

**NOTICE TO CONTRACTORS**  
**PROJECT NO. 07-3**  
**ESPL – 5346 (009)**

Sealed proposals for the work entitled:  
**HUNTINGTON DRIVE STREET REHABILITATION PROJECT**  
**BY THE CITY OF DUARTE;**  
**COMMUNITY DEVELOPMENT DEPARTMENT**

SCOPE OF WORK INCLUDES: REMOVAL OF 3.5” OF EXISTING PAVEMENT SURFACE,  
CONSTRUCTION OF 1.5” HMA LEVELING COURSE, CONSTRUCTION OF 2” OF ARHM,  
ADJUSTMENT OF MANHOLES AND VALVE COVERS, REPLACEMENT OF TRAFFIC LOOPS,  
REPLACEMENT OF STRIPING AND MARKINGS

**will be received at the Office of the City Clerk of the City of Duarte, 1600 Huntington Drive, Duarte, Ca. 91010 until 10:00 a.m. on April 20, 2010, at which time they will be publicly opened and read.**

Bidders are advised that, as required by federal law, the City of Duarte is implementing new Disadvantaged Business Enterprise requirements for Underutilized Disadvantaged Business Enterprises (UDBE). Section 2, "Proposal Requirements and Conditions," under subsection titled "Disadvantaged Business Enterprises (DBE)" and Section 5, "General," under subsection titled "Performance of Subcontractors" of these special provisions cover the UDBE requirements.

The City of Duarte is implementing new contract requirements for submittal of Monthly Employment Report forms. Refer to section titled "Monthly Employment Report (American Recovery and Reinvestment Act)" under Section 5, "General," of these special provisions.

Bidders are advised that, as required by federal law, the State has established a statewide overall DBE goal. This Agency federal-aid contract is considered to be part of the statewide overall DBE goal. The Agency is required to report to Caltrans on DBE participation for all Federal-aid contracts each year so that attainment efforts may be evaluated.

**This project has an Annual Anticipated DBE Participation Level (AADPL) goal for this project of 15.39% (8.03% Race Neutral; 7.36% Race Conscious).**

A pre-construction conference will be held following submission of a signed contract by the successful bidder.

THIS PROJECT IS SUBJECT TO THE "BUY AMERICA" PROVISIONS OF THE SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982 AS AMENDED BY THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1991.

Bids are required for the entire work described herein. No bid shall be considered unless it is made on a proposal form furnished by the City of Duarte and is in accordance with the provisions of the Standard Specifications for Public Works Construction, 2009 Edition, and all supplements thereto.

Each bid must be accompanied by cash, certified or cashiers check, or bidders bond made payable to the City of Duarte for an amount equal to at least ten percent (10%) of the amount bid, such guaranty to be forfeited should the bidder to whom the contract is awarded fail to enter into the contract. Plans, specifications, contracts and proposal forms may be obtained at the office of the City Clerk, 1600 Huntington Drive, Duarte, California 91010.

The City reserves the right to reject any or all bids and to waive any irregularity or informality in any bid to the extent permitted by law.

Attention is directed to the provisions of Chapter 9, Division 3 of the Business and Professions Code requiring contractors to be licensed. No proposal will be accepted from any contractor unless he is licensed in accordance

with the laws of this state. Contractor shall procure all permits incident to the lawful prosecution of the work. Further, the Labor Code of the State of California prohibits a contractor from performing work on a public works project with a subcontractor who is ineligible pursuant to Section 1777.1 or 1777.7 of said code.

This contract is subject to state contract nondiscrimination and compliance requirements pursuant to Government Code, Section 12990.

Technical questions should be directed to the Engineering Division Manager, City Duarte, California, telephone (626) 357-7931 ext. 233. Inquiries or questions based on alleged patent ambiguity of the plans, specifications or estimate must be communicated as a bidder inquiry prior to bid opening. Any such inquiries or questions, submitted after bid opening, will not be treated as a bid protest.

The successful bidder shall furnish a 100% payment bond and a 100% performance bond.

The City of Duarte hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Pursuant to Section 1773 of the Labor Code, the general prevailing wage rates in the county, or counties, in which the work is to be done have been determined by the Director of the California Department of Industrial Relations. These wages are set forth in the General Prevailing Wage Rates for this project, available at City of Duarte, 1600 Huntington Dr., Duarte, Ca address and available from the California Department of Industrial Relations' Internet web site at <http://www.dir.ca.gov>. The Federal minimum wage rates for this project as predetermined by the United States Secretary of Labor are set forth in the books issued for bidding purposes entitled "Proposal and Contract," and in copies of this book that may be examined at the offices described above where project plans, special provisions, and proposal forms may be seen. Addenda to modify the Federal minimum wage rates, if necessary, will be issued to holders of "Proposal and Contract" books. Future effective general prevailing wage rates, which have been predetermined and are on file with the California Department of Industrial Relations are referenced but not printed in the general prevailing wage rates.

Attention is directed to the Federal minimum wage rate requirements in the books entitled "Proposal and Contract." If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the general prevailing wage rates determined by the Director of the California Department of Industrial Relations for similar classifications of labor, the Contractor and subcontractors shall pay not less than the higher wage rate. The Department will not accept lower State wage rates not specifically included in the Federal minimum wage determinations. This includes "helper" (or other classifications based on hours of experience) or any other classification not appearing in the Federal wage determinations. Where Federal wage determinations do not contain the State wage rate determination otherwise available for use by the Contractor and subcontractors, the Contractor and subcontractors shall pay not less than the Federal minimum wage rate, which most closely approximates the duties of the employees in question.

The U.S. Department of Transportation (DOT) provides a toll-free "hotline" service to report bid rigging activities. Bid rigging activities can be reported Mondays through Fridays, between 8:00 a.m. and 5:00 p.m., Eastern Time, Telephone No. 1-800-424-9071. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the "hotline" to report these activities. The "hotline" is part of the DOT's continuing effort to identify and investigate highway construction contract fraud and abuse and is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

CITY OF DUARTE

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CITY CLERK

DATED