

## The Ins and Outs of Governmental Construction Bidding



Photo by [www.constructconnect.com](http://www.constructconnect.com)

[ Article was originally posted on [www.constructconnect.com](http://www.constructconnect.com) ]

By Kendall Jones,

Government construction contracts can be extremely lucrative for commercial construction firms. In 2018, construction spending from federal, state, and local agencies totaled \$307.1 billion dollars, with \$21.3 billion coming from federal agencies and \$285.8 billion from state and local agencies, according to data from the U.S. Census Bureau. That's a 3.6% increase over the total public construction spending from 2017. Through August 2019, public construction spending has totaled \$214.3 billion, which is on pace to exceed 2018's total.

Many construction firms rely on government construction contracts as their sole source of revenue, while others will bid on a mix of public and private opportunities. There are a number of regulations and statutes governing public construction contracting. These can vary greatly between agencies, so it's important to understand which rules apply and carefully read all the bidding requirements when pursuing public construction contracts.

While an exhaustive list of all the regulations and statutes for all the federal, state, and local agencies would be nearly impossible to compile, there are some common requirements and practices that nearly all agencies follow. Here's a look at a few things to keep in mind when bidding on government construction contracts.

### Competitive Bidding

For most public construction projects, cost is the determining factor in awarding a contract. The most common project delivery method is the Design-Bid-Build method where general contractors bid on the project after an architect has already been selected and completed the plans and specs.

Projects must then be advertised, with an Invitation for Bids or Request for Proposals, in a local newspaper or by electronic means, usually on the agency's website, for a set number of days ahead of the bid date.

For public projects, the single prime, lump sum contract is most prevalent. General contractors take sub-bids from trade contractors and submit a bid to build the project for a set price. General contractors must submit a sealed bid or proposal by the bid date, at which time they are typically opened and read aloud.

Projects are awarded to the lowest responsive bidder, sometimes referred to as the lowest responsible and eligible bidder or the lowest responsive and responsible bidder. A responsive bid means that it has met all the legal requirements and substantially complies with all of the bid specifications. A responsible bidder is one who has the skills, ability, and financial resources to complete the perform the work and complete the project.

### Other Procurement, Contracting, and Project Delivery Methods

While the competitive bidding and the Design-Bid-Build method reign supreme, alternative procurement, contracting, and project delivery methods are being used in public construction and gaining in popularity.

Two project delivery methods seeing an uptick in use are Design-Build and Construction Manager at Risk. With Design-Build, there is a single contract that covers both the design and the construction. While there are design-build firms out there, architects and general contractors will often form a joint venture to submit proposals for these types of projects.

The Construction Manager at Risk (CMAR) method involves hiring a contractor to work as a consultant during the design and construction and is responsible for delivering the project at a pre-determined guaranteed maximum price (GMP). This is where the "at risk" comes into play with the CMAR method. If the project exceeds the GMP, the construction manager is financially responsible for any overages.

Rules for using the CMAR methods vary. In North Carolina, it is allowed only after the public entity has determined that CMAR is in the best interest of the project. The CMAR may not self-perform any of the work on the project except in a few rare instances like not receiving any bids for a subcontract.

Other procurement methods used on government contracts include best value, negotiated, sole source, and qualification-based. Some of the contract methods used other than lump sum and GMP include unit price, cost plus fee, and incentive contracts. While these methods aren't as common, they are used occasionally so it's a good idea to familiarize yourself with what they entail if you ever come across one as part of your bid/no-bid decision making.

Continued on page 5



# California Sub-Bid Request Ads

## DESILVA GATES CONSTRUCTION

11555 Dublin Boulevard • P.O. Box 2909  
Dublin, CA 94568-2909  
(925) 829-9220 / FAX (925) 803-4263  
Estimator: VICTOR LE  
Website: [www.desilvagates.com](http://www.desilvagates.com)  
An Equal Opportunity/  
Affirmative Action Employer

DeSilva Gates Construction (DGC) is preparing a bid as a Prime Contractor for the project listed below:

### US 101 / HOLLY STREET INTERCHANGE AND POC PROJECT

City Project No. 04-1G6224,  
Federal Project No. SRTSL-5267(018)  
Disadvantaged Business Enterprise Goal  
Assigned is 8.4%

OWNER:  
CITY OF SAN CARLOS  
600 Elm Street, San Carlos, CA 94070

**BID DATE: OCTOBER 21, 2019 @ 10:00 A.M..**

DGC is soliciting quotations from certified Disadvantaged Business Enterprises, for the following types of work and supplies/materials including but not limited to:

AC DIKE, BRIDGE DECK RESURFACING, BRIDGE, CELLULAR CONCRETE, CLEARING AND GRUBBING/DEMOLITION, CONCRETE BARRIER, CONSTRUCTION AREA SIGNS, BARRICADE AND CHANNELIZER, DRAINAGE WICK, ELECTRICAL, EROSION CONTROL, FENCING, LANDSCAPING/IRRIGATION, LEAD COMPLIANCE PLAN, METAL BEAM GUARDRAIL, MINOR CONCRETE, MINOR CONCRETE STRUCTURE, PAVEMENT GROOVING, LEAN CONCRETE BASE, ROADSIDE SIGNS, MICRO-SURFACING, STRIPING, SURVEY/STAKING, SWPPP/WATER POLLUTION CONTROL PLAN PREPARATION, TEMPORARY EROSION CONTROL, UNDERGROUND, VEGETATION CONTROL, TRUCKING, WATER TRUCKS, STREET SWEEPING, CLASS 2 AGGREGATE SUBBASE MATERIAL, CLASS 2 AGGREGATE BASE MATERIAL, HOT MIX ASPHALT (TYPE A) MATERIAL, RUBBERIZED HMA (GAP GRADE) MATERIAL.

Plans and specifications may be reviewed at our offices located at 11555 Dublin Boulevard, Dublin, CA or 7700 College Town Drive, Sacramento, CA, or at your local Builders Exchange, or reviewed and downloaded from the website [ftp://ftp%25desilvagates.com:f7pa55wd@pub.desilvagates.com](http://ftp://ftp%25desilvagates.com:f7pa55wd@pub.desilvagates.com) (if prompted the username is [ftp@desilvagates.com](mailto:ftp@desilvagates.com) and password is [f7pa55wd](http://www.cityofsan-carlos.org)) or from the Owner's site at <https://www.cityofsan-carlos.org>

Fax your bid to (925) 803-4263 to the attention of Estimator Victor Le. If you have questions for the Estimator, call at (925) 829-9220. When submitting any public works bid please include your DUNS number and DIR number. For questions regarding registration for DIR use the link at [www.dir.ca.gov/Public-Works/Public-Works.html](http://www.dir.ca.gov/Public-Works/Public-Works.html)

If you need DBE support services and assistance in obtaining bonding, lines of credit, insurance, necessary equipment, materials and/or supplies or related assistance or services, for this project call the Estimator at (925) 829-9220, or contact your local Small Business Development Center Network (<http://californiasbdc.org>) or contact the California Southwest Transportation Resource Center ([www.transportation.gov/osdbu/SBTRCs](http://www.transportation.gov/osdbu/SBTRCs)). DGC is willing to breakout portions of work to increase the expectation of meeting the DBE goal.

At our discretion, 100% Payment and 100% Performance bonds may be required as a subcontract condition. This will be a PREVAILING WAGE JOB. DGC is an Equal Opportunity/Affirmative Action Employer.

Sub-Bids Requested from qualified DBE Subcontractors and Suppliers For:  
**PURE WATER OCEANSIDE - ADVANCED WATER PURIFICATION FACILITY**

PROJECT NO. 908130200715

Owner: City of Oceanside

Location: Oceanside, CA

**Bid Date: November 12, 2019 @ 4:00 P.M.**

### J.F. Shea Construction, Inc.

667 Brea Canyon Road, Suite 30 • Walnut, CA 91789

Phone: (909) 595-4397, Fax: (909) 444-4268

Contact: Lori Olivas, [lori.olivas@jfshea.com](mailto:lori.olivas@jfshea.com)

J.F. Shea Construction, Inc. is soliciting your participation in the preparation of this bid. We are particularly interested in bids from subcontractors/suppliers for the following work items:

AC Paving, Traffic Striping, Landscaping, Ready-Mix Concrete, Reinforcing Steel, Structural Steel, Metal Deck, Metal Framing & Drywall, Miscellaneous Metals, Waterproofing, Insulation, Roofing, Sheet Metal, Metal Doors/Frames/Hardware, Overhead Coiling Doors, Skylights, Louvers, Cement Plaster, Acoustical Ceilings, Resilient Flooring, Tile Carpeting, Painting & Coatings, Signage, Fire Extinguishers, Equipment, FRP Tanks, Prefabricated Building, HVAC, Electrical and Instrumentation.

**Plans and Specifications:** You may obtain a free download from the City of Oceanside's website at: <https://www.ci.oceanside.ca.us/gov/dev/eng/cip/bids/default.asp>. Plans may also be viewed at the Dodge Plan Rooms or at our Walnut Office.

J.F. Shea Construction, Inc. is an equal opportunity employer and intends to negotiate in good faith with interested DBE firms and intends to utilize the lowest responsive bidder. J.F. Shea expects potential subcontractors to be bondable. J.F. Shea will pay for up to 1% for subcontractor bond costs. Subcontractors and Suppliers are expected to bid per plans and specifications, including requirements for warranties. Standard manufacturer's warranties, if not in conformance with owner's specifications, will not be accepted.



**Proven Management, Inc.**  
225 3rd Street, Oakland, CA 94607  
Phone: 510-671-0000 • Fax: 510-671-1000

PMI requests proposals/quotes from all qualified and certified Local Small Business (LSB), Minority Business Enterprise (MBE) Women Business Enterprise (WBE) subcontractors, suppliers, and truckers for the following project:

### MARKET STREET ENTRY CANOPIES BART CONTRACT NO. 15LK-140

Bids: **11/12/2019 @ 2pm**

LSB GOAL - 23%

The work includes but is not limited to: Selective Structure Demo; Hazmat Abatement; CIP & Portland Cement Conc; Rebar; Unit Masonry; Mtl Welding; Str Stl; Mtl Decking; Metal Fab; Decorative Metal; Wood, Plastics & Composites; Ro. Carp.; Plastic Fab; Glass Fiber Molded Grating; Thermal & Moisture Protection; Roof / Deck Insulation; Modified Bituminous Roofing; Overhead Coiling Grilles; Glazing; Finishes; Plaster & Drywall; Tile; Terrazzo Flooring; Painting; Graffiti-Resistant Coatings; Specialties; Signage; Real-Time Information Display; Bird Control Devices; Fire Prot / Plumbing / HVAC; Electrical; Lighting; Communications; Electronic Safety & Security; Earthwork; Dewatering; Controlled Density Fill; Shoring & Underpinning; Excavation Support & Protection; Ext Improvements; Asphalt & Conc Paving; Utilities; Support & Protection of Utilities; Trenching & Backfilling for Utilities; Storm Drainage Utilities.

Bonding, insurance, lines of credit and any technical assistance or information related to the plans & specifications & requirements for the work will be made available to interested LSB, MBE, WBE certified suppliers & subcontractors.

Assistance with obtaining necessary equipment, supplies, materials, or related assistance or services for this project will also be offered to interested LSB/MBE/WBE certified suppliers, subcontractors, truckers. PMI is signatory to the Operating Engineers, Carpenters, and Laborers Collective Bargaining Agreements.

100% Payment & Performance bonds will be required from a single, Treasury-listed surety company subject to PMI's approval. PMI will pay bond premium up to 1.5%. Subcontractors awarded on any project will be on PMI's standard form for subcontract without any modifications. For questions or assistance required on the above, please call.

We are an Equal Opportunity Employer

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Placed in the Small Business Exchange newspaper, SBE Today newsletter, and online at [www.sbeinc.com](http://www.sbeinc.com)

### Faxed and Eblast Solicitations

Targeted mailings sent to businesses per your criteria.

### Telemarketing

Telephone follow-up calls that follow a script of 5 questions you create.

### Computer Generated Reports

Will fit right into your proposal, along with a list of interested firms to contact.

### Contact Info:

795 Folsom Street, 1st Flr, Room 1124

San Francisco, CA 94107

Email: [sbe@sbeinc.com](mailto:sbe@sbeinc.com)

Website: [www.sbeinc.com](http://www.sbeinc.com)

Phone: (415) 778-6250, (800) 800-8534

Fax: (415) 778-6255

### Publisher of

Small Business Exchange  
weekly newspaper



# California Sub-Bid Request Ads



WESTERN WATER (WW), is seeking quotes from qualified subcontractors and suppliers, including DBE and/or San Francisco (Local) Small & Micro LBE certified firms, for the construction of:

## SEP Scope III – New Headworks Construction

Engineer's Estimate: \$42,000,000  
 Bid Date & Time: October 14<sup>th</sup> at 2:00 P.M.  
 Project Location: San Francisco, CA

Contracting opportunities for qualified subcontractors and suppliers on this project may include, but not be limited to, the following types of work: Building Information Modeling (BIM), Mechanical Anchor Testing, Steel Decking, Metal Fabrication, Misc. Metals, Metal Pan Stairs, Aluminum Railings, Wire Rope Decorative Metal Railings, Stop Plates, FRP Fabrications (Weirs, Grating, etc.), FRP Handrail and Guardrail, Penetration Firestopping, Painting & Coating, Automatic Samplers, High-Pressure Washers, Plumbing, Process Integration, Pipe Fabrication, PF&V, Hydraulic Actuators, Flowmeters, Bubblers, Switches, Analyzers, Davit Cranes, Submersible Sump Pumps, Submersible Centrifugal Pumps, Aluminum Covers, Water and Wastewater Equipment.

Information regarding bonding, insurance, lines of credit, and any technical assistance or information related to the plans or specifications and requirements for the work will be made available to all interested firms. Plans and specs are available to view at our office and access to digital copies will be provided upon request.

For more information or to provide quotes, please contact:  
 Western Water, 707 Aviation Blvd, Santa Rosa, CA  
 Ken Leef, Project Procurement Manager  
[bids@westernwater.com](mailto:bids@westernwater.com), Phone: (707) 540-9640, Fax: (707) 540-9641

Subcontractors will be required to comply with all subcontract insurance requirements, which include providing a waiver of subrogation endorsement to their worker's compensation insurance.

The City has a surety bond program, which assists LBE contractors in obtaining bonding and financing for contracts awarded by the San Francisco Public Utilities Commission. For further information contact: Jennifer Elmore at (415) 217-6578.

The SFPUC has adopted a Project Labor Agreement (PLA) which will apply to this Project. All contractors must sign a letter of assent, binding the contractor to the terms of the PLA.

Interested subs and suppliers should complete and submit the attached solicitation form no later than 24 hours prior to bid.

WW is an AA/EEO/Veterans/Disabled Employer – CA License No. 188068

707 Aviation Boulevard  
 Santa Rosa, CA 95403  
 License #188068 Est. 1959

t. 707.540.9640  
 f. 707.540.9641

[westernwater.com](http://westernwater.com)

## DESILVA GATES CONSTRUCTION

11555 Dublin Boulevard • P.O. Box 2909  
 Dublin, CA 94568-2909  
 (925) 829-9220 / FAX (925) 803-4263  
 Estimator: JACK SHEWMAKER  
 Website: [www.desilvagates.com](http://www.desilvagates.com)  
 An Equal Opportunity/  
 Affirmative Action Employer

DeSilva Gates Construction (DGC)  
 is preparing a bid as a Prime Contractor  
 for the project listed below:

**CALTRANS ROUTE 99 - STATE HIGHWAY IN MERCED COUNTY IN AND NEAR ATWATER FROM 0.4 MILE SOUTH OF BUHACH OVERCROSSING TO 0.8 MILE NORTH OF WEST ATWATER OVERHEAD**

Contract No. 10-3A7204,  
 Federal Aid Project No. ACNH-P099(646)E  
 Disadvantaged Business Enterprise Goal  
 Assigned is 17%

OWNER:  
 STATE OF CALIFORNIA  
 DEPARTMENT OF TRANSPORTATION  
 1727 30th Street, Bidder's Exchange, MS 26,  
 Sacramento, CA 95816

**BID DATE: OCTOBER 30, 2019 @ 2:00 P.M.**

DGC is soliciting quotations from certified Disadvantaged Business Enterprises, for the following types of work and supplies/materials including but not limited to:

AC DIKE, BRIDGE, CLEARING AND GRUBBING/DEMOLITION, CONCRETE BARRIER, CONSTRUCTION AREA SIGNS, ELECTRICAL, EROSION CONTROL, FENCING, MBGR, MINOR CONCRETE, MINOR CONCRETE STRUCTURE, PCC PAVING, ROADSIDE SIGNS, RUMBLE STRIP, SIGN STRUCTURE, STRIPING, SWPPP/WATER POLLUTION CONTROL PLAN PREPARATION, TEMPORARY EROSION CONTROL, UNDERGROUND, VEGETATION CONTROL, TRUCKING, WATER TRUCKS, STREET SWEEPING, CLASS 2 AGGREGATE SUB BASE MATERIAL, HOT MIX ASPHALT (TYPE A) MATERIAL, ASPHALT OIL BINDER.

Plans and specifications may be reviewed at our offices located at 11555 Dublin Boulevard, Dublin, CA or 7700 College Town Drive, Sacramento, CA, or at your local Builders Exchange, or reviewed and downloaded from the ftp site at <ftp://ftp%25desilvagates.com:f7pa55wd@pub.desilvagates.com> (if prompted the username is <ftp://desilvagates.com> and password is f7pa55wd) or from the Owner's site at [www.dot.ca.gov/hq/esc/oe/weekly\\_ads/all\\_adv\\_projects.php](http://www.dot.ca.gov/hq/esc/oe/weekly_ads/all_adv_projects.php)

Fax your bid to (925) 803-4263 to the attention of Estimator Jim Yackley. If you have questions for the Estimator, call at (925) 829-9220. When submitting any public works bid please include your DUNS number and DIR number. For questions regarding registration for DIR use the link at: [www.dir.ca.gov/Public-Works/PublicWorks.html](http://www.dir.ca.gov/Public-Works/PublicWorks.html)

If you need DBE support services and assistance in obtaining bonding, lines of credit, insurance, necessary equipment, materials and/or supplies or related assistance or services, for this project call the Estimator at (925) 829-9220, or contact your local Small Business Development Center Network (<http://californiasbdc.org>) or contact the California Southwest Transportation Resource Center ([www.transportation.gov/osdbu/SBTCs](http://www.transportation.gov/osdbu/SBTCs)). DGC is willing to breakout portions of work to increase the expectation of meeting the DBE goal.

At our discretion, 100% Payment and 100% Performance bonds may be required as a subcontract condition. This will be a PREVAILING WAGE JOB. DGC is an Equal Opportunity/Affirmative Action Employer.

## Looking for Subcontractors, Vendors, and Suppliers?

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# California Sub-Bid Request Ads



## O.C. Jones & Sons, Inc.

1520 Fourth Street • Berkeley, CA 94710  
Phone: 510-526-3424 • FAX: 510-526-0990  
Contact: Jean Sicard

REQUEST FOR **DBE**  
SUBCONTRACTORS AND SUPPLIERS FOR:

**US101/Holly Street Interchange & POC  
City of San Carlos**

**BID DATE: October 21, 2019 @ 10:00 AM**

We are soliciting quotes for (including but not limited to): Trucking, Temporary and Permanent Erosion Control Measures, Lead Compliance Plan, Progress Schedule (Critical Path Method), Construction Area Signs, Traffic Control System, Type III Barricade, Portable Changeable Message Sign, Temp. Crash Cushion, SWPPP, Temporary Dewatering & Non-Stormwater Control System, Storm Water Annual Report, Temporary Fencing, Sweeping, Treated Wood Waste, Clearing & Grubbing, Structure Excavation, Pervious Backfill Material, Lightweight Cellular Concrete Fill, Import Borrow, Underground, Imported Biofiltration Soil, Hydroseed, Compost, Lean Concrete Base, Data Core, AC Dike, Tack Coat, Prime Coat, Cold Plane AC, CIDH Concrete Piling, Prestressing Cast-In-Place Concrete, Structural Concrete, Minor Concrete, Fractured Rib Texture, Drill and Bond Dowel, Polyester Concrete, PTFE Spherical Bearing, Bar Reinforcing Steel, Shotcrete, Roadside Signs, Prepare Bridge Deck Surface, Bridge Removal, Misc. Metal, Underground, Rock Slope Protection, Minor Concrete, Misc. Iron & Steel, Isolation Casing, Bridge Deck Drainage System, Electrical, Fencing, Delineator, Pavement Marker, Object Marker, Midwest Guardrail System, Chain Link Railing, Concrete Barrier, Transition Railing, Striping & Marking, Message Sign, Ramp Metering System, Fiber Optic System, Wall Graphics, Color Changing Lighting, Metal Arc, Porcelain Enamel Graphics-Pilasters, Micro-Surfacing Ground Anchors, Bridge Grazing Lighting, and Construction Materials

### An Equal Opportunity Employer

Jean Sicard (510-809-3411)(jsicard@ocjones.com) is the estimator on this project and he is available to provide assistance or answer questions regarding the project scope of work including bid requirements, break out of bid items, plan or specification interpretation, bonding or insurance requirements, and other bid assistance. Plans and specs are available to review at our Berkeley office, or can be sent out via Building Connected. PDF format quotes should be emailed to the estimator or faxed to 510-526-0990 prior to noon on the date of the bid. Quotes from DBE Subcontractors, Suppliers and Truckers are highly encouraged. OC Jones is willing to breakout any portion of work to encourage DBE participation. Subcontractors must possess a current DIR, Contractors License, and insurance and workers compensation coverage including waiver of subrogation. OC Jones may require Performance and Payment bonds on subcontracts. OC Jones will pay the bond premium up to 2% of the contract value.

All subcontractors are required to execute OC Jones' standard subcontract agreement, comply with all insurance requirements, and name OC Jones as additional insured. Copies of our agreement and insurance requirements are available upon request. OC Jones is a Union contractor, and we are signatory to the Operating Engineers, Laborers, Teamsters, and Carpenters. OC Jones is an Equal Opportunity Employer



## O.C. Jones & Sons, Inc.

1520 Fourth Street • Berkeley, CA 94710  
Phone: 510-526-3424 • FAX: 510-526-0990  
Contact: Jean Sicard or Greg Souder

REQUEST FOR **DBE**  
SUBCONTRACTORS AND SUPPLIERS FOR:

**Construct 4 Lane Expressway with  
Earthwork and Paving  
Hwy 29 Kelseyville  
Caltrans #01-2982U4**

**BID DATE: October 9, 2019 @ 2:00 PM**

We are soliciting quotes for (including but not limited to): Trucking, Temporary and Permanent Erosion Control Measures, Lead Compliance Plan, Progress Schedule (Critical Path Method), Develop Water Supply, Construction Area Signs, Traffic Control System, Type III Barricade, Portable Changeable Message Sign, SWPPP, Rain Event Action Plan, Storm Water Sampling & Analysis and Report, Sweeping, Treated Wood Waste, Biologist, Invasive Species Control, Clearing & Grubbing, Rock Excavation (Controlled Blasting, Structure Excavation, Structure Backfill, Landscaping, Hydroseed, Date Core, AC Dike, Tack Coat, Cold Plane AC, Structural Concrete, Minor Concrete, Bar Reinforcing Steel, Structural Concrete, Wildlife Escape Ramp, Underground, Concrete Backfill, Temporary Culvert, Structural Steel Plate Vehicular Undercrossing, Geocomposite Drain, Temporary AFES, Abandon Culvert, Rock Slope Protection, Minor Concrete, Misc. Iron & Steel, Destroy Well, Prepare & Stain Concrete, Fencing, Gates, Delineator, Pavement Marker, Roadside Signs, Barricade, Cable Railing, Concrete Barrier, Striping & Marking, Radar Speed Feedback Sign Systems, Electrical, Building Work, Building Demolition, Ground Anchors - Sub Horizontal, Shotcrete, Relocate Billboard, and Construction Materials

### An Equal Opportunity Employer

100% Performance & Payment Bonds may be required. Worker's Compensation Waiver of Subrogation required. Please call OCJ for assistance with bonding, insurance, necessary equipment, material and/or supplies. OCJ is willing to breakout any portion of work to encourage DBE Participation. Plans & Specs are available for viewing at our office or through the Caltrans Website at [www.dot.ca.gov/hq/esc/oe/weekly\\_ads/index.php](http://www.dot.ca.gov/hq/esc/oe/weekly_ads/index.php).



## O.C. Jones & Sons, Inc.

1520 Fourth Street • Berkeley, CA 94710  
Phone: 510-526-3424 • FAX: 510-526-0990  
Contact: Greg Souder

REQUEST FOR **DBE**  
SUBCONTRACTORS AND SUPPLIERS FOR:

**Cold Plane AC Pavement, RHMA (Gap Graded)  
Overlay, and Replace Guardrail  
Hwy 101 Mendocino County Near Hopland  
Caltrans #01-466304**

**BID DATE: October 15, 2019 @ 2:00 PM**

We are soliciting quotes for (including but not limited to): Trucking, Temporary and Permanent Erosion Control Measures, Lead Compliance Plan, Progress Schedule (Critical Path Method), Construction Area Signs, Traffic Control System, Flashing Arrow Sign, Type III Barricade, Flashing Beacon, Portable Changeable Message Sign, Water Pollution Control Program, Asbestos Compliance Plan, Treated Wood Waste, Dust Control Plan (Naturally Occurring Asbestos), Imported Borrow, Wood Mulch, Crack Treatment, Asphalt Binder, Geosynthetic Pavement Interlayer, Date Core, AC Dike, Tack Coat, Cold Plane AC, Adjust Monument Cover to Grade, Guard Railing Delineator, Pavement Marker, Roadside Signs, Midwest Guardrail System, Vegetation Control (Minor Concrete), Wildlife Passageway, Transition Railing, Alternative In-Line Terminal System, Severe-Duty Crash Cushion, Rumble Strip, Remove Barriers and Railing, Concrete Barriers and Transitions, Striping & Marking, Electrical and Construction Materials

Greg Souder (510-809-3430 [gsouder@ocjones.com](mailto:gsouder@ocjones.com)) is the estimator on this project and he is available to provide assistance or answer questions regarding the project scope of work including bid requirements, break out of bid items, plan or spec interpretation, bonding or insurance requirements, and other bid assistance. Plans and specs are available to review at our Berkeley office, or can be sent out via Building Connected. Plans are also available under the Advertised Projects tab at the Caltrans website at: <http://ppmoe.dot.ca.gov/des/oe/contract-awards-services.html>. PDF format quotes should be emailed to the estimator or faxed to 510-526-0990 prior to noon on the date of the bid. Quotes from DBE Subcontractors, Suppliers and Truckers are highly encouraged. OCJ is willing to breakout any portion of work to encourage DBE participation. Subcontractors must possess a current DIR, Contractors License, and insurance and workers compensation coverage including waiver of subrogation. OCJ may require Performance and Payment bonds on subcontracts. OCJ will pay the bond premium up to 2% of the contract value. All subcontractors are required to execute OC Jones' standard subcontract agreement, comply with all insurance requirements, and name OCJ as additional insured. Copies of our agreement and insurance requirements are available upon request. OCJ is a Union contractor, and we are signatory to the Operating Engineers, Laborers, Teamsters, and Carpenters. OCJ is an Equal Opportunity Employer.

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Contact us at 800-800-8534 or [sbe@sbeinc.com](mailto:sbe@sbeinc.com)

# The Ins and Outs of Governmental Construction Bidding

## Continued from page 1 Prequalification

Prequalifying general contractors for in order to bid on specific projects is a growing trend among public agencies, especially on the larger, more expensive projects. Prequalification can be done on a project by project basis or for any projects an agency lets. Again, rules for when an agency can or is required to prequalify contractors varies between public entities.

For example, the Florida Department of Transportation (FDOT) requires that contractors be prequalified in order to bid on any road, bridge, or transportation project that costs more than \$250,000. The FDOT prequalification is done on a yearly basis.

Other prerequisites for bidding to a particular agency or on a specific project include registering to bid or receiving security clearances for your workers. To bid on a federal construction project, a company must first register with the System for Award Management. You will need to know your North American Industry Classification System (NAICS) code, tax identification number, and have a registered Data Universal Numbering System (DUNS) code from Dun & Bradstreet.

Be sure to do your homework and perform a little research on any project so you are considering bidding on to take care of any prequalification or prerequisites in plenty of time to be able to submit your bid. It's no fun when you find a perfect project to bid only to discover that it'll probably take a month to get prequalified for a project that bids next week.

### Pre-Bid Meetings

Often on public construction projects, the owner will hold a pre-bid meeting or site visit to allow contractors and subcontractors to get a better understanding of the project requirements. These are great opportunities to ask questions about the bid or site conditions as well as network with trade contractors or general contractors interested in bidding on the project.

Occasionally, these pre-bid meetings are mandatory. Failing to attend a mandatory pre-bid meeting means you aren't eligible to bid on the project and agencies often use the attendance lists to send out addenda to the bid or bidding documents. It's always a good idea to attend pre-bid meetings when they are offered, regardless of whether they are mandatory or not, in order to submit a better bid.

### MBE, DBE, & SBE Programs

In order to ensure that small, minority-, and women-owned firms had the equal opportunity to participate and compete for construction contracts, many federal, state, and local agencies have established programs to award a certain number of contracts to those businesses.

These programs usually have an overall participation goal for all their projects. For instance, Maryland has the country's oldest Minority Busi-

ness Enterprise (MBE) program, dating back to 1978, with a 29% overall participation goal for all construction projects for most state agencies. The U.S. DOT has the Disadvantaged Business Enterprise (DBE) program that covers federal transportation projects and state and local projects that received financial assistance from the U.S. DOT.

### The U.S. DOT defines a DBE as:

"A for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations.

African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals can also qualify as socially and economically disadvantaged on a case-by-case basis."

Each agency receiving federal funds for projects are required to set annual DBE participation goals as well as contract-specific DBE subcontracting goals. To fulfill those goals, the DBE subcontractor must provide a commercially useful function. In instances where the participation goal is not met, the prime contractor must prove that they made Good Faith Efforts to meet the goal.

There are also programs that encourage or incentive participation by Small Business Enterprises (SBE), Women Business Enterprises (WBE), Small Disadvantage Businesses (SDB), Women-Owned Small Businesses (WOSB), Veteran-Owned Small Businesses (VOSB), Service-Disabled Veteran-Owned Small Businesses (SDVOSB), and Historically Underutilized Businesses (HUB).

Businesses that fall into any of these categories should get their business certified and registered with the individual agencies in order to take advantage of these programs and projects.

### Prevailing Wages

The Davis-Bacon Act of 1931 is a federal law that requires contractors and subcontractors be paid locally prevailing wages (including fringe benefits) on any federally funded or assisted construction projects. Prevailing wages are determined based on wages paid to the various classes of laborers working on specific types of construction projects in a given area.

In addition to federally funded or federally assisted projects, 26 states and Washington, D.C. also have their own prevailing wage laws under what are called "Little Davis-Bacon Acts." Threshold amounts vary from state to state and the prevailing wage will differ based on where the project is taking place so it's important to note when the apply and what those amounts are so they can be incorporated into your bids.

### Construction Bonds

Government agencies often require construction bonds from prime contractors to guarantee that bids, construction work, and payments to subcon-

tractors and suppliers to ensure that the terms of the bid and contract are followed.

Construction bond typically involves three parties: the obligee, the principal, and the surety. The obligee for public projects is the agency that is bidding out the work. The principal is the general contractor or construction manager. The surety is the agency that underwrites the construction bonds and guarantees payments will be made to the obligee if the general contractor doesn't meet their obligations.

General contractors purchase bid bonds from the surety which covers the penal sum, or the maximum amount of damages the surety will cover with the bond. The three most common bonds required on construction projects are bid bond, performance bond, and payment bond.

### Bid Bonds

A bid bond guarantees that a bid is accurate and true, and that the contractor intends to perform the work if they win the bid and are awarded a contract. If a contractor submits a bid without a required bid bond, the bid won't be opened. Obligees can make a claim on the bid bond if the contractor withdraws their bid, doesn't have the financial credentials to perform the work, or declines an award. In some instance, a claim can be made if a contract isn't executed within a set number of days after award. Bid bonds are typically for 5% of the total bid.

### Performance Bonds

Performance bonds are used to ensure the contractor performs the construction work as outlined in the contract. If they fail to do so, the performance bond is used to guarantee the owner doesn't lose money by having to bring in another contractor to complete the project. Performance bonds are typically 100% of the bid.

### Payment Bonds

Payment bonds are in place to ensure that the general contractors pay all their subcontractors and suppliers for the work and materials provided. If a contractor defaults or files for bankruptcy, the owner can make a claim and use the money to pay any outstanding balances. Payment bonds are typically for 100% of the bid.

Performance and payment bonds are required by the Miller Act for federal projects and are governed by "Little Miller Acts" by individual states.

Other types of bonds that are sometimes required on construction project include: contractor license bonds, supply bonds, and maintenance bonds. Contractors should check with their surety agent to review your company's financials, skills, resources, and capability to perform the work.

Most surety companies give you two bonding capacity amounts: one for single projects and an aggregate for all open projects. Once you complete a project you should inform your surety agent so they can free up your bond line before your next project if necessary.

**SOURCE:** [www.constructconnect.com](http://www.constructconnect.com)