



**CITY OF GRASS VALLEY
PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION**

**PROPOSAL
AND
BIDDER'S CERTIFICATES**

FOR

**2023 SEWER MAIN REPLACEMENT PROJECT
PROJECT NO. 23-04**

Bidder's Name: _____

Bid Opening Date: _____ **Time:** _____

PROPOSAL

Proposal to the City of Grass Valley, State of California, in the County of Nevada for the

**2023 SEWER MAIN REPLACEMENT PROJECT
PROJECT NO. 23-04**

NAME OF BIDDER _____

BUSINESS P.O. BOX _____

BUSINESS STREET ADDRESS _____
(Required, even if P.O. Box is used)

CITY, STATE, ZIP _____

TELEPHONE NUMBER () _____

FAX NUMBER () _____

EMAIL _____

CONTRACTOR'S LICENSE NUMBER _____

CONTRACTOR'S DIR NUMBER _____

The project to be done and referred to herein is in City of Grass Valley, State of California, located at Hocking Avenue, Jane Road and Miners Trail, and is to be constructed in accordance with the Department of Transportation Standard Plans, dated 2018, the Standard Specifications, dated 2018, the Labor Surcharge and Equipment Rental Rates in effect on the date the work is accomplished, and the General Prevailing Wage Rates.

The project plans and specifications for the work to be done were approved and are entitled:

**CITY OF GRASS VALLEY
2023 SEWER MAIN REPLACEMENT PROJECT
PROJECT NO. 23-04**

Bids are to be submitted for the entire work. The amount of the bid for comparison purposes will be the total of all items.

Envelopes containing bids shall be marked -

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NOT TO BE OPENED UNTIL 3:30 P.M., JUNE 20, 2023.

The bidder shall set forth for each unit basis item of work an item price and a total for the item, and for each lump sum item a total for the item, all in clearly legible figures in the respective spaces provided for this purpose. In the case of unit basis items, the amount set forth under the "Item Total" column shall be the extension of the item price bid on the basis of the estimated quantity for the item.

In case of discrepancy between the item price and the total set forth for a unit basis item, the item price shall prevail, provided, however, if the amount set forth as an item price is ambiguous, unintelligible or uncertain for any cause, or is omitted, or is the same amount as the entry in the "Total" column, then the amount set forth in the "Total" column for the item shall prevail and shall be divided by the estimated quantity for the item and the price thus obtained shall be the item price.

If this proposal shall be accepted and the undersigned shall fail to enter into the Contract and furnish the two bonds in the sums required by the State Contract Act, with surety satisfactory to the City of Grass Valley, within 8 days, not including Sundays and legal holidays, after the bidder has received notice from the City of Grass Valley that the Contract has been awarded, the City of Grass Valley may, at its option, determine that the bidder has abandoned the Contract, and thereupon this proposal and the acceptance thereof shall be null and void and the forfeiture of such security accompanying this proposal shall operate and same shall be the property of the City of Grass Valley.

The undersigned, as bidder, declares that the only persons or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm, or corporation; that he has carefully examined the location of the proposed work, the annexed proposed form of contract, and the plans therein referred to; and he proposes, and agrees if this proposal is accepted, that he will contract with the City of Grass Valley in the form of the copy of the contract annexed hereto, to provide all necessary machinery, tools, apparatus and other means of construction, and to do all the work and furnish all the materials specified in the contract, in the manner and time therein prescribed, and according to the requirements of the Engineer as therein set forth, and that he will take in full payment therefor the following prices, to wit:

BID ITEMS
2023 SEWER MAIN REPLACEMENT PROJECT
PROJECT NO. 23-04

ITEM NO	ITEM	UNIT OF MEAS	EST QTY	UNIT PRICE	ITEM TOTAL
1	Mobilization	LS	1		
2	Traffic Control System	LS	1		
3	Aggregate Base	CY	180		
4	Sewer Manhole (48")	EA	7		
5	Remove and Replace Sewer Main Line (6" PVC)	LF	1050		
6	Remove and Replace Service Wye (4" PVC)	EA	21		
7	Remove and Replace HMA (3" Depth)	SY	610		

TOTAL COST: \$_____

The foregoing quantities are approximate only, being given as a basis for comparison of bids, and the Engineering Department does not express 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.

LIST OF SUBCONTRACTORS

The Bidder shall list the name, address, California contractor's license number, Public Works contractor registration number of each Subcontractor required to be listed by "Subcontractor List" of the Standard Specifications, and the Special Provisions, and designate the portion and percentage of the work to be performed by the Subcontractor, to whom the bidder proposes to subcontract portions of the work. ***The California contractor license classification and number shall be included for all subcontractors doing work in excess of one half of one percent of the total Project bid price, or ten thousand dollars (\$10,000.00), whichever is greater.***

Subcontractor Name, Location of Business	CA License Number	Public Works Contractor Registration Number	Bid Item Number, Percentage of Item Work Subcontracted *

* Bid Item Number and Percentage of Item Work Subcontracted may be submitted by the proper within 24 hours of the bid opening date and time.

LIST OF PROPOSED SUBSTITUTIONS

Pursuant to Public Contract Code Section 3400, the following substitutions are proposed as “Equals” for those set forth in the Contract. All data substantiating the proposed substitutions shall be submitted to the City upon request.

Contract Section	Name of Product to be Substituted Out	Name and Manufacturer of Proposed Product To Be Substituted	Model/Quantity of Proposed Product
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EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

The bidder hereby declares under penalty of perjury that the bidder has ____ , has not _____, participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, where required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

Additionally, the bidder hereby declares that all proposed subcontractors listed on the bidder's completed List of Subcontractors as performing work under this contract, have stated in their bid to the prime contractor or in writing at the outset of negotiations, whether the proposed subcontractor has participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, where required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

Note: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

The bidder must place a checkmark after "has" or "has not" in one of the blank spaces provided. The above Certifications are part of this Proposal. Signing this Proposal on the signature portion thereof shall also constitute an endorsement and execution of these certifications. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

PUBLIC CONTRACT CODE SECTION 10285.1 STATEMENT

In accordance with Public Contract Code Section 10285.1 (Chapter 376, Stats. 1985), the bidder hereby declares under penalty of perjury under the laws of the State of California that the bidder has _____, has not _____, been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or Federal antitrust law in connection with the bidding upon, award of, or performance of, any public works Contract, as defined in Public Contract Code Section 1101, with any public entity, as defined in Public Contract Code Section 1100, including the Regents of the University of California or the Trustees of the California State University of California or the Trustees of the California State University. The term "bidder" is understood to include any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

PUBLIC CONTRACT CODE SECTION 10162 QUESTIONNAIRE

In accordance with Public Contract Code Section 10162, the Bidder shall complete, under penalty of perjury, the following questionnaire:

Has the bidder, any officer of the bidder, or any employee of the bidder who has a proprietary interest in the bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a Federal, State, or local government project because of a violation of law or a safety regulation?

Yes _____ No _____

If the answer is yes, explain the circumstances in the following space.

PUBLIC CONTRACT SECTION 10232 STATEMENT

In accordance with Public Contract Code Section 10232, the Contractor, hereby states under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the Contractor within the immediately preceding two year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board.

The bidder must place a checkmark after "has" or "has not" and "yes" or "no" in one of the blank spaces provided. The above Statements and Questionnaire are part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of these Statements. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

NON-COLLUSION AFFIDAVIT
(Title 23 United States Code Section 112
and Public Contract Code Section 7106)

In conformance with Title 23 United States Code Section 112 and Public Contract Code 7106 the bidder declares that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

The above Non-collusion Affidavit is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Noncollusion Affidavit. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

DEBARMENT AND SUSPENSION CERTIFICATION

(Title 49, Code of Federal Regulations, Part 29)

The bidder, under penalty of perjury, certifies that, except as noted below, he/she or any other person associated therewith in the capacity of owner, partner, director, officer, manager:

- is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any Federal agency;
- has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal agency within the past 3 years;
- does not have a proposed debarment pending; and
- has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

The above Certification is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Certification. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

Accompanying this proposal is _____

(Insert the words "Cash(\$_____)", "Cashier's Check", "Certified Check", or "Bidder's Bond", as the case may be)

in an amount equal to at least ten percent of the total of the bid.

The names of all persons interested in the foregoing proposal as principals are as follows:

IMPORTANT NOTICE: *If bidder or other interested person is a corporation, state legal name of corporation, also names of the president, secretary, treasurer, and manager thereof; if a copartnership, state true name of firm, also names of all individual copartners composing firm; if bidder or other interested person is an individual, state first and last names in full.*

Licensed in conformance with an act providing for the registration of Contractors,

License No. _____ Classification(s) _____

ADDENDA - This Proposal is submitted with respect to the changes to the Contract included in addenda number/s _____

(Fill in addenda numbers if addenda have been received and insert in this Proposal any Bid Item sheets that were received as part of the addenda.)

All Addenda must be signed and returned with the Bidder's Proposal in order for the Bid to be considered responsive.

By my signature on this proposal I certify, under penalty of perjury under the laws of the State of California, that the foregoing questionnaire and statements of Public Contract Code Sections 10162, 10232 and 10285.1 are true and correct and that the bidder has complied with the requirements of Section 8103 of the Fair Employment and Housing Commission Regulations (Chapter 5, Title 2 of the California Administrative Code). By my signature on this proposal I further certify, under penalty of perjury under the laws of the State of California and the United States of America, that the Noncollusion Affidavit required by Title 23 United States Code, Section 112 and Public Contract Code Section 7106; and the Title 49 Code of Federal Regulations, Part 29 Debarment and Suspension Certification are true and correct.



Signature & Title of Bidder

Date

Business Address: _____

Place of Business: _____

Place of Residence: _____

**BIDDER'S BOND
CITY OF GRASS VALLEY**

KNOW ALL PEOPLE BY THESE PRESENTS, that we _____ as PRINCIPAL, and _____ as SURETY, are held and firm bound unto the City of Grass Valley, hereinafter called the **CITY**, in the penal sum of **TEN PERCENT (10%) OF THE TOTAL AMOUNT OF THE BID** of the Principal above named, submitted by said Principal to the **CITY** for the work described below, for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. In no case shall the liability of the surety hereunder exceed the sum of _____ Dollars (\$_____).

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal has submitted the above mentioned bid to the City of Grass Valley, for certain construction specifically described as follows for which bids are to be opened at Grass Valley, California on June 20, 2023, at 3:30 p.m., for **2023 SEWER MAIN REPLACEMENT PROJECT, PROJECT NO. 23-04**

NOW THEREFORE, if the aforesaid Principal is awarded this Contract, and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written Contract, in the prescribed form, in accordance with the bid, and files the two bonds with the City, one to guarantee faithful performance and the other to guarantee payment for labor and materials, as required by law, then this obligation shall be null and void; otherwise it shall be and remain in full force and virtue.

In the event suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the Court.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this ____ day of _____, A.D., 20____.

_____(SEAL)	_____(SEAL)
_____(SEAL)	_____(SEAL)
_____(SEAL)	_____(SEAL)
SURETY	PRINCIPAL

ADDRESS:

NOTE: Signatures of those executing for the surety must be properly acknowledged.