

CALTRANS
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

BID

FOR CONSTRUCTION ON STATE HIGHWAY IN
LAKE COUNTY AT CLEARLAKE OAKS AT THE CLEARLAKE OAKS MAINTENANCE STATION
In District 01 on Route 20

UNDER

Notice to Bidders and Special Provisions dated June 24, 2019

Project plans approved January 10, 2019

Standard Specifications dated 2018

Standard Plans dated 2018

Identified by

Contract No. 01-0G7004

01-Lak-20-28.4

Project ID 0117000051

Electronic Bidding Contract

Bids open Tuesday, July 16, 2019

Dated June 24, 2019

**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
BID TO THE DEPARTMENT OF TRANSPORTATION
DES-OE-0102.1 (REV 1/13/2017)**

NAME OF BIDDER Mercer-Fraser Company

BUSINESS STREET ADDRESS PO Box 1006

CITY, STATE, ZIP Eureka, CA, 95502

TELEPHONE NO. with AREA CODE 7074436371

FAX NO. with AREA CODE 7074430277

CONTRACTOR LICENSE NO. 105709

PUBLIC WORKS CONTRACTOR REGISTRATION NO. 1000009518

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the Notice to Bidders.

For a cost plus time based bid on a contract without a plant establishment or permanent erosion control establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment or permanent erosion control establishment period, Bidder additionally agrees to perform the non-establishment work within the number of working days bid for non-establishment work.

2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non-establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List.

Bidder agrees:

2.1 If a discrepancy between the unit price and the item total exists, the unit price prevails except:

2.1.1 If the unit price is omitted, or the same as the item total, the item total prevails and the unit price is the quotient of the item total and the quantity.

2.1.2 If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.

2.2 If the unit price and the item total are omitted, the bid may be determined nonresponsive. If a lump sum total price is omitted, the bid may be determined nonresponsive.

2.3 Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the the item total, the item total prevails.

2.4 Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.

2.5 Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

2.6 For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.

For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.

For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.

2.7 The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addenda: 1

4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid, including any additive items:

Electronic Bidder's Bond

5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

5.1 Criminal prosecution

5.2 Rejection of the bid

5.3 Rescission of the award

5.4 Termination of the Contract

BY (Authorized Signature) ; DATE SIGNED (Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

ITEM NUMBER	ITEM CODE	QUANTITY	UNIT OF MEASURE	UNIT PRICE	ITEM TOTAL
BID ITEM LIST 1					
BID ITEM LIST					
1	070030 LEAD COMPLIANCE PLAN	1	LS	\$2,000.00	\$2,000.00
2	120100 TRAFFIC CONTROL SYSTEM	1	LS	\$5,000.00	\$5,000.00
3	124000 TEMPORARY PEDESTRIAN ACCESS ROUTE	1	LS	\$5,000.00	\$5,000.00
4	128651 PORTABLE CHANGEABLE MESSAGE SIGN (EA)	2	EA	\$1,600.00	\$3,200.00
5	130100 JOB SITE MANAGEMENT	1	LS	\$5,000.00	\$5,000.00
6	130200 PREPARE WATER POLLUTION CONTROL PROGRAM	1	LS	\$3,000.00	\$3,000.00
7	130520 TEMPORARY HYDRAULIC MULCH	500	SQYD	\$7.00	\$3,500.00
8	130640 TEMPORARY FIBER ROLL	200	LF	\$10.00	\$2,000.00
9	130900 TEMPORARY CONCRETE WASHOUT	1	LS	\$1,200.00	\$1,200.00
10	170103 CLEARING AND GRUBBING (LS)	1	LS	\$18,000.00	\$18,000.00
11	190101 ROADWAY EXCAVATION	120	CY	\$150.00	\$18,000.00
12	260203 CLASS 2 AGGREGATE BASE (CY)	81	CY	\$265.00	\$21,465.00
13	390132 HOT MIX ASPHALT (TYPE A)	67	TON	\$515.00	\$34,505.00
14	397005 TACK COAT	0.1	TON	\$5,500.00	\$550.00
15	398100 REMOVE ASPHALT CONCRETE DIKE	23	LF	\$50.00	\$1,150.00
16	568064 GUARD POST	10	EA	\$1,500.00	\$15,000.00
17	037894 REMOVABLE GUARD POST	3	EA	\$2,500.00	\$7,500.00
18	730010 MINOR CONCRETE (CURB) (LF)	18	LF	\$420.00	\$7,560.00
19	731516 MINOR CONCRETE (DRIVEWAY)	14	CY	\$2,200.00	\$30,800.00
20	731710 REMOVE CONCRETE CURB (LF)	52	LF	\$50.00	\$2,600.00
21	780500 PARKING BUMPER (PRECAST CONCRETE)	6	EA	\$750.00	\$4,500.00
22	782120 RELOCATE MAILBOX	1	EA	\$1,600.00	\$1,600.00
23	037895	1	EA	\$5,900.00	\$5,900.00

RELOCATE FLAGPOLE				
24	037896	1 EA	\$1,800.00	\$1,800.00
TRASH/RECYCLING RECEPTACLE				
25	800360	64 LF	\$120.00	\$7,680.00
CHAIN LINK FENCE (TYPE CL-6)				
26	802580	1 EA	\$1,200.00	\$1,200.00
12' CHAIN LINK GATE (TYPE CL-6)				
27	803050	140 LF	\$20.00	\$2,800.00
REMOVE CHAIN LINK FENCE				
28	820600	1 EA	\$600.00	\$600.00
RELOCATE ROADSIDE SIGN-TWO POST				
29	820750	2 SQFT	\$15.00	\$30.00
FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED)				
30	037897	11 SQFT	\$250.00	\$2,750.00
FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED) FOR RETROREFLECTIVE SHEETING (TYPE XI)				
31	037898	11 SQFT	\$15.00	\$165.00
RETROREFLECTIVE SHEETING (TYPE XI)				
32	820840	3 EA	\$550.00	\$1,650.00
ROADSIDE SIGN - ONE POST				
33	840515	59 SQFT	\$85.00	\$5,015.00
THERMOPLASTIC PAVEMENT MARKING				
34	037899	1 LS	\$190,000.00	\$190,000.00
ELECTRIC VEHICLE CHARGING SYSTEM				
35	999990	1 LS	\$35,000.00	\$35,000.00
MOBILIZATION				
Section 1 Total				\$447,720.00
Item Total				\$447,720.00

	COST PER DAY	WORKING DAYS BID	TOTAL BID FOR TIME
1	3200.00		\$0.00
WORKING DAYS BID (Do not bid less than 35 days and not more than 50 Days)			
Site Total			\$0.00

Item Total: \$447,720.00

Total Bid for time: \$0.00

Total Bid: \$447,720.00

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
DES-OE-0102.2C (REV. 3/2015)

Enter Bid Item Number. (Item)

Enter percent of Bid Item subcontracted. (%)

If the percentage of the bid item work is less than 100 percent, list the description of the portion of the work to be subcontracted. Enter the description of the percentage of work to be performed by subcontractor. (Description)

DO NOT USE SEMICOLONS (;) IN YOUR INPUT.

Sample Data Entry:

Item	%	Description
6	75	striping
42	15	reinforcement
54	100	

1) List this subcontractor? YES NO
Business Name Roll 'N Rock Construction Inc. Location City Mount Shasta State CA
California Contractor License Number 971838 Public Works Contractor Registration
Number 1000013621
Portion of Work Subcontracted
Item % Description
28 100
29 100
30 100
31 100
32 100

2) List this subcontractor? YES NO
Business Name All Steel Fence, Inc. Location City Lathrop State CA
California Contractor License Number 710512 Public Works Contractor Registration
Number 1000000047
Portion of Work Subcontracted
Item % Description
25 100
26 100
27 100

3) List this subcontractor? YES NO
Business Name Location City State
California Contractor License Number Public Works Contractor Registration Number
Portion of Work Subcontracted
Item % Description

4) List this subcontractor? YES NO
Business Name Location City State
California Contractor License Number Public Works Contractor Registration Number
Portion of Work Subcontracted
Item % Description

**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
CALIFORNIA COMPANY PREFERENCE
DES-OE-0102.9 (NEW 11/2008)**

This form must be completed by all bidders. Failure of a non-California company to fill out and sign this form may be cause for rejection of its bid. Eligibility for a reciprocal preference for a California company is waived if the California company fails to complete and sign this form under penalty of perjury.

The undersigned certifies that it is a "California company" as defined in Pub Cont Code §6107 and meets one of the following (check appropriate box and enter requested information):

I am a California company which has its principal place of business in California.

or

I am a California company which has its principal place of business in a state in which there is no local contractor preference on construction contracts.

Name of State _____

or

I am a California company which has its principal place of business in a state in which there is a local contractor preference and my company has paid not less than \$5,000 in sales or use taxes to California for construction related activity for each of the 5 years immediately preceding the submission of the bid.

Name of State _____

California Sales or Use Tax No. _____

or

The undersigned certifies that it is not a "California Company."

I am not a California company. My principal place of business is in: (Enter state or country)

Describe any and all bid preferences provided to your company by the state or country in which your company has its principal place of business.
Describe _____

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

Signature of Bidder: _____

**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS
DES-OE-01012.a (REV 8/2012)**

To opt out of payment adjustments for price index fluctuations as specified, complete this form.

I opt out of the payment adjustments for price index fluctuations.

Enter Date and Name to opt out of payment adjustments for price index fluctuations.

Date:

Bidder's Name:

Signature of Bidder: _____

**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
CERTIFICATIONS**

UNDOCUMENTED ALIENS EMPLOYMENT

Under Pub Cont Code § 6101, the Bidder certifies compliance with state and federal law respecting the employment of undocumented aliens.

NONCOLLUSION

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Under PCC 7106 and 23 USC 112, the bidder declares as follows:
State of CA County of Humboldt

Name: Justin Zabel ,
being first duly sworn, deposes and says that he or she is President of Mercer-Fraser Company the party making the foregoing bid 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.

CHILD SUPPORT COMPLIANCE ACT

Under Pub Cont Code § 7110, the contractor acknowledges that:

1. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
2. The contractor to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department.

NATIONAL LABOR RELATIONS BOARD

Under Pub Cont Code 10232, the contractor, swears 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.

VIOLATION OF LAW OR A SAFETY REGULATION

Under Pub Cont Code 10162, the Bidder must 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.

ANTITRUST LAW

Under Pub Con Code § 10285.1, the Bidder 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 Pub Cont Code § 1101, with any public entity, as defined in Pub Cont Code § 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

If the Bidder has been convicted of an offense within the past 3 years, provide the conviction details including the date and ultimate resolution of each conviction in the space below.

PERMITS, LICENSES, AGREEMENTS, CERTIFICATIONS, AND RAILROAD RELATIONS AND INSURANCE REQUIREMENTS

Bidder acknowledges that permits, licenses, agreements, certifications, and the requirements in the document titled "Railroad Relations and Insurance Requirements" are components of the Contract under section 5-1.02 of the Standard Specifications.

BIDDER RESPONSIBILITY QUESTIONNAIRE

Failure to truthfully answer the following questions will result in a finding that the bid is nonresponsive. The Bidder must complete, under penalty of perjury, the following questionnaire:

1. Within the past 10 years, has the Bidder been found to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?

YES NO

2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsible bidder by a public entity, including federal, State, local or regional entities?

YES NO

3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?

YES NO

4. If the answer to any of the 3 preceding questions is yes, disclose all pertinent details of the determination of nonresponsibility, including:

4.1. Date of each nonresponsibility determination

4.2. Name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination

4.3. Contract number for each nonresponsibility determination

END CERTIFICATIONS

Bidder's Bond

DES-OE-0102.3 (REV 3/2008)

Bidder's Security: Electronic Bidder's Bond

If electronic Bid Bond data is not submitted with bid, submit Bidder's Security. Bidder's Security must be received by Office Engineer before bid opening date and time. Bid Bond forms can be downloaded from the Caltrans Electronic Bidding website at: http://www.dot.ca.gov/hq/esc/oe/electronic_bidding/electronic_bidding.html. Bid Bond forms are also the last 2 pages of the printout of the electronic bid.

Bond ID: SCA19787988

Bond Registry: Surety2000

Bond Percent: 10

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
BIDDER'S BOND
DES-OE-0102.3 (REV 3/2008)

Contract No. 01-0G7004

Bond No. _____

We _____

_____ as Principal, and

_____ as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for CONSTRUCTION ON STATE HIGHWAY IN LAKE COUNTY AT CLEARLAKE OAKS AT THE CLEARLAKE OAKS MAINTENANCE STATION In District 01 on Route 20 for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on Tuesday, July 16, 2019

NOW, THEREFORE, if the Principal is awarded the 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 two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a 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.

Dated _____, 20_____.

Principal

Surety

Address of Surety (For correspondence or claims)

By _____
Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____

On this _____ before me, _____ ,
Date Here Insert Name and Title of the Officer

personally appeared _____ ,
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(SEAL)

Signature _____
Signature of Notary Public



Bond Number: SCA19787988

Contractor Information

Principal: Mercer-Fraser Company

Address: PO Box 1006 Eureka California 95502 United States

Owner/Obligee Information

Bond Form: Bid Bond in accordance with Contract Specifications

Owner/Obligee: State of California, Department of Transportation

Address: 1727 30th Street, Bidders` Exchange, MS 26 Sacramento California 95816 United States

Bond Information

Surety: Liberty Mutual Insurance Company

Bid Date: 7/16/2019

Estimated Contract Price: \$300,000.00

Time For Completion: 50 Working Days

Liquidated Damages: \$1,900.00

Estimated Work On Hand:

Amount of Bid Security: Ten percent of Bid Amount

Contract # or IFB #: 01-0G7004

Description of Job: Install zero emission charging station. In Lake County At Clearlake Oaks At The Clearlake Oaks Maintenance Station.

Job Breakdown:

Electronic Bidding Information

Bid Security Percentage: 10

Bid Security Maximum:

Owner Assigned Contractor Number:VC0000003985

Primary Agency:

M.B. McGowan & Associates Insurance Agency, Inc.
Power of Attorney Limited to: No Stated Limit

Executed

Entered By: Michael B. McGowan - 7/1/2019 3:34:02 PM ET

Approved & Executed By:

Michael B. McGowan

Michael B. McGowan (Signed: 01-Jul-2019 03:34 PM EDT (UTC-04:00))

[Signature Information](#)

Know all men by these presents that Liberty Mutual Insurance Company, a Corporation duly organized under the laws of the State of Massachusetts, are held and firmly bound unto the above owner/obligee by this transmission. The surety agrees to waive the Statute of Fraud defense and further agrees that the owner/obligee is a third party beneficiary of the waiver for the purposes of enforcing this bid bond.

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