

**NOTICE INVITING SEALED BIDS
FOR THE
ACACIA PARK PLAYGROUND AND SITE IMPROVEMENT PROJECT**

**IN THE CITY OF EL SEGUNDO
PROJECT NO.: PW 20-06**

The City of El Segundo is accepting sealed bids in the City Clerk's office, 350 Main Street, El Segundo, California 90245, until 11:00 a.m. on:

TUESDAY, September 15, 2020

at which time they will be publicly opened. Bids will not be accepted after that time.

As described in the Bidding Documents, the bids are for a public works project ("Project") which consists of the furnishing all labor, materials, equipment, and services, and performing all work necessary for the removal of the existing Acacia Park pool and restroom building and replacing with new playground equipment and pour-in-place playground surface and related work as shown on the plans on file with the City's Public Works Department. The work will take place within the Acacia Park limits, at 625 W. Acacia Avenue, El Segundo CA, 90245.

Work on the Project must be performed in strict conformity with Specifications No. **PW 20-06: Acacia Park Playground and Site Improvement Project** which is filed with the Public Works Department.

Copies of the Plans, Specifications, Contract Documents and Engineer's estimate are available from the Engineering Division of the Public Works Department, City of El Segundo, 350 Main Street, El Segundo, California, 90245. Plans And Specifications are alternately available electronically via <https://www.elsegundo.org/government/departments/city-clerk/bid-rfp>

A pre-bid meeting is scheduled for Tuesday, September 1, 2020, at 10:00 am, at Acacia Park, 625 W. Acacia Avenue, El Segundo, CA 90245. Bidders' attendance at this meeting is **mandatory**. Questions regarding the bid shall be submitted by 5:00 pm on Tuesday, September 8, 2020 to <https://www.elsegundo.org/government/departments/city-clerk/bid-rfp>

The terms and conditions for bidding on the Project are described in the attached Bidding Instructions.

This project requires payment of State prevailing rates of wages for Los Angeles County. The contractor must post copies of the prevailing schedule at each job site. Copies of these rates of wages are available from the State of California Department of Industrial Relations Prevailing Wage Unit, Telephone No. (415) 703-4774. The website for this agency is currently located at www.dir.ca.gov.

Note that the Project is subject to compliance monitoring and enforcement by California Department of Industrial Relations. Pursuant to California law, the City must find bids failing to comply with all applicable Labor Code requirements including, without limitation, Labor Code §§ 1725.5 and 1771.4 to be nonresponsive.

The contractor to whom the contract is awarded must assist in locating, qualifying, hiring and increasing the skills of minority group employees and applicants for employment, as set forth in Executive Order

11246 and 11375.

Any contract entered into pursuant to this notice will incorporate the provisions of the State Labor Code. Compliance with the prevailing rates of wages and apprenticeship employment standards established by the State Director of Industrial Relations will be required.

Affirmative action to ensure against discrimination in employment practices on the basis of race, color, national origin, ancestry, sex, or religion will also be required.

The City of El Segundo hereby affirmatively ensures that minority business enterprises will be afforded full opportunity to submit bids in response to this notice and will not be discriminated against on the basis of race, color, national origin, ancestry, sex, or religion in any consideration leading to the award of contract.

Prevailing Wage: Federal Labor Standards Provisions, including prevailing wage requirements of the Davis-Bacon and Related Acts will be enforced. In the event of a conflict between Federal and State wage rates, the higher of the two will prevail.

The Contractor's duty to pay State prevailing wages can be found under Labor Code Section 1770 et. Seq. and Labor Code Sections 1775 and 1777.7 outline the penalties for failure to pay prevailing wages and employ apprentices including forfeitures and debarment.

Five percent (5%) will be deducted from each progress payment and retained by the City. The remainder less the amount of all previous payments will be paid to the Contractor. Pursuant to Public Contracts Code ("PCC") § 22300, the Contractor may substitute securities for retention monies held by the City or request that the City place such monies into an escrow account. The Contractor is notified, pursuant to PCC § 22300, any such election will be at the Contractor own expense and will include costs incurred by the City to accommodate the Contractor's request.

In entering into a Public Works contract, or a subcontract, to supply goods, services, or materials pursuant to a public works contract, the **Contractor**, or **Sub-Contractor**, offers and agrees to assign to the awarding body all rights, title and interest in, and to, all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works contract or the subcontract. This assignment shall be made and become effective at the time the awarding body tenders final payment to the **Contractor**, without further acknowledgment by the parties.

Bids must be prepared on the approved Proposal forms in conformance with the Instructions to Bidders and submitted to the Public Works Department, 350 Main Street, City of El Segundo, in a sealed envelope plainly marked on the outside:

**"SEALED BIDS FOR PROJECT NO.: PW 20-06
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IN THE CITY OF EL SEGUNDO**

DO NOT OPEN WITH REGULAR MAIL"

No bid will be accepted from a **Contractor** who has not been licensed in accordance with the provisions of the State Business and Professions Code. For these projects, those acceptable classes of license shall be **"A"** or **"B"**. The successful **Contractor** and his **Sub-Contractors** will be required to possess the correct license for their project classifications, and valid City Business Licenses from the City of El Segundo.

The City of El Segundo reserves the right to reject any or all bids, to waive any irregularity, and to take all bids under advisement for a period of **ninety (90) calendar days**.

Any contract entered into pursuant to this notice shall become effective or enforceable against the City of El Segundo only when the formal written contract has been duly executed by the appropriate officer(s) of the City of El Segundo.

DATED this day of , 20 .

CITY OF EL SEGUNDO, CALIFORNIA

Tracy Weaver, City Clerk