

NOTICE TO BIDDERS

1. Notice is hereby given that the governing board ("Board") of the Franklin-McKinley School District ("District") will receive sealed bids for the following project, Bid No. 2022-1740, ("Project" or "Contract"): Asphalt Playground Replacement at Stonegate Elementary School
2. The Project consists of complete removal of existing playground asphalt. Regrading of existing base rock and possibly subgrade for new drainage. Providing new 2" asphalt paving. Adjustment of utility vault to new finish grade. Restriping with new AC painting applied in selected areas.
3. To bid on this Project, the Bidder is required to possess one or more of the following State of California contractors' license(s): A and / or B. The Bidder's license(s) must remain active and in good standing throughout the term of the Contract.
4. To bid on this Project, the Bidder is required to be registered as a public works contractor with the Department of Industrial Relations pursuant to the Labor Code.
5. Contract Documents will be available on the District's website – www.fmsd.org > Community > Business Opportunities under Formal Bid Section or after January 6, 2022.
6. Sealed bids will be received until 2:30 p.m., on January 25, 2022. All bids will be received via electronic mail and must be sent to bids@fmsd.org, after which time the bids will be opened and publicly read aloud via online streaming. A zoom link will be posted on the District's website on or before the due date. Any bid that is submitted after this time shall be nonresponsive and will be purged/deleted. Any claim by a bidder of error in its bid must be made in compliance with section 5100 et seq. of the Public Contract Code.
7. Pursuant to Public Contract Code section 20111.6, only prequalified bidders will be eligible to submit a bid for contracts \$1 million or more using or planning to use state bond funds. Any bid submitted by a bidder who is not prequalified shall be non-responsive and returned unopened to the bidder. Moreover, any bid listing subcontractors holding C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43 or C-46 licenses, if used, who have not been prequalified, shall be deemed nonresponsive and will not be considered.
8. All bids shall be on the form provided by the District. Each bid must conform and be responsive to all pertinent Contract Documents, including, but not limited to, the Instructions to Bidders.
9. A bid bond by an admitted surety insurer on the form provided by the District a cashier's check or a certified check, drawn to the order of the Franklin-McKinley School District, in the amount of ten percent (10%) of the total bid price, shall accompany the Bid Form and Proposal, as a guarantee that the Bidder will, within seven (7) calendar days after the date of the Notice of Award, enter into a contract with the District for the performance of the services as stipulated in the bid.
10. A mandatory pre-bid conference and site visit will be held on January 14, 2021, at 1:00 p.m, located at Stonegate Elementary School – 2605 Gassman Drive, San Jose, CA 95121. All participants are required to sign in with the architect or the designated District staff available during the pre-bid conference. Failure to attend or tardiness will render bid ineligible.
11. The successful Bidder shall be required to furnish a 100% Performance Bond and a 100% Payment Bond if it is awarded the Contract for the Work.
12. Pursuant to Education Code section 17550, the District is requiring the Bidder to purchase and to remove from the school grounds all old materials required by the specifications to be removed from

any existing school building on the same school grounds and not required for school purposes and to state in his or her bid the amount which he or she will deduct from the price bid for the work as the purchase price of the old materials. The board shall let the contract to any responsible bidder whose net bid is the lowest, or shall reject all bids.

13. The successful Bidder may substitute securities for any monies withheld by the District to ensure performance under the Contract, in accordance with the provisions of section 22300 of the Public Contract Code.
14. The Contractor and all Subcontractors under the Contractor shall pay all workers on all Work performed pursuant to this Contract not less than the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work as determined by the Director of the Department of Industrial Relations, State of California, for the type of work performed and the locality in which the work is to be performed within the boundaries of the District, pursuant to section 1770 et seq. of the California Labor Code. Prevailing wage rates are also available from the District or on the Internet at: <<http://www.dir.ca.gov>>.
15. This Project is subject to labor compliance monitoring and enforcement by the Department of Industrial Relations pursuant to Labor Code section 1771.4 and subject to the requirements of Title 8 of the California Code of Regulations. The successful Bidder shall comply with all requirements of Division 2, Part 7, Chapter 1, Articles 1-5 of the Labor Code.
16. The District shall award the Contract, if it awards it at all, to the lowest responsive responsible bidder based on the TOTAL BID (base bid plus 10% allowance) amount only.
17. The Board reserves the right to reject any and all bids and/or waive any irregularity in any bid received. If the District awards the Contract, the security of unsuccessful bidder(s) shall be returned within sixty (60) days from the time the award is made. Unless otherwise required by law, no bidder may withdraw its bid for ninety (90) days after the date of the bid opening.

END OF DOCUMENT

Bid Ad Dates: 1/6/22, 1/14/22