

**SAN JOSE CONVENTION CENTER
CENTRAL UTILITY PLANT PROJECT**

NOTICE TO CONTRACTORS

INVITATION FOR BIDS

The REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE invites sealed written proposals for the **SAN JOSE CONVENTION CENTER CENTRAL UTILITY PLANT PROJECT** ("Project"), located in the Guadalupe-Auzerais Redevelopment Project Area, at 150 W. San Carlos Street, San Jose, California (the "Site"). The Project includes, but is not limited to: providing for continuing operations and supply of chilled water to the Hilton Hotel and the Convention Center during construction of the new plant, demolition of existing equipment, abatement and proper disposal of hazardous materials, shop drawings, coordination drawings and submittal preparation, construction of a structure to house the new central utility plant, purchase and installation of new equipment including electrical and other items to complete the Project, LEED certification support, as appropriate, and related site work.

FILING OF BIDS

All bid proposals must be filed on or before **2:00 p.m., Pacific Time, Thursday, May 21, 2009**, at the Redevelopment Agency of the City of San Jose, 200 East Santa Clara Street, 14th Floor Tower, San Jose, California 95113, Attention: Bill Ekern, Director of Project Management, as set forth in the specifications, at which time and place all bids will be opened publicly and read aloud. Bids received after that time will not be accepted. Special instructions apply for the delivery of bid proposals, as described below.

The bidder is warned that the Site contains hazardous substances known to pose serious personal health and other related dangers. The successful bidder shall be responsible for initiating, maintaining and supervising all safety precautions and programs in connection therewith.

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Hand-delivered bids must be placed in the Bidder's Box located at the main reception desk at the Redevelopment Agency, 200 East Santa Clara Street, 14th Floor Tower, San Jose, California, no later than the time set forth above. Bids sent by regular or certified mail must be received by the Agency at the above-referenced address no later than the time set forth above.

Each bid must be accompanied by either a certified check, cashier's check, or a bidder's bond in the sum of not less than 10% of the total base bid. Checks shall be made payable to "The Redevelopment Agency of the City of San Jose". Bonds shall be executed by a surety possessing a valid certificate of authority issued by the California Department of Insurance and shall name the Redevelopment Agency of the City of San Jose as beneficiary.

Bidders will be required to submit alternate bids on several additive or deductive items. Per California Public Contract Code Section 20103.8(d), a "blind" selection of alternate bid items will be implemented. Alternate bid items may be accepted at the option of the Redevelopment Agency. The total base bid, plus any combination of zero or more alternate bid items which are in the Agency's best interest to accept, will form the basis for the comparison of bids and determining the low bidder. Pre-labeled bid envelopes with pre-assigned bid registration numbers will be required for submitting bids anonymously. These bid envelopes will be distributed to bidders at the mandatory pre-bid meetings where bid procedures will be reviewed.

CONTRACT DOCUMENTS/PLANS AND SPECIFICATIONS

Instructions to Bidders and Contract Documents, including plans and technical specifications, may be purchased on or after April 22, 2009, at either the Redevelopment Agency of the City of San Jose, 200 East Santa Clara Street, 14th Floor Tower, San Jose, California 95113, 408-535-8500 for a non-refundable charge of

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Three Hundred Fifty Dollars (\$350.00) per set, or San Jose Blue, 835 W. Julian Street, San Jose, California 95126, 408-295-5770. Checks must be made payable to "The Redevelopment Agency of the City of San Jose". All known planholders will receive any Addenda issued for this Project.

Bidders will have fully inspected the Project Site in all particulars and become thoroughly familiar with the terms and conditions of the Instructions to Bidders, and contract documents including plans, specifications and local conditions affecting the performance and/or costs of the work prior to submitting their bid proposal.

PRE-BID MEETINGS

Two pre-bid meetings will be held on **Monday, April 27, 2009 at 10:30 a.m. and Thursday, April 30, 2009 at 10:30 a.m.**, at Parkside Hall, 180 Park Avenue, San Jose, California. A site visit will follow each of the pre-bid meetings. Attendance at one of the pre-bid meetings and following site visit is mandatory; while only representatives of bidders are required to attend, bidders are encouraged to attend with a representative of the subcontractor which they anticipate designating as their prime mechanical subcontractor. Requests for interpretations shall be directed to the Agency at the address set forth in the Instructions to Bidders.

NONDISCRIMINATION / NONPREFERENTIAL TREATMENT

The Nondiscrimination / Nonpreferential Treatment requirements of Chapter 4.08 of the City of San Jose Municipal Code apply to this Project.

PREVAILING WAGES

Attention is called to the fact that this is a Public Work subject to Labor Code §1771. Not less than the general prevailing rate of per diem wages and the general prevailing rates for holiday and overtime work must be paid on this Project. Copies of the

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prevailing rate of per diem wages are on file with the City of San Jose Office of Equality Assurance, 200 East Santa Clara Street, 5th Floor Tower, San Jose, California 95113, (408) 535-8430 and will be made available to any interested party on request.

DEPOSIT OF SECURITIES IN LIEU OF RETENTION

Pursuant to the terms and conditions set forth in Public Contracts Code Section 22300, the Contractor may substitute certain securities in lieu of the ten percent (10%) retention which will be withheld by Agency as retention to ensure Contractor's performance under the contract. Such substitution of securities in lieu of retention shall be at the Contractor's request and at the Contractor's sole expense. (Public Contract Code 22300).

BOND REQUIREMENTS

Bidder's attention is directed to those provisions of the contract documents which require the Contractor to whom the contract for work is awarded, to file with the Agency at the time the contract is executed, a Contractor's Labor and Material Payment Bond and a Contractor's Performance Bond meeting all the requirements of the contract documents and approved by the General Counsel of the Redevelopment Agency of the City of San Jose. Bonds shall be executed by a surety possessing a valid certificate of authority issued by the California Department of Insurance and shall name the Redevelopment Agency as beneficiary. The Contractor's Performance Bond shall be for 100% of the contract price. The Contractor's Labor and Material Payment Bond shall be for 100% of the contract price.

CONTRACTOR'S LICENSE REQUIREMENTS

All prospective bidders are hereby cautioned that the State of California Contractor's Law regulates license requirements for bidding various types of projects. This project can be bid by a contractor possessing, at the time of bid submittal, a valid **Class A or B**

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California Contractor's License ("License"). Failure to possess the License shall render the bid non-responsive and shall act as a bar to award the contract to any bidder that does not satisfy these requirements at the time of bid submittal. Each bidder shall furnish satisfactory evidence of competency to perform the work contemplated. The contractor, in its bid proposal, shall be required to disclose its license classification, number, and expiration date. (Public Contract Code 3300).

STATEMENT OF QUALIFICATIONS

The Agency reserves the right to reject a bid if the bidder has not submitted a Statement of Qualifications as set forth in the contract documents prior to the date of the opening of the bids or with the bid proposal.

The Agency reserves the right to reject any and all bids or to waive any informalities in the bid.

Bids may be held by the Redevelopment Agency of the City of San Jose for a period not to exceed ninety (90) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of the bidders prior to awarding the Contract.

THE REDEVELOPMENT AGENCY
OF THE CITY OF SAN JOSE

By: W. Chen
DIRECTOR OF PROJECT MANAGEMENT

Date: 21. April 2009