



City of La Habra Heights

1245 N. Hacienda Road
La Habra Heights, CA 90631
(562) 694-6302

NOTICE INVITING SEALED BIDS **CRACK SEAL PROJECT ZONE 3** **IN THE CITY OF LA HABRA HEIGHTS, CALIFORNIA**

PUBLIC NOTICE IS HEREBY GIVEN that the City of La Habra Heights as AGENCY, invites sealed bids for the above stated project and will receive such bids in the office of the City Clerk, at **1245 Hacienda Road, La Habra Heights, CA 90631** up to the hour of **2:00 p.m. on March 7th, 2019**. At this time, Bids will be publicly opened and read aloud in the office. Award of Contract is tentatively scheduled for March 11th, 2019.

The project to be constructed consists of Crack seal. The project is located on various streets in City of La Habra Heights.

Copies of specifications, and contract documents are available from the City of La Habra Heights, **1245 Hacienda Road, La Habra Heights, CA** upon payment of a **\$30.00 non-refundable fee if picked up, or payment of a \$45.00 non-refundable fee if mailed**. In accordance with the provisions of California Public Contract Code § 3300, and Business and Professions Code § 7028.15(e), the Agency has determined that the contractor shall possess a valid **Class A** or **C-12** contractor's license at the time that the contract is awarded. Failure to possess the specified license shall render a bidder's bid as non-responsive and shall bar award of the contract to any bidder not possessing the specified license at the time of the award.

CONTRACTORS ARE REQUIRED BY LAW TO BE LICENSED AND REGULATED BY THE STATE OF CALIFORNIA, CONTRACTORS' STATE LICENSE BOARD. ANY QUESTIONS CONCERNING A CONTRACTOR MAY BE REFERRED TO THE REGISTRAR, CONTRACTORS' STATE LICENSE BOARD, P.O. BOX 2600, SACRAMENTO, CA 95826. At the time the contract is awarded, the contractor shall be properly licensed in accordance with the laws of this state. The first payment for work or material shall not be made unless and until the Registrar of Contractors verifies to the Agency that the records of the Contractors' State License Board indicate that the contractor was properly licensed at the time the contract was awarded. Any bidder or contractor not so licensed shall be subject to all legal penalties imposed by law including, but not limited to, any appropriate disciplinary action by the Contractors' State Board. Failure of the bidder to obtain proper and adequate licensing for an award of a contract shall constitute a failure to execute the contract and shall result in the forfeiture of the security of the bidder. (Public Contract Code § 20103.5). Under California labor code §1771.1, a contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.

SB 854 amended the Labor Code to require all contractors bidding on public work to register with the Department of Industrial Relations (DIR) and to pay an annual fee. The registration requires contractors to provide the State with evidence of the contractors' compliance with a number of statutory requirements. The registration requirement took effect on July 1, 2014 to fund the Department of Industrial Relations' monitoring and enforcement of prevailing wage laws. The registration period is open now, and contractors and subcontractors wishing to work on a public works project must be registered by March 1, 2015. For public agencies/awarding bodies, the new law requires that all public works projects with bids due after March 1, 2015, or awarded on or after April 1, 2015, use only registered contractors and subcontractors. The bill also requires awarding bodies to include notice of the registration requirement in their bid invitations and bid documents. In addition, public agencies must also file notice of their public works projects using DIR approved forms.

Registration is completed through an online application and requires a non-refundable \$300 fee to be paid by the contractors and subcontractors. The registration process requires contractors to:

- Provide workers' compensation coverage to its employees.
- Hold a valid Contractors State License Board license.
- Have no delinquent unpaid wage or penalty assessments.
- Not be subject to federal or state debarment.

Contractors must pay an annual renewal fee by July 1 of each year. The registration form is located on the DIR's website at <http://www.dir.ca.gov/DLSE/dlsepublicworks.html>.

To help awarding bodies and contractors comply with the new requirements, the DIR will post a database of registered contractors and subcontractors on its website. While non-registered contractors may not be awarded public works contracts after the effective date, inadvertently listing an unregistered subcontractor on a bid will not necessarily invalidate that bid. In addition, the registration requirement does not apply to private jobs that are determined to be public works after the contract has been awarded.

The City is required to provide notice of award to the DIR on all projects. Said notice is by an online application and within five (5) days of project award. The online application is at: <https://www.dir.ca.gov/pwc100ext/>

Bids must be prepared on the approved bid forms in conformance with INSTRUCTIONS TO BIDDERS and submitted in the envelopes provided, sealed and plainly marked on the outside:

“SEALED BID FOR CRACK SEAL PROJECT ZONE 3

The bid must be accompanied by a bid guarantee in the amount of 10% of the total bid by 2:00 p.m. ON THE DATE ADVERTISED FOR THE OPENING OF BIDS. More specifically, pursuant to Public Contract Code §§ 20170 and 20171, all bids for the project shall be presented, under sealed cover and shall be accompanied by one of the following forms of bidder's security in the amount of ten percent (10%) of the bid: (a) cash; (b) a cashier's check made payable to the City of La Habra Heights; (c) a certified check made payable to the City of La Habra Heights; or (d) a bidder's bond executed by an admitted surety insurer made payable to the City of La Habra Heights. Such security shall be forfeited should the successful bidder to whom the contract is awarded fails to timely execute the contract and to deliver the necessary bonds and insurance certificates as specified in the contract documents.

To the extent applicable, at any time during the term of the Agreement for the proposed project, the successful bidder may, at its own expense, substitute securities equivalent to the amount withheld as retention (or the retained percentage) in accordance with Public Contract Code § 22300. Pursuant to California Civil Code § 3247, a payment bond is required to be submitted for all projects estimated in excess of \$25,000.

The Agency has determined that the proposed project is a public works project subject to the provisions of Labor Code § 1720 thereby requiring the Contractor to pay the prevailing wage rates for all work performed under the Contract. The Agency reserves the right to reject any and all bids.

Inquiries: Any requests for clarification or other questions regarding this bid from qualified vendors must be submitted in writing or via email to the address shown below by at least 72 hours prior to bid opening. Responses will be provided via an addendum emailed to potential bidders that have purchased plans and specifications.

City of La Habra Heights, City Clerk's Office
1245 N. Hacienda Road, La Habra Heights, CA 90631
Email: info@Lhhcity.org
Phone: (562) 694-6302
Fax: (562) 694-4410

BY ORDER OF the City Council of the City of La Habra Heights, California.