

# **CAFETERIA WALK-INS REPLACEMENT PROJECT**

**Project Number 23-414**

## Introductions

- Rhonda Willson
  - Buyer III
  - 209-667-3730
  - [rwillson@csustan.edu](mailto:rwillson@csustan.edu)
- David Sawyer (Construction Administrator)
  - Director, Procurement & Contract Services
  - 209-667-3323
  - [dsawyer1@csustan.edu](mailto:dsawyer1@csustan.edu)

## Presentation Overview

- Notice to Contractors
- Scope of Work
- Sample Forms
- Important Information
- Questions

## Notice to Contractors

- The Trustees of the California State University will receive sealed bid proposals in the Mary Stuart Rogers Building, Room 270, at the above address, for furnishing all labor and materials for construction of the above-named Project, Project Number 23-414, for the California State University, Stanislaus.
- Proposals will be received in the above-mentioned room until 2:00 p.m. on June 15, 2023, in accordance with the contract documents, at which time the proposals will be publicly opened and read.
- In general, the project consists of the replacement of two (2) walk-in refrigerators and one (1) walk-in freezer in the Cafeteria (Building 012).
- Construction budget estimate for the project is \$204,000.
  - Project Duration is 388 calendar days, liquidated damages are \$1,500 per day
- All questions are due in writing on Monday, June 5, 2023, by 5:00 PM, responses will be issued by 5:00 PM on Thursday, June 8, 2023.
- A mandatory pre-bid walkthrough has been scheduled for May 30, 2023, at 10:00 AM. Interested bidders should assemble at Mary Stuart Rogers Building, Room 260 on the campus.

## Notice to Contractors cont. d

- Each bidder offering a proposal must comply with Bidding provisions of Article 2.00 et seq. in the Contract General Conditions.
- **Note: You cannot bid without attending the mandatory job walk.**
- **Failure to request the formal bid packet and usage of the watermarked documents in the bid book will result in an automatic rejection and you will be deemed non-responsive for the bid event.**

## **Notice to Contractors cont. d**

- Plans and specifications may be seen at the Capital Planning & Facilities Management office of the University or the e-ARC Plan Rooms.
- Plans and specifications may be obtained after June 1, 2023, and after the required non-refundable payment of \$100.00 per physical set has been made, by requesting them from ARC at [www.e-ARC.com/ca/modesto](http://www.e-ARC.com/ca/modesto), or calling the ARC Modesto location at (209) 524-2924 and asking for the PlanWell Department.
- The Trustees require the successful bidder to achieve three percent (3%) DVBE participation in contracting construction projects as established in the bidding documents, and bidders shall identify the DVBEs to be used to satisfy this requirement in their bids. Bidders shall contact the Trustees' DVBE Coordinator at [dsawyer1@csustan.edu](mailto:dsawyer1@csustan.edu).
- Each bidder shall be familiar with all the provisions of the Contract General Conditions and Supplementary General Conditions

## Notice to Contractors cont. d

- This project is a public works project and is subject to prevailing wage rate laws (Contract General Conditions, Article 4.02). All contractors and all tiers of subcontractors who will work on this project shall register to bid and work on public works projects with the Dept. of Industrial Relations and maintain current this registration pursuant to Labor Code section 1725.5. For more information, go to <http://www.dir.ca.gov/Public-Works/PublicWorks.html>.
- It will be the responsibility of each bidder to obtain a bid proposal package in sufficient time to fulfill requirements therein. Bid proposal packages are obtainable only by contractors, who have attended the mandatory job walk and are licensed in the State of California with a B or C-38 license, and who are registered with the DIR to bid public works projects.
- The bid packages must be requested from the Trustees by contacting David Sawyer via email at: [dsawyer1@csustan.edu](mailto:dsawyer1@csustan.edu).

## Scope of Work

- In general, the project consists of replacement of two (2) walk-in refrigerators and one (1) walk-in freezer in the Cafeteria (Building 012).

Contractor shall:

- Demolish the three existing walk-in boxes and condensing units on the roof and associated line sets, recover and recycle the existing refrigerant properly.
- Procure and install a new walk-in freezer with ramp, condenser, and line set.
- Procure and install two (2) walk-in refrigerators with condensers and line set.
- Install new condensing units on existing roof supports, fan coils and tie into the refrigeration piping. Reinsulate the new refrigeration piping.
- Connect existing drain lines, stand, and wiring to new units. Connect the controls for each box.



## **Scope of Work cont'd.**

- Connect existing drain lines, stand, and wiring to new units. Connect the controls for each box.
- Patching of roof in area of work, as needed.



# Sample Forms



## BID PROPOSAL FORM

**BUILDINGS 004, 005 & 015 HVAC REPLACEMENT PROJECTS  
CALIFORNIA STATE UNIVERSITY, STANISLAUS  
One University Circle  
Turlock, CA 95382**

To the Trustees of the California State University, on behalf of the State of California (hereinafter called the Trustees): The undersigned bidder hereby offers, in the amount stated below, to furnish all labor, materials, tools, equipment, apparatus, facilities, transportation and permits for the construction of the HVAC Replacement Projects in Buildings 004, 005 and 015 at California State University, Stanislaus, if this offer is accepted by the Trustees. Please differentiate the costs associated with the Corporation Yard separately from the Gymnasium and Field House costs.

Corporation Yard base bid: \$ \_\_\_\_\_ LUMP SUM  
(use figures only)

Gymnasium AHU 08 base bid: \$ \_\_\_\_\_ LUMP SUM  
(use figures only)

**TOTAL AMOUNT OF BASE BID:** \$ \_\_\_\_\_ LUMP SUM  
(use figures only)

**Bidder shall include Allowances and Lump Sum Amount in Base Bid Lump Sum Price.**

The Base Bid amount is to be stated in figures only and is the total amount bid for the entire contract work including all applicable taxes. Any alteration, erasure, or change must be clearly indicated and initialed by the bidder. The bidder agrees that if there are any discrepancies or questions in the figures, the Trustees will use the lower figure despite the bidder's intent. The Trustees' Construction Budget is \$\_\_\_\_\_.

***SPECIFY THE NUMBER OF EACH ADDENDUM YOU HAVE RECEIVED ON THE LINE BELOW:***

### ALTERNATIVES – BASIS OF AWARD

The lowest bid shall be the lowest total of the bid prices on the base contract (Base Bid) and those additive or deductive alternatives that, when taken in order and added to, or subtracted from the Base Bid, are less than or equal to the Trustees' Construction Budget stated above. If Trustees award a contract, it will go to the responsible bidder who submitted the lowest bid as determined by this basis of award. The Trustees are not precluded from adding to or deducting from the contract any of the additive or deductive alternatives after they have determined the lowest responsible bidder.

### ADDITIVE ALTERNATIVES

The following additive alternatives are an integral part of this proposal, and to be responsive, the bidder shall quote for the Base Bid, and also for the following listed additive alternatives.

#### **Additive Alternative No. 1:**

Installation of Air Handler 07 in the Gym and Field House south locker rooms.

\$ \_\_\_\_\_ Lump Sum  
(use figures only)

#### **Additive Alternative No. 2:**

Installation of Air Handler 06 in the Gym lobby and offices.

# Sample Forms cont. d

Bidder Name: \_\_\_\_\_  
Project No. \_\_\_\_\_

## LIST OF PROPOSED SUBCONTRACTORS

(to be submitted with bid)

### Information/Instructions:

Pursuant to the provisions of Public Contract Code section 4100 *et seq.*, Bidder shall set forth:

- (a) the name, location of the place of business, the California Contractors State License Board-issued contractor license number, and the California Department of Industrial Relations (DIR) Public Works Registration number of each subcontractor who will perform work or labor or render service to prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the state of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of one percent of prime contractor's total bid;
- (b) the portion of the work (trade) which will be done by each such subcontractor under this act.

Bidder shall list only one subcontractor for each such portion as defined by Bidder in its bid. For each alternative, Bidder shall list any subcontractor not included in the base contract work subcontractor listing. All work in excess of one-half of one percent of this bid, for which no subcontractor is listed below, shall be performed by Bidder. Within 24 hours of bid opening, Bidder shall submit the List of Subcontractors—Additional Information form.

**Non-small Business Bidders:** Non-small business bidders, that claim the small business preference and commit to subcontract at least 25% of their total project bid price including awarded alternatives with one or more small businesses, shall list those small businesses and the dollar amount of their subcontracts hereon. See Calif. Code of Regulations, Title 2, section 1896 *et seq.*

**DVBE Participation Requirement:** Bidders are required to achieve 3% DVBE participation on this contract, and may qualify for the DVBE bid incentive if Bidder proposes sufficient additional DVBE participation in this contract. Trustees will calculate the Bidder's DVBE participation on the total project bid price, included awarded alternatives. Bidder shall list hereon the DVBEs participating in this bid and the dollar amount of participation by each DVBE. The total of the DVBE participation amounts hereon shall equal at least Bidder's proposed percentage of DVBE participation. For each alternative Bidder shall list any-DVBE participating in work to be performed on the alternative.

**Substitution:** Bidder shall not substitute any subcontractor listed below or permit any subcontractor to be assigned or transferred, or allow work to be performed by anyone other than the designated subcontractor, or sublet or subcontract any of the work in excess of one-half of one percent of this bid for which a subcontractor is not herein designated, except as otherwise provided in the Subletting and Subcontracting Fair Practices Act. Substitution of any small business subcontractor by a non-small business claiming the small business bid preference shall be done pursuant to Calif. Code of Regulations, Title 2, section 1896.10. DVBEs listed hereon may only be replaced by another DVBE, and the substitution of the DVBE must be approved by the Trustees and the Department of General Services.

Portion of Work (Trade/ Supplier, if DVBE)	Specify Work as Base Bid (B) or Alternate (#)	Company Name and Address	CA CSLB-Issued Contractor License No.	Small Business (Indicate \$)	DVBE (Indicate \$)
			CA DIR Public Works Registration No.		
				\$	\$
				\$	\$
				\$	\$
				\$	\$

# Sample Forms cont. d

**CSU** The California State University  
CAPITAL PLANNING, DESIGN AND CONSTRUCTION

**DISABLED VETERAN BUSINESS ENTERPRISE (DVBE)  
PARTICIPATION REQUIREMENT**

**DVBE TRANSMITTAL FORM**

The DVBE Transmittal Form is to be attached and used as a cover sheet for the required DVBE documentation that must be submitted within 24 hours following the bid opening.

Campus: \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Number: \_\_\_\_\_

Bid Date: \_\_\_\_\_

Name of Contractor Submitting Bid: \_\_\_\_\_

Please check off the following to insure you have included them in your documentation:

\_\_\_\_\_ Attachment 1: Summary of DVBE Participation

\_\_\_\_\_ Attachment 2: Bidder's Certification of DVBE Status of Subcontractors and Suppliers

\_\_\_\_\_ Disabled Veteran Business Enterprise Declarations, Form STD. 843

\_\_\_\_\_ Attachment of Any Additional Supporting Documentation

**OFFICIAL CSU USE ONLY**

Did Contractor meet 3% DVBE requirement? ☐ Yes ☐ No

DVBE Bid Incentive (attach abstract of bids)

Amount of DVBE Bid Incentive granted: \_\_\_\_\_%

Amount of DVBE Participation pledged: \_\_\_\_\_%

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

DVBE Program Advocate

## Important Information

- **2.01 Duty to Carefully Examine These Instructions:** Prospective Bidders for this Project shall carefully examine the instructions contained herein and be cognizant of the conditions that must be satisfied before submitting a proposal, and the conditions that affect the award of the Contract.
- 2.02 Competence of Bidders
  - a. License and Public Works Registration.
    - (1) License: No Bidder may bid on Work for which it is not properly licensed. The Trustees shall disregard any bid received from a Bidder who is not properly licensed (Business and Professions Code section 7028.15). Nor will the Trustees award a Contract to a Bidder who does not possess the appropriate contractor's license, which is that specified in the Notice to Contractors.
    - (2) Public Works Registration with Department of Industrial Relations: The Trustees will only issue public works bids and award public works contracts to currently registered contractors and subcontractors on the Trustees' public works projects.
- **2.04 Necessity for Careful Examination of Site, Plans, and Specifications: The Bidder shall carefully examine the Site and the Plans and Specifications for the Project. The Bidder shall be satisfied as to the conditions to be encountered.**

## Important Information cont. d

- **2.05 Clarification during Bidding**: The Bidder shall examine the Plans and Specifications in preparing the bid and shall report to the Architect any omissions, discrepancies, or errors found in the Plans and Specifications.
- Before the date of the bid opening, the Bidder shall submit a written request for clarification to the Architect, who may give such clarification in the form of an addendum to all Bidders if time permits. Otherwise, in estimating the cost of the Project, the Bidder shall consider that any conflicts shall be governed by Article 5.01, Interpretation of Contract Requirements.
- Only the Architect or the University Official, as identified in the Notice to Contractors, has authorization to answer questions or prepare addenda relative to the Project. Information obtained verbally from any source has no contractual authority, may not be relied upon, and shall have no standing in any event that may occur.
- **2.06(c) Bidder's Security**: All Bidders shall present bids under sealed cover and have enclosed an amount equal to at least ten (10) percent of the total amount bid, including alternatives (if additive), as bid security.

## Important Information cont. d

- Bidders may submit the bid security in one of the following forms:
  - Cashier's check or Certified check
    - Made payable to the Trustees,
  - Bidder's bond.
- The Trustees shall not consider any bid unless Bidder encloses one of these forms of bid security therewith (Public Contract Code Section 10765). If the bid security is a bond, a corporation authorized as an admitted surety insurer to issue surety bonds in California shall execute that bond, and it shall be executed on the form prescribed by the Trustees.
- **2.12 Small Business Five Percent Bid Advantage:** The Trustees calculate the five percent small business preference as a percentage of the lowest responsive bidder's bid. For bid evaluation purposes only, if the lowest responsive bidder is a California certified small business, the Trustees will not calculate the five percent bid advantage for any bidders.
- The only bidders eligible for the DVBE incentive will be California certified small businesses.

## Important Information cont. d

- a. Preference for Small Businesses: The Trustees shall give a small business preference or bid advantage of five percent up to a maximum of \$50,000 to contracting firms that have been certified as a “Small Business” by the Office of Small Business & DVBE Services, in the Procurement Division of the Department of General Services. Reference Government Code section 14835 et seq., and California Code of Regulations, Title 2, section 1896 et seq. To receive the five percent advantage, certified small businesses shall:
  - (1) Submit with the proposal a completed “Request for Small Business Five Percent Preference Certification” form 701.09,
  - (2) Be certified Small Business upon verification in accordance with California Code of Regulations, Title 2, section 1896.2, having applied for certification no later than 5:00 PM on bid date,
  - (3) Submit a timely and responsive proposal,
  - (4) Be determined to be a responsible Proposer.



## Important Information cont. d

- b. Preference for Non-small Businesses.
  - The application of the five percent small business bidding preference is also extended to any non-small business that commits to subcontracting at least 25% of its net bid price to California certified small businesses and/or microbusinesses. To receive this preference the non-small business must satisfy the following criteria:
    - (a) Indicate in its bid proposal its commitment to subcontract at least 25% of its net bid amount with one or more small businesses [submit the “Request for Small Business Bidding Preference” form 701.09],
    - (b) Submit a timely and responsive bid,
    - (c) Be determined to be a responsible bidder,
    - (d) Submit the California certified small businesses on the List of Proposed Subcontractors form 701.04 that is provided in the bid documents, and
    - (e) Submit a List of Subcontractors – Additional Information form 701.01A within 24 hours after the deadline for receipt of bids and specify the dollar amount of each small business subcontractor’s bid thereon.

## Important Information cont. d

- **2.13 Disabled Veteran Business Enterprise Participation Requirement and Incentive:**
  - California state law requires that its state agencies achieve three (3) percent participation for disabled veteran business enterprises (DVBE) in state contracts. Failure of the Bidder to comply with the DVBE requirement will cause the Trustees to deem the bid nonresponsive and the Bidder to be ineligible for award of Contract.
- (g) Incentive.
  - In accordance with Government Code section 14838(f), and Military and Veterans Code sections 999.5(a) and 999.5(d), the Trustees are granting a bid incentive for bid evaluation purposes only to Bidders that exceed the three percent DVBE participation requirement. The level of DVBE incentive will correlate to the level of participation; that is, the more DVBE participation proposed, the higher the incentive. The bid incentives are as follows:

DVBE Participation	Incentive
• 3.00% to 3.99%	None
• 4.00% to 4.99%	1%
• 5.00% to 5.99%	2%
• 6% or more	3%

## Important Information cont. d

- The DVBE incentive may not exceed \$100,000.
- When used in combination with the Small Business Preference, the cumulative adjustment amount shall not exceed \$100,000.
- If the lowest responsive, responsible bid is a California certified small business, for bid evaluation purposes only, the only bidders eligible for the incentive will be California certified small businesses.
- **3.01 Award of Contract:** If the Trustees deem the acceptance of the lowest responsible bid or bids is not in the best interests of the State, the Trustees may reject all bids (Public Contract Code section 10785). If the Trustees accept the bid and award the Contract, the Trustees' award shall be made to the lowest responsible Bidder whose proposal complies with all the requirements prescribed (Public Contract Code section 10780). Such award shall be made within sixty (60) Days after the opening of the proposals.
- **3.03 Contract Bonds:** The successful Bidder shall furnish, for each Contract counterpart signed, two surety bonds in the form prescribed by the Trustees. Each bond shall be in an amount equal to 100 percent of the awarded Contract price and executed by an admitted surety insurer licensed in the State of California and listed in the latest published United States Treasury Department list of "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies."

## Important Information cont. d

- Please ensure these sections are read and understood by a member of your organization
  - 4.00 - Conduct of the Work
  - 4.06 - Insurance Requirements
- **4.08 Contractor's Responsibility for the Work**: The Contractor shall be responsible for all Work performed under this Contract, and no subcontractor will be recognized as such. For purposes of assessing responsibility to the Contractor, all persons engaged in the Work shall be considered employees of the Contractor. The Contractor shall give its personal attention to the fulfillment of the Contract and keep all phases of the Work under its control.

## Important Information cont. d

- **4.15 Contract Time**
- a. Time of the Essence.
  - All time limits specified in this Contract are of the essence of the Contract.
- b. Starting and Completion Date.
  - The Trustees shall designate in the Notice to Proceed the starting date of the Contract on which the Contractor shall immediately begin and thereafter diligently prosecute the Work to completion. The Contractor agrees to complete the Work on the date specified for completion of the Contractor's performance in the Contract unless the Trustees adjust such time in writing, by change order. The Contractor may complete the Work before the completion date if it will not interfere with the Trustees or their other contractors engaged in related or adjacent Work. The Trustees shall regard the Work as completed on the acceptance date noted on the Trustees' Notice of Completion, and the Trustees consider this acceptance date as the date that starts the guarantee period as defined in Article 8.06, Guarantee





**The California State University**  
WORKING FOR CALIFORNIA

---

**Thank you**



[www.calstate.edu](http://www.calstate.edu)