

## NOTICE TO CONTRACTORS

NOTICE IS HEREBY GIVEN that the Santa Clara Unified School District (“District”), acting by and through its Board of Education, will receive up to, but not later than **Thursday, March 11, 2021 at 2:00 pm** sealed Bid Proposals for Contracts for Bids to construct the Work generally described as:

**Floor Covering Replacement Project  
Hughes and Montague Elementary Schools  
Bid 1095**

The District has adopted the California Uniform Public Construction Cost Accounting Act (“CUPCAA”); bidding for the Work is pursuant to the formal bidding procedures of CUPCAA at Public Contract Code §22037.

- 1. The Work.** The Project is generally described as classroom carpet tile and resilient floor covering replacement at two elementary schools. Bid Proposals are requested for the following Bid Package:  
09.01 Flooring (B or C15)
- 2. Submittal of Bid Proposals.** Bid Proposals and accompanying documents must be submitted to the District by mail or in person prior to the latest time for submission of Bid Proposals listed above.

**If submitting by mail, please send to:**

Santa Clara Unified School District  
Attention: Melissa Kersh, Facility Development and Planning  
1889 Lawrence Road  
Santa Clara, CA 95051

**If submitting in person on the day of bid opening, please hand deliver to Melissa Kersh from 10:00 am to 2:00 pm at the Facility Development and Planning Office located at:**

3350 Brookdale Drive  
Portable P1  
Santa Clara, CA 95051

- 3. Bid and Contract Documents.** The Bid and Contract Documents will be available on **Monday, February 22, 2021** for electronic download. Contact the District’s Project Manager, Melissa Kersh, at [mkersh@scusd.net](mailto:mkersh@scusd.net) for download links.
- 4. Documents Accompanying Bid Proposal.** Bid Proposals must be accompanied by: (i) Bid Security; (ii) Subcontractors List; (iii) Non-Collusion Affidavit; (iv) Disabled Veteran Business Enterprise Participation Certification. Incomplete, inaccurate or untrue responses or information provided by a Bidder in the Bid Proposal or any document accompanying the Bid Proposal shall be grounds for the District to reject such Bidder’s Bid Proposal as non-responsive.
- 5. Prevailing Wage Rates.** The Contractor and all Subcontractors shall pay not less than the applicable prevailing wage rate for the classification of labor provided by their respective workers in prosecution and execution of the Work. Copies of the prevailing wage rates in the locality where the Work is to be performed can be accessed at <http://www.dir.ca.gov/OPRL/Pwd/>. During the Work and pursuant to Labor Code §1771.4(a)(4), the Department of Industrial Relations (“DIR”) will monitor compliance with prevailing wage rate requirements and enforce the Contractor’s prevailing wage rate obligations.
- 6. Contractors’ License Classification.** The District requires that Bidders possess the classification(s) of California Contractors License designated for each Bid Package as set forth above. Any Bidder not so

duly and properly licensed shall be subject to all penalties imposed by law. No payment will be made until the Registrar of Contractors verifies to the District that the Bidder awarded a Bid Package Contract is properly and duly licensed to perform the Work.

- 7. Bidder and Subcontractors DIR Registered Contractor Status.** Each Bidder must be a DIR Registered Contractor when submitting a Bid Proposal. The Bid Proposal of a Bidder who is not a DIR Registered Contractor when the Bid Proposal is submitted will be rejected as non-responsive. All Subcontractors identified in a Bidder's Subcontractors' List must be DIR Registered contractors at the time the Bid Proposal is submitted. The foregoing notwithstanding, a Bid Proposal will not be rejected or deemed non-responsive for listing Subcontractor(s) on the Subcontractors List who is/are not DIR Registered Contractors if such Subcontractor(s) complete DIR Registration pursuant to Labor Code §1771.1(c)(1) or (2). Further, a Bid Proposal is not subject to rejection if the Bidder submitting the Bid Proposal lists any Subcontractor(s) who is/are not DIR Registered contractors and such Subcontractor(s) do not become DIR Registered pursuant to Labor Code §1771.1(c)(1) or (2); but the Bidder, if awarded a Bid Package Contract, must request consent of the District to substitute a Subcontractor who is a DIR Registered Contractor for the listed Subcontractor who is not a DIR Registered Subcontractor pursuant to Labor Code §1771.1(c)(3), without adjustment of the Contract Price or the Contract Time.
- 8. Disabled Veteran Business Enterprises.** The District is seeking Disabled Veteran Business Enterprises (DVBE) participation.
- 9. Contract Time.** Substantial Completion of the Work shall be achieved according to the schedule included in the Project Manual and according to the terms of the General and Supplementary Conditions.
- 10. Bid Security.** Bid Proposals shall be accompanied by Bid Security in an amount not less than ten percent (10%) of the price proposed in the Bid Proposal. Failure of any Bid Proposal to be accompanied by Bid Security in the form and in the amount required shall render such Bid Proposal to be non-responsive and rejected by the District.
- 11. Payment Bond, Performance Bond.** Prior to commencement of the Work, the Bidder awarded a Bid Package Contract must deliver to the District a Payment Bond and a Performance Bond issued by a California Admitted Surety in the form and content included in the Contract Documents in a penal sum equal to 100% of the Contract Price. Bid Proposals must include the premium cost of Payment and Performance Bonds.
- 12. Return of Executed Agreement.** If the Bidder submitting a Bid Proposal is awarded the Contract for the Bid Package, the Bidder must execute and deliver to the District the Agreement in the form included with the Contract Documents within **10** calendar days after notification of award of the Contract. The successful Bidders shall return **one** copy of the executed Agreement and **one** copy of the Performance Bond and Labor & Materials Payment Bond. Failure to do so is deemed the Bidder's rejection of the award of the Contract and the District's award of the Contract is deemed rescinded.
- 13. Substitute Security.** In accordance with the provisions of California Public Contract Code §22300, substitution of eligible and equivalent securities for any monies withheld by the District to ensure the Contractor's performance under the Contract ("Retention") will be permitted at the request and expense of the Contractor if requested by the Contractor prior to or concurrently with the Contractor's submittal of its first Application for Progress Payment. If the Contractor requests substitution of securities for the Retention, the form and content of the Escrow Agreement shall be as set forth in the Contract Documents.

- 14. No Withdrawal of Bid Proposals.** Bid Proposals shall not be withdrawn by any Bidder for a period of **45** days after the opening of Bid Proposals. During this time, all Bidders shall guarantee prices quoted in their respective Bid Proposals.
- 15. Pre-Bid Conference/Job-Walk.** The District will conduct a Mandatory job-walk at both school sites on **Thursday, March 4, 2021** at **10 am**. Bidders are to meet at Hughes Elementary School, 4949 Calle De Escuela, Santa Clara, CA. The job-walk will be conducted by the District’s Director of Maintenance, Operations, and Grounds, James Bakos, [jbakos@scusd.net](mailto:jbakos@scusd.net). Attendance at the job-walk is mandatory. Failure of a bidder to attend the job-walk at both sites will render the Bid Proposal Non-responsive.
- 16. Award of Contract.** Bid Package Contracts, if awarded, will be by action of the District’s Board of Education to the responsible Bidder submitting the lowest priced responsive Bid Proposal for a Bid Package. The District reserves the right to reject any or all Bid Proposals or to waive any irregularities or informalities in any Bid Proposal or in the bidding.

Mark Schiel, Chief Business Official

Publish: February 22 and March 1, 2021.