

CITY OF IRVINE

HANGAR 10 RECONSTRUCTION

CIP 372604

BID NO. GP-26-0011

BIDDER'S PROPOSAL

HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
CITY HALL
IRVINE, CALIFORNIA

THE UNDERSIGNED, HAVING CAREFULLY EXAMINED ALL OF THE CONTRACT DOCUMENTS; PERMITS ISSUED BY JURISDICTIONAL REGULATORY AGENCIES; CONTRACT; CONTRACT ADDENDA; INSTRUCTIONS TO BIDDERS; PROPOSAL REQUIREMENTS AND CONDITIONS; SPECIAL PROVISIONS; APPENDICES; THE PLANS (SHEETS G0.000 THROUGH P5.103); STANDARD PLANS; STANDARD SPECIFICATIONS; REFERENCE SPECIFICATIONS; AND ALL OTHER INFORMATION PROVIDED BY THE AGENCY FOR THE CONSTRUCTION LISTED ABOVE IN AND FOR THE CITY OF IRVINE, IS FAMILIAR WITH THE CONDITIONS, HAVING PERSONALLY VISITED THE SITE OF THE WORK, AND HEREBY PROPOSES TO FURNISH ALL LABOR, MATERIALS AND EQUIPMENT, AND ALL INCIDENTAL WORK NECESSARY TO DELIVER ALL THE IMPROVEMENTS COMPLETE, IN PLACE AND IN STRICT CONFORMITY WITH THE CONTRACT DOCUMENTS, FOR THE UNIT PRICES NAMED IN THE FOLLOWING SCHEDULE OF WORK, ENTERED THROUGH THE BIDSONLINE SYSTEM.

Bidder's Company Name (please print or type)

Signature of Bidder

Print Name

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INFORMATION REQUIRED OF BIDDERS

In determining the lowest “responsible” bidder, consideration will be given to the general competency of the bidder in regard to the work covered by the Bid Proposal. To this end, each proposal shall be supported by a statement of the Bidder’s experience on this form.

Failure of the Bidder to provide requested information in a complete and accurate manner shall render the bid non-responsive. Additionally, the City reserves the right to disqualify or refuse to consider a proposal if a Bidder is determined to be non-responsible in accordance with Irvine Municipal Code § 2-12-103 “Determination of Contractor Non-Responsibility.”

The Bidder shall supply the following information. Use additional sheets as necessary.

1. Contact person name: _____ Email: _____
Address: _____
Telephone: (____) _____ Fax: (____) _____
2. Type of firm (Individual, Partnership, or Corporation): _____
3. State Contractor’s License Number and Classification: _____
4. DIR Registration Number: _____ Expiration Date _____
5. Number of years your firm has operated as a contractor: _____
6. Number of years your firm operated under its present business name: _____
7. List the **names and addresses** of all principals or officers authorized to bind your firm.

Name:	Address:

8. List any project(s) your firm has **failed to complete** within the last five years due to a termination of contract. For each project, list the type of project, client’s name, contact person, current telephone number, email address, and provide a brief description of the grounds for the termination.

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Check appropriate box: None ☐ See list below ☐

Type of Project	Client Name	Contact Person	Contact Phone No. and email address
Description:			

Type of Project	Client Name	Contact Person	Contact Phone No. and email address
Description:			

Type of Project	Client Name	Contact Person	Contact Phone No. and email address
Description:			

9. List projects of similar nature to the Hangar 10 Reconstruction your firm is **currently** constructing. For each project, list the type of project, contract amount, client's name, contact person, current telephone number, email address, and a brief description.

Check appropriate box: None ☐ See list below ☐

Type of Project	Contract Amount	Client Name	Contact Person	Contact Phone No. and email address
Description:				

Type of Project	Contract Amount	Client Name	Contact Person	Contact Phone No. and email address
Description:				

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Type of Project	Contract Amount	Client Name	Contact Person	Contact Phone No. and email address
Description:				

10. List projects of a similar nature to the Hangar 10 Reconstruction your firm has **completed** within the last five years. For each project, list the type of project, contract amount, date of completion, client's name, contact person, current telephone number, email address, and a brief description.

As outlined in the Notice Inviting Bidders, the bidder shall have completed, as the prime contractor, within the last five (5) years, at least two (2) grounds up projects with a gross construction cost of over \$6,000,000. One of these two projects shall be similar to this project, including construction of a new structure. Contractor shall also be required to have an average EMR over the last five (5) years of not more than 1.1. Contractor shall also have a gross annual revenue of no less than \$10,000,000 for each of the last three (3) years. This shall need to be demonstrated upon selection of apparent low bidder.

Check appropriate box: None ☐ See list below ☐

Type of Project	Contract Amount	Date of Completion	Client Name	Contact Person	Contact Phone No. and email address
Description:					

Type of Project	Contract Amount	Date of Completion	Client Name	Contact Person	Contact Phone No. and email address
Description:					

Type of Project	Contract Amount	Date of Completion	Client Name	Contact Person	Contact Phone No. and email address

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Description:					

11. List the name of the person(s) (**A MINIMUM OF ONE**) who inspected the site of the proposed work for your firm.

Name:	Date of Inspection:

12. Complete the following in conformance with Labor Code Section 1725.5:

Name of Subcontractor	Registered with DIR?	DIR Registration No.
	Yes ___ No ___	
	Yes ___ No ___	
	Yes ___ No ___	
	Yes ___ No ___	
	Yes ___ No ___	
	Yes ___ No ___	
	Yes ___ No ___	
	Yes ___ No ___	
	Yes ___ No ___	
	Yes ___ No ___	
	Yes ___ No ___	
	Yes ___ No ___	

13. If requested by the City, the Bidder shall furnish a notarized financial statement, financial data, or other information and references sufficiently comprehensive to permit an appraisal of its current financial condition or ability to perform the work.

Failure to furnish information upon request will render the bid nonresponsive.

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All of the above statements regarding Contractor's experience and financial qualifications are submitted in conjunction with the Bid Proposal, as a part thereof, and the truthfulness and accuracy of the information is guaranteed by the Bidder.

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THE CITY OF IRVINE RESERVES THE RIGHT TO REJECT ALL BIDS

The undersigned understands the contract time limit allotted for the completion of the work required by the Contract is **One Hundred Twenty Five (125) Working Days.**

The undersigned agrees, if awarded the Contract, to sign the Contract and furnish the necessary insurance certificates and bonds within ten (10) days of the date specified in the Notice of Award of Contract, not including Saturdays, Sundays, and legal holidays, and to begin work within ten (10) Working Days from the date specified in the City's Notice to Proceed. Contract time accounting shall begin on the date shown in the Notice to Proceed.

Accompanying this Bid Proposal is **(check appropriate box)**:

☐ **Cashier's Check** ☐ **Certified Check** ☐ **Bid Bond**

Sign Here if Individual:

Signature: _____

Print Name: _____

Address: _____

Affix notary's acknowledgement

(Signature blocks continue on the following page)

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Sign Here if Co-Partnership or LLC:

Co-Partnership/LLC Name of Firm: _____

Address: _____

Members Signing:

Signature: _____ Print Name: _____

Address: _____

Signature: _____ Print Name: _____

Address: _____

Affix notary's acknowledgement

Sign Here if Corporation:

Name of Corporation: _____

Address: _____

Officers of Corporation Signing:

Signature: _____ Print Name: _____

Address: _____

Signature: _____ Print Name: _____

Address: _____

If executed by other than President and Secretary of the Corporation, attach a certified copy of resolution authorizing signature on behalf of the Corporation.

Affix notary's acknowledgement

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LIST OF SUBCONTRACTORS

The Bidder shall list each subcontractor performing work in an amount in excess of one-half of one percent (1/2%) of the prime contractor's total bid, or, in the case of bids for the construction of streets or highways, including bridges, in excess of one-half of one percent (1/2%) of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater. Complete columns (1) and (2) and submit with the bid. Complete columns (3) and (4) and submit with the bid or email to greatparkbids@cityofirvine.org within 24 hours after the bid opening. Failure to provide complete information in columns (1) through (4) within the time specified shall render the bid non-responsive. Add pages as needed.

Subcontractors listed must not be debarred from performing the designated work.

Information must be typed or clearly printed.

BUSINESS NAME AND LOCATION (1)	CONTRACTOR LICENSE NUMBER (2)	BID ITEM NUMBER (SUBCONTRACTORS PROVIDING WORK TO MULTIPLE BID ITEMS OF WORK SHOULD BE LISTED FOR EACH BID ITEM SEPARATELY) (3)	PERCENTAGE OF BID ITEM PRICE SUBCONTRACTED <u>AND</u> DESCRIPTION OF THE PORTION OF BID ITEM WORK TO BE PERFORMED BY SUBCONTRACTOR (4)*
<u>Sample: XYZ Contractors</u>	<u>XXXXXX</u>	2	<u>50% of Bid Item #2; Excess soil export</u>
<u>Sample: XYZ Contractors</u>	<u>XXXXXX</u>	3	<u>20% of Bid Item #3; Topsoil import</u>

*** If you are subcontracting a whole bid item, insert one hundred percent (100%); if less, insert actual percentage.**

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NON-COLLUSION DECLARATION-CONTRACTOR

To be Executed by Bidder and Submitted with Bid

The undersigned declares:

I am the _____ [title] of _____ [company name], the party making the foregoing bid.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. 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. All statements contained in the bid are true. 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, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____ [date], at _____ [city], _____ [state].

Signature

Print Name

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FORM OF BID BOND

(10% of the Proposal Amount)

KNOW ALL PERSONS BY THESE PRESENTS that we _____
_____ as Principal, and _____
_____ as Surety, are held and firmly bound unto City of Irvine, hereinafter
called the City in the sum of _____
Dollars (\$_____), for the payment of which sum well and truly to be made, we bind
ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly
by these presents.

The conditions of this obligation are such that whereas the Principal submitted to the City a
certain Bid Proposal, attached hereto and hereby made a part hereof, to enter into a contract
in writing for the **HANGAR 10 RECONSTRUCTION, CIP 372604**, and will furnish all
required certificates of insurance and bonds as required by the Contract.

NOW THEREFORE, if said Bid Proposal shall be rejected; or in the alternate, if said Bid
Proposal shall be accepted, and the Principal shall execute and deliver a contract in the
prescribed Form of Contract, shall deliver certificates evidencing that the required insurance
is in effect and shall execute and deliver Performance and Payment Bonds in the forms
prescribed, and shall in all other respects perform the Contract created by the acceptance
of said Bid Proposal, then this obligation shall be void; otherwise this obligation shall remain
in force and effect, it being expressly understood and agreed that the liability of the Surety
for any and all default of the Principal hereunder shall be the amount of this obligation as
herein stated. In the event suit is brought upon this bond by City and judgment is recovered,
Surety shall pay all costs incurred by City in said suit, including a reasonable attorney's fee
to be fixed by the court.

The Surety, for the value received, hereby stipulates and agrees that the obligations of said
Surety and its bond shall in no way be impaired or affected by an extension of the time within
which the City may accept such a Bid Proposal; and said Surety does hereby waive notice
of any such extension.

IN WITNESS WHEREOF, the above-bounded parties have executed this instrument this
____ day of _____, 20____, the name of each party being hereto written below
and these presents duly signed by each party's undersigned representative, pursuant to
authority of its governing body. This bond shall be authenticated by way of notarized
acknowledgment, including a copy of the power of attorney, for the Surety.

ATTEST:

(Principal) _____

(Address) _____

(By) _____

(Title) _____

ATTEST:

(Surety) _____

(Address) _____

(By) _____

(Title) _____

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FALSE CLAIMS

Bidder shall complete the **False Claims Act Certification** below or in the alternative, provide the information requested under **False Claims Act Violations** below. **Failure to certify or provide the requested information shall render the bid non-responsive.**

"False Claims Act" as used herein is defined as either or both the Federal False Claims Act, 31 U.S.C. § 3729, *et seq.*, and the California False Claims Act, Government Code § 12650, *et seq.*

FALSE CLAIMS ACT CERTIFICATION

I _____ hereby certify that neither
Print name

Contractor name

nor _____
Name of qualifying person licensed by Contractors State License Board

has been determined by a court or tribunal of competent jurisdiction to have violated the False Claims Act as defined above.

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

Executed this _____ day of _____ at _____
(Month and year) (City and State)

By _____
(Signature of owner, officer, manager or licensee responsible for submission of Bid Proposal)

FALSE CLAIMS ACT VIOLATIONS

With regard to any determinations by a tribunal or court of competent jurisdiction that the False Claims Act, as defined above, has been violated by (1) the Contractor submitting this Bid Proposal or (2) the qualifying person licensed by the State Contractors License Board to perform the work described in this Bid Proposal, shall provide on a separate sheet the following information: (1) the date of the determination of the violation, (2) the identity of the tribunal or court, (3) the identity of the government contract or project involved, (4) the identity of the government department involved, (5) the amount of fine imposed, and (6) any exculpatory information of which the Agency should be aware.

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CIVIL LITIGATION AND ARBITRATION HISTORY

Bidder shall provide the certification or information requested below. **Failure to certify or provide such certification or information shall render the bid non-responsive.**

For five (5) years preceding the submittal date of this Bid Proposal, identify civil litigation and arbitration arising out of the performance of a construction contract within the State of California in which the (1) Contractor submitting this bid proposal or (2) the qualifying person licensed by the State Contractors Licensing Board to perform the work described in this Bid Proposal was a named as a party in a lawsuit brought by or against the project owner or any action to confirm, vacate or modify an arbitration award involving an owner.

CIVIL LITIGATION AND ARBITRATION CERTIFICATION

If the Bidder has no civil litigation and arbitration history to report as described above, complete the following:

I _____ certify that neither
Print name

Contractor name

nor _____
Name of qualifying person licensed by Contractors State License Board

has been involved in civil litigation and arbitration as described above.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this _____ day of _____ at _____
(Month and year) (City and State)

By _____
(Signature of owner, officer, manager or licensee responsible for submission of Bid Proposal)

Do not include litigation and arbitration which are limited solely to enforcement of mechanics' liens or stop notices. Provide on a separate sheet (1) the name and court case identification number of each case, (2) the jurisdiction in which it was filed, and (3) the outcome of the litigation, e.g. whether the case is pending, a judgment was entered, a settlement was reached, or the case was dismissed.

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CRIMINAL CONVICTIONS

Bidder shall provide the certification or information requested below. **Failure to certify or provide such certification or information shall render the bid non-responsive.**

CRIMINAL CONVICTION CERTIFICATION

If the Bidder has no criminal convictions to report as described above, complete the following:

I _____ hereby certify that neither
Print name

Contractor name

nor _____
Name of qualifying person licensed by Contractors State License Board

has been convicted of a criminal violation as described above.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this _____ day of _____ at _____
(Month and year) (City and State)

By _____
(Signature of owner, officer, manager or licensee responsible for submission of Bid Proposal)

For the five (5) years preceding the date of this Bid Proposal is due, identify on a separate sheet any criminal conviction in any jurisdiction in the United States for a violation of law arising out of the performance of a construction contract (1) by the Contractor submitting this Bid Proposal or (2) by the qualifying person licensed by the State Contractors License Board to perform the work described in the Bid Proposal.

Provide on the following page labeled "Criminal Convictions Information." (1) the date of conviction, (2) the name and court case identification number, (3) the identity of the law violated, (4) the identity of the prosecuting agency, (5) the contract or project involved, (6) the punishment imposed, and (7) any exculpatory information of which the Agency should be aware.

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VIOLATION OF LAW OR A SAFETY REGULATION

Has the Bidder, any officer of the Bidder, or any employee who has 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 a law or a safety regulation?

☐ Yes ☐ No

If the answer is yes, explain the circumstances in the following space.

Name of bidder (print)

Signature

Address

State Contractors' License No. &
Classification

City

Zip Code

Telephone

ATTACHMENT A

LETTER OF ASSENT

To be signed by all contractors awarded work covered by the City of Irvine
Community Workforce Agreement prior to commencing work.

[Contractor's Letterhead]

City of Irvine Public

Works Department

1234 address

City, state, zip code

Attn: _____

Re: Community Workforce Agreement - Letter of Assent

Dear Sir:

This is to confirm that [name of company] agrees to be party to and bound by the City of Irvine Community Workforce Agreement effective_, 2023, as such Agreement may, from time to time, be amended by the negotiating parties or interpreted pursuant to its terms. Such obligation to be a party and bound by this Agreement shall extend to all work covered by the agreement undertaken by this Company on the project and this Company shall require all of its contractors and subcontractors of whatever tier to be similarly bound for all work within the scope of the Agreement by signing and furnishing to you an identical letter of assent prior to their commencement of work.

Sincerely.

[Name of Construction Company]

By: [_____] Name and Title of Authorized Executive

Contractor State License No.: _____

Project Name: _____

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To be signed by all contractors awarded work covered by the City of Irvine
Community Workforce Agreement prior to commencing work.

[Contractor's Letterhead]

City of Irvine Public

Works Department

1234 address

City, state, zip code

Attn: _____

Re: Community Workforce Agreement - Letter of Assent

Dear Sir:

This is to confirm that [name of company] agrees to be party to and bound by the City of Irvine Community Workforce Agreement effective_, 2023, as such Agreement may, from time to time, be amended by the negotiating parties or interpreted pursuant to its terms. Such obligation to be a party and bound by this Agreement shall extend to all work covered by the agreement undertaken by this Company on the project and this Company shall require all of its contractors and subcontractors of whatever tier to be similarly bound for all work within the scope of the Agreement by signing and furnishing to you an identical letter of assent prior to their commencement of work.

Sincerely.

[Name of Construction Company]

By: [_____] Name and Title of Authorized Executive

Contractor State License No.: _____

Project Name: _____