

Bidders shall submit a single bid for all four of the contracts, however only one contract may be awarded to any bidder.

The apparent four (4) lowest responsive and responsible bidders may be individually awarded a JOC contract; and each responsive and responsible bidder being awarded a contract being excluded from consideration for each successive contract.

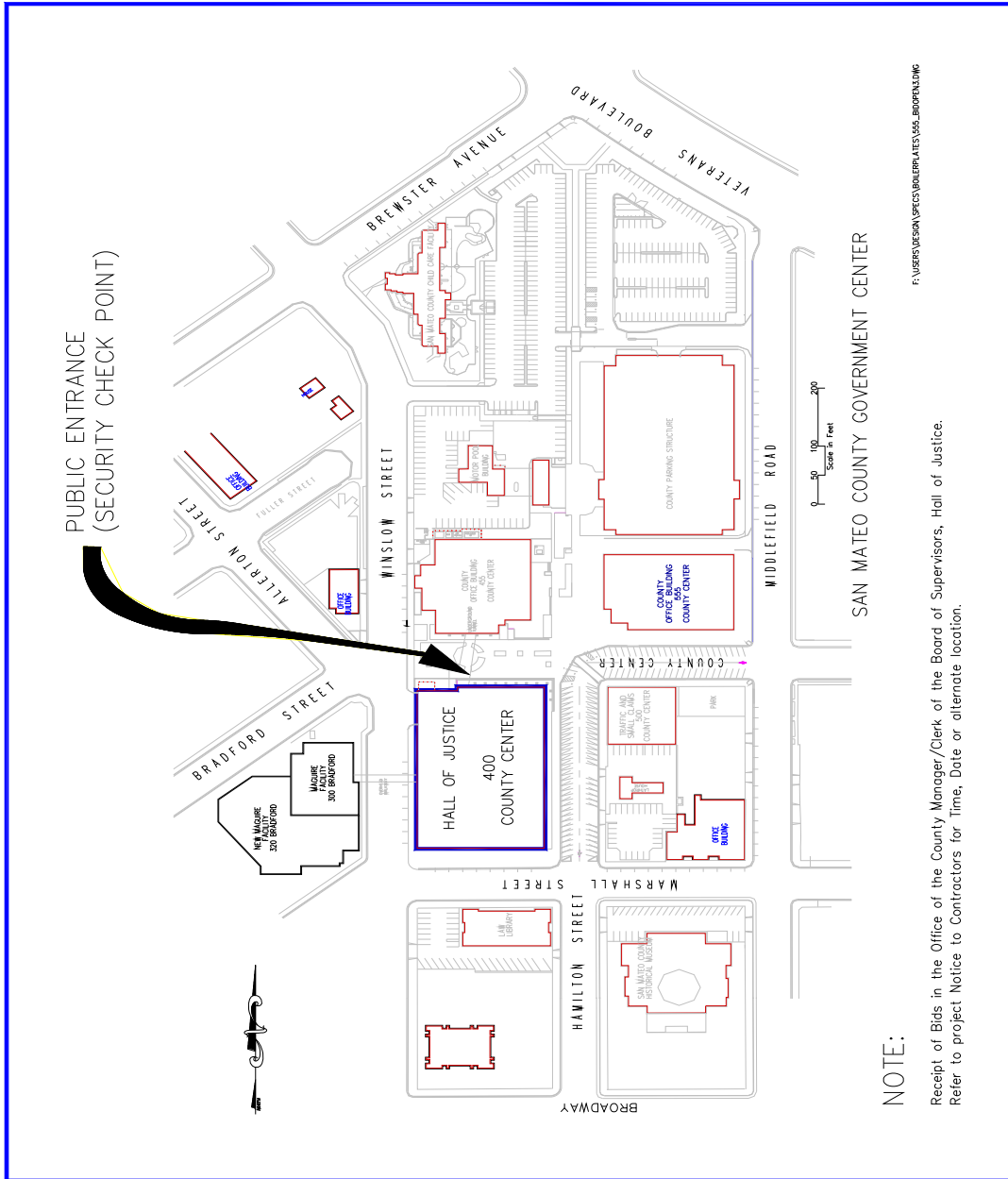
The County of San Mateo may award up to four (4) individual contracts but reserves the right to reject any and all bids, alternate bids, or unit prices and waive any irregularities in any bid received.

Bidders may not withdraw their bid for a period of **FORTY-FIVE (45) DAYS** after the date set from the opening thereof.

BY ORDER OF THE
BOARD OF SUPERVISORS

DATE: February 9, 2024

**Mike Callagy, County Executive/
Clerk of the Board of Supervisors**



SAN MATEO COUNTY GOVERNMENT CENTER

NOTE:

Receipt of Bids in the Office of the County Manager/Clerk of the Board of Supervisors, Hall of Justice.
 Refer to project Notice to Contractors for Time, Date or alternate location.

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