

**TOWN OF FAIRFAX
Town Hall
142 Bolinas Road
Fairfax, CA 94930**

**300 Tamalpais Road
Roadway Stabilization Project**

NOTICE INVITING BIDS

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town Clerk of the Town of Fairfax, 142 Bolinas Road, Fairfax, 94930 California, until the hour of 2:00 p.m., on the 28th day of August, 2017 at which time they will be publicly opened and read aloud in the conference room of the Town of Fairfax, Town Hall, 142 Bolinas Road, Fairfax, California, for:

**TOWN OF FAIRFAX
300 TAMALPAIS ROAD ROADWAY STABILIZATION PROJECT
PROJECT NO. 52-574A**

The work in general consists of stabilizing the outboard edge of Tamalpais Road by construction of a new 75LF, 5-foot high soldier pile and timber lagging retaining wall with (8) 25LF, 25 kip tiebacks.

Complete bid packages, including project plans, technical specifications, bid forms and contract documents may be secured at the office of:

Miller Pacific Engineering Group
504 Redwood Blvd., Suite 220
Novato, California 94947
(415) 382-3444

at the following non-refundable costs: **Specifications and Contract Documents \$30 per set. If mailing is desired an additional non-refundable cost of \$5 per set will be required.** Checks shall be made payable to "Miller Pacific Engineering Group". Bid packages may also be obtained by email, free of charge, by contacting mjewett@millerpac.com.

Bidders are advised that, as required by federal law, the Town of Fairfax is implementing new Disadvantaged Business Enterprise requirements (DBE). Subsections titled "Disadvantaged Business Enterprises (DBE)", "DBE Commitment Submittal", and "Good Faith Efforts Submittal" of the Federal Proposal Requirements and Conditions section of these Special Provisions cover the DBE requirements and submittal information. The DBE Contract goal is 25.6%.

Pursuant to Public Contract Code section 3400(c), if the Town has made any findings designating certain materials, products, things, or services by specific brand or trade name, such findings and the materials, products, things, or services and their specific brand or trade names will be set forth in the Special Provisions.

In accordance with California Public Contract Code Section 20170, all bids must be presented under sealed cover and include one of the following forms of bidder's security: cash, cashier's check made

payable to the Town, certified check made payable to the Town, or a bidder's bond. The amount of bidder's security provided must equal at least ten (10) percent of the total of the bid price for the base bid and the additive or deductive items listed in this notice. The successful bidder must submit to the Town complete, executed copies of all required documents within ten (10) working days of receiving written notice of award of the project. Bidder's security of any successful bidder that fails to do so will be forfeited to the Town. Such required documents include, but are not limited to, a payment or labor and materials bond in an amount of at least 100 percent of the amount payable by the terms of the project contract and that satisfies the requirements of California Civil Code Section 9554, and a performance bond in an amount of at least 100 percent of the amount payable by the terms of the contract. All project bonds must be executed by an admitted surety insurer in accordance with applicable law and acceptable to the Town.

Pursuant to the provisions of Section 1770 et seq. of the California Labor Code the Director of Industrial Relations for the State of California has ascertained the current general prevailing rate of wages for employer purposes, in Marin County, State of California. Not less than the general prevailing rate of per diem wages for work of a similar character in Marin County and not less than the general prevailing rate of per diem wages for holiday work fixed as provided in the California Labor Code shall be paid to all workers engaged in performing the project.

Pursuant to Labor Code sections 1725.5 and 1771.1, all contractors and subcontractors must be registered with the Department of Industrial Relations. Because the Project involves federal funds, the successful Bidder and its subcontractors shall be properly licensed by the time the Contract is awarded. No contract will be entered into without proof of the contractor's and subcontractors' current registration with the Department of Industrial Relations to perform public work. If awarded a Contract, the Bidder and its subcontractors, of any tier, shall maintain active registration with the Department of Industrial Relations for the duration of the Project.

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. 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. If awarded a contract, the bidder and its subcontractors, of any tier, shall maintain active registration with the Department of Industrial Relations for the duration of the Project.

In accordance with the California Government Code Section 1773.2, copies of the applicable determinations of the Director are on file in the Town of Fairfax, office of the Town Engineer, and may be reviewed upon request.

In accordance with the State of California Administrative Code Title 8, Group 3, Article 2, Section 16109, Publication of Prevailing rates by Awarding Bodies, copies of the applicable determinations of the Director are on file in the Town of Fairfax and may be reviewed upon request. Attention is directed to the Federal minimum wage rate requirements in the books entitled "Notice to Bidders, Proposal, Contract and Special Provisions." If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the prevailing wage rates determined by the Department of Industrial Relations for similar classifications of labor, the Contractor and Contractor subcontractors shall pay not less than the higher wage rate. Pursuant to Section 1773 of the Labor Code, the general prevailing wage rates in the county in which the work is to be done have been determined by the

Director of the California Department of Industrial Relations. These wages are set forth in the General Prevailing Wage Rates for this project, available at the Engineering Department at the offices of the Town of Fairfax. The Federal minimum wage rates for this project as predetermined by the United States Secretary of Labor are set forth in the books issued for bidding purposes entitled "Notice to Contractors Special Provisions Proposal and Contract," and in copies of this book that may be examined at the offices described above where project plans, special provisions, and proposal forms may be seen. Addenda to modify the Federal minimum wage rates, if necessary, will be issued to holders of "Notice to Bidders, Proposal, Contract and Special Provisions" books. Future effective general prevailing wage rates which, have been predetermined and are on file with the California Department of Industrial Relations are referenced but not printed in the general prevailing wage rates.

The Department will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal wage determinations. Where Federal wage determinations do not contain the State wage rate determination otherwise available for use by the Contractor and subcontractors, the Contractor and subcontractors shall pay not less than the Federal minimum wage rate which most closely approximates the duties of the employees in question.

In accordance with California Civil Code Section 1771.4, the project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

In accordance with California Public Contract Code Section 3300, a valid Class A California contractor's license is required to bid on the project.

In accordance with California Public Contract Code Section 22300, except where prohibited by federal regulations or policies, the successful bidder may, on request and at its expense, substitute securities in lieu of amounts withheld by the Town from progress payments to ensure performance under the contract in accordance with the contract documents.

The Town of Fairfax reserves the right to postpone the date and time for the opening of proposals at any time prior to the date and time announced in the advertisement in accordance with applicable law.

The Town of Fairfax reserves the right to reject any and all bids or to waive any defects or irregularity in bidding in accordance with applicable law. If the Town elects to award a contract for performance of the project, the contract will be awarded to the responsible bidder submitting a responsive bid with the lowest total bid price for the base bid without consideration of the bid price for any additive or deductive items. All bids will remain valid for 90 days after the bid opening.

By order of the Town Council of the Town of Fairfax, Marin County, California.