

1 **BOARD OF SUPERVISORS COUNTY OF FRESNO STATE OF CALIFORNIA**

2
3 **NOTICE TO BIDDERS**

4
5
6 Sealed proposals will be received at
7 <https://www.bidexpress.com/businesses/36473/home>, and at the Fresno County
8 Department of Public Works and Planning, Office of the Design Engineer, Seventh
9 Floor, Fresno County Plaza Building, 2220 Tulare Street, Fresno, CA 93721 until

10
11 **2:00 P.M., (1400 hours and 00 seconds)**
12 **Thursday, April 29, 2021**

13
14 at which time the bidding will be closed.

15
16 Due to the COVID-19 restrictions and guidelines, the Department's bid reception desk
17 may be closed and all bidders are encouraged submit bids online through Bid
18 Express.

19
20 **If a bidder is unable to submit online, please mail bid or e-mail**
21 **DesignServices@fresnocountyca.gov or call (559) 600-9908 in advance, so that**
22 **arrangements may be made to hand deliver your bid.**

23
24 Promptly following the closing of the bidding all timely submitted bids will be publicly
25 opened and viewable via a livestream (the link for which will be posted at
26 <http://www.co.fresno.ca.us/planholders>), for construction in accordance with the
27 specifications therefor, to which special reference is made as follows:

28
29 **GENERAL BUILDING JOB ORDER CONTRACT**

30
31 **Contract Nos.: 20-J-06, Class B**
32 **20-J-07, Class B**
33 **20-J-08, Class B**

34
35 A Job Order Contract is an indefinite quantity contract pursuant to which the Contractor
36 will perform an ongoing series of individual projects at different locations throughout
37 the County of Fresno. The bid documents include a Construction Task Catalog®
38 containing construction tasks with preset Unit Prices. All Unit Prices are based on local
39 labor prevailing wages, material and equipment prices and are for the direct cost of
40 construction.

41
42 **A MANDATORY pre-bid conference will be held at 10:00 a.m., on Friday, April 16,**
43 **2021 for the purpose of discussing the Job Order Contract concept, documents,**
44 **bid considerations and to discuss Job Order Contracting from a contractor's**
45 **viewpoint. The MANDATORY pre-bid conference will be held online (the link for**
46 **which will be posted at <http://www.co.fresno.ca.us/planholders>).**

47
48 **Prospective bidders whose representative(s) attend the MANDATORY pre-bid**
49 **conference will receive the electronic link to the official specification books, the**
50 **Construction Task Catalog® and Technical Specifications.**

Contract No.: 20-J-06
20-J-07
20-J-08

Notice to Bidders
00 11 13-1

JOB ORDER CONTRACTS

1
2 **The County reserves the right, in its sole discretion, to schedule a second pre-**
3 **bid conference via the issuance of an addendum to this contract. In such case,**
4 **attendance at only one of the pre-bid conferences will be mandatory.**
5

6 Bidders will bid three sets of Adjustment Factors to be applied to the Unit Prices. One
7 set of Adjustment Factors for County/State-funded projects, one set of Adjustment
8 Factors for Federally-funded projects and one set of Adjustment Factors for
9 County/State-funded projects in a Secure Facility. Each set of Adjustment Factors will
10 include one Adjustment Factor for performing work during Normal Working Hours and
11 a second Adjustment Factor for performing work during Other Than Normal Working
12 Hours. All Adjustment Factors apply to every task in the Construction Task Catalog®.
13

14 Upon award of contract and as projects are identified, the Contractor will jointly scope
15 the work with the County Project Manager. The County Project Manager will prepare
16 a Detailed Scope of Work and issue a Request for Proposal to the Contractor. The
17 Contractor will then prepare a Work Order Proposal for the project including a Work
18 Order Price Proposal, Schedule, Sketches or Drawings, a list of subcontractors, and
19 other requested documentation. The value of the Work Order Price Proposal shall be
20 calculated by summing the total of the calculation for each Pre-priced Task (Unit Price
21 x quantity x Adjustment Factor) plus the value of all Non Pre-priced Tasks.
22

23 If the Work Order Price Proposal is found to be reasonable, a Work Order may be
24 issued. The Contractor is required to complete each Detailed Scope of Work for the
25 Work Order Price within the Job Order Completion Time.
26

27 A Work Order will reference the Detailed Scope of Work and set forth the Work Order
28 Completion Time, and the Work Order Price. The Work Order Price is determined by
29 multiplying the preset Unit Prices by the appropriate quantities and by the appropriate
30 Adjustment Factor. The Work Order Price shall be a lump sum, fixed price for the
31 completion of the Detailed Scope of Work.
32

33 A separate Work Order will be issued for each project. Extra work, credits, and
34 deletions will be contained in a Supplemental Work Order.
35

36 **Minimum and Maximum Contract Values:**

- 37 A. The Minimum Contract Value for this Contract is \$25,000. If a contract is
38 awarded, the Contractor is guaranteed to receive the opportunity to perform
39 one or more Work Orders totaling at least \$25,000 issued during the Contract
40 Term.
41
- 42 B. The Maximum Contract Value is \$5,185,091.94, . The Contractor is not
43 guaranteed to receive this volume of Work Orders. It is merely an estimate. The
44 Owner has no obligation to issue Work Orders in excess of the Minimum
45 Contract Value.
46
- 47 C. The successful bidder shall furnish a payment bond and a performance bond
48 in the amount of \$2,000,000 each as security for the payment of all persons
49 performing and furnishing materials in connection with this Contract. If the
50 aggregate outstanding Job Orders issued under the contract exceeds
51 \$2,000,000, increases in the Payment and Performance Bonds in increments

1 of \$500,000 will be required such that the amount of the Payment and
2 Performance Bonds are not less than one hundred percent (100%) of the
3 outstanding aggregate Job Orders issued. Bonds shall remain in force for the
4 duration and until completion of any outstanding Job Order. At no time may the
5 sum of outstanding Job Orders exceed the amount of the Payment and
6 Performance Bonds.

7
8 Contract Term:

- 9 A. The Contract Term commences on the date the contract is awarded by the
10 County of Fresno Board of Supervisors (i.e.: the effective date of the Contract).
11
12 B. The term of the Job Order Contract will be either for one year or when issued
13 Work Orders totaling the Maximum Contract Value have been completed,
14 whichever occurs first. All Work Orders must be issued but not necessarily
15 completed within one calendar year of the effective date of the Contract. All
16 Work Orders for which a Notice to Proceed is issued by the County Contract
17 Manager during the term of this Contract shall be valid and in effect
18 notwithstanding that the Detailed Scope of Work may be performed, payments
19 may be made, and the guarantee period may continue, after the Contract Term
20 has expired. All terms and conditions of the Contract apply to each Work Order.
21 No notices to proceed will be issued after 5:00, P.M. on the final day of the
22 Contract Term.
23

24 Bidders may fill out a Request to be Added to Planholders list:

25
26 <https://www.co.fresno.ca.us/departments/public-works-planning/divisions-of-public-works-and-planning/design-division/planholders-list-request-to-be-added>
27

28
29 Requesters will then be listed as a planholder for the project on the website and
30 receive email notifications and addenda regarding the project.

31
32 Prospective bidders may also select the project on www.BidExpress.com. Those that
33 demonstrate interest in the project will also be added to the planholders list, and will
34 receive notifications and addenda regarding this project.

35
36 Planholder and exchange/publication names may be obtained from the Fresno County
37 website at <http://www.co.fresno.ca.us/planholders>. Electronic copies in “.pdf” file
38 format of the official project plans and specifications and such additional supplemental
39 project information as may be provided at the mandatory pre-bid conference.

40
41 The bid documents are available online at:
42 <https://www.bidexpress.com/businesses/36473/home> and bids may be submitted
43 electronically through that website.
44

45 If a bidder is unable to submit a bid via Bid Express, Bid books, which contain bid
46 proposal sheets necessary to submit a bid, may be obtained at
47 <http://www.co.fresno.ca.us/planholders>. Paper bids shall be submitted in a sealed,
48 opaque envelope addressed to the Department and labeled with the name of the
49 bidder, the name of the project, the contract number, and the statement 'Do Not Open
50 Until The Time Of Bid Opening.'

1 A Summary of Bids for the apparent low bidder will be posted at the above listed
2 website, generally within 24 hours of the Bid Opening.

3
4 All questions regarding this contract shall be in writing and shall be received by the
5 Department of Public Works and Planning, Design Division, no later than 2:00 P.M.
6 on the seventh (7th) calendar day before bid opening. Any questions received after
7 this deadline will not receive a response unless the Department of Public Works and
8 Planning elects to issue an addendum to revise the bid opening date. In the event that
9 the bid opening date is revised, the deadline for questions will be extended to no later
10 than 2:00 P.M. on the seventh (7th) calendar day before the revised bid opening date.
11 Questions shall be submitted on the Request for For Clarification form provided on the
12 contract website at:

13
14 [http://www.co.fresno.ca.us/departments/public-works-and-planning/construction-](http://www.co.fresno.ca.us/departments/public-works-and-planning/construction-bidding-opportunities/20-j-06-20-j-07-20-j-08-class-b-general-building-job-order-contract/request-for-clarification-form-20-j-06-20-j-07-20-j-08-general-building)
15 [bidding-opportunities/20-j-06-20-j-07-20-j-08-class-b-general-building-job-order-](http://www.co.fresno.ca.us/departments/public-works-and-planning/construction-bidding-opportunities/20-j-06-20-j-07-20-j-08-class-b-general-building-job-order-contract/request-for-clarification-form-20-j-06-20-j-07-20-j-08-general-building)
16 [contract/request-for-clarification-form-20-j-06-20-j-07-20-j-08-general-building](http://www.co.fresno.ca.us/departments/public-works-and-planning/construction-bidding-opportunities/20-j-06-20-j-07-20-j-08-class-b-general-building-job-order-contract/request-for-clarification-form-20-j-06-20-j-07-20-j-08-general-building)
17

18 Any changes to, or clarification of, the Contract documents and specifications shall be
19 in the form of a written addendum issued to planholders of record. Questions that
20 prompt a change or clarification shall be included in the addendum with the
21 subsequent answer.

22
23 Any oral explanation or interpretations given to this project are not binding.

24
25 Bidders will submit one (1) bid that will be considered for three potential Contracts
26 being offered.

27
28 Bidders will bid three (3) sets of Adjustment Factors to be applied to the Unit Prices:

- 29 • One set of Adjustment Factors for County/State-funded projects.
- 30 • One set of Adjustment Factors for Federally-funded projects.
- 31 • One set of Adjustment Factors for County/State-funded projects in a Secure
32 Facility.

33
34 Each set of Adjustment Factors will include one Adjustment Factor for performing work
35 during Normal Working Hours and a second Adjustment Factor for performing work
36 during Other Than Normal Working Hours. All Adjustment Factors apply to every task
37 in the Construction Task Catalog®.

38
39 The County intends to award a contract to each of the three (3) lowest responsible
40 bidders. One proposal must be submitted by each bidder wishing to bid for one of the
41 three contracts in the Class B license category. Bids will be compared, for purposes
42 of identifying the apparent low bidder for proposed award of the contract, on the basis
43 of the Award Criteria Figure. The Award Criteria Figure is the sum of the weighted
44 Adjustment Factors.

45
46 The Construction Task Catalog® is priced at a net value of 1.0000. The bid shall be an
47 increase to (e.g., 1.1000) or decrease to (e.g., 0.9500) the Unit Prices listed in the
48 Construction Task Catalog®. Bidders who submit separate Adjustment Factors for
49 separate Unit Prices will be considered non-responsive and their bid will be rejected.

1 The Owner selected The Gordian Group's (Gordian) Job Order Contracting (JOC)
2 System for their JOC program. The Gordian JOC System includes Gordian's
3 proprietary eGordian® and Gordian Cloud JOC Applications and Construction Task
4 Catalog®, which shall be used by the Contractor to prepare and submit Job Order
5 Proposals, subcontractor lists, and other requirements specified by the Owner. The
6 Contractor shall be required to execute Gordian's JOC System License and Fee
7 Agreement, and pay a 1% JOC System License Fee to obtain access to the Gordian
8 JOC Solution.

9
10 Each bid shall be submitted in a sealed envelope addressed to the Department and
11 labeled with the name of the bidder, the name of the project, the contract number, and
12 the statement 'Do Not Open Until The Time Of Bid Opening.'

13
14 Bid security in the amount \$25,000, and in the form of a bid bond issued by an admitted
15 surety insurer licensed by the California Department of Insurance, cash, cashier's
16 check or certified check shall accompany the bid. Bid security shall be made in favor
17 of the County of Fresno. You must either attach an electronic bid bond or provide an
18 original bid bond (or other form of bid security authorized by Public Contract Code
19 Section 20129(a)), prior to the bid opening, in accordance with the detailed directions
20 set forth in Section 1.04 ("PREPARATION OF PROPOSALS") of the Instructions to
21 Bidders. Each paper bid bond shall be submitted in a sealed envelope addressed to
22 the Department and labeled with the name of the bidder, the name of the project, the
23 contract number, and the statement 'Bid Bond - Do Not Open Until The Time Of Bid
24 Opening.'

25
26 No contract will be awarded to a contractor who has not been licensed in accordance
27 with the provisions of the Contractors State License Law, California Business and
28 Professions Code, Division 3, Chapter 9, as amended, or whose bid is not on the
29 proposal form included in the contract document. A valid California Contractor's
30 License, **Class B, (General Building)** is required for this project.

31
32 Pursuant to Section 1773 of the Labor Code, the general prevailing wage rates in the
33 county, or counties, in which the work is to be done have been determined by the
34 Director of the California Department of Industrial Relations. These wages are set
35 forth in the General Prevailing Wage Rates for this contract available from the
36 California Department of Industrial Relations' Internet web site at
37 <http://www.dir.ca.gov/DLSR/PWD>. Future effective general prevailing wage rates,
38 which have been predetermined and are on file with the California Department of
39 Industrial Relations are referenced but not printed in the general prevailing wage rates.

40
41 **This project is subject to compliance monitoring and enforcement by the**
42 **Department of Industrial Relations.**

43
44 No contractor or subcontractor may be listed on a bid proposal for a public works
45 project unless registered with the Department of Industrial Relations pursuant to Labor
46 Code section 1725.5 [with limited exceptions from this requirement for bid purposes
47 only under Labor Code section 1771.1(a)].

48
49 No contractor or subcontractor may be awarded a contract for public work on a public
50 works project unless registered with the Department of Industrial Relations pursuant
51 to Labor Code section 1725.5.

1 This contract is subject to state contract nondiscrimination and compliance
2 requirements pursuant to Government Code, Section 12990.

3
4 The successful bidder shall furnish a faithful performance bond in the amount of 100
5 percent of the Maximum Contract Value, a payment bond in the amount of 100 percent
6 of the Maximum Contract Value, and One Year Warranty Bond in the amount of 10
7 percent of the Maximum Contract Value. Each bond specified in this Notice (bid bond,
8 faithful performance bond and payment bond) shall meet the requirements of all
9 applicable statutes, including but not limited to those specified in Public Contract Code
10 section 20129 and Civil Code section 3248.

11
12
13 Each bond specified in this Notice shall be issued by a surety company designated as
14 an admitted surety insurer in good standing with and authorized to transact business
15 in this state by the California Department of Insurance, and acceptable to the County
16 of Fresno. Bidders are cautioned that representations made by surety companies will
17 be verified with the California Department of Insurance. Additionally, the County of
18 Fresno, in its discretion, when determining the sufficiency of a proposed surety
19 company, may require the surety company to provide additional information supported
20 by documentation. The County generally requires such information and
21 documentation whenever the proposed surety company has either a Best's Key Rating
22 Guide of less than **A** and a financial size designation of less than **VIII**. Provided,
23 however, that the County expressly reserves its right to require all information and
24 documentation to which the County is legally entitled from any proposed surety
25 company.

26
27 Pursuant to Public Contract Code Section 22300, substitution of securities for any
28 moneys withheld by the County of Fresno to ensure performance under the contract
29 shall be permitted.

30
31 The Board of Supervisors reserves the right to reject any or all bids.

32
33 Board of Supervisors, County of Fresno

34
35 Jean Rousseau, County Administrative Officer

36
37 Bernice E. Seidel, Clerk to the Board

38
39 Issue Date: April 6, 2021

40
41
END OF SECTION