

A. NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that the Town Council of the Town of Danville, State of California, hereby calls for electronic and sealed bid proposals to be received by the City Clerk of the Town of Danville, 500 La Gonda Way, Danville, CA on or before July 15, 2025 U.S. Pacific Time Zone, verified at www.time.gov. Electronic submittal of bids is required and must be submitted by email to bids@danville.ca.gov. Upon submittal of bids, an automatic email confirmation will be sent to the bidder acknowledging receipt. If the automatic email confirmation is not received, bidders must contact the person listed in the questions section on page 2 of this notice to bidders by 2:00 pm on Tuesday July 15, 2025, to verify the bid has been received.

The Town will allow electronic submittal of bids until 2:00 pm on Tuesday, July 15, 2025. Original documents of the bid submittal must be post marked on or before Tuesday, July 15, 2025, and received within five (5) business days of the electronic submittal. **Bids that are not submitted timely in both electronic and hard copy forms will not be considered.**

Description of Work. These bids shall cover all the furnishing of all labor, material, equipment, mechanical workmanship, transportation and services which are required for **Diablo Road Pedestrian Trail and Drainage Improvements Project, Contract No. C-055.** The work generally includes, but is not limited to, removal of trees, minor regrading, construction of a pedestrian/cycle trail, installation of hot mix asphalt, construction of drainage improvements including concrete v-ditches, drainage pipes, and inlets, installation of bioretention areas, traffic control, tree replacement planting, wildlife exclusion and cattle fencing, a drinking fountain and signs and other items that are required by the plans, standard specifications, or these Special Provisions.

Bids are required for the entire work described herein.

Engineer's Estimate. The estimated cost of construction is approximately \$6,230,000

Contractor's License Requirement. The bidder and all subcontractors of the bidder shall possess a valid California contractor's license issued by the Contractor's State License Board (www.cslb.ca.gov) for the type(s) of work they are proposing to perform at the time the bid is submitted. The bidder shall possess at a minimum the following California contractor's license: Class A "General Engineering Contractor". **The Contractor must be properly licensed as a contractor from contract award through contract acceptance (California Public Contract Code §10164).**

Contractor Registration Requirement. Pursuant to California Labor Code Section 1771.1(a), a contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. To register, go to:

<http://www.dir.ca.gov/Public-Works/PublicWorks.html>

Bidding Procedures. Bids must be submitted electronically by email to bids@danville.ca.gov no later than the time and date set forth in the Notice to Bidders section above. The subject of the email must include the contractor's name and CIP #. Bidders will receive an email response that bids have been received. **Bidders are encouraged to familiarize themselves with the electronic submittal requirements.** Late bids will not be accepted.

Bids must be made on a proposal form which is included with the contract specifications and must be signed by the bidder. Original documents of the bid submittal must be postmarked and received no later than set forth in the Notice to Bidders section above and must be accompanied by a deposit in the amount shown on the Bidder's Bond which is part of the Proposal, sealed within a bid envelope, addressed and mailed to:

"Sealed Bid – CIP C-055, Town of Danville, City Clerk, 500 La Gonda Way, Danville, California 94526"

The deposit may be cashier's check, certified check (certified without qualification and drawn on a solvent bank of the State of California or a National Bank doing business in the State of California), or bid bond, made payable to the TOWN OF DANVILLE, or the bid will not be considered. This deposit is to serve as agreed liquidated damages should the party or parties to whom the contract is awarded fail to enter into the contract after the award, or fail to give the bond required for the faithful performance of the contract, or fail to furnish any other bond required by law.

At 2:00 p.m. the electronic bid proposals will be opened by the City Clerk or his/her authorized representative of the Town of Danville and publicly read via Zoom conference. Bidders can view the bid opening by visiting:

<https://us02web.zoom.us/j/83486418990>

Webinar ID: 834 8641 8990

All bids received after this time will not be accepted.

The bids, together with a report of the bidders and the respective amounts of the bids, will be presented to the Town Council of the Town of Danville, on August 12, 2025, at 5:00 p.m.

The successful bidder shall furnish a performance bond and a payment bond.

Questions. Direct any questions to:

Allan Shields
Transportation Manager
Town of Danville | 500 La Gonda Way | Danville, CA 94526
(925) 314-3374
ashields@danville.ca.gov

Obtaining Plans and Contract Specifications. In conformance with Public Contract Code §20103.7, prospective bidders can download plans and contract specifications at no charge from the Town of Danville website at:

<http://www.danville.ca.gov/Government/RFPs-and-Bids/>

It is the bidder's responsibility to regularly check this website for any addenda that may be issued prior to the bid opening date. Failure to acknowledge receipt of an issued addendum will be cause for a submitted bid to be deemed non-responsive. To receive automatic e-mail notifications of changes to the page, you must subscribe to "Notify Me":

<http://www.danville.ca.gov/list.aspx>

To be included on the official Plan Holder's List, bidders must send your name, company name, address, and phone numbers and email address to engineering@danville.ca.gov. The Plan Holder's List will be made available upon written request. Please note it is not a requirement to be included on the Plan Holder's List to bid on the project.

Prevailing Wage Rates. This Project is subject to the prevailing wage requirements applicable in Contra Costa County for each craft, classification or type of worker needed to perform the work, including employer payments for health and welfare, pension, vacation, apprenticeship and similar purposes. These prevailing wage rates are available online at <http://www.dir.ca.gov/DLSR>. Each Contractor and Subcontractor must pay no less than the specified rates to all workers employed to work on the Project. The schedule of per diem wages is based upon a working day of eight (8) hours. The rate for holiday and overtime work must be at least time and one-half. The Contract will be subject to compliance monitoring and enforcement by the California Department of Industrial Relations, pursuant to Labor Code Section 1771.4.

Nondiscrimination. This Contract is subject to state contract nondiscrimination and compliance requirements pursuant to the Government Code, Section 12990.

Payment of Withheld Funds. The Contractor may elect to receive 100% of the progress payments due under the contract from time to time, without retention of any portion of the payment by the Town, by depositing securities of equivalent value with the Town in conformance with Public Contracts Code Section 22300, Section 9-1.065, Payment of Withheld Funds, of the Standard Specifications and the sample escrow agreement included in this packet at page C-9. Such securities, if deposited by the Contractor, will be valued by the Town and the Town's decision on valuation of the securities will be final. If the Contractor elects not to deposit retention funds into an escrow account, then the Town will withhold 5% of each payment as retention pursuant to Public Contracts Code Section 7201.

Material Substitution Pre-Bid Approval. In accordance with Public Contract Code Section 3400, the Town has established a procedure which permits bidders to have their proposed unlisted "or equal" product or service submittals evaluated prior to the project bid opening. This procedure does not apply where products or services have been limited by specific designation per Public Contract Code Section 3400(b). The intent of the prequalification process is not for bidders to submit all of their proposed "or equal" products, but only those that would, if rejected, affect the bidder's bid amount. Proposals shall be submitted no later than 14 calendar days prior to the date of the bid opening. Proposals shall be accompanied by complete technical and descriptive data necessary to determine equality of the material, product, thing, or service. Samples shall be provided when requested. The burden of proof as to availability, comparative quality, suitability, and performance of the proposed substitution shall be upon the bidder. The bidder will not be reimbursed for any work or costs necessary for making the substitution workable. Proposals will be evaluated and deemed accepted, rejected, or incomplete by the Town; the Town will be the sole judge as to such matters. If the substitution is accepted, bidders will be notified by addenda.

Addenda. Any addenda issued prior to the bid opening shall constitute part of the Contract Documents. Subject to the limitations of Public Contract Code Section 4104.5, Town reserves the right to issue addenda prior to bid time.

The Town Council reserves the right to reject any or all bids and any or all items of such bids.

**BY ORDER OF THE TOWN COUNCIL
TOWN OF DANVILLE
STATE OF CALIFORNIA
City Clerk of the Town of Danville
State of California**