

NOTICE TO BIDDERS

Sealed proposals will be received at:

<https://www.bidexpress.com/businesses/36473/home>,

and at the Fresno County Department of Public Works and Planning, Office of the Design Engineer, Seventh Floor, Fresno County Plaza Building, 2220 Tulare Street, Fresno, CA 93721 until

**2:00 P.M., (1400 hours and 00 seconds)
Thursday, December 5, 2024**

at which time the bidding will be closed.

If you have any questions about bid submission, please contact us at DesignServices@fresnocountyca.gov or call (559) 353-4919 or (559) 600-4543.

Promptly following the closing of the bidding all timely submitted bids will be publicly opened and viewable via a livestream (the link for which will be posted at <http://www.fresnocountyca.gov/planholders>), for construction in accordance with the specifications therefor, to which special reference is made as follows:

GENERAL BUILDING JOB ORDER CONTRACT

**Contract Numbers.: 24-J-10, Class B
24-J-11, Class B
24-J-12, Class B
24-J-13, Class B**

A Job Order Contract is an indefinite quantity contract pursuant to which the Contractor will perform an ongoing series of individual projects at different locations throughout the County of Fresno. The bid documents include a Construction Task Catalog® containing construction tasks with preset Unit Prices. All Unit Prices are based on local labor prevailing wages, material and equipment prices and are for the direct cost of construction.

A MANDATORY pre-bid conference will be held at 1:00 P.M., on Tuesday, November 19, 2024 for the purpose of discussing the Job Order Contract concept, documents, bid considerations and to discuss Job Order Contracting from a contractor’s viewpoint. The MANDATORY pre-bid conference will be held online (the link for which will be posted at <http://www.fresnocountyca.gov/planholders>).

Prospective bidders whose representative(s) attend the MANDATORY pre-bid conference will receive the electronic link to the official specification books, the Construction Task Catalog® and Technical Specifications.

Bidders will bid two sets of Adjustment Factors to be applied to the Unit Prices. One set of Adjustment Factors for projects in General Facilities, one set of Adjustment Factors projects in a Secure Facility. Each set of Adjustment Factors will include one Adjustment Factor for performing work during Normal Working Hours and a second Adjustment Factor for performing work during Other Than Normal Working Hours. All Adjustment Factors apply to every task in the Construction Task Catalog®.

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Upon award of contract and as projects are identified, the Contractor will jointly scope the work with the County Project Manager. The County Project Manager will prepare a Detailed Scope of Work and issue a Request for Proposal to the Contractor. The Contractor will then prepare a Work Order Proposal for the project including a Work Order Price Proposal, Schedule, Sketches or Drawings, a list of subcontractors, and other requested documentation. The value of the Work Order Price Proposal shall be calculated by summing the total of the calculation for each Pre-priced Task (Unit Price x quantity x Adjustment Factor) plus the value of all Non-Pre-priced Tasks.

If the Work Order Price Proposal is found to be reasonable, a Work Order may be issued. The Contractor is required to complete each Detailed Scope of Work for the Work Order Price within the Job Order Completion Time.

A Work Order will reference the Detailed Scope of Work and set forth the Work Order Completion Time, and the Work Order Price. The Work Order Price is determined by multiplying the preset Unit Prices by the appropriate quantities and by the appropriate Adjustment Factor. The Work Order Price shall be a lump sum, fixed price for the completion of the Detailed Scope of Work.

A separate Work Order will be issued for each project. Extra work, credits, and deletions will be contained in a Supplemental Work Order.

Minimum and Maximum Contract Values:

A. There is no Minimum Contract Value for this Contract. If a contract is awarded, the Contractor is not guaranteed to receive a specified minimum amount of work during the Contract Term.

B. The Maximum Contract Value is \$6,023,368.00. The Contractor is not guaranteed to receive this volume of Work Orders. It is merely an estimate. The Owner has no obligation to issue Work Orders in excess of the Minimum Contract Value.

C. The successful bidder shall furnish a payment bond and a performance bond in the amount of \$500,000 each as security for the payment of all persons performing and furnishing materials in connection with this Contract. If the aggregate outstanding Job Orders issued under the contract exceeds \$500,000, increases in the Payment and Performance Bonds in increments of \$500,000 will be required such that the amount of the Payment and Performance Bonds are not less than one hundred percent (100%) of the outstanding aggregate Job Orders issued. Bonds shall remain in force for the duration and until completion of any outstanding Job Order. At no time may the sum of outstanding Job Orders exceed the amount of the Payment and Performance Bonds.

Contract Term:

A. The Contract Term commences on the date the contract is executed by the County of Fresno Board of Supervisors (i.e.: the effective date of the Contract).

B. The term of the Job Order Contract will be either for one year or when issued Work Orders totaling the Maximum Contract Value have been completed, whichever occurs first. All Work Orders must be issued but not necessarily completed within one calendar year of the effective date of the Contract. All Work Orders for which a Notice to Proceed is issued by the County Contract Manager during the term of this Contract shall be valid and in effect notwithstanding that the Detailed Scope of Work may be performed, payments may be made, and the guarantee period may continue, after the Contract Term has expired. All terms and conditions of the Contract apply to each Work Order. No notices to proceed will be issued after 5:00, P.M. on the final day of the Contract Term.

Bidders may fill out a Request to be Added to Planholders list:

<https://www.fresnocountyca.gov/Departments/Public-Works-and-Planning/Construction-Bidding-Opportunities/Request-to-Be-Added-to-the-Planholders-List-Form>

Requesters will then be listed as a planholder for the project on the website and receive email notifications and addenda regarding the project.

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Prospective bidders may also select the project on www.BidExpress.com. Those that demonstrate interest in the project will also be added to the planholders list, and will receive notifications and addenda regarding this project.

Planholder and exchange/publication names may be obtained from the Fresno County website at <http://www.fresnocountyca.gov/planholders>. Electronic copies in “.pdf” file format of the official project plans and specifications and such additional supplemental project information as may be provided at the mandatory pre-bid conference.

The bid documents are available online at: <https://www.bidexpress.com/businesses/36473/home> and bids may be submitted electronically through that website.

If a bidder is unable to submit a bid via Bid Express, Bid books, which contain bid proposal sheets necessary to submit a bid, may be obtained at <http://www.fresnocountyca.gov/planholders>.

Electronic bids shall be submitted via the Bid Express website. Paper bids shall be submitted in a sealed envelope addressed to the Department and labeled with the name of the bidder, contract number, name of the project, and the statement “Do Not Open Until The Time Of Bid Opening.”

A Summary of Bids for the apparent low bidder will be posted at the above listed website, generally within 24 hours of the Bid Opening.

All questions regarding this contract shall be in writing and shall be received by the Department of Public Works and Planning, Design Division, no later than 2:00 P.M. on the seventh (7th) calendar day before bid opening. Any questions received after this deadline will not receive a response unless the Department of Public Works and Planning elects to issue an addendum to revise the bid opening date. In the event that the bid opening date is revised, the deadline for questions will be extended to no later than 2:00 P.M. on the seventh (7th) calendar day before the revised bid opening date. Questions shall be submitted on the Request for Clarification form provided on the contract website at:

<https://www.fresnocountyca.gov/Departments/Public-Works-and-Planning/Construction-Bidding-Opportunities/24-J-10-24-J-11-24-J-12-24-J-13-Class-B-General-Building-Job-Order-Contract>

Any changes to, or clarification of, the Contract documents and specifications shall be in the form of a written addendum issued to planholders of record. Questions that prompt a change or clarification shall be included in the addendum with the subsequent answer.

Any oral explanation or interpretations given to this project are not binding.

Bidders will submit one (1) bid that will be considered for four (4) potential Contracts being offered.

Bidders will bid two (2) sets of Adjustment Factors to be applied to the Unit Prices:

- One set of Adjustment Factors for projects in General Facilities.
- One set of Adjustment Factors for projects in a Secure Facility.

Each set of Adjustment Factors will include one Adjustment Factor for performing work during Normal Working Hours and a second Adjustment Factor for performing work during Other Than Normal Working Hours. All Adjustment Factors apply to every task in the Construction Task Catalog®.

The County intends to award a contract to each of the four (4) lowest responsible bidders. One proposal must be submitted by each bidder wishing to bid for one of the three contracts in the **Class B license** category. Bids will be compared, for purposes of identifying the apparent low bidder for proposed award of the contract, on the basis of the Award Criteria Figure. The Award Criteria Figure is the sum of the weighted Adjustment Factors.

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The Construction Task Catalog® is priced at a net value of 1.0000. The bid shall be an increase to (e.g., 1.1000) or decrease to (e.g., 0.9500) the Unit Prices listed in the Construction Task Catalog®. Bidders who submit separate Adjustment Factors for separate Unit Prices will be considered non-responsive and their bid will be rejected.

The Owner selected The Gordian Group's (Gordian) Job Order Contracting (JOC) Solution for their JOC program. The Gordian JOC Solution™ includes Gordian's proprietary JOC Information Management System ("JOC IMS"), construction cost data, and Construction Task Catalog® which shall be used by the Contractor solely for the purpose of fulfilling its obligations under this Contract, including the preparation and submission of Job Order Proposals, Price Proposals, subcontractor lists, and other requirements specified by the Owner. The Contractor shall be required to execute Gordian's General Terms of Use and pay a 1% JOC System License Fee to obtain access to the Gordian JOC Solution™. The JOC System License Fee applies to all Job Orders issued to the Contractor under the terms of this Contract. The Contractor shall include the JOC System License Fee in the Adjustment Factors.

Bid security in the amount \$25,000, and in the form of a bid bond issued by an admitted surety insurer licensed by the California Department of Insurance, cash, cashier's check, or certified check shall accompany the bid. Bid security shall be made in favor of the County of Fresno. You must either attach an electronic bid bond or provide an original bid bond (or other form of bid security authorized by Public Contract Code section 20129(a)), prior to the bid opening, in accordance with the detailed directions set forth in Section 1.04 ("PREPARATION OF PROPOSALS") of the Instructions to Bidders.

Each paper bid bond shall be submitted in a sealed envelope addressed to the Department and labeled with the name of the bidder, the name of the project, the contract number, and the statement "Do Not Open Until The Time Of Bid Opening – BID BOND."

No contract will be awarded to a contractor who has not been licensed in accordance with the provisions of the Contractors State License Law, California Business and Professions Code, Division 3, Chapter 9, as amended, or whose bid is not on the proposal form included in the contract document. A valid California Contractor's License, **Class B (General Building)** is required for this project.

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 contract available from the California Department of Industrial Relations' Internet web site at <http://www.dir.ca.gov/DLSR/PWD>. 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.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

No contractor or subcontractor may be listed on a bid proposal or awarded a contract for a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].

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

The successful bidder shall furnish a faithful performance bond in the amount of one hundred percent (100%) of the Maximum Contract Value, a payment bond in the amount of one hundred percent (100%) of the Maximum Contract Value, and One Year Warranty Bond in the amount of ten percent (10%) of the Maximum Contract Value. Each bond specified in this Notice (bid bond, faithful

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performance bond and payment bond) shall meet the requirements of all applicable statutes, including but not limited to those specified in Public Contract Code section 20129 and Civil Code section 3248.

Each bond specified in this Notice shall be issued by a surety company designated as an admitted surety insurer in good standing with and authorized to transact business in this state by the California Department of Insurance, and acceptable to the County of Fresno. Bidders are cautioned that representations made by surety companies will be verified with the California Department of Insurance. Additionally, the County of Fresno, in its discretion, when determining the sufficiency of a proposed surety company, may require the surety company to provide additional information supported by documentation. The County generally requires such information and documentation whenever the proposed surety company has either a Best's Key Rating Guide of less than **A** and a financial size designation of less than **VIII**. Provided, however, that the County expressly reserves its right to require all information and documentation to which the County is legally entitled from any proposed surety company.

Pursuant to Public Contract Code section 22300, substitution of securities for any moneys withheld by the County of Fresno to ensure performance under the contract shall be permitted.

The Board of Supervisors reserves the right to reject any or all bids.

Board of Supervisors, County of Fresno

Paul Nerland, County Administrative Officer

Bernice E. Seidel, Clerk to the Board

Issue Date: November 5, 2024

END OF SECTION

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