

BID FORM

PROPOSAL TO
VALLECITOS WATER DISTRICT
SAN DIEGO COUNTY, CALIFORNIA
FOR
ROCK SPRINGS VALVE REPLACEMENT PROJECT

Name of Bidder: _____

Business Address: _____

Phone No _____

License Classification: _____

License No. _____

Public Works Contractor Registration No. _____

TO THE GOVERNING BODY OF THE
VALLECITOS WATER DISTRICT

Pursuant to and in compliance with your Notice Inviting Sealed Proposals (Bids) and the other documents relating thereto, the undersigned Bidder, being fully familiar with the terms of the contract documents, local conditions affecting the performance of the contract, the character, quality, quantities, and scope of the work, and the cost of the work at the place where the work is to be done, hereby proposes and agrees to perform within the time stipulated in the contract, including all of its component parts and everything required to be performed, and to furnish any and all of the labor, material, tools, equipment, transportation, services, permits, utilities, and all other items necessary to perform the contract and complete in a workmanlike manner, all of the work required in connection with the construction of said work all in strict conformity with the plans and specifications and other contract documents, including Addenda Nos. _____, _____, _____, and _____, for the prices hereinafter set forth.

The undersigned as Bidder, declares that the only persons or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any person, firm, or corporation; and he proposes and agrees, if the proposal is accepted, that he will execute a contract with the District in the form set forth in the contract documents and that he will accept, in full payment thereof, the prices as set forth in the Bid Schedules. The undersigned Bidder further understands that the Vallecitos Water District, as a County Water District organized pursuant to Water Code section 30000 et seq., has absolute discretion in awarding this contract and is not required to contract for construction of this project with the lowest qualified responsible bidder.

BID FORM

BIDDING INSTRUCTIONS

ROCK SPRINGS VALVE REPLACEMENT PROJECT
FOR THE
VALLECITOS WATER DISTRICT

All bidders must meet the following requirements:

1. Bidders are required to possess a class A license, issued by the State of California, which is current and full.
2. Bidders shall demonstrate a minimum of five (5) years practical experience and successful completion of at least three (3) projects having work of a comparable type and scope to the Work, as determined by the Bidder's Experience Form.
3. Bidders failing to meet the foregoing requirements may be rejected as non-responsive at the option of the District.

Bidders agree to obtain and maintain in full effect all required insurance with limits not less than the amounts indicated. Insurers must be authorized to do business and have an agent for service of process in California, have an A or better policyholder's rating and a financial rating of at least Class VIII in accordance with the most current rating by A.M. Best Company, a combined rating of at least A:VIII. Bidders who fail to comply with the insurance requirements of this Contract may have their bids rejected as non-responsive at the election of the District.

The Bidder's attention is directed to Section 3-1 "Award of Contract or Rejection of Bids" in the General Conditions concerning the above conditions. In order for the District to consider a proposal, all bid items in the Bid Schedule must be completed.

Certain bid items in the discretion of the District may be deleted in the Bid Schedule. The Vallecitos Water District, as a County Water District organized pursuant to Water Code Section 30000 et seq., has absolute discretion in awarding this Contract and is not required to contract for construction of this Work with the lowest qualified responsible bidder; and, in the discretion of the District, a low bid may be determined by the amount of the bid for the Work with or without consideration of the prices bid on the additive or deductive items.

Bidders must satisfy themselves of the character of the Work to be performed by examination of the Work site and review of the Contract Documents. After bids have been submitted, the Bidder expressly waives the right to assert that there was a misunderstanding concerning the nature of the Work to be done.

The Contract Documents contain the provisions required for the construction of the Work. Information obtained from an officer, agent, or employee of the District or any other personnel shall not affect the risks or obligations assumed by the Contractor, or relieve him from fulfilling any of the conditions, duties, and obligations set forth in the Contract Documents.

BID FORM

BIDDING INSTRUCTIONS

Bidders shall designate the subcontractors and list the manufacturers of materials to be used in the Project, as required by the Bid Form. Bidders shall submit with the bid the completed Certificate of Nondiscrimination, Noncollusion Declaration, Iran Contracting Act Certification, Public Works Contractor Registration Certification, Bidder's Experience, and Insurance Acknowledgment included in the Bid Form.

The District is a Public Works Awarding Body, as defined under Title 13 California Code of Regulations section 2449(c)(46). Accordingly, Bidders must submit, with their Bids, a valid Certificate of Reported Compliance (“CRC”) for the Bidder’s and its listed subcontractors fleet (including any applicable leased equipment or vehicles) . Bidder must complete and submit the Fleet Compliance Certification, included in the Bid Form. Failure to provide a CRC for the Bidder, and for all listed subcontractors, or failure to complete the Fleet Compliance Certification, may render the Bid non-responsive.

In completing the Bid Schedule included as a part of the Bid Form, Bidders shall refer to Section 01010 of the Special Provisions to ensure that their bid is complete. Section 01010 includes a summary description of the Bid Items.

Bidders may file a “protest of a Bid with the District’s Engineering Department. In order for a Bidder’s protest to be considered valid, the protest must:

1. Be filed in writing no later than 4:00 p.m. on the fifth working day following the bid opening;
2. Clearly identify the specific irregularity or accusation;
3. Clearly identify the basis of the protest, along with legal authority in support, if any;
4. Specify in detail the grounds for protest and the facts supporting the protest; and
5. Include all relevant, supporting documentation with the protest at the time of filing.

If the protest does not comply with each of these requirements, the District may reject the protest without further review.

If the protest is timely and complies with the above requirements, the District Engineer, or other designated District staff member, shall review the protest, any response from the challenged Bidder(s), and all other relevant information. The District Engineer, or other designated District staff member, will provide a written decision to the protestor within five (5) working days thereafter.

Once submitted, no additional information will be accepted. The party filing the protest shall concurrently transmit a copy of the protest and accompanying documentation to all other parties with a direct financial interest which may be adversely affected by the outcome of the protest. Such parties shall include all other Bidders.

The procedure and time limits set forth in this section are mandatory and are the sole and exclusive remedy in the event of a Bid protest. Failure to comply with these procedures shall constitute a failure to exhaust administrative remedies and a waiver of any right to further pursue the Bid protest, including filing a Government Code Claim or legal proceedings. The written determination of the District shall be final, with no further internal rights of appeal.

BID FORM

VALLECITOS WATER DISTRICT
ROCK SPRINGS VALVE REPLACEMENT PROJECT

Bid Item No.	Description	Unit	Qty.	Unit Cost	Cost
1	Mobilization ¹ , Demobilization, Bonds, Permits, Insurance, and Cleanup	LS	1		
2	Storm Water Quality Management Plan	LS	1		
3	Demolition and Removal	LS	1		
4	Sheeting, Shoring, and Bracing	LS	1		
5	Traffic Control Plans and Setup	LS	1		
6	24-Hour Fire Watch	LS	1		
7	Furnish and Install In-Line 10-inch Gate Valve	EA	2		
8	Furnish and Install In-Line 14-inch Gate Valve	EA	1		
9	Furnish and Install In-Line 18-inch Gate Valve	EA	1		
10	Furnish and Install 4-inch Blow-Off Assemblies	EA	3		
11	Furnish and Install Cathodic Protection Wiring and Test Station	LS	1		
12	Installation of Piping and Appurtenances Per Plan	LS	1		
13	Pipeline Dewatering	LS	1		
14	Allowance – Remove and Replace Asphalt Concrete Pavement	--	--	--	\$50,000

TOTAL BID PRICE (ITEMS 1-14)

_____ \$ _____
 (Amount written in words) (Amount in figures)

Amounts shall be shown in both words and figures, where indicated. In case of discrepancy, the amount shown in words will govern.

The above prices shall include all labor, materials, bailing, shoring, removal, overhead, profit, insurance, and incidentals required to complete the work.¹ Mobilization is limited to 10% of the total bid price.

Note: By submission of this Bid, the Contractor acknowledges the one-year warranty inspection as outlined in Section 5-14 of the General Conditions and has included said expenses as a part of this Bid.

BID FORM

DESIGNATION OF SUBCONTRACTORS

In compliance with the provisions of section 4100-4114 of the Public Contract Code of the State of California, and any amendments thereof, each bidder shall set forth below, the name and location of the mill, shop or office of each Subcontractor who will perform work or labor, or render service to the Contractor in an amount in excess of one-half (1/2) of one percent (1%) of the total Bid, and the portion of the work which will be done by each Subcontractor, in addition to the Subcontractor's license number and DIR registration number.

If the bidder fails to specify a Subcontractor for any portion of the Work in excess of one-half (1/2) of one percent (1%) of the total Bid to be performed under the Contract, he shall be deemed to have agreed to perform such portion himself, and he shall not be permitted to subcontract that portion of the Work except under conditions permitted by law. Notwithstanding the foregoing, if the work involves the construction of streets and highways, then the bidder shall list each Subcontractor who will perform work or labor or render service to the bidder in or about the work in an amount in excess of one-half of one percent (0.5%) of the bidder's Total Bid Price or \$10,000, whichever is greater. No additional time shall be granted to provide the below requested information.

<u>Trade</u>	<u>% of Work To Be Done</u>	<u>Name of Subcontractor</u>	<u>Subcontractor License</u>	<u>Address</u>	<u>DIR Number</u>
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BID FORM

LISTING OF MATERIALS AND EQUIPMENT

The Contractor shall submit this completed sheet with his Bid listing the manufacturers of materials he intends to use. It shall be understood that where the Contractor elects to not use the material manufacturers called for in the Specifications, he will substitute only items of equal quality, durability, functional character, and efficiency as determined by the sole discretion of the Owner. The Contractor should ascertain from the Owner prior to bidding the acceptability of substitutes. Only one manufacturer shall be listed for each item.

Item or Material

Manufacturer

Substitutions of manufacturers from those listed above shall be allowed only if requested in accordance with Section 5-10 of the General Conditions within 35 calendar days of the date the Contract is awarded. Should a substitution be allowed, there will be no increase in the amount of the Bid Price originally submitted or in the time for completion of the Work as specified in the Contract Documents.

BID FORM

ACCOMPANYING THIS PROPOSAL IS

_____ (insert the words "cash", "a cashier's check", "a certified check", or "a bidder's bond" as the case may be) in an amount equal to at least 10% of the total amount of the bid, payable to the

VALLECITOS WATER DISTRICT

The undersigned bidder deposits the above-named security as a Bid Bond and agrees that it shall be forfeited to the District as liquidated damages in case this bid is accepted by the District and the undersigned fails to execute the Agreement with the District as specified in the Contract Documents or fails to furnish the required payment and performance bonds, and insurance certificates and endorsements. Should the District be required to engage the services of an attorney in connection with the enforcement of this bid and/or the Bid Bond, bidder promises to pay District's reasonable attorneys' fees, incurred with or without suit.

The names of all persons interested in this bid as principals are as follows: (NOTICE - If bidder or other interested person is a corporation, state legal name of corporation, also names of the president, secretary, treasurer, and manager thereof; if a general partnership, state true name of firm, also names of all individual partners composing firm; if a limited partnership, the names of all general partners and limited partners; if bidder or other interested person is an individual, state first and last names in full; if the bidder is a joint venture, state the complete name of each venturer).

The District has determined the license classification necessary to bid and perform the Work as required by the Contract Documents. In no case shall this contract be awarded to a specialty contractor whose classification constitutes less than a majority of the project. When a specialty contractor is authorized to bid a portion of the Work described in the Contract Documents, all portions of the Work to be performed outside of the contractor's license specialty, except Work specifically authorized by the District, shall be performed by a properly licensed subcontractor in compliance with the Subletting and Subcontracting Fair Practices Act commencing with section 4100 et seq., of the Public Contract Code and with Business and Professions Code section 7059.

BID FORM

The Contractor's license classification(s) required for this project are as follows:

Class A – General Engineering

It is the District's intent that "plans," as used in Public Contract Code section 3300, is defined as the construction Contract Documents, which include both the Drawings and the Specifications.

Bidder warrants and represents that it has at least five (5) years of successful experience performing the type of work required by this contract.

Bidder warrants and represents, under penalty of perjury, that each and every license required by California State Contractor's License Law for the performance of the Work are in full effect and proper order. Bidders must state, under penalty of perjury, the bidder's applicable license classification, license number, license expiration date, name of license holder, and relationship to bidder. Any bid not containing this information may be considered non-responsive and may be rejected by the District.

BID FORM

Bidders relying upon licenses of Responsible Managing Employees (RME) or Responsible Managing Officers (RMO) agree to provide the District with all information the District determines necessary to verify that the bidder complies with California State Contractor's License Law.

License Classification: _____

License Number: _____

Expiration Date: _____

Name of License Holder: _____

Relationship to Bidder: _____

Signature of Bidder: _____

Dated: _____, 20____

NOTE: If bidder is a corporation, the legal name of the corporation shall be set forth above, together with the signature of the officer or officers authorized to sign contracts on behalf of the corporation and the corporate seal; if bidder is a partnership, the true name of the firm shall be set forth above, together with the signature of the partner or partners authorized to sign contracts on behalf of the partnership; if the bidder is an individual, his signature shall be placed above; if the bidder is a joint venture, the name of the joint venture shall be set forth above with the signature of an authorized representative of each venturer.

BID FORM

CERTIFICATE OF NONDISCRIMINATION

On behalf of the bidder making this proposal, the undersigned certifies that bidder shall not unlawfully discriminate, harass or allow harassment, against any employee or applicant for employment, including, without limitation, in regard to matters affecting hiring, salary, benefits, performance evaluation, discipline, promotion, retirement, and/or dismissal because of sex, sexual orientation, gender identity, race, color, ancestry, religious creed, national origin, disability (including HIV and AIDS), medical condition (such as cancer), age, marital status, pregnancy, family care leave, or political opinion. The bidder and all subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment and comply with all applicable federal, state, and local laws, regulations, and executive orders regarding nondiscrimination in employment. The principle of equal opportunity in employment will be demonstrated positively and aggressively. The bidder shall include the nondiscrimination and compliance provisions of this certificate in all subcontracts to perform any portion of the Work under the contract

Dated: _____, 20__

(Name of Bidder)

(Signature)

(Typed Name and Title)

BID FORM

NONCOLLUSION DECLARATION

The undersigned declares:

I am the _____ of _____, the party making the foregoing Bid.

The Bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The Bid is genuine and not collusive or sham. The Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham bid. The Bidder has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham bid, or to refrain from bidding. The Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the Bid Price of the Bidder or any other Bidder, or to fix any overhead, profit, or cost element of the Bid Price, or of that of any other Bidder. All statements contained in the Bid are true. The Bidder has not, directly or indirectly, submitted his or her Bid Price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a Bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the Bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____ [date], at _____ [city], _____ [state].

Name of Bidder _____

Signature _____

Name _____

Title _____

BID FORM

FLEET COMPLIANCE CERTIFICATION

Bidder hereby acknowledges that they have reviewed the California Air Resources Board’s policies, rules and regulations and are familiar with the requirements of Title 13, California Code of Regulations, Division 3, Chapter 9, effective on January 1, 2024 (the “Regulation”). Bidder hereby certifies, subject to penalty for perjury, that the option(s) checked below relating to the Bidder’s fleet, and that of their subcontractor(s) (“Fleet”) is true and correct:

- The Fleet is subject to the requirements of the Regulation, and the appropriate Certificate(s) of Reported Compliance have been attached hereto.
- The Fleet is exempt from the Regulation under section 2449.1(f)(2), and a signed description of the subject vehicles, and reasoning for exemption has been attached hereto.
- Bidder and/or their subcontractor is unable to procure R99 or R100 renewable diesel fuel as defined in the Regulation pursuant to section 2449.1(f)(3). Bidder shall keep detailed records describing the normal refueling methods, their attempts to procure renewable diesel fuel and proof that shows they were not able to procure renewable diesel (i.e. third party correspondence or vendor bids).
- The Fleet is exempt from the requirements of the Regulation pursuant to section 2449(i)(4) because this Project has been deemed an Emergency, as defined under section 2449(c)(18). Bidder shall only operate the exempted vehicles in the emergency situation and records of the exempted vehicles must be maintained, pursuant to section 2449(i)(4).
- The Fleet does not fall under the Regulation or is otherwise exempt and a detailed reasoning is attached hereto.

Name of Bidder: _____

Signature: _____

Name: _____

Title: _____

Date: _____

BID FORM
IRAN CONTRACTING ACT CERTIFICATION
(Public Contract Code section 2200 et seq.)

As required by California Public Contract Code Section 2204, the Contractor certifies subject to penalty for perjury that the option checked below relating to the Contractor's status in regard to the Iran Contracting Act of 2010 (Public Contract Code Section 2200 *et seq.*) is true and correct:

- The Contractor is not:
 - (1) identified on the current list of person and entities engaged in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203; or
 - (2) a financial instruction that extends, for 45 days or more, credit in the amount of \$20,000,000 or more to any other person or entity identified on the current list of persons and entities engaging in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203, if that person or entity uses or will use the credit to provide goods or services in the energy sector in Iran.
- The District has exempted the Contractor from the requirements of the Iran Contracting Act of 2010 after making a public finding that, absent the exemption, the District will be unable to obtain the goods and/or services to be provided pursuant to the Contract.
- The amount of the Contract payable to the Contractor for the Project does not exceed \$1,000,000.

Signature: _____

Printed Name: _____

Title: _____

Firm Name: _____

Date: _____

Note: In accordance with Public Contract Code Section 2205, false certification of this form shall be reported to the California Attorney General and may result in civil penalties equal to the greater of \$250,000 or twice the Contract amount, termination of the Contract and/or ineligibility to bid on contracts for three years.

BID FORM

PUBLIC WORKS CONTRACTOR REGISTRATION CERTIFICATION

Pursuant to Labor Code sections 1725.5 and 1771.1, all contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract to perform public work must be registered with the Department of Industrial Relations. See <http://www.dir.ca.gov/PublicWorks/PublicWorks.html> for additional information.

No bid will be accepted nor any contract entered into without proof of the contractor's and subcontractors' current registration with the Department of Industrial Relations to perform public work.

Bidder hereby certifies that it is aware of the registration requirements set forth in Labor Code sections 1725.5 and 1771.1 and is currently registered as a contractor with the Department of Industrial Relations.

Name of Bidder: _____

DIR Registration Number: _____

Bidder further acknowledges:

1. Bidder shall maintain a current DIR registration for the duration of the project.
2. Bidder shall include the requirements of Labor Code sections 1725.5 and 1771.1 in its contract with subcontractors and ensure that all subcontractors are registered at the time of bid opening and maintain registration status for the duration of the project.
3. Failure to submit this form or comply with any of the above requirements may result in a finding that the bid is non-responsive.

Name of Bidder _____

Signature _____

Name and Title _____

Dated _____

BID FORM

BIDDER'S EXPERIENCE

(This is required to be filled out.)

Name of Bidder: _____

License Number: _____

List all jobs successfully completed by the bidder which demonstrate the minimum (5) years of successful experience performing the type of work as required by the contract documents, including water valve replacement greater than 12-inches in diameter. Provide additional pages if necessary.

Project Name
and Location

Project Owner's Name,
Address & Telephone No.

Date
Completed

I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: _____, 20_____

(Signature of Bidder)

BID FORM

INSURANCE ACKNOWLEDGMENT

On behalf of the bidder making this proposal, the undersigned warrants and represents that the bidder has carefully read and understood all of the insurance requirements of the Contract Documents and has included the full cost of providing insurance meeting all requirements of the Contract Documents in the bid.

Upon request by District prior to the time of award, the bidder agrees to promptly provide District with letters from insurance companies meeting the requirements of the Contract Documents verifying that they are prepared to issue insurance to bidder meeting all requirements of the Contract Documents. The failure of bidder to provide District with this proof of insurance prior to the time of award shall entitle District to reject the bidder's bid as non-responsive and to award the bid to the next qualified bidder at the sole discretion of District.

In the event the bidder fails to provide District with the certificates of insurance and insurance endorsements meeting all requirements of the Contract Documents within fifteen (15) calendar days after the award, Owner will be entitled to declare your rights arising out of the Owner's acceptance of your Bid as abandoned and your Bid Bond forfeited, as damages caused by such failure; and, Owner will be entitled to thereupon award the Contract to perform the Work to another bidder or may call for new bids, in its sole and exclusive discretion. The Owner will be entitled to such other rights as may be granted by law.

By dating and executing this Insurance Acknowledgment, bidder hereby accepts all terms and conditions of this Insurance Acknowledgment and agrees to be bound by all of its terms.

Dated: _____, 20____

(Signature of Bidder)

(Typed Name and Title)

Dated: _____, 20____

(Signature of Bidder)

(Typed Name and Title)