Overlay of Midway
from Richvale Highway to the Western Canal Bridge
Federal-Aid Project No. ESPL-5912(082)
County Project No. AC-2009-1

COUNTY OF BUTTE
STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

NOTICE TO CONTRACTORS

Sealed proposals will be received at the office of the Director of Public Works, 7 County Center Drive, Oroville, California, until **10:30 a.m. on August 6, 2009** at which time they will be publicly opened and read aloud for construction in accordance with the project specifications and plans to which special reference is made, as follows:

OVERLAY OF MIDWAY
FROM RICHVALE HIGHWAY TO THE WESTERN CANAL BRIDGE

The work, located in the County of Butte near the Town of Richvale, involves, in general: Overlay of an existing two-lane rural roadway, including: traffic control; transition grinding; application of 0.17 feet of Type "A" hot mix asphalt concrete, over pavement reinforcing fabric, over 0.10± feet of Type "A" hot mix asphalt concrete leveling course; installation of thermoplastic traffic stripes, thermoplastic pavement markings, and retroreflective pavement markers; and placement of aggregate base shoulder backing.

Special Provisions, including plans and forms for the proposal, bonds and contract, are available for review at the office of the Director of Public Works, 7 County Center Drive, Oroville, California 95965. **Copies of the Special Provisions may be purchased for the non-refundable payment of fifteen dollars ($15.00)**. **Bidders requesting mailed copies of the Special Provisions shall be charged an additional seven and a half dollars ($7.50) for shipping and handling.** Payment for the copies of the Special Provisions and mailing shall be made in the form of cash or a check made payable to the "County of Butte." The Special Provisions package mentioned above does not include copies of the California Department of Transportation Standard Plans or Standard Specifications for Construction, dated May, 2006. However, for convenience, the Special Provisions package does contain Amendments to the May 2006 Standard Specifications updated to February 1, 2008, which will be the latest revisions utilized with this project.

The above Special Provisions are also available for review on the Butte County Public Works Department Website: http://www.buttecounty.net/publiworks/divisions/engineering/projects.html However, no bid will be considered unless it is made on a blank form furnished by the Butte County Department of Public Works, when the Special Provisions are purchased as described above, and is made in accordance with the provisions in Section 2, "Proposal Requirements and Conditions," of the Standard Specifications. The attention of the bidders is directed to properly responding to all proposal attachments.

No pre-bid meeting is scheduled for this project.

The County of Butte affirms that in any contract entered into pursuant to this advertisement, Disadvantaged Business Enterprises (DBEs), as defined in 49 CFR 26, will be afforded full opportunity to submit bids in response to this invitation.

Bidders are advised that, per federal law, as defined in 49 CFR 26, the County is implementing new requirements for project specific goals for participation by Underutilized Disadvantaged Business Enterprises (UDBEs) in this Federal-Aid Contract. Section A, ”Description of Project,“ under the subsection titled “Disadvantaged Business Enterprises (DBE)” and Section C, “General,” under the subsection titled “Performance of Subcontractors” of these Special Provisions cover the UDBE requirements. The County is required to report to the State on UDBE participation for all federal-aid contracts each year so that annual attainment efforts may be evaluated.

The UDBE Contract goal for this project is 3.8 percent.

Bidders are advised that, per federal law, as defined in 9 USC § 1201 and 1512, the County is implementing new requirements for submittal of Monthly Employment Report forms. Refer to the subsection titled “Monthly Employment Report (American Recovery and Reinvestment Act),’ under Section C, “General,” of these Special Provisions for Contractor reporting requirements.

The County is also implementing new contract requirements for the submittal of the Contractor’s Data Universal Numbering System (D-U-N-S) Number. Refer to the subsection titled "Data Universal Numbering System (D-U-N-S) Number" under Section A, “Description of Project,” of these Special Provisions for Contractor reporting requirements.

This contract is subject to State contract nondiscrimination and compliance requirements pursuant to Government Code, Section 12990.

THIS PROJECT IS SUBJECT TO THE "BUY AMERICA" PROVISIONS OF THE SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982 AS AMENDED BY THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1991.

Bids are required for the entire work described herein. Contract items of work and quantities thereof for which payment will be made under this contract are contained in the proposal. The items of work and quantities are given as a basis for the comparison of bids and the County of Butte does not, expressly or by implication, agree that the actual amount of work will correspond therewith, but reserves the right to increase or decrease the amount of any class or portion of the work, or to omit portions of the work, as may be deemed necessary or advisable by the Engineer.

The Board of Supervisors has ascertained, pursuant to Section 1773 of the Labor Code, the general prevailing wage rates for straight time, overtime, Saturday, Sunday and holiday work applicable to the work to be done in Butte County are the same as the general prevailing wage rates as determined by the Department of Industrial Relations. These rates are on file in the office of the Director of Public Works, 7 County Center Drive, Oroville, CA 95965 and available from the California Department of Industrial Relations’ Internet website at http://www.dir.ca.gov.

Attention is directed to the Federal minimum wage rate requirements shown in Section D of the Special Provisions which are current as of July 10, 2009, and are determined by the Secretary of Labor. If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the general prevailing wage rates determined by the Director of the California Department of Industrial Relations for similar classifications of labor, the Contractor and any subcontractors shall pay not less than the higher wage rate.

Federal minimum wages current at the time of construction will be on file at the office of the Director of Public Works or may be obtained from the offices of the wage governing agencies.

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.

The labor surcharge and equipment rental rates to be used under this contract shall be as listed in the State of California Department of Transportation Division of Construction publication entitled "Labor Surcharge and Equipment Rental Rates" that are in effect when the work is accomplished.

Holidays, upon which general prevailing hourly wage rate for holiday work shall be paid, shall be all legal, federal and/or state holidays determined by wage surveys or recognized in the collective bargaining agreement, applicable to the particular craft, classification, or type of worker employed on the project, which is on file with the Director of Industrial Relations.

Attention is directed to Section 7-1.01C, "Contractors Licensing Laws," of the Standard Specifications. The Contractor shall possess a Class A license or a combination of classes of contractor licenses required by the categories and types of work included in this contract at the time this contract is awarded.

The attention of bidders is particularly directed to the provisions of Section 8-1.02, "Assignment," of the Standard Specifications regarding assignment of the contract.

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

The County of Butte reserves the right to reject any or all bids and to waive any informality in any bid.

The U.S. Department of Transportation (DOT) provides a toll-free “hotline” service to report bid rigging activities. Bid rigging activities can be reported Mondays through Fridays, between 8:00 a.m. and 5:00 p.m., Eastern Time, Telephone No. 1-800-424-9071. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the “hotline” to report these activities. The “hotline” is part of the DOT’s continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the

DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

Inquiries or questions based on alleged patent ambiguity of the plans, specifications, or estimate for the project must be communicated as a bidder inquiry prior to the opening of bids. Any such inquiries or questions, if submitted after the opening of bids, will not be treated or addressed as a bid protest.

All communications relative to this work shall be directed to the Project Engineer, Paul Lundbom, at the County of Butte Department of Public Works, 7 County Center Drive, Oroville, CA 95965, phone no. (530) 538-7681, prior to the opening of bids. All questions relating to interpretation of the Contract Documents or products must be submitted in writing, and responses will be in the form of written addenda to the Contract Documents.

COUNTY OF BUTTE
Department of Public Works
J. Michael Crump, Director

Dated July 9, 2009