



A Tradition of Stewardship
A Commitment to Service

Department of Public Works

1195 Third Street, Suite 101
Napa, CA 94559-3092
www.countyofnapa.org/publicworks

Main: (707) 253-4351
Fax: (707) 253-4627

Steven E. Lederer
Director

October 14, 2020

Re: 650 Imperial Way HVAC Upgrade Project, PW 18-03

Dear Prospective Bidders,

Enclosed here within is Addendum Number 1 for the above-referenced project. This Addendum Number 1 forms a part of, and modifies, the original 650 Imperial Way HVAC Upgrade Project, PW 18-03, bid package. All other requirements remain the same.

ADDENDUM NUMBER 1

Item 1 - REVISIONS TO BIDDING REQUIREMENTS:

1. Notice to Contractor, replace form in its entirety. Note revised on NTC-1 as follows:
 - ‘*’ Revised the Engineer’s Estimate to only include the construction cost of the project. Previous estimate included design, contingency, etc. in error.
 - ‘*’ Included Zoom Meeting ID for the bid opening on October 22nd.
2. Proposal, replace form in its entirety. Note revised on P-8 as follows:
 - ‘*’ Added an email section for contact information.
3. Proposal, replace form in its entirety. Note revised on P-11 as follows:
 - ‘*’ Corrected the name of the project to “650 Imperial Way HVAC Upgrade, PW 18-03” and the dated year to “2018” of the Standard Specifications of the State of California, Department of Transportation.

END OF ADDENDUM NUMBER 1

Thank you for your interest in this project. If you have any questions relating to this correspondence, please submit those questions in writing to Liang Chin Su at liang.su@CountyofNapa.org.

Very truly yours,

STEVEN E. LEDERER
Director of Public Works

by: *Liang Chin Su* 10/14/2020
Liang Chin Su
Junior Engineer

Attachments

1. Addendum 1 – Notice to Contractors
2. Addendum 1 – Proposal Form and Bid Bonds

**NAPA COUNTY
STATE OF CALIFORNIA**

NOTICE TO CONTRACTORS

Proposals shall be submitted under sealed cover plainly marked as a proposal, and identifying the project to which the proposal relates and the date of the bid opening therefore. Proposals which are not properly marked will be rejected. Sealed proposals will be received at the office of the Clerk of the Board of Supervisors, Napa County Administration Building, 1195 Third Street, Room 310, Napa, California, until 11:30 A.M. on **October 22, 2020 (no bids will be accepted after 11:30 A.M.)** after which they will be opened and read under the social distancing protocol in enforcement at the time, for the construction in accordance with the Plans and Special provisions thereto, to which special reference is made as follows:

650 Imperial Way HVAC Upgrade Project, PW 18-03

Engineer Estimate: \$515,000

Zoom Meeting ID: 959 9961 5877

To listen to bid opening by Phone dial: 1 (669) 900-6833

Bids are required for the entire work called for by the Plans and Specifications, and neither partial nor contingent bids will be considered.

Bidders are responsible for monitoring www.countyofnapa.org/1607/Current-Projects for addendums which may be issued up until 72 hours prior to bid opening. Complete sets of Contract Documents must be used in preparing Bids. The County does not assume responsibility for errors or misinterpretations resulting from the use of incomplete sets of Contract Documents.

Bid results of the three apparent low bidders with their subcontractor's list will be on the County's website www.countyofnapa.org/1607/Current-Projects by the day after the bids are publicly opened and read.

The Plans and Specifications may be seen at the Napa County Department of Public Works, 1195 Third Street, Room 101 Napa, California. Plans, Special Provisions (excluding State Standard Specifications and other documents included by reference), Proposal Forms and Contract Forms may be obtained at said office by prospective bidders to those licensed by the State of California for the type of work involved or may be found electronically at www.countyofnapa.org/1607/Current-Projects.

Pursuant to 1771.1 of the Labor Code, a contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the

Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.

Pursuant to Sections 1770, et. seq., of the California Labor Code, the successful Bidder shall pay not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations. Copies of such prevailing rate of per diem wages are on file at the Napa County Department of Public Works where copies will be made available to any interested party on request. These rate determinations may also be found on the State of California Department of Industrial Relations' website at: <http://www.dir.ca.gov/dlsr/DPreWageDetermination.htm>.

In accordance with Section 1773.2 of the Labor Code, copies of the applicable determinations of the Director of Public Works are on file at the Public Works Office and may be reviewed upon request, and in accordance Section 1774 of the Labor Code, the prevailing wage rates for classifications of labor to be employed in the work have been determined by the County and are included in the Special Provisions referred to above.

No bid will be considered unless it is made on a blank form furnished by the County Engineer of Napa County and is made in accordance with the provisions of the proposal requirements and conditions set forth under Section 2 of the 2018 Standard Specifications of the State California, Department of Transportation, except as modified in the above referred to Special Provisions.

The Contractor shall possess a Class B or C-20 license at the time of the Contract award. A bid guarantee in the amount of 10% of the total bid shall accompany the bid.

The successful bidder shall be required to furnish a Performance Bond in an amount equal to 100% of the contract price and a Labor and Material Bond in an amount equal to 100% of the contract price with good and sufficient surety.

Each bidder must be licensed as required by law.

PRE-BID MEETING: A mandatory on-site meeting for contractors is scheduled for October 7th, 2020, at 10:00 A.M. at 650 Imperial Way, Napa, CA 94559. If you plan to attend the pre-bid meeting, please contact Liang Chin Su at liang.su@countyofnapa.org by no later than 4 P.M. on October 6th.

All questions must be e-mailed, or mailed by **1:00 P.M. on October 14th, 2020** to Liang Chin Su at liang.su@countyofnapa.org, Napa County Public Works, 1195 Third St. Room 101, Napa, CA 94559.

The Board of Supervisors reserves the right to reject any or all bids. By order of the Board of Supervisors of the County of Napa, State of California made this September 25, 2020.

**NAPA COUNTY CLERK OF THE
BOARD OF SUPERVISORS**

PROPOSAL FORM
(MAY BE DETACHED AND SUBMITTED ALONE)

**TO THE DIRECTOR OF PUBLIC WORKS
OF NAPA COUNTY
NAPA, CALIFORNIA**



FOR:

650 Imperial Way HVAC Upgrade

PW 18-03

NAME OF CONTRACTOR _____

BUSINESS ADDRESS _____

DIR LICENSE NUMBER _____

CONTRACTOR LICENSE NO. _____

Location: The work to be done and referred to herein is in Napa County, State of California, more particularly described as follows:

650 Imperial Way HVAC Upgrade

PW 18-03

The undersigned, as contractor, declares that the only person or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm or corporation; has visited the Site of Work as described in the Contract and has examined and familiarized him or herself with the existing conditions relating to the construction which will be performed, the annexed proposed form of contract, the Plans, Special Provisions and Standard Specifications; and he proposes, and agrees if this proposal is accepted, that he will contract with Napa County, in the form of the copy of the contract annexed hereto, to provide all necessary machinery, tools, apparatus and other means of construction, and to do all the work and furnish all the materials specified in the contract, in the manner and time therein prescribed, and according to the requirements of payment therefore the following item prices to wit:

**650 Imperial Way HVAC Upgrade
PW 18-03**

ITEM NO.	DESCRIPTION	UNIT	QUANTITY	TOTAL
BASE BID				
1	Demolition	LS	1	
	Remove (E) HVAC Unit – Roof (AC-3)			
	Mechanical Demolition (Unit & Ductwork – VAV)			
	Equipment Controller demolition (AC-1, AC-2, AC-3, HU-1, HU-2, HU-3)			
	Demolition of (8) VAV Thermostats			
2	HVAC	LS	1	
	AC-3			
	Condensate Drain (RTU – Roof)			
	Roof Curb and Support			
	New AC-1, AC-2, AC-3, HU-1, HU-2, HU-3 DDC Controls			
	Diffusers and Grills			
	HVAC Ductwork			
	HVAC Duct Insulation			
	Fresh Air Ductwork			
	Start-Up			
	Air Balance			
	Title 24 Acceptance Forms			
Base Bid Total:				
TOTAL BASE BID (WRITTEN):				
				and /100 DOLLARS
BID ALTERNATE				
1	Demolition	LS	1	
	Remove (E) Reznor Heating Unit - Roof			
	Mechanical Demolition (Unit & Ductwork – VAV)			
	Mechanical Demolition (Unit & Ductwork – By-Pass VAV Terminal)			
	Remove (E) Dual Duct – Hot Deck Ductwork			
2	HVAC	LS	1	

	HU-1			
	HU-2			
	HU-3			
	Roof Curb and Support			
	Air Balance (HU)			
	Start-Up			
Bid Alternate Total:				
TOTAL BID ALTERNATE (WRITTEN):				
				and /100 DOLLARS

 *Authorized Signature Name Title

* If a corporation, this document must be signed by two corporate officers. The first signature must be either the Chairman of the Board, President, or any Vice President. The second signature must be the Secretary, an Assistant Secretary, the Chief Financial Officer, or any Assistant Treasurer. **In the alternative, a single corporate signature is acceptable when accompanied by a corporate document demonstrating the legal authority of the signature to bind the company.**

INSTRUCTIONS TO CONTRACTORS

The Bid and Determining Low Bidder.

Bids are required for the entire work. The amount of the bid for comparison purposes will be the Total Base Bid.

The contractor shall set forth for each item of work, in clearly legible figures, as item price and a total for the item in the respective spaces provided for this purpose. In the case of unit basis items, the amount set forth under the "Total" column shall be the extension of the item price bid on the basis of the estimated quantity for the item.

In case of a discrepancy between the item price and the total set forth for the item, the item price shall prevail, provided, however, if the amount set forth as an item price is ambiguous, unintelligible or uncertain for any cause, or is omitted, or in the case of unit basis items, is the same amount as the entry in the "Total" column, then the amount set forth in the "Total" column for the item shall prevail in accordance with the following:

- 1) As to lump sum items, the amount set forth in the "Total" column shall be the item price.
- 2) As to unit basis items, the amount set forth in the "Total" column shall be divided by the estimated quantity for the item and the price thus obtained shall be the item price.

In case of a discrepancy between the Total Lump Sum Bid and the calculated total of the amounts in the "Total" column for each line item determined after using the above procedures for resolving the discrepancies, the calculated total of the amounts set forth in the "Total" column for shall become the Total Lump Sum Bid and shall be used for comparison purposes in determining the lowest bid.

It is understood and agreed that the quantities of work under each item are approximate only, being given for a basis of comparison of proposal, and the right is reserved to the County to increase or decrease the amount of work under any item as may be required, in accordance with provisions set forth in the specifications for this project.

It is further understood and agreed that the total amount bid for the project does not constitute an agreement to pay a lump sum for the work unless it specifically so states.

If this proposal shall be accepted and the undersigned shall fail to contract as aforesaid and to give the two bonds in the sums to be determined as aforesaid, with surety satisfactory to the Director of Public Works within eight (8) days, not including Saturdays, Sundays and legal holidays, after the contractor has received notice from the County Engineer that the contract has been awarded to him, the Director of Public Works may, at its option, determine that the contractor has abandoned the contract, and thereupon this proposal, and the acceptance thereof shall be null and void, and the forfeiture of such security accompanying this proposal shall operate and the same shall be the property of Napa County.

Form of Bid.

- (1) To receive consideration, bids shall be made on the forms and in the manner set forth in the Notice to Contractors.

(2) Bids received after the date and time advertised for opening will be considered non-responsive and will be rejected.

(3) Each bid must be completed in ink, typewritten or computer generated, and all changes and/or erasures must be initialed in ink. Each bid must be signed in ink by an authorized representative of the firm.

(4) Contractors shall not change the bid form nor make additional stipulations on the bid form which are not consistent with the provisions of the specifications.

Taxes. Bid prices shall include all applicable federal, state, and local taxes.

Receipt of Bids. All bids must be received sealed in an envelope prior to the time specified in the Notice to Proposers or as amended expressly by an addendum. Late bids will not be opened and will not be considered under any circumstances.

Postponement of Opening. The County reserves the right to postpone the date and time for receiving and/or opening of proposals at any time prior to the date and time established in the Notice to Proposers.

Rejection of Proposals. The County reserves the right to reject any proposals which are incomplete, obscure, or irregular, any proposals which omit a bid on any one or more items for which bids are required; any proposals which omit unit prices if unit prices are required; any proposal in which unit prices are unbalanced in the opinion of the County; any proposals accompanied by insufficient or irregular proposal guaranty; and any proposals from contractors who have previously failed to perform properly or to complete contracts of any nature on time.

Relief of Contractors. Attention is directed to the provisions of Public Contract Code Section 5100, et seq., concerning relief of contractors, and in particular to the requirement therein that if a contractor claims a mistake was made in its bid, the contractor shall give the County written notice within five (5) calendar days after the opening of the bids of the alleged mistake, specifying in the notice, in detail, how the mistake occurred.

Bid Protest Procedures. All protesting bidders must pay a protest fee to Napa County Public Works before the protest is accepted in accordance with the Napa County Fee Policy adopted by the Board of Supervisors and last revised by Resolution 2019-70. The current Bid Protest Fee is \$903.88 as set forth in Part III Fees, Part 140 Public Works, Section 140.015 and Section 140.115(f). Any bid protest must be in writing and received by the County at 1195 Third Street, Napa, CA before 5:00 p.m. no later than five (5) working days following the occurrence giving rise to the protest (the "Bid Protest Deadline") shall be considered pursuant to the procedures set forth in Section 10 of the County Purchasing Manual and must comply with the provisions of that Section and those requirements set forth below:

(1) Only a contractor who has actually submitted a Bid Proposal is eligible to submit a bid protest against another contractor. Subcontractors are not eligible to submit bid protests. A contractor may not rely on the bid protest submitted by another contractor, but must timely pursue its own protest.

(2) The bid protest must contain a complete statement of the basis for the protest and all supporting documentation. Material submitted after the Bid Protest Deadline will not be considered. The protest must refer to the specific portion or portions of the Contract Documents upon which the protest is based. The protest must include the name, address and telephone number of the person representing the protesting contractor if different from the protesting contractor.

(3) The party filing the protest shall concurrently transmit a copy of the protest and all supporting documents by fax or by e-mail, by or before the Bid Protest Deadline, to the protested contractor and any other contractor who has a reasonable prospect of receiving an award depending upon the outcome of the protest.

(4) The protested contractor may submit a written response to the protest, provided the response is received by the County before 5:00 p.m., within two (2) working days after the Bid Protest Deadline or after receipt of the bid protest, whichever is sooner (the "Response Deadline"). The response must include all supporting documentation. Material submitted after the Response Deadline will not be considered. The response must include the name, address and telephone number of the person representing the protested contractor if different from the protested contractor.

(5) A copy of the protest and all supporting documents must also be transmitted by fax or by e-mail, by or before the Bid Protest Deadline, to the protested contractor and any other contractor who has a reasonable prospect of receiving an award depending upon the outcome of the protest.

(6) The procedure and time limits set forth in this section are mandatory and are the contractor's sole and exclusive remedy in the event of bid protest. The contractor's failure to comply with these procedures shall constitute a waiver of any right to further pursue a bid protest, including filing a Government Code Claim or initiation of legal proceedings.

It is the intention of the County to award a contract, if at all, to the lowest contractor who demonstrates the attributes of trustworthiness, as well as quality, fitness (including financial qualifications), capacity and experience to enable it to prosecute the work successfully and properly, and to complete the work within the time period named in the Contract Documents.

To determine responsibility, the County will weigh any evidence that the contractor has performed satisfactorily other contracts of like nature and magnitude, and comparable difficulty and rates of progress, to the Work. The County shall have sole discretion to determine what contracts are of like nature and magnitude, and comparable difficulty and rates of progress.

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NONCOLLUSION DECLARATION TO BE EXECUTED
BY CONTRACTOR AND SUBMITTED WITH BID

"I, _____, hereby declare as follows: that he or she is _____ of _____ the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the contractor has not directly or indirectly induced or solicited any other contractor to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any contractor or anyone else to put in a sham bid, or that anyone shall refrain from bidding, that the contractor has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the contractor or any other contractor, or to fix any overhead, profit, or cost element of the bid price, or of that of any other contractor, or to secure any advantage against the public body awarding contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the contractor has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid."

I certify and declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ at _____
(DATE) (PLACE)

SIGNATURE

Accompanying this proposal is a _____
[Insert the words "cashier's check", "certified check", or "contractor's bond" as the case may be.]
A personal check is not an acceptable form of security.]
in an equal amount to at least ten percent of total bid.

The names of all persons interested in the foregoing proposal as principals are as follows:

IMPORTANT NOTICE: If contractor or other interested person is a corporation, state legal name of corporation, also names of the president, secretary, treasurer and manager thereof; if a copartnership, state true name of firm, also names of all individual copartners comprising the firm; if contractor or other interested person is an individual, state first and last names in full.

Licensed in accordance with an act providing for the registration of Contractors License No. _____
Expiration Date _____ Classification _____

Signature of contractor

NOTE; if contractor is corporation, the legal name of the corporation shall be set forth above together with the signature of the officer or officer authorized to sign contracts on behalf of the corporation; if contractor is a co partnership, the true name of the firm shall be set forth above together with the signature of the partner or partners authorized to sign contracts in behalf of the co partnership; and if contractor is an individual, his signature shall be placed above. If signature is by an agent other than an officer of a corporation or a member of a partnership, a Power of Attorney must be on file with the County prior to opening bids or submitted with the bid; otherwise, the bid will be disregarded as irregular and unauthorized.

Business Address _____

Place of Residence _____

Dated _____, 2020 Phone _____

Email _____

ADDENDUM ACKNOWLEDGEMENT

Contractor acknowledges receipt of the following addendums which are attached to the proposal:

Addendum No. _____ Date _____

Note: Bid Bonds to be on this form or on a form supplied by a licensed surety insurer

**CONTRACTORS BOND
NAPA COUNTY
STATE OF CALIFORNIA**

KNOW ALL PERSONS BY THESE PRESENTS,

That we _____

_____ as PRINCIPAL, and

_____ as SURETY,

are held and firmly bound unto NAPA COUNTY, hereinafter called the COUNTY, in the penal sum of TEN PERCENT (10%) OF THE TOTAL AMOUNT OF THE BID of the Principal above named, submitted by said Principal to the Napa County Board of Supervisor, for the work described below, for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. In no case shall the liability of the surety hereunder exceed the sum of \$

THE CONDITION OF THIS OBLIGATION IS SUCH THAT WHEREAS the Principal has submitted the above mentioned bid to the Board of Supervisors of the County of Napa for the in Napa County, in accordance with the Specifications entitled **650 Imperial Way HVAC Upgrade, PW 18-03** and the Standard Specifications of the State of California, Department of Transportation, dated, 2018, therefore, heretofore adopted by the Napa County Board of Supervisors.

NOW THEREFORE, if the aforesaid Principal is awarded the contract and within the time and manner required under the Specifications, after the prescribed forms are presented to him for signature, enter into a written contract, in the prescribed form, in accordance with the bid, and files and two bonds with the Clerk of the Board of Supervisors, one to guarantee faithful

performance and the other to guarantee payment for labor and materials, as required by law, then this obligation shall be null and void; otherwise, it shall be and remain in full force and virtue.

In the event suit is brought upon this bond by the Obligee and judgment is recovered, the surety shall pay all cost incurred by the obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

SEALED with our seals and dated this ___ day of _____, _____.

Principal (contractor):

Surety:

By: _____

By: _____, Attorney in Fact

By: _____

Signatures for Principal and Surety must be acknowledged before a Notary Public

APPROVED AS TO FORM: THOMAS CAPRIOLA,
Napa County Counsel

By: _____