

## NOTICE TO BIDDERS

### (Prequalified Bidders Only)

Notice is hereby given that the Oceanside Unified School District's ("District") Board of Education ("Board") of the County of San Diego, State of California, will receive sealed informal bids for the construction associated with the **Modular Classroom General Contracting Services Libby Elementary School** ("Project") up to, but not later than, **2:00 p.m., on Thursday, April 26, 2024**, and will thereafter publicly open and read aloud the bids. All bids shall be received at the **District's Bond Construction Management Office** located at **2111 Mission Ave., Oceanside, CA 92058**.

Each bid shall be completed on the Bid Proposal Form included in the Contract Documents, and must conform and be fully responsive to this invitation, the plans and Specifications and all other Contract Documents. Copies of the Bid and Contract Documents are available electronically and/or from the [District website](#), or by contacting Derrick Watkins, Sr. Project Manager at [derrickwatkins@maasco.com](mailto:derrickwatkins@maasco.com). While the Bid and Contract Documents may be available through other plan rooms or sites, the District does not guarantee the authenticity or completeness of the Bid and Contract Documents obtained from such other plan rooms or sites.

Bids will be accepted by the District only if the Bidder submitting the bid proposal has been prequalified and has been deemed a "Qualified Contractor" for the nature and scope of the work hereunder. The bid proposal of a Bidder who is not a "Qualified Contractor" for the nature and scope of the work shall be rejected for non-responsiveness. Each Bidder shall complete, execute, and submit with its bid proposal the District's Prequalification Application Information confirming that there are no material adverse changes to any of the information provided by the Bidder in its Prequalification Application submitted to the District. The District expressly reserves the right to verify the information provided by the Bidder in its Prequalification Application has not been subject to material adverse changes. If, in the reasonable determination of the District, material adverse changes have occurred to the information provided by a Bidder in its Prequalification Application, the District may reject the bid proposal of such Bidder for non-responsiveness.

In accordance with Public Contract Code section 20111, each bid shall be accompanied by cash, a cashier's or certified check, or a bidder's bond executed by an admitted surety insurer, made payable to the District, in an amount not less than ten percent (10%) of the maximum amount of the bid. The bid security shall be given as a guarantee that the Bidder to whom the Contract is awarded will execute the Contract Documents and will provide the required payment and performance bonds and insurance certificates within ten (10) days after the notification of the award of the Contract.

This is a public works project, and the successful Bidder shall comply with the provisions of the Labor Code pertaining to payment of the generally prevailing rate of wages and apprenticeships or other training programs. The California Department of Industrial Relations (“DIR”) has made available the general prevailing rate of per diem wages in the locality in which the work is to be performed for each craft, classification or type of worker needed to execute the contract, including employer payments for health and welfare, pension, vacation, apprenticeship, and similar purposes. Copies of these prevailing rates are available to any interested party upon request and are online at <http://www.dir.ca.gov/DLSR>. The Contractor and all Subcontractors shall pay not less than the specified rates to all workers employed by them in the execution of the Contract. It is the Contractor’s responsibility to determine any rate change. During the work and pursuant to Labor Code section 1771.4(a), the DIR shall monitor compliance with prevailing wage requirements and enforce the Contractor’s prevailing wage obligations.

The schedule of per diem wages is based upon a working day of eight (8) hours. The rate for holiday and overtime work shall be at least time and one half.

The substitution of appropriate securities in lieu of retention amounts from progress payments in accordance with Public Contract Code section 22300 is permitted.

Pursuant to Public Contract Code section 4100 et seq., each bid shall include the name, the location of the place of business, the California contractor license number, and public works contractor registration number of each Subcontractor who shall perform work or labor or render service or fabricate or install work for the contractor in excess of one-half of one percent (0.5%) of the contractor’s total bid price. The bid shall describe the type of the work to be performed by each listed Subcontractor.

No bid may be withdrawn for a period of sixty (60) days after the date set for the opening of bids, except as provided by Public Contract Code section 5100 et seq.

***The District reserves the right to reject any and all bids and to waive any informalities or irregularities in the bidding.***

Minority, female, and disabled veteran contractors are encouraged to submit bids.

The Project is subject to compliance monitoring and enforcement by the DIR. In accordance with Labor Code sections 1725.5 and 1770 et seq., all Bidders, contractors, and subcontractors working at the site shall be registered with the DIR at the time the Contract is awarded and at all relevant times. Proof of registration shall be provided to all such contractors and subcontractors prior to the commencement of any work. A bid proposal submitted without Bidder’s DIR registration verification duly completed and executed and/or without setting forth the DIR registration number for each Subcontractor identified

in the Subcontractor List Form shall result in rejection of the bid proposal for non-responsiveness.

Pursuant to Public Contract Code section 3300, the District requires that each Bidder must possess, at the time the Contract is awarded, the following classifications of California State Contractor's License: **B – General Contractor**.

The Contractor's California State License number shall be clearly stated on the Bidder's proposal. Any Bidder not so duly and properly licensed shall be subject to all penalties imposed by law. No payment shall be made for work, labor, materials, or services provided under the Contract for the work unless and until the Registrar of Contractors verifies to the District that the Bidder awarded the Contract is properly and duly licensed to perform the work.

Pursuant to and in accordance with Labor Code section 1771.1, each Bidder shall be a DIR Registered Contractor when submitting a bid proposal. The bid proposal of a Bidder who is not a DIR Registered Contractor shall be rejected for non-responsiveness. All Subcontractors identified in the Bidder's Subcontractor List Form shall be DIR Registered Contractors at the time the bid proposal is submitted.

The District's Board has found that the Project is substantially complex and therefore requires a standard retention amount of **five percent (5%) of each progress payment**.

Bidders' Conference and Site Walk. A mandatory Bidders' pre-bid conference and site walk in compliance with Public Contract Code section 6610 will be held at **Libby Elementary School**, on **April 15, 2024**, at **1:00 p.m.** for the purpose of acquainting all prospective Bidders with the Contract Documents and the Project site. The mandatory Bidders' pre-bid conference and site walk shall not occur within a minimum of five (5) calendar days of the publication of the initial notice. Failure to attend the conference may result in the disqualification of the bid of the non-attending Bidder.

A payment bond is required for a public works contract involving an expenditure in excess of twenty-five thousand dollars (\$25,000.00). Separate payment and performance bonds, each in an amount equal to 100% of the total Contract amount, are required, and shall be provided to the District prior to execution of the Contract and shall be in the form set forth in the Contract Documents. All bonds (Bid, Performance, and Payment) must be issued by a California admitted surety insurer as defined in California Code of Civil Procedure section 995.120.

By: Oceanside Unified School District  
**Bond Construction Management Office**  
2111 Mission Avenue,

Oceanside, California 92058  
Attn: **Derrick Watkins, Sr. Project Manager**, at  
**derrickwatkins@maasco.com**.

Notice sent to contractors listed with the District, in compliance with Public Contract Code section 22034, on **April 8, 2024**.