

SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY
SAN MATEO COUNTY, CALIFORNIA
NOTICE INVITING SEALED PROPOSALS

Notice is hereby given that sealed bids will be received by the South Bayside Waste Management Authority (SBWMA) in the office of the Secretary for the Authority, 610 Elm Street, Suite 202, San Carlos, California, 94070, at any time prior to **10:00:00 a.m. on WEDNESDAY, April 22, 2009** for furnishing all labor, materials, equipment, and services for the construction of improvements designated as:

**Transfer Station and Material Recovery Facility
Shoreway Environmental Center**

Bids will be publicly opened, examined and declared on said day and hour, and will be referred to the Board of Directors of the Authority for subsequent action.

A **mandatory** prebid conference will be held at 10:00 a.m. on, **April 1, 2009** at 225 Shoreway Road, San Carlos, CA.

All of said work is to be done at the places and in the particular locations, of the form, sizes and dimensions and of the materials, and to the lines and grades and at the elevations as shown on the Plans and Specifications made therefore and approved by the Authority.

Under California Laws and Regulations SBWMA shall inform all prime contractors of public works, to the extent feasible of relevant public work requirements. Therefore SBWMA hereby advises all bidders that the successful bidder shall:

1. Employ the appropriate number of apprentices on the job site as set forth in California Labor Code 1777.5;
2. Provide workers' compensation coverage, as set forth in California Labor Code Sections 1860 and 1861;
3. Keep and maintain the records of work performed on the public works project, as set forth in California Labor Code Section 1812;
4. Keep and maintain the records required under California Labor Code Section 1776 which shall be subject to inspection pursuant to California Labor Code Section 1776 and California Code of Regulations, Division 1, Chapter 8, Subchapter 3, Article 6, Section 16400 (e); and
5. Be subject to other requirements imposed by law.

Bidders are hereby notified that, pursuant to the provisions of California Labor Code, Sections 1770 et seq., SBWMA has obtained from the Director of the Department of Industrial Relations, the general prevailing rate of per diem wages and a general prevailing rate for holidays,

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Saturdays and Sundays, and overtime work in the locality in which the work is to be performed for each craft, classification, or type of worker required to execute the contract. A copy of said prevailing rate of the per diem wage is on file at the offices of the Authority, 610 Elm Street, Suite 202, San Carlos, CA 94070. Said prevailing rate of per diem wages will be made available to any interested party upon request, and a copy thereof shall be posted at the job site. (Ref: http://www.dir.ca.gov/dlsr/statistics_research.html#PWD)

SBWMA will not recognize any claim for additional compensation because of the payment by the Contractor of any wage rate in excess of the prevailing wage rates on file as aforesaid. The possibility of a wage increase is one of the elements to be considered by the Contractor in determining his/her or its bid and will not, under any circumstances, be considered as the basis of a claim against SBWMA.

Bidders are hereby notified that if the Contract will be entered into or financed by or with the assistance of agencies of the United States, SBWMA must comply with Federal prevailing wage requirements. A copy of the current prevailing rates under Federal law are included in the "Supplementary General Conditions" for this Project if so required by Federal law.

The successful Bidder and its subcontractors shall employ workers which consistently display and demonstrate proper moral, ethical and professional conduct to all fellow workers, employees and representatives of the Authority and other involved parties.

Pursuant to the provisions of California Labor Code Section 6707, each Bid submitted in response to this Notice to Contractors shall contain, as a bid item, adequate sheeting, shoring, and bracing, or equivalent method, for the protection of life and limb in trenches and open excavation, which shall conform to applicable safety orders. By listing this sum, the Bidder warrants that its action does not convey tort liability to the Authority, the Design Consultant, the Construction Manager, and their employees, agents, and subcontractors.

Copies of the Contract Documents are available for public inspection in the SBWMA Secretary's Office, 610 Elm Street, Suite 202, San Carlos, CA. The Contract Documents may be ordered on line at www.bps.com for a non-refundable charge beginning **March 16, 2009**. For document purchase go to www.bps.com, and click on "PLANWELL ENTERPRISE". Under the column labeled "Public Planroom" select the Shoreway Environmental Center – Phase 2, Transfer Station Project and Material Recovery Facility.

Document prices are as follow:

Full size plans	\$200.00
½ size plans	\$150.00
Specifications	\$70.00

Each Bid must conform and be responsive to the invitation, the Plans and Specifications, and all documents comprising the Contract Documents. Each Bid shall be presented under sealed cover and shall be accompanied by a certified check, made payable to SBWMA, in an amount

not less than ten (10) percent of the Base Bid. The said check or Proposal Guaranty Bond shall be given as a guarantee that the Bidder will execute the Contract in conformity with the form of agreement contained within the Contract Documents, and will furnish bonds and insurance policies as specified within twenty (20) days after notification of the award of the Contract to the successful Bidder.

Addenda issued shall become a part of the Contract Documents and be included in the Bid. Bidders shall develop and submit bids at their own expense. The Authority will not reimburse any costs associated with the development and submittal of any and all Bids.

The Authority reserves the sole right to reject any and all Bids and to waive any informality in a Bid.

No Bidder may withdraw its Bid for a period of **Ninety (90)** days after the date set for the opening thereof.

Any bid protest must be submitted in writing to the District Secretary at 7051 Dublin Boulevard, Dublin, CA 94568, before 5:00 p.m. of the fifth working day following bid opening as further described in 00100 15.0, **BID PROTEST**. The above time and content requirements are mandatory, and failure to comply therewith shall constitute a waiver of any further right to pursue a bid protest, including filing a Government Code claim or legal proceedings. Bid protests shall be acted upon by the District's Board.

At the successful Contractor's option, securities may be substituted for the required retention, in accordance with the provisions of Section 22300 of the State of California Public Contract Code.

In accordance with the provisions of California Public Contract Code Section 3300, the Authority has determined that the Contractor shall possess as a minimum a valid Class **Type A** License. In accordance with the provisions of California Business and Professions Code Section 7028.15, a Bid submitted to the Authority by a Contractor who is not licensed in accordance with Chapter 9 of the California Business and Professions Code shall be considered non-responsive and shall be rejected by the Authority.

The Authority requires Contractors performing work on its projects to provide a safe worksite and to comply with all Federal, State and Local Safety and Health regulations. Further, the Bidders must certify compliance with mandatory safety programs.

For the South Bayside Waste Management Authority:

/s/ Cathy Hidalgo

Office Manager of the South Bayside Waste Management Authority

Dated: March 9, 2009