

**ADDENDUM NO. 1**

**DATED JUNE 07, 2019**

**1. GENERAL**

This document includes requirements that clarify or supersede portions of the bid and/or contract requirements for the project. This Addendum is a Contract Document.

**2. SUMMARY**

The following changes, additions and deletions shall be made to the following document(s); all other conditions shall remain the same.

**Specification Section 00 11 16 NOTICE TO BIDDERS have been revised as noted below.**

- 1) Remove **Note #2** in its entirety and replace with the language below.  
To bid on this Project, the Bidder is required to possess one or more of the following State of California contractors' license(s):

*A License – General Engineering Contractor*

*B License – General Building Contractors*

The Bidder's license(s) must remain active and in good standing throughout the term of the Contractor.

- 2) Remove **Note #4** in its entirety and replace with the language below.  
Contract Documents will be available on or after May 30th, 2019, for review at the District's Capital Purchasing website:  
<http://www.esuhd.org/Community/Purchasing/Current-RFQ-RFP-Bids/index.html>  
In addition, Contract Documents are available for bidders' review at the following builders' exchanges:

A. Builder's Exchange of Santa Clara County: Kanani Fonseca, KF@bxscoco.com, (408) 727- 4000

B. Central Coast Builders Association: Shelly Verba, admin@ccbabuilds.com, (831) 758-1624

Sealed bids will be received until **2:00 PM, July 11<sup>TH</sup>, 2019**, at the District's Capital Purchasing Office, 830 North Capitol Avenue, San Jose, California 95133, at or after which time the bids will be opened and publicly read aloud. Any bid that is submitted after this time shall be nonresponsive and returned to the bidder. 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.

- 3) Remove **Note #8** in its entirety and replace with the language below.

A mandatory pre-bid conference and site visit will be held on June 4<sup>th</sup>, June 6<sup>th</sup>, June 18<sup>th</sup>, and June 25<sup>th</sup> 2019, at 10:00 AM at 1377 Piedmont Rd, San Jose, California. All participants are required to sign in front of the entrance to the Football Field, at Piedmont Hills High School, California. The site visit is expected to take approximately 45 minutes. Failure to attend or tardiness will render bid ineligible.

**Form 201 Invitation to ESUHSD Pre-Qualified Bidders have been revised as noted below.**

- 1) Bids must be sealed, marked with bid number and title, and returned to the Capital Purchasing Department at the above address before **July 11, 2019** (~~June 20, 2019~~) **at 2:00 PM.**
- 2) Bid Opening: **July 11, 2019** (~~June 20, 2019~~) **at 2:00 PM**
- 3) Portable Construction Cost or Engineer's Estimate: **\$483,555.00** (~~\$623,000.00~~)
- 4) Pre-Bid Conference and Job-Walk: There will be 4 mandatory pre-bid conference and job-walk on 06/04/2019, 06/06/2019, **06/18/2019**, and **06/25/2019** at 10:00AM.
- 5) License/s Required: **A – General Engineering Contractor**, B – General Building Contactor
- 6) Last day and time to turn in RFI: **06/28/2019 at 02:00pm**  
Last day and time to send Addenda: **07/05/2019 at 02:00pm**

END OF DOCUMENT

**NOTICE TO BIDDERS**

1. Notice is hereby given that the governing board ("Board") of the East Side Union High School District ("District") will receive sealed bids for the following project, Bid No. B-11-18-19, Bid Package 01 ("Project" or "Contract"):

PH New Field Concession and Restroom Building

The Project consists of:

**General Contractor to install owner provided modular building and supporting utilities. Contractor is responsible for connecting and terminating the building utilities, fire alarm backbone, making the building operational and obtaining occupancy. For detailed work of scope, reference DSA approved drawings and specifications prepared by Artik Art and Architecture, and Specification Section 011100 Summary of Work.**

2. To bid on this Project, the Bidder is required to possess one or more of the following State of California contractors' license(s):

*A License – General Engineering Contractor*

*B License – General Building Contractors*

The Bidder's license(s) must remain active and in good standing throughout the term of the Contract.

3. 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. The Bidder's registration must remain active throughout the term of the Contract.

4. Contract Documents will be available on or after May 30<sup>th</sup>, 2019, for review at the District's Capital Purchasing website:

<http://www.esuhd.org/Community/Purchasing/Current-RFQ-RFP-Bids/index.html>

In addition, Contract Documents are available for bidders' review at the following builders' exchanges:

- A. Builder's Exchange of Santa Clara County: Kanani Fonseca, [KF@bxscoco.com](mailto:KF@bxscoco.com), (408) 727- 4000
- B. Central Coast Builders Association: Shelly Verba, [admin@ccbabuilds.com](mailto:admin@ccbabuilds.com), (831) 758-1624

Sealed bids will be received until **2:00 PM, July 11<sup>TH</sup>, 2019**, at the District's Capital Purchasing Office, 830 North Capitol Avenue, San Jose, California 95133, at or after which time the bids will be opened and publicly read aloud. Any bid that is submitted after this time shall be nonresponsive and returned to the bidder. 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.

5. Pursuant to Public Contract Code section 20111.5, only prequalified bidders will be eligible to submit a bid for this Project. Any bid submitted by a bidder who is not prequalified shall be non-responsive and returned unopened to the bidder. Pre-qualification packages must be received a minimum of ten (10) business days prior to bid opening, and contractors must be pre-qualified a minimum of five (5) business days prior to opening bid.

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.

6. 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.
7. A bid bond by an admitted surety insurer on the form provided by the District, cash, or a cashier's check or a certified check, drawn to the order of the East Side Union High 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 ten (10) 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.
8. A mandatory pre-bid conference and site visit will be held on **June 4<sup>th</sup>, June 6<sup>th</sup>, June 18<sup>th</sup>, and June 25<sup>th</sup> 2019, at 10:00 AM at 1377 Piedmont Rd, San Jose, California.** All participants are required to sign in front of the **entrance to the Football Field, at Piedmont Hills High School,** California. The site visit is expected to take approximately **45 minutes**. Failure to attend or tardiness will render bid ineligible.
9. 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.
10. 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.
11. The successful bidder will be required to certify that it either meets the Disabled Veteran Business Enterprise ("DVBE") goal of three percent (3%) participation or made a good faith effort to solicit DVBE participation in this Contract if it is awarded the Contract for the Work.
12. 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>>.

13. 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 Contractor and all Subcontractors under the Contractor shall furnish electronic certified payroll records directly to the Labor Commissioner weekly and within ten (10) days of any request by the District or the Labor Commissioner. The successful Bidder shall comply with all requirements of Division 2, Part 7, Chapter 1, Articles 1-5 of the Labor Code.
15. The District has entered into a Project Labor Agreement that is applicable to this Project. For questions or assistance concerning the Project Labor Agreement, contact Matt Moynihan with Employers Advocate at (925) 930-0014, moynihan@eaicn.com or Norene Sakazaki with the Building Trades Council at 408-265-7643, norene@scbtc.org.
16. The District's Board has found and determined that the following item(s) shall be used on this Project based on the purpose(s) indicated. (Public Contract Code section 3400(c).) A particular material, product, thing, or service is designated by specific brand or trade name for the following purpose(s):
  - (1) In order that a field test or experiment may be made to determine the product's suitability for future use: N/A
  - (2) In order to match other products in use on a particular public improvement either completed or in the course of completion: N/A
  - (3) In order to obtain a necessary item that is only available from one source: N/A
  - (4) In order to respond to an emergency declared by a local agency: N/A
17. Not Applicable.
18. The District shall award the Contract, if it awards it at all, to the lowest responsive responsible bidder based on:
  - A. The base bid amount only.
19. 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