



PUBLIC WORKS DEPARTMENT

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3354 • FAX: (408) 777-3333
CUPERTINO.ORG

March 28, 2024

Re: Jollyman AIPG_Notice Inviting Bids 03-28-2024

The City of Cupertino posts the “Jollyman All Inclusive Playground and Adult-Assistive Bathroom Facility” project documents, and is open for public bid submission. Please review the “Notice Inviting Bids” for the submittal requirements, due dates and project scope.

This project replaces and expands the existing play area in the southwest corner of Jollyman Park, with a new All-Inclusive play area and supporting facilities. The project generally involves installation of a new all-inclusive play area, associated play elements, picnic areas, fencing, custom interactive art piece, pathways, planting, restroom, irrigation, and utilities at an existing park. City permit documents have been submitted and are in process; Stormwater Maintenance Plan (SWMP) Report will be completed prior to the Contractor pulling permits.

Sincerely,

Susan Michael, RA
CIP Manager

Bid Documents available for downloading:

- Jollyman AIPG_Notice Inviting Bids 03-28-2024.pdf
- Jollyman AIPG_Project Manual 03-28-2024.pdf
- Jollyman AIPG_Technical Specs 03-28-2024.pdf
- Jollyman AIPG_Bid drwgs 03-28-2024.pdf
- Jollyman AIPG_Reference Info 03-28-2024.pdf

Notice Inviting Bids

1. **Bid Submission.** City of Cupertino (“City”) will accept electronically submitted bids for its **All-Inclusive Playground at Jollyman Park Capital Improvement Program Project** (“Project”), by or before **April 25, 2024 at 2pm** PST, via electronic submission to the City’s “Business Opportunities” online portal in the manner set forth in Section 1 of the Instructions to Bidders, at which time the bids will be opened by the City.

2. **Project Information.**
 - 2.1 **Location and Description.** The Project is located at 1000 South Stelling Drive and is described as follows: . **This project replaces and expands the existing play area** in the southwest corner of Jollyman Park, with a new All-Inclusive play area and supporting facilities. The project generally involves installation of a new all-inclusive play area, associated play elements, picnic areas, fencing, custom interactive art piece, pathways, planting, restroom, irrigation, and utilities at an existing park. City permit documents have been submitted and are in process; Stormwater Maintenance Plan (SWMP) Report will be completed prior to the Contractor pulling permits.

 - 2.2 **Time for Final Completion** The Project must be fully completed within 270 calendar days from the start date set forth in the Notice to Proceed. City anticipates that the Work will begin on or about June 17, 2024 but the anticipated start date is provided solely for convenience and is neither certain nor binding.

 - 2.3 **Estimated Cost.** The estimated construction cost is \$3,950,000.00.

3. **License and Registration Requirements.**
 - 3.1 **License.** This Project requires a valid California contractor’s license for the following classification(s): A – General Engineering Contractor

 - 3.2 **DIR Registration.** City may not accept a Bid Proposal from or enter into the Contract with a bidder, without proof that the bidder is registered with the California Department of Industrial Relations (“DIR”) to perform public work pursuant to Labor Code § 1725.5, subject to limited legal exceptions.

4. **Contract Documents.** The plans, specifications, bid forms and contract documents for the Project, and any addenda thereto (“Contract Documents”) may be downloaded from City’s Business Opportunities website located at: <https://apps.cupertino.org/bidmanagement/index.aspx>. A printed copy of the Contract Documents is not available.
5. **Bid Security.** The Bid Proposal must be accompanied by bid security of ten percent of the maximum bid amount, in the form of a cashier’s or certified check made payable to City, or a bid bond executed by a surety licensed to do business in the State of California on the Bid Bond form included with the Contract Documents, in the manner set forth in Section 4 of the Instructions to Bidders. The bid security must guarantee that within ten days after City issues the Notice of Potential Award, the successful bidder will execute the Contract and submit the payment and performance bonds, insurance certificates and endorsements, valid Certificates of Reported Compliance as required under the California Air Resources Board’s In-Use Off-Road Diesel-Fueled Fleets Regulation (13 CCR § 2449 et seq.) (“Off-Road Regulation”), if applicable, and any other submittals required by the Contract Documents and as specified in the Notice of Potential Award.
6. **Prevailing Wage Requirements.**
 - 6.1 **General.** Pursuant to California Labor Code § 1720 et seq., this Project is subject to the prevailing wage requirements applicable to the locality in which the Work is to be performed for each craft, classification or type of worker needed to perform the Work, including employer payments for health and welfare, pension, vacation, apprenticeship and similar purposes.
 - 6.2 **Rates.** The prevailing rates are on file with the City and are available online at <http://www.dir.ca.gov/DLSR>. Each Contractor and Subcontractor must pay no less than the specified rates to all workers employed to work on the Project. The schedule of per diem wages is based upon a working day of eight hours. The rate for holiday and overtime work must be at least time and one-half.
 - 6.3 **Compliance.** The Contract will be subject to compliance monitoring and enforcement by the DIR, under Labor Code § 1771.4.
7. **Performance and Payment Bonds.** The successful bidder will be required to provide performance and payment bonds, each for 100% of the Contract Price, as further specified in the Contract Documents.

8. **Substitution of Securities.** Substitution of appropriate securities in lieu of retention amounts from progress payments is permitted under Public Contract Code § 22300.
9. **Subcontractor List.** Each Subcontractor must be registered with the DIR to perform work on public projects. Each bidder must submit a completed Subcontractor List form with its Bid Proposal, including the name, location of the place of business, California contractor license number, DIR registration number, and percentage of the Work to be performed (based on the base bid price) for each Subcontractor that will perform Work or service or fabricate or install Work for the prime contractor in excess of one-half of 1% of the bid price, using the Subcontractor List form included with the Contract Documents.
10. **Bidders' Conference.** A bidders' conference will be held on **April 9, 2024 at 2 pm PST at Jollyman Park** (1000 South Stelling Road, Cupertino), in the southwest playground area to acquaint all prospective bidders with the Contract Documents and the Worksite. The bidders' conference is not mandatory.
11. **Specific Brands.** Pursuant to referenced provision(s) of Public Contract Code § 3400(c), City has found that the following specific brands are required for the following particular material(s), product(s), thing(s), or service(s), and no substitutions will be considered or accepted:

<u>Item:</u>	<u>Required brand:</u>	<u>Reference:</u>
Interactive Art Feature	UAP	(c)(3)

Note: Under Public Contract Code § 3400(c), a sole source specification is only permitted as follows:

- (c)(1) required for field testing or experiment;*
- (c)(2) required to match products in use for the improvement;*
- (c)(3) a necessary item that is only available from one source; or*
- (c)(4) required to respond to a state-declared emergency.*

12. **Instructions to Bidders.** All bidders should carefully review the Instructions to Bidders for more detailed information before submitting a Bid Proposal. The definitions provided in Article 1 of the General Conditions apply to all of the Contract Documents, as defined therein, including this Notice Inviting Bids.

By:  Date: 3/28/24

Kirsten Squarcia, City Clerk

Publication Date: 4/5/24 & 4/12/24

END OF NOTICE INVITING BIDS