



CONTRACT DOCUMENTS

FOR

STELZER PARK RANGER STATION AND VISITOR CENTER
PROJECT NO. 1021904

REQUEST FOR BID NO. #10959

ONSITE PRE-BID CONFERENCE: 10:00AM August 6, 2021
BID OPENING DATE: August 26, 2021

SPECIAL NOTICES

Disabled Veterans Business Enterprise (DVBE): Attention is directed to pages 1-18 through 1-20 of the contract documents concerning DVBE participation. These pages contain specific requirements for either meeting an established participation requirement of 3% or a Good Faith Effort (GFE). As a general statement, GFE submittals must include required individual solicitations of DVBE firms and appropriate supporting documentation.

Addenda and Interpretations: The Owner will not be responsible for any oral interpretation of the meaning of the plans, specifications, or other pre-bid documents. Every request for such interpretation shall be in writing and forwarded via email to PCS Anastasia.bulycheva@sdcounty.ca.gov be given consideration must be received at least ten (10) days prior to the date fixed for the opening of bids. Any and all such interpretations and any supplemental instructions will be in the form of written addenda to the specifications which, if issued, will be posted on the County BuyNet website at <https://buynet.sdcounty.ca.gov>. It is the responsibility of all prospective bidders to check the County BuyNet website for any updates to contract documents. All addenda so issued shall become part of the Contract Documents.

Plan Holders List: All interested parties who would like to be placed on the plan holders list, please submit your information (company name, contact person, general or sub, address, phone and fax) in its entirety to PCS Anastasia.bulycheva@sdcounty.ca.gov on or before the due date for all RFIs. Plan holders list will be posted on BuyNet labeled "plan holders list" as a courtesy and is not a requirement of this solicitation. The County of San Diego makes no representation as to the accuracy or for the completeness of the plan holders list.



**COUNTY OF SAN DIEGO
DEPARTMENT OF PARKS AND RECREATION
5500 OVERLAND AVENUE, SUITE 410
SAN DIEGO, CALIFORNIA 92123-1061**

**CONTRACT DOCUMENTS FOR CONSTRUCTION
STELZER PARK RANGER STATION AND VISITOR CENTER
ORACLE PROJECT NO. 1021904
REQUEST FOR BID NO. #10959**

BID OPENING DATE: August 26, 2021

Any questions relative to this project, prior to execution of the Contract, should be directed to:

Anastasia Bulycheva, Procurement Contracting Specialist
Email: Anastasia.bulycheva@sdcounty.ca.gov

RECOMMENDED BY:

BRIAN ALBRIGHT, Director
Department of Parks and Recreation

Date

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CONSTRUCTION OF
STELZER PARK RANGER STATION AND VISITOR CENTER
ORACLE PROJECT NO. 1021904

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PART I

BIDDING INFORMATION

NOTICE TO CONTRACTORS INVITING BIDS

The County of San Diego, Owner, invites sealed bids for:

CONSTRUCTION OF STELZER PARK RANGER STATION AND VISITOR CENTER

ORACLE PROJECT NO. 1021904

REQUEST FOR BID NO. #10959

Submit to the County of San Diego, Department of Purchasing and Contracting, Front Desk (where it will be time stamped to indicate time of receipt), 5560 Overland Avenue, Suite 270, San Diego, CA 92123 in a sealed envelope or package clearly marked on the exterior with "**RFB #10959**" and the name and address of the offeror prior to **2:00 PM**, Local Time on **August 26, 2021**. Parking is limited, so be sure to deliver your bids early.

Late submission cannot be considered unless there was mishandling on the part of the County of San Diego purchasing staff. Submittals must be received at the Purchasing and Contracting front counter by the identified date and time. If utilizing a courier service or USPS, be advised that all courier service deliveries, including USPS, might be delivered to the County's central mail room, which may result in late submission and rejection of your bid.

A pre-bid meeting is scheduled for **Friday, August 6, 2021 from 10:00am to 11:00am**, 11470 Wildcat Canyon Rd, Lakeside, CA 92040, at proposed project site.

The Contractor shall possess, at the time of submitting the bid, a California contractor's license, Classification A, General Engineering Contractor.

In accordance with Board of Supervisors Policy "B-39a", a Disabled Veterans Business Enterprise (DVBE) participation of three percent (3%) is required for a public work project that is estimated (by the County) to exceed \$1 million. A good faith effort cannot be accepted in lieu of meeting the 3% requirement. Should the lowest prime contractor not meet the 3% requirement, the next lowest responsible and responsive bidder that complies with the DVBE requirement will be awarded the contract.

For a public work project that is estimated (by the County) to be between \$500,000 and \$1 million, all bidders are required to make a good faith effort to meet-or-exceed a 3% DVBE subcontractor participation. The Good Faith Effort shall be documented demonstrating all participation was obtained prior to bid submittal.

For a public work project estimated (by the County) to be less than \$500,000, DVBE participation is encouraged, but not required. DVBE participation may be documented on page 2-10 but is not required at this estimate level.

The project site is located at 11470 Wildcat Canyon Rd, Lakeside, CA 92040

Work to be done includes, in general, furnish all labor, equipment and materials for the base bid and additive alternates as indicated below and in the construction documents.

Base Bid:

The project is the demolition of an existing 702 square-foot, single story ranger station and construction of a new 990 square-foot building in its place. Demolition will require limited asbestos removal and typical site clearing. The new building will include a lobby, small exhibit space, a small office space, storage, a restroom, and a small kitchen. No changes to access to the park or the

ranger station are included. Construction equipment and materials will be staged in the existing paved parking area.

Additive Alternate 1:
Construction of terrarium (see plans).

BID SCHEDULE (Includes Materials & Installation):

ITEM NO.	DESCRIPTION	ESTIMATED QTY	UNIT OF MEASURE
1	Mobilization	LS	LS
2	Asbestos Removal	LS	LS
3	Demolition	LS	LS
4	Clearing and Grubbing	10,000	SF
5	Remedial Grading per Soils Report	750	CY
6	Storm water Pollution Prevention Plan and Implementation	LS	LS
7	Surveying/Staking	LS	LS
8	AC Paving Removal	114	SY
9	Water Line Trench Resurfacing	LS	LS
10	Paving, 4" AC Surface and AC Overlay (2" min)	61	TN
11	6" Aggregate Base	19	CY
12	ADA Striping/Signage	LS	LS
13	Concrete Removal	22	SY
14	4" Site Concrete	4	CY
15	Stackable Block Wall	100	SF
16	Truncated Domes	250	SF
17	Relocate Existing Gas and Electric	LS	LS
	WATER:		
18	1" PVC (Water line relocation)	65	LF
19	2" PVC (Water line relocation)	250	LF
20	4" PVC (Water line relocation)	70	LF
21	6" PVC (Water line relocation)	120	LF
22	Backflow Prevention Assembly	2	EA
23	Water Line Fittings/Appurtenances/Thrust Blocks	LS	LS
	BUILDING:		
24	Building Slab	1,290	SF
25	Stem Wall	45	LF
26	Stone Veneer	160	SF
27	Lumber/Carpentry	1,710	SF
28	Exterior Cladding	1,540	SF
29	Casework	LS	LS
30	Insulation	LS	LS
31	Roofing	1,710	SF
32	Doors, Frames & Hardware	7	EA

33	Windows/Glazing	6	EA
34	Drywall	LS	LS
35	Porcelain Tile	385	SF
36	Resilient Flooring/Wall Base	850	SF
37	Painting	1,710	SF
38	Restroom Accessories	LS	LS
39	Signage	LS	LS
40	Blinds	7	EA
41	Rain Barrels	4	EA
42	Splash Block	4	EA
43	Plumbing	LS	LS
44	HVAC	LS	LS
45	Electrical	LS	LS
46	Interior Lighting	LS	LS
47	Exterior Lighting	LS	LS
48	Fire Sprinklers	LS	LS
ADDITIVE ALTERNATE 1 BID SCHEDULE			
ITEM NO.	DESCRIPTION	ESTIMATED QTY	UNIT OF MEASURE
49	Terrarium	LS	LS

The Contractor is responsible to field verify all measurements prior to bid. No additional compensation will be provided. It is the intent of this bid schedule to include **ALL** Work in all divisions and sections of this specification. Specification references are provided as a courtesy and should not be fully relied on.

Contract Documents, including plans, specifications, materials report and bid forms are available to be downloaded, free of charge, from the Department of Purchasing and Contracting BuyNet website at: <https://buynet.sdcountry.ca.gov>.

Full-size plans for this project are not available for purchase.

Firms Associated with Project: The County of San Diego engaged the following Architect-Engineering firm with its subcontractors, or other firms to provide the Plans, Specifications, and other related supporting technical documents or services for this construction procurement.

MW Peltz & Associates
143 South Cedros Avenue Suite B-104
Solana Beach, CA 92075

The firms listed above have been associated with this project and are provided for informational purposes only. This list is not intended to be relied on for purposes of compliance with any conflict of interest rules or applicable laws or regulations affecting the project. The Contractor is solely responsible for due diligence in identifying and avoiding all potential conflicts of interest related to contracting for, and construction of, this project.

The Standard Specifications for this project are the Standard Specifications of the State of California,

Department of Transportation, current edition, and Greenbook Standard Specifications for Public Works Construction, current edition, and modifications to said Standard Specifications and said Amendments contained in Part VII of these Contract Documents.

The State Department of Transportation publication "Labor Surcharge and Equipment Rental Rates" in effect the date the work is accomplished, is incorporated by reference into these Contract Documents.

Disabled Veterans Business Enterprise (DVBE) Participation: The Owner, as a matter of policy, encourages the participation of disabled veteran owned businesses. County of San Diego, Board of Supervisor DVBE policy is found at:

<http://www.sdcountry.ca.gov/cob/docs/policy/B-39a.pdf>

General Information concerning the State of California DVBE program may be found at:

<http://www.pd.dgs.ca.gov/pd>

County DVBE policy requirements shall prevail over the State of California DVBE program requirements.

Bid Security in the form of cash, or a certified or cashier's check, or a Bidder's Bond for at least ten percent of the bid amount executed by a corporation duly authorized to issue bonds in the State of California shall accompany the bid.

Performance and Payment Bonds: The successful bidder will be required to furnish a Performance Bond for one hundred percent and a Payment Bond for one hundred percent of the Contract amount.

State Prevailing Wage Rates: This project is a "public work" in accordance with Labor Code § 1720, et seq. It is the sole responsibility of the Contractor to ensure that all workers employed in the execution of the contract are paid the correct prevailing wage rate of wages.

The Owner has obtained from the Director of the Department of Industrial Relations said Director's General Prevailing Wage Determinations for the locality in which the work is to be performed. Said determinations are on file and available for review at the Department of Purchasing and Contracting, 5560 Overland Avenue, Suite 270, San Diego, California 92123-1204 and are available from the Department of Industrial Relations at:

<http://www.dir.ca.gov/DLSR/PWD>

Not less than these rates shall be paid to all workers employed on the project.

Federal regulations and reporting requirements applicable to the proposed work must be complied with for this project.

AB 219 Notice: Ready-mix haulers and entities that deliver ready-mixed concrete to public works projects are considered subcontractors under Labor Code Section 1722.1 and must register as specified in Labor Code Section 1725.5.

SB 854 Notice: County public works projects are subject to compliance monitoring and enforcement by the Department of Industrial Relations (DIR) in accordance with Labor Code Section 1771.4(a)(1). As part of this program, Contractors and Subcontractors on Public Works Projects are required to be registered with DIR in accordance with Labor Code Section 1725.5. Unregistered contractors are not qualified to bid on, be listed in a bid proposal, listed as a Subcontractor, or engage in the

performance of any Public Works Contract, all as more particularly described in Labor Code Section 1771.1(a). The prime Contractor shall be required to post the job site with all notices required by regulations per Labor Code Section 1771.4(a)(2), whether or not the County also posts.

Labor Code Compliance: Contractor shall comply with the provisions of the Labor Code requiring the payment of prevailing wages on public works, commencing with Section 1720. In accordance with Labor Code, Section 1775, the Contractor shall forfeit an amount, as determined by the Labor Commissioner, for each worker paid less than the applicable prevailing wage rate for the work or craft in which that worker is employed for any work done under Contract by Contractor or by any Subcontractor. Contractor agrees to pay the difference between the prevailing wage rate and amount paid to each worker in accordance with Labor Code, Section 1775 (a)(2)(E).

Pursuant to Labor Code, Section 1770, the Director of the Department of Industrial Relations has ascertained the general prevailing rate of per diem wages and a general prevailing rate for legal holiday and overtime work for each craft required for execution of the Contract. In accordance with Labor Code, Section 1773.2, copies of the prevailing rate of per diem wages are on file and can be viewed during normal business hours at the County Department of Purchasing and Contracting, located at 5560 Overland Avenue, Suite 270, San Diego, CA 92123-1294. Contractor shall post a copy of the applicable prevailing wage rates at the job site.

Wage rates set forth are the minimum that may be paid by the Contractor. Nothing herein shall be construed as preventing the Contractor from paying more than the minimum rates set. No extra compensation whatsoever will be allowed by the County due to the inability of the Contractor to hire labor at minimum rates, nor for necessity for payment by the Contractor of subsistence, travel time, overtime, or other added compensations, all of which possibilities are elements to be considered and ascertained to the Contractor's own satisfaction in preparing its Proposal.

If it becomes necessary to employ crafts other than those listed in the General Prevailing Wage Rate, the Contractor shall obtain a wage rate determination. The rates thus determined shall be applicable as minimum from the time of initial employment. Contractor shall be responsible for paying the applicable rate.

The Contractor and each Subcontractor shall keep and make available accurate payroll record in accordance with Labor Code, Section 1771.4(a)(3) and Section 1776. The record shall contain the names, addresses, social security numbers, work classifications, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by the Contractor and/or Subcontractor in connection with the Work. Payroll records shall be certified and shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information as those forms. A copy of all payrolls shall be submitted weekly to the Engineer in accordance with Section 7-1.01A (3) "Payroll Records" of the Standard Specifications. The Contractor's and Subcontractor's certified payroll records shall be available for inspection at the principal office of the Contractor, or at the job site should the principal office be located outside of San Diego County.

Apprentices: The Contractor and each Subcontractor shall comply with the requirements of Labor Code, Section 1777.5, and any related regulations regarding the employment of registered apprentices. Properly registered apprentices shall be employed in the execution of the Work at the ratios required, but in no case shall the ratio be less than one hour of apprentice work for every five hours of journeyman work. Every apprentice shall be paid the standard wage paid to apprentices under the regulations of the craft or trade at which the apprentice is employed and shall be employed only at the work of the craft or trade to which the apprentice is registered. The Contractor shall be responsible for compliance to Labor Code, Section 1777.5 for all apprenticeable occupations. More information available at:

Contractors Licensing Laws: Attention is directed to the Contractor's License Law, Section 7000 and following of the Business and Professions Code concerning the licensing of contractors. Any bidder or contractor not properly licensed may be subject to the penalties provided and will not be considered for award of this Contract. Contractors are required by law to be licensed and are regulated by the Contractors State License Board. Any questions concerning a contractor may be referred to the Registrar, Contractors State License Board, 9821 Business Park Drive, Sacramento, CA, 95827. Contractors are required to be properly licensed in California on the date bids are submitted (Bus. & Prof. Code, § 7028.15), unless federal funds are involved. If federal funds are involved, the bidder shall be properly licensed in California at the time the contract is awarded (Pub. Contract Code, § 20103.5). In this case, failure of the bidder to obtain proper and adequate licensing for an award of this Contract shall constitute a failure to execute the Contract and shall result in the forfeiture of the security of the bidder.

Bid Submittal Envelope - Each Bid must be submitted in a sealed envelope bearing on the outside the name of the bidder, bidder's address, the name of the project for which the bid is submitted, and the appropriate State Contractor's License designation held by the bidder. If forwarded by mail, the sealed envelope containing the bid must be enclosed in another envelope addressed to:

**County of San Diego, Department of Purchasing and Contracting
RFB #10959 – STELZER PARK RANGER STATION AND VISITOR CENTER |
5560 Overland Avenue, Suite 270
San Diego, CA 92123-1204**

It is the responsibility of the bidder to ensure the bid is submitted in proper time.

The Board reserves the right to reject any or all bids and to waive any informality or irregularity in the bids or bidding.

Withdrawal of bids shall not be permitted for a period of seventy-five (75) days after the date set for the opening thereof.

Monies withheld by the Owner to ensure performance under the Contract may be released in accordance with Public Contract Code Section 22300 and these Contract Documents.

Electrician Certification and Labor Compliance: It is the sole responsibility of the contractor, if applicable, to ensure compliance with CA Labor Code 3099-3099.5 regarding electrician certification requirements. All General Electricians and Fire/Life Safety Technicians in the employ of C-10 contractors must be certified in order to perform electrical work in CA. Information on the electrician certification program may be obtained at the Division of Apprenticeship Standards (DAS) at <http://www.dir.ca.gov/DAS/ElectricalTrade.htm>.

Preliminary Notices and Stop Notices: Preliminary (Public Work) Notices and Stop Notices shall be filed, if applicable, in accordance with California Civil Code Sections 3098, 3111, 3158, 3181, 3183, 3184, 3241 and 3252. For the Department of Parks & Recreation construction contracts notices shall be delivered to:

County of San Diego Operations Center
Department of Parks and Recreation
Attn.: Nick Ferracone, Park Project Manager
5500 Overland Avenue, Suite 410
San Diego, CA 92123-1248

Air Pollution Compliance: The Contractor shall be in compliance with all federal, state, and local laws and regulations applicable to the Contractor.

INFORMATION FOR BIDDERS

The bidder's attention is directed to Section 2, "Bid Requirements and Conditions," of the Standard Specifications and the modifications to said Section 2 contained in Part VII of these Contract Documents.

The prospective bidder shall prepare the Proposal and Bond as provided therein, and failure to do so may be cause for rejection.

PREPARATION OF BID FORMS

Preparation: The Owner invites bids, on the forms posted on the Department of Purchasing and Contracting's BuyNet website under "Documents to be Executed by Bidder," to be submitted on or before the time and place set for the opening of bids in the published "Notice to Contractors Inviting Bids." Bids not presented on forms so furnished will be disregarded. All downloaded and printed forms must be consistent and conform to the P&C official posted documents.

These Contract Documents on the Department of Purchasing and Contracting BuyNet website contain the Bid forms (Part II), together with the Notice to Contractors, Contract and Special Provisions. Part II of these Contract Documents shall be returned in a sealed envelope bearing on the outside the name of the bidder, bidder's address, the name of the project for which the bid is submitted, and the appropriate State Contractor's License designation held by the bidder.

The Bid must be executed in accordance with the instructions contained on the forms provided. If the bidder is an individual or a partner, the signature on the Bid and the Bidder's Bond must be the same as the name of the bidder shown on other parts of these forms, (showing the name as "J. E. Doe" and the signature as "John E. Doe" may be considered as an irregularity).

Modifications on the Submitted Bid: Modifications, changes or additions to the Bid may be considered an irregularity. Erasures or corrections in preparing the bids must be initialed by the person(s) signing the Bid. Alternate bids will not be considered unless called for.

Competency of Bidders: No award will be made to a Contractor who, in accordance with Chapter 9, Division 3, Business and Professions Code, is not properly licensed to do the described work.

Prospective bidders may be required to file with the Owner answers to questions contained in a questionnaire and a financial statement including a complete statement of their financial ability and experience in performing previous public works of a similar nature.

DOCUMENTS SUPPLEMENTING THE BID

Bid Security: Each bid shall be accompanied by cash, a certified or cashier's check, or a bidder's bond executed by a corporation duly authorized to issue bonds in the State of California. Cash check or bond shall be in the amount of not less than ten (10) percent of the maximum amount of the bid. Check or bond shall be made payable to the order of the Owner designated in the Notice to Contractors Inviting Bids.

Said cash, check or bond shall be given as a guarantee that the bidder will, within the period specified after being requested to do so by the Owner, enter into a contract and provide the required bonds if awarded the work; if the bidder to whom the work has been awarded and to whom the request has been made refuses or fails to enter into said contract and provide the required bonds within the specified time, the cash or check shall be forfeited to the Owner or the principal and surety on the bond shall be liable to the Owner for the principal amount thereof in accordance with its terms.

If the lowest responsible bid is not accepted by the Owner within the period specified following the

date set for the opening of bids, or for such further period of time as may be agreed upon in writing between the Owner and the bidder concerned, or if the bidder to whom the contract is awarded executes and delivers to the Owner the required Contract Documents, the amount of the cash or certified or cashier's check will be returned to the bidder. Attention is directed to the requirement noted on the contract bonds that the Attorney-in-Fact shall attach a certified copy of the Power of Attorney.

Designation of Subcontractor: The Business Name and Address, the Portion of Work, and License Number that will be done by each subcontractor (including DVBE subcontractors) for all portions of the work, including any additive alternates, are required at the time of bid submittal. An inadvertent error in listing the California contractor license number must be corrected by the prime contractor within 24 hours after bid opening by email to the Procurement Contracting Officer listed as contact for this RFB, provided the corrected contractor's license number corresponds to the submitted name and location for that subcontractor, or else the bid may be determined non-responsive. The remainder of the information shall be submitted by all bidders within two business days of bid opening by e-mail to said Procurement Contracting Officer. If no subcontractors are to be designated, enter the word "NONE."

AMENDMENTS AND INTERPRETATION OF CONTRACT UNIT

Addenda and Interpretations: The Owner will not be responsible for any oral interpretation of the meaning of the plans, specifications, or other pre-bid documents. Every request for such interpretation shall be in writing forwarded via email to Anastasia.bulycheva@sdcounty.ca.gov and must be received at least ten (10) days prior to the date fixed for the opening of bids. Any and all such interpretations and any supplemental instructions will be in the form of written addenda to the specifications which, if issued, will be posted on the County BuyNet website at <http://buynet.sdcounty.ca.gov>. It is the responsibility of all prospective bidders to check the County BuyNet website for any updates to contract documents. All addenda so issued shall become part of the Contract Documents.

Interpretation of Estimated Quantities: An estimate of quantities of work to be done and materials to be furnished under these specifications is given in the Bid, Special Provisions, or shown on the construction plans. It is given only as a basis for comparison of bids and the award of the contract. The Owner does not expressly or by implication guarantee that the actual quantities involved will correspond exactly therewith. Payment to the Contractor will be made only for the actual quantities of work performed or materials furnished in accordance with the plans and specifications.

Rejection of Bids:

The Owner reserves the right to reject any or all bids and the right to waive technicalities if such waiver is in its best interest and conforms to local laws and ordinances pertaining to the letting of construction contracts. Bids in which the prices are obviously unbalanced, or the submittal is incomplete, may be rejected.

AWARD AND EXECUTION OF THE CONTRACT

The bidder's attention is directed to Section 3, "Award and Execution of Contract," of the Standard Specifications, the modifications to said Section 3 contained in Part VII of these Contract Documents and to Part III of these Contract Documents which contains all the documents the successful bidder shall execute.

Notice of Intent: For purposes of clarification regarding Board of Supervisors Policy A-97, "Protest Procedures for Award of Contracts" the posting of the bid abstract is equivalent to the posting of the Notice of Intent (NOI).

Award of the Contract: The bids will be compared on the basis of the base bid, including those bid items listed in additive alternate bid items, if any, in combinations as stipulated in the Bid, which may be selected by the Owner.

Cancellation of Award: The Owner reserves the right to cancel the award without liability to the bidder, except return of bid guaranty, at any time before a Contract has been fully executed by all parties and is approved by the Owner.

PROTEST PROCEDURES

Protest of contract award must be made in writing and shall be filed with the Contracting Officer identified in the Contract Document. Protests must be filed within five (5) business days after a Notice of Intent to award the contract has been posted in a public place in the County's Contracting Office or County Internet website. Protests must conform to the requirements of Board of Supervisors Policy "A-97 Protest Procedures for Award of Contracts". The policy is available for review at <http://www.sdcounty.ca.gov/cob/docs/policy/A-97.pdf>

For purposes of clarification regarding Board of Supervisors Policy "A-97, Protest Procedures for Award of Contracts" the posting of the bid abstract on BuyNet (<http://buynet.sdcounty.ca.gov>) is equivalent to the posting of the Notice of Intent (NOI) to award.

TAX INFORMATION

In compliance with California Revenue and Taxation code section 18662, if you are a non-resident of California (out-of-state invoices) who receives California source income, the County will pay California Use Tax directly to the State of California per permit no. SR FH 25-632384. Fifteen (15) business days prior to the first payment, new suppliers or suppliers with expired forms or forms with incorrect information, must submit new forms to the County (forms are available from the Franchise Tax Board websites listed in the next page).

Under certain circumstances you may be eligible for reduced or waived non-resident withholding. If you have already received a waiver or a reduced withholding response from the State of California and the response is still valid, submit the response to the County in lieu of the forms. Failure to submit the required forms will result in withholding of payments.

Refer to the Franchise Tax Board websites (listed below) for tax forms and information on non-resident withholding, including waivers or reductions. The County will not give you any tax advice. It is recommended you speak with your tax adviser and/or the State of California for guidance.

Franchise Tax Board Websites:

<http://www.ftb.ca.gov>

http://www.ftb.ca.gov/individuals/Withholding_Definitions.shtml

http://www.ftb.ca.gov/individuals/wsc/Processing_Changes_for_2010.shtml

http://www.ftb.ca.gov/individuals/wsc/forms_and_publications.shtml

http://www.ftb.ca.gov/individuals/wsc/decision_chart.shtml

Submit forms to the Auditor & Controller via fax at (858) 694-2060 or mail originals to: County of San Diego, 5530 Overland Ave., Suite 410, San Diego, CA 92123. The P.O. Number or Contract Number (if available) and "California Revenue and Taxation Code Section 18662" must appear on fax cover sheet and/or the outside of the mailing envelope.

GENERAL INFORMATION REGARDING COMPLIANCE WITH
DISABLED VETERANS BUSINESS ENTERPRISE (DVBE) PROGRAM

1. Disabled Veterans Business Enterprises will be afforded full opportunity to submit bids in response to this invitation. DVBE firms bidding as prime contractors will automatically meet the stated Disabled Veterans Business Enterprise (DVBE) participation.
2. Certified DVBE Information is available at the California State Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS) website:

Information can be viewed or downloaded from:

<http://www.dgs.ca.gov/pd/Programs/OSDS.aspx>

COUNTY DISABLED VETERANS BUSINESS ENTERPRISE PROGRAM

1. Board of Supervisors Policy B-39a
Board of Supervisors Policy B-39a states that Disabled Veterans Business Enterprises (DVBEs) will be afforded maximum opportunity to compete for all County contracts;
The policy can be downloaded at <http://www.sdcounty.ca.gov/cob/docs/policy/B-39a.pdf>.
2. Objectives
The following DVBE participation is imposed to recognize the service of disabled veterans to our country.
3. DVBE Participation for the Project
DVBE participation of three percent (3%) of Bid amount is required for a public work project estimated (by the County) to exceed \$1million. A good faith effort cannot be accepted in lieu of meeting the 3% requirement. A bidder who fails to meet this requirement shall be declared non-responsive and the next lowest responsible and responsive bidder that complies with this requirement will be awarded the contract.

For a public work project that is estimated (by the County) to be between \$500,000 and \$1million, the prime contractor shall make a good faith effort to meet-or-exceed 3% DVBE subcontractor participation, and the Good Faith Effort shall be documented in accordance with this bid document demonstrating all participation was obtained prior to bid submittal or the bidder may be deemed non-responsive.

For a public work project estimated (by the County) to be less than \$500,000, DVBE participation is encouraged, but not required. DVBE participation may be documented on page 2-15 but is not required at this estimate level.

4. DVBE Subcontractor Documentation
The bidder shall designate all licensed subcontractors in accordance with the instructions on the form titled DESIGNATION OF SUBCONTRACTORS contained in Part II of these Contract Documents. Designation of Subcontractors is due at the time of bid. In addition, the bidder shall designate at the time of bid the DVBE prime contractors, subcontractors, and vendors (material suppliers and service providers) on the BIDDER DVBE INFORMATION form (page 2-16). The remaining information on the BIDDER DVBE INFORMATION form and copies of the DVBE bids are due within 2 business days of the Bid opening. "Good Faith Effort Documentation" shall be submitted in accordance with Item 7 below.

5. Credit Toward Participation for DVBE Prime Contractors, Subcontractors and Vendors

A DVBE prime contractor automatically meets a DVBE participation for a project. If the Prime is not a DVBE, compliance with 3% DVBE participation shall be calculated by taking the aggregate value of all DVBE subcontracts to be used on the project as a percentage of the total bid, which shall include all additive alternates, if any. Participation amounts to a DVBE must be for a commercially useful function, as that term is defined in California Military and Veterans Code § 999(b)(5)(B). In addition, for a DVBE to perform a commercially useful function, the amount the firm is to be paid under the contract shall be commensurate with the bid amount for the work it is actually performing and the DVBE credit claimed for its performance of the work.

6. Good Faith Effort Defined

a. A bidder who fails to meet the stated DVBE participation requirement for this project shall have made a good faith effort to meet participation prior to the time bids are submitted.

b. In evaluating the good faith effort of a bidder, the Owner shall consider the following criteria:

- 1) The bidder solicited certified DVBEs to perform work or provide supplies or services for the project. Good faith effort shall include solicitation of individual certified DVBEs. Record of firms solicited shall be included in the Documentation of Good Faith Effort submittal.

Solicitations conducted must be documented in the Documentation of Good Faith Effort. DVBE subcontractors solicited must be licensed for appropriate work on this project and must be physically located within the County of San Diego, or have indicated they would consider work in San Diego Service Region 11.

Good Faith Efforts not adequately documented shall be considered non-responsive.

- 2) Where DVBE bids were rejected, the bidder provided the reasons for the rejections. If no bids received from DVBEs, the bidder shall so indicate in the Documentation of Good Faith Effort submittal.
- 3) Contact with local DVBE organizations to identify DVBE firms is encouraged but is not a requirement for the Documentation of Good Faith Effort submitted to the Owner.
- 4) Due to relatively short project solicitation periods, the Owner does not require advertising in trade and focus publications as a condition of satisfying the good faith effort for the DVBE participation. Advertising alone without direct solicitation of DVBE firms as required in paragraph 1) above does not satisfy the Good Faith Effort.

7. Good Faith Effort Documentation

For public work projects estimated (by the County) to be between \$500,000 and \$1 million where a DVBE requirement has not been established, all bidders, are required to submit the Documentation of Good Faith Effort (pages 2-16 through 2-18; and supporting documentation), in addition to the BIDDER DVBE INFORMATION form (page 2-14), within 2 business days of the Bid opening.

When the stated DVBE participation requirement is met, only the BIDDER DVBE INFORMATION form (page 2-14), contained in these Contract Documents, is required within 2 business days of Bid opening.

Bidders are cautioned that even if their BIDDER DVBE INFORMATION form (page 2-14) indicates the stated DVBE participation is met, all bidders should still consider submitting Documentation of Good Faith Effort. Submittal of satisfactory Documentation of Good Faith Effort will protect eligibility for award for those public work projects estimated (by the County) between \$500,000 and \$1 million in the event the County, in its review, finds that the stated DVBE participation has not been met.

The DVBE Good Faith Effort, if required, must be submitted on the DOCUMENTATION OF GOOD FAITH EFFORT forms (pages 2-17 through 2-19) contained in these Contract Documents and shall include sufficient and timely supporting documentation to validate the solicitations conducted.

8. Protest Procedure for DVBE

A bidder who does not attain the stated project DVBE participation or has not made a "good faith effort" in accordance with these bid document instructions may be declared non-responsive. A bidder so declared may file a protest in writing with the Director, Department of Purchasing and Contracting within five (5) business days of the notification of the declaration, in accordance with Board of Supervisor Policy A-97 "Protest Procedures for Award of Contract" located at:

<http://www.sdcountry.ca.gov/cob/docs/policy/A-97.pdf>.

9. DVBE Certification

Eligible contractors, subcontractors and vendors wishing to participate as DVBEs on this project must be certified by the California State Department of General Services (DGS), Procurement Division (PD), Office of Small Business and DVBE Services (OSDS), and have a current certification on the date bids are opened.

Information regarding certification and certified DVBEs can be obtained by visiting the Department of General Services site at:

<http://www.pd.dgs.ca.gov/pd>