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NOTICE TO BIDDERS

1. Notice is hereby given that the governing board of the Berkeley Unified School District will receive sealed bids for the following **BAM Garden** Project No. **823.1401**:
2. The Project consists of: **Construct a new garden area within the school yard.**
3. To bid on this Project, the Bidder is required to possess one or more of the following State of California Contractor Licenses: **A, B, C12, C27**. The Bidder's license(s) must remain active and in good standing throughout the term of the Contract.
4. Contract Documents are available on **February 12, 2014**, for review at the District Purchasing Office. In addition, Contract Documents are available for bidders' review at the Builder's Exchange of Alameda, Santa Clara, Solano-Napa and Sacramento Counties.
5. Contract Documents are also available for purchase at the: 1) District Purchasing Office, 2020 Bonar Street, Berkeley, CA from 9a to 12pm and from 1pm-4pm or from ARC Planwell Northern California Public Planroom.
6. **Sealed Bids will be received until 3:00 p.m., March 6, 2014**, at the District Purchasing Office, 2020 Bonar Street, 2nd Floor, Berkeley, California, at or after which time the bids will be opened and publicly read aloud. Any bid that is submitted after this time shall be non-responsive 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.
7. 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.
8. 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 Berkeley Unified 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 seven (7) 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.
9. A **MANDATORY** pre-bid conference and site visit will be held on **February 28, 2014, at 3:30 pm at BAM School 2015 Virginia St., Berkeley**, California. All participants are required to sign in. If mandatory, failure to attend or tardiness will render bid ineligible.
10. 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.
11. 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.
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 sections 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 Compliance Monitoring Unit ("CMU") of the Department of Industrial Relations pursuant to Labor Code section 1771.3 and subject to the requirements of section 16450 et seq. of Title 8 of the California Code of Regulations. The Contractor and all Subcontractors under the Contractor shall furnish certified payroll records directly to the Labor Commissioner weekly and within ten (10) days of any request by the District or the Labor Commissioner in accordance with section 16461 of the California Code of Regulations. The successful Bidder shall comply with all requirements of Division 2, Part 7, Chapter 1, of the Labor Code.
14. The District shall award the Contract, if it awards it at all, to the lowest responsive responsible bidder based on: The base bid amount only.
15. 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.

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