



**MONTEREY PENINSULA AIRPORT DISTRICT**

**Monterey, California**

**RUNWAY 10L-28R OVERLAY AND IMPROVEMENTS (PAPI/REIL)**

**A.I.P. 03-06-0159-067-2018**

**AT THE**

**MONTEREY REGIONAL AIRPORT**

**MONTEREY, CALIFORNIA**

**BIDDING AND AGREEMENT FORMS AND BOND**

**NOTICE TO CONTRACTORS**

**1. Contract Documents**

The Contract Documents, to which the Bid responds, including plans and specifications, bonds and contract, may be obtained from: ARC Document Solutions, 2 Harris Ct., Suite 5, Monterey, California, 93940 (831) 646-1170. Contact ARC for digital bid documents; a non-refundable fee of \$25.00 made payable to the ARC will be required for purchase of digital bid documents. Hard copies are available upon request for an additional fee.

Plans and Specifications may also be viewed at the local Builders Exchange of the Central Coast, the Builders Exchange of Santa Clara; the Builders Exchange of San Luis Obispo; the Monterey Bay Procurement Technical Assistance Center (PTAC); or the Monterey Regional Airport, Office of Planning and Development, 200 Fred Kane Drive, Suite 200, Monterey, California, 93940.

**2. Filing of Bids**

Sealed proposals must be received at the Planning and Development Department office of the Monterey Regional Airport, 200 Fred Kane Drive, Suite 200, Monterey, California, by **1:00 P.M. (PDT), on Monday, April 30, 2018**, at which time and located in the 2nd Floor Terminal, Board Room they will be publicly opened and read for construction of **Runway 10L-28R Overlay and Improvements (PAPI/REIL)** at the Monterey Regional Airport, Monterey, California, in accordance with the plans, specifications and special provisions therefore, prepared by Neill Engineers Corp and Kimley-Horn and Associates, Inc., dated March 2018.

Each bid must be accompanied by Cash, Cashier's Check, Certified Check, or Bidder's Bond in an amount equal to or not less than 10% (ten percent) of the total amount of the bid price for the Base Bid plus Additive Alternative No. 1 (exclusive of Deductive Alternative No. 1).

The time limit for completion of the work is as follows:

Base Bid: — **Forty-five (45) calendar days independent of equipment procurement**

Additive Alternative No.1: — **No additional contract time will be added, if awarded**

The work consists of placing an asphalt concrete overlay for general utility Runway 10L-28R, placing shoulder backing, marking pavement, raising threshold lights, and electrical improvements for installation of PAPI and REIL navigational aids.

Bids are required for furnishing all materials, labor, transportation, and services necessary for the construction of a complete and usable facility. Bids are required for the entire items of work including bid additive alternate.

### **3. Prevailing Wages**

All labor on the project shall be paid no less than the minimum wage rates as established by the U.S. Secretary of Labor. The general prevailing rate of wages, as determined by the Secretary of Labor are included hereinafter as a part of the Contract Documents.

Further and in accordance with the provisions of California Labor Code Sections 1770, 1773, 1773.1, 1773.6 and 1773.7 as amended, the Director of the Department of Industrial Relations has determined the general prevailing rate of per diem wages in accordance with the standards set forth in Section 1773 for the locality in which the Work is to be performed. A copy of said wage rates is on file at the office of the District. It shall be mandatory upon the Contractor to whom the Work is awarded and upon any subcontractor under the Contractor to pay not less than said specified rates to all workers employed by them in the execution of the Work, and shall post a copy of said wage rates at the project site.

If a discrepancy of any difference between the State or Federal wage rates for any given craft or mechanic needed to execute the work exists, then all labor on the project shall be paid the higher of the two minimum wage rates. It shall be mandatory upon the Contractor to whom a contract is awarded, and upon any subcontractor under him, to pay not less than the higher of the above specified rates to all laborers, workmen, and mechanics employed by them in the execution of the contract.

### **4. Race Neutral DBE Goal**

There is no DBE project goal established for this project. At this time the District will meet the DBE goal on federally assisted projects through race neutral measures. The District supports the use of race neutral measures to facilitate participation by DBEs and other small businesses, and encourages prime contractors to subcontract portions of their work that they might otherwise perform with their own forces.

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation apply to this contract. It is the policy of the District to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders/offerors, including those who qualify as a DBE. The bidder/offerors shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26 (attachment 1), for DBE participation in the performance of this contract.

The bidder/offeror will be required to submit the following information: (1) the names and addresses of DBE firms that will participate in the contract; (2) a description of the work that each DBE firm will perform; (3) the dollar amount of the participation of each DBE firm participation; (4) Written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participating in the contract as provided in the commitment made under (3 above); and (5) if the Districts DBE program overall goal of 2.29 percent is not met, evidence of good faith efforts.

**5. Bond Requirements**

Bidder’s attention is directed to those provisions of the Contract Documents which require the contractor to whom the contract for the work is awarded, to file with the District at the time the contract is executed, a Contractor’s Labor and Materials Payment Bond and a Faithful Performance Bond meeting all the requirements of the Contract Documents and approved by the District’s legal counsel. Bonds shall be executed by a surety possessing a valid certificate of authority issued by the California Department of Insurance and shall name the District as the beneficiary.

**6. Contractor Requirements**

Each bidder shall be pre-qualified in accordance with the requirements of the Specifications and must submit evidence of competency and evidence of financial responsibility to the District no later than the time of the bid opening.

All prospective bidders are hereby cautioned that the State of California Contractor’s Law regulates license requirements for bidding various types of projects, The Contractor, in its proposal, shall be required to disclose its license classification, number and expiration date. The Contractor shall be required to possess a California Contractor’s License, Classification A or C-10. License shall be in effect at start of this contract and be maintained throughout the duration of this contract.

In accordance with California Public Contract Code 20103.5 when federal funds are involved in local agency contracts, *no bid shall be invalidated by the failure of the bidder to be licensed in California at the time of bid opening. However, at the time of award the selected contractor shall be properly licensed in accordance with laws of the State and the Monterey Peninsula Airport District.* Contractor shall possess a Type “A” or “C10” license prior to award of Contract or other license qualifying the bidder to bid as a prime Contractor, prior to award of Contract as approved by the Board of the Monterey Peninsula Airport District.

**7. Pre-Bid Meeting**

Please note: attendance at the non-mandatory pre-bid conference is encouraged for all prospective Bidders. Interested Bidders shall gather at the Monterey Peninsula Airport District offices on the second floor of the Terminal Bldg, 200 Fred Kane Drive, Suite 200, Monterey, CA, on **Thursday, April 12, 2018** at **11:00 A.M.**

**8. Owner’s Rights Reserved**

The District reserves the right to reject any and all bids, and further reserves the right to waive any informalities or irregularities in the bids, or to utilize any alternate procedures as authorized by California Public Contracts Code Sections 20166 and 20167, and may at its option make the award, that in the judgment of the District, is to the best interest of the District.

**9. Construction Value**

The District anticipates a construction contract of approximately \$1.4M.

**10. Notice of Requirement for Affirmative Action - 41 CFR Part 60-2**

1) The Offeror's or Bidder’s attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications" set forth herein.

2) The goals and timetables for minority and female participation, expressed in percentage terms for the contractor's aggregate workforce in each trade on all construction work in the covered area, are as follows:

Timetable	Until Further Notice
Goals for minority participation for each trade	(28.9%)
Goals for female participation in each trade	(6.9%)

These goals are applicable to all of the contractor's construction work (whether or not it is Federal or federally-assisted) performed in the covered area. If the contractor performs construction work in a

geographical area located outside of the covered area, it shall apply the goals established for such geographical area where the work is actually performed. With regard to this second area, the contractor also is subject to the goals for both its federally involved and non-federally involved construction.

The Contractor's compliance with the Executive Order and the regulations in 41 CFR Part 60-4 shall be based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations required by the specifications set forth in 41 CFR 60-4.3(a), and its efforts to meet the goals. The hours of minority and female employment and training must be substantially uniform throughout the length of the contract, and in each trade, and the contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from Contractor to Contractor or from project to project for the sole purpose of meeting the Contractor's goals shall be a violation of the contract, the Executive Order and the regulations in 41 CFR Part 60-4. Compliance with the goals will be measured against the total work hours performed.

3) The Contractor shall provide written notification to the Director of the Office of Federal Contract Compliance Programs (OFCCP) within 10 working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the name, address, and telephone number of the subcontractor; employer identification number of the subcontractor; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the subcontract is to be performed.

4) As used in this notice and in the contract resulting from this solicitation, the "covered area" is: State of California, County of Monterey, Monterey Regional Airport.

#### **11. Federal Requirements for Advertising (Invitation for Bid) of AIP Projects**

The DISTRICT anticipates using Airport Improvement Program (AIP) and Passenger Facility Charges (PFC's) to help fund this project. The Project and associated contracts are therefore subject to the following:

1. AFFIRMATIVE ACTION REQUIREMENT. (Reference: 41 CFR part 60-4; Executive Order 11246)
2. ACCESS TO RECORDS AND REPORTS. (Reference: 2 CFR § 200.333; 2 CFR § 200.336; FAA Order 5100.38)
3. AIRPORT AND AIRWAY IMPROVEMENT ACT OF 1982, SECTION 520 (Reference: 49 U.S.C. 47123)
4. BREACH OF CONTRACT TERMS. (Reference 2 CFR § 200 Appendix II(A))
5. BUY AMERICAN PREFERENCE. (Reference: 49 USC § 50101)
6. CIVIL RIGHTS – GENERAL. (Reference: 49 USC § 47123)
7. CIVIL RIGHTS – TITLE VI ASSURANCES.
8. CLEAN AIR AND WATER POLLUTION CONTROL. (Reference: 2 CFR § 200, Appendix II(G))
9. CONTRACT WORKHOURS AND SAFETY STANDARDS ACT REQUIREMENTS. (Reference: 2 CFR § 200, Appendix II(E))
10. COPELAND “ANTI-KICKBACK” ACT (Reference: 2 CFR § 200, Appendix II(D); 29 CFR parts 3 & 5)
11. DAVIS BACON REQUIREMENTS. (Reference: 2 CFR § 200, Appendix II(D); 29 CFR Part 5)

12. DEBARMENT AND SUSPENSION (NON-PROCUREMENT). (Reference: 2 CFR part 180 (Subpart C), 2 CFR part 1200, DOT Order 4200.5 DOT Suspension & Debarment Procedures & Ineligibility)
13. DISADVANTAGED BUSINESS ENTERPRISE. (Reference: 49 CFR part 26)
14. ENERGY CONSERVATION REQUIREMENTS. (Reference: 2 CFR § 200, Appendix II(H))
15. EQUAL EMPLOYMENT OPPORTUNITY (E.E.O.). (Reference: 2 CFR 200, Appendix II(C); 41 CFR § 60-1.4; 41 CFR § 60-4.3; Executive Order 11246)
16. FEDERAL FAIR LABOR STANDARDS ACT (FEDERAL MINIMUM WAGE). (Reference: 29 USC § 201, et seq.)
17. LOBBYING AND INFLUENCING FEDERAL EMPLOYEES. (Reference: 31 U.S.C. § 1352 – Byrd Anti-Lobbying Amendment; 2 CFR part 200, Appendix II(J); 49 CFR part 20, Appendix A)
18. PROHIBITION OF SEGREGATED FACILITIES. (Reference: 41 CFR § 60-1.8)
19. OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970. (Reference 20 CFR part 1910)
20. RIGHT TO INVENTIONS. (Reference 2 CFR § 200, Appendix II(F); 37 CFR §401)
21. TERMINATION OF CONTRACT. (Reference: 2 CFR § 200 Appendix II(A))
22. TRADE RESTRICTION CERTIFICATION. (Reference: 49 USC § 50104; 49 CFR part 30)
23. VETERAN’S PREFERENCE. (Reference: 49 USC § 47112(c))
24. PROCUREMENT OF RECOVERED MATERIALS. (Reference: 2 CFR § 200.322, 40 CFR part 247)
25. DISTRACTED DRIVING. (Reference: Executive Order 13513, DOT Order 3902.10)
26. DRUG FREE WORKPLACE (Reference: 49 CFR Part 29)
27. SEISMIC SAFETY (Reference: National Earthquake Hazards Reduction Program)

**12. Buy American Preference**

The successful bidder must comply with the Buy-American Preference requirement in Title 49 USC § 50101.

The submission of a Bid shall be prima-facie evidence that the Bidder agrees to comply with 49 USC § 50101, which provides that Federal funds may not be obligated unless all steel and manufactured goods used in AIP funded projects are produced in the United States, unless the FAA has issued a waiver for the product; the product is listed as an Excepted Article, Material Or Supply in Federal Acquisition Regulation subpart 25.108; or is included in the FAA Nationwide Buy American Waivers Issued list.

A bidder or offeror must complete and submit the Buy America certification included herein with their bid or offer. The Owner will reject as nonresponsive any bid or offer that does not include a completed Certificate of Buy American Compliance.

**13. Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity**

To be eligible for award, each bidder must comply with the affirmative action requirements which are contained in the specifications.

Disadvantaged business enterprises will be afforded equitable opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award of any contract entered into pursuant to this advertisement.

Women will be afforded equal opportunity in all areas of employment. However, the employment of women shall not diminish the standards of requirements for the employment of minorities.

Monthly progress payments shall be made to the Contractor for the value of the work completed during the preceding month, less a five percent (5%) security withhold.

**14. Civil Rights – Title VI Solicitation Notice**

The District, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

**15. Notice to Prospective Federally Assisted Construction Contractors**

1) A Certification of Non-Segregated Facilities shall be submitted prior to the award of a federally-assisted construction contract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity Clause.

2) Contractors receiving federally-assisted construction contract awards exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause will be required to provide for the forwarding of the following notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the Equal Opportunity Clause.

3) The penalty for making false statements in offers is prescribed in 18 U.S.C. § 1001.

**16. Notice to Prospective Subcontractors of Requirements for Certification of Non-Segregated Facilities**

1) A Certification of Non-Segregated Facilities shall be submitted prior to the award of a subcontract exceeding \$10,000, which is not exempt from the provisions of the Equal Opportunity Clause.

2) Contractors receiving subcontract awards exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause will be required to provide for the forwarding of this notice to prospective subcontractors for supplies and construction contracts where the subcontracts exceed \$10,000 and are not exempt from the provisions of the Equal Opportunity Clause.

3) The penalty for making false statements in offers is prescribed in 18 U.S.C. § 1001.

Any questions regarding the technical materials contained in the Contract Documents should be directed in writing to the Project Manager for the Engineer at:

Mr. Sherman Low  
Neill Engineers Corp  
P.O. Box LL  
Carmel, CA 93921  
E-mail: [Sherman@neillcorp.com](mailto:Sherman@neillcorp.com)

For bid and general project information, contact the Monterey Regional Airport, Planning and Development Department at (831) 648-7000 extension 219.

**MONTEREY PENINSULA AIRPORT DISTRICT**

**Published on April 1, 2018 and April 10, 2018**

Michael La Pier, AAE., Executive Director