

CITY OF MISSION VIEJO

NOTICE INVITING BIDS

**LANDSCAPE AND IRRIGATION
MATERIALS AND SUPPLIES**

NOTICE IS HEREBY GIVEN that sealed bids will be received by the **City of Mission Viejo**, as "AGENCY," for furnishing all materials, equipment, tools, labor and incidentals as required for the above-stated project in strict accordance with the specifications and drawings on file at the office of the City Clerk of the **City of Mission Viejo**.

Bids will be received at the office of the City Clerk, 200 Civic Center, **City of Mission Viejo**, until the hour of **9:00 a.m.** on **April 4, 2019**, at which time and place the bids will be publicly opened and read aloud. Bids shall be submitted in sealed envelopes marked on the outside, "**SEALED BID FOR LANDSCAPE AND IRRIGATION MATERIALS AND SUPPLIES CONTRACT.**"

The Work to be performed in accordance with the Plans, Specifications, and Contract Documents for the above-stated Contract. The general items of Work to be done hereunder consist of:

Furnishing all labor, materials and equipment for landscape and irrigation materials and supplies for the City of Mission Viejo in accordance with the specifications.

Supplier must be located within a convenient driving distance from City facilities: 15-mile radius maximum from City of Mission Viejo City Hall, located at 200 Civic Center, Mission Viejo, CA 92691, so as not to present inefficiencies in productivity.

The Agency reserves the right, after opening bids, to reject any or all bids, or to make award to the lowest responsive and responsible bidder and reject all other bids; to waive any informality in the bidding; and to take all bids under advisement for a period of 90 days. Bids will be compared on the basis of the Engineer's estimate of the quantities of the several items of Work as shown on the Bid Sheets. Only such plans, specifications, and items of work as are appropriate shall apply to the Work as bid.

The City may or may not elect to award the contract to the two (2) lowest responsible bidders. The lowest responsible bidder will receive sixty (60%) percent of the available funds, and the second lowest responsible bidder will receive (40%) of the available funds during the initial bid process.

Each bid must be accompanied by all required pages of the Proposal (see Instructions to Bidders), including a certified or cashier's check, or a corporate surety bond on the form furnished by the AGENCY, as a guarantee that the bidder will, if an award is made to him in accordance with the terms of his bid, promptly secure workmen's compensation insurance and liability insurance, execute a contract in the required form, and furnish satisfactory bonds for the faithful performance

of the contract and for the payment of claims of material and laborers thereunder. Said check or bidder's bond shall be in an amount not less than 10% of the amount of the bid.

The successful bidder will be allowed to substitute securities or establish an escrow in lieu of retainage, pursuant to Public Contract Code Section 22300, and as described in the Agreement Between Agency and Contractor and General Conditions.

The Performance and Payment Bonds shall be submitted before execution of the Contract. The Performance Bond shall be not less than 100% of the total amount of the bid price named in the Contract. The Payment Bond shall be not less than 100% of the total amount of the bid price named in the Contract. The AGENCY reserves the right to reject any bond if, in the opinion of the AGENCY Attorney, the Surety's acknowledgment is not in the form included in the Contract Documents or in another form substantially as prescribed by law.

In accordance with provisions of Section 1773.2 (amended 1977) of the California Labor Code copies of the prevailing rate of per diem wages as determined by the State Director of Industrial Relations are on file in the office of the City Clerk of the **City of Mission Viejo**. It shall be mandatory upon the Contractor to whom the Contract is awarded and upon any subcontractor under him to pay not less than said specified rates to all workmen employed by them in the execution of the Contract.

This Contract is subject to compliance registration, monitoring and enforcement by the Department of Industrial Relations (DIR) and all related requirements of Senate Bill 854 (Labor Codes §§1715.5, 1725.5, 1771.1, 1771.1(a), and 1771.4.) A proposal/bid shall not be accepted nor any contractor or subcontract entered into without proof of the contractor or subcontractor's current registration to perform public work with the Department of Industrial Relations (DIR). A contractor or subcontractor shall not be qualified to submit a bid or to be listed in a bid proposal subject to the requirements of Public Contract Code section 4104, nor shall it be qualified to enter into, or engage in the performance of, any contract of public work, unless it is currently registered and qualified under Labor Code section 1725.5 to perform public work (as "public work" is defined by Division 2, Part 7, Chapter 1 (§§1720 et seq.) of the Labor Code).

The City of Mission Viejo hereby notifies all bidders that it will affirmatively ensure that in any Contract entered into pursuant to this advertisement, Disadvantaged Business and Underutilized Disadvantaged Business Enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, creed, color, or national origin in consideration for an award.

Agency, or its designee, has determined that certain materials, services, products or things designated by specific brand or trade name shall not be subject to Public Contract Code section 3400(a) in order to match other materials, services, products or things in use on a particular Agency public improvement either completed or in the course of completion. These specific materials, services, products or things are identified on the proposal bid sheets.

A full set of drawings and specifications is available for inspection without charge at the public counter of the City Hall of the **City of Mission Viejo**.

Complete sets of said Contract Documents may be purchased at a cost of \$40.00 (Forty Dollars) per set and are obtainable from the **City of Mission Viejo**, 200 Civic Center, Engineering Counter, Mission Viejo, California 92691, 949-470-3040. No refund will be made of any charges for sets of Contract Documents. Plans and specifications can be mailed for an additional \$10.00 (Ten Dollars) per set. For additional information, contact the Project Manager, Jerry Hill, at 949-470-3064.

Dated this _____ day of _____, 20__.

Karen Hamman
City Clerk

City of Mission Viejo
200 Civic Center
Mission Viejo, California 92691