

CITY OF TRINIDAD

P.O. Box 390
463 Trinity Street
Trinidad, CA 95570
(707) 677-0223

Rebecca Price-Hall, Grant Coordinator
(707) 499-6454; rpricehall@trinidad.ca.gov



November 4, 2016

Re: Solicitation for Prequalification of Bidders for OWTS Projects

Contractors:

The City of Trinidad's OWTS Repair Program (Program) provides partial funding assistance to eligible homeowners through the Clean Beaches Initiative Grant Program. The Program anticipates repairing or upgrading up to 24 residential onsite wastewater treatment systems (OWTS) in Trinidad and Westhaven from November 2016 through September 2017. The City has determined that all bidders for projects in the Program must be pre-qualified. Contractors are invited to submit a pre-qualification questionnaire to the City. Contractors approved for the Pre-qualified Bidders list will receive bid solicitations for each septic system repair/replacement project under this program.

Additional information about the Pre-qualification process and the pre-qualification questionnaire are attached. These materials can also be found on the City's website at www.trinidad.ca.gov or by calling the City Clerk at (707) 677-0223. Your fully completed questionnaire must be received by 11/28/16 to be considered for the Program Pre-qualified Bidders List.

To be eligible to bid on these OWTS repair/replacement projects, contractors and subcontractors must be registered on the Department of Industrial Relations website www.dir.ca.gov and pay prevailing wages. Even if you are an owner/operator, you are considered a "worker" on a public works project, you must be registered with the Department of Industrial Relations, pay prevailing wages, and you must submit certified payroll with hours that you work and pay yourself the hourly wage. If you are not registered and are interested in prequalifying to bid on these projects, please register as soon as possible so you will be eligible.

All projects in this program are Public Works projects, paid with Proposition 84 Funds, so certain requirements apply. All contractors/subcontractors must meet certain qualifications, including:

- Qualified and experienced with installation of Onsite Wastewater Treatment Systems.
- Must pay prevailing wages and be registered with the Department of Industrial Relations
- Must meet nondiscrimination requirements
- May not be on the USEPA's List of Violating Facilities
- May not be debarred or suspended or otherwise excluded from or ineligible for participation in federal assistance programs under Executive Order 12549

Please see the attached Prequalification notice and questionnaire and details about the prevailing wage and labor compliance requirements.

Sincerely,

Becky Price-Hall

Becky Price-Hall
Clean Beaches Grant Program Coordinator

Funding for this project has been provided in full or in part through an agreement with the State Water Resources Control Board.

**REQUEST FOR PRE-QUALIFICATION OF BIDDERS COMMENCING
WITH FORTHCOMING PUBLIC WORK BIDS**

Notice is hereby given that CITY OF TRINIDAD (CITY) has determined that all prospective bidders for projects in the TRINIDAD-WESTHAVEN SEPTIC SYSTEM REPAIR PROGRAM (PROGRAM) to be undertaken by the CITY must be pre-qualified prior to submitting a bid for a project in that PROGRAM. The PROGRAM anticipates up to 24 projects to repair residential onsite wastewater treatment (septic) systems from December 2016 through September 2017. This is a public works project so all contractors/subcontractors listed on the bid form, bidding and/or working on the project must be registered with the Department of Industrial Relations (DIR). <https://www.dir.ca.gov/Public-Works/Contractors.html> All workers must be paid the prevailing wage (this includes, travel, subsistence, holiday pay, designated days off and overtime), determined by the Director of the DIR according to the type of work and location.

It is mandatory that all Contractors who intend to submit a PROGRAM bid, fully complete the pre-qualification questionnaire, provide all materials requested herein, and be approved by CITY to be on the final PROGRAM Qualified Bidders list. No bid will be accepted from a Contractor that has failed to comply with these requirements. The last date to submit a fully completed questionnaire is 11/28/16. Contractors are encouraged to submit pre-qualification packages as soon as possible, so that they may be notified of omissions of information to be remedied or of their pre-qualification status well in advance of a bid advertisement for this PROGRAM. The prequalification questionnaire is available at the City of Trinidad website at www.trinidad.ca.gov or by calling (707) 677-0223.

CITY reserves the right to check other sources available. CITY's decision will be based on objective evaluation criteria. Contractors will be notified of their qualification status and given an opportunity for a hearing consistent with the hearing procedures described below for appealing a pre-qualification decision.

While it is the intent of the pre-qualification questionnaire and documents required therewith to assist CITY in determining bidder responsibility prior to PROGRAM bid solicitations and to aid CITY in selecting the lowest responsible bidder, the fact of pre-qualification, will not preclude CITY from a post-bid consideration and determination of whether a bidder meets the PROGRAM requirements, has the quality, fitness, capacity and experience to satisfactorily perform the proposed work.

The pre-qualification packages should be submitted under seal and marked "CONFIDENTIAL OWTS PRE-QUALIFICATION" to:

City Clerk,
City of Trinidad
PO Box 390
409 Trinity Street
Trinidad, CA 95570

The pre-qualification questionnaire answers submitted by Contractors are not public records and are not open to public inspection. All information provided will be kept confidential to the extent permitted by law. However, the contents may be disclosed to third parties for purpose of verification, or investigation of substantial allegations, or in the appeal hearing. State law requires that the names of contractors applying for pre-qualification status shall be public records subject to disclosure, and the first page of the questionnaire will be used for that purpose.

Each questionnaire must be signed under penalty of perjury in the manner designated at the end of the form, by an individual who has the legal authority to bind the Contractor on whose behalf that person is signing. If any information provided by a Contractor becomes inaccurate, the Contractor must immediately notify CITY and provide updated accurate information in writing, under penalty of perjury.

Contractors may submit pre-qualification packages during regular working hours on any day that the offices of CITY are open. Contractors who submit a complete pre-qualification package will be notified of their qualification status no later than ten business days after submission of the information.

CITY reserves the right to waive minor irregularities and omissions in the information contained in the pre-qualification application submitted and to make all final determinations. CITY may refuse to grant pre-qualification where the requested information and materials are not provided, or not received by 11/21/16. There is no appeal from a refusal for an incomplete or late application. The closing time for bids will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

Where a timely and completed application results in a rating below that necessary to pre-qualify, an appeal can be made. An appeal is begun by the Contractor delivering notice to CITY of its appeal of the decision with respect to its pre-qualification rating, no later than ten business days prior to the closing time for the receipt of bids for any PROGRAM project. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of CITY, whether by administrative process, judicial process or any other legal process or proceeding.

If the Contractor gives the required notice of appeal and requests a hearing, the hearing shall be conducted so that it is concluded no later than five business days after CITY's receipt of the notice of appeal, and no later than five business days prior to the last date for the receipt of bids on the project. The hearing shall be an informal process conducted by a panel to whom the City Council has delegated responsibility to hear such appeals (the "Appeals Panel"). At or prior to the hearing, the Contractor will be advised of the basis for CITY's pre-qualification determination. The Contractor will be given the opportunity to present information and present reasons in opposition to the rating. Within one day after the conclusion of the hearing, the Appeals Panel will render its decision. It is the intention of CITY that the date for the submission and opening of bids will not be delayed or postponed to allow for completion of an appeal process.

Note: A contractor may be found not pre-qualified for bidding on a specific PROGRAM contract to be let by CITY until the contractor meets CITY's PROGRAM requirements. In addition, a contractor may be found not pre-qualified for either:

- (1) Omission of requested information or
- (2) Falsification of information

* * * * *

NOTICE: To contractors who are using subcontractors for this job, please be advised that CITY **may** require, as to subcontractors, one of the following:

- Pre-qualification of all subcontractors.
- Post-bid qualification review.

**CITY OF TRINIDAD PRE-QUALIFICATION QUESTIONNAIRE
FOR THE TRINIDAD WESTHAVEN OWTS REPAIR PROGRAM**

CONTACT INFORMATION

Firm Name: _____ Check One: Corporation
(as it appears on license) Partnership
 Sole Proprietor

Contact Person: _____

Address: _____

Phone: _____ Fax: _____

If firm is a sole proprietor or partnership:

Owner(s) of Company _____

Contractor's License Number(s):

PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Contractor will be immediately disqualified if the answer to any of questions 1 and 2 is “no.”

Contractor will be immediately disqualified if the answer to any of questions 3 – 11 is “yes.”¹ If the answer to question 5 is “yes,” and if debarment would be the sole reason for denial of pre-qualification, any pre-qualification issued will exclude the debarment period.

1. Contractor possesses a valid and current California Contractor’s license for the project or projects for which it intends to submit a bid.
 Yes No
2. Contractor is registered with the Department of Industrial Relations (DIR).
 Yes No
3. Has your contractor’s license been revoked at any time in the last five years?
 Yes No
4. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was default terminated by the project owner within the last five (5) years?
 Yes No
5. At the time of submitting this pre-qualification form, is your firm ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?
 Yes No
If the answer is “Yes,” state the beginning and ending dates of the period of debarment:

6. At any time during the last five years, has your firm, or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?
 Yes No
7. Is contractor presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any federal department, the California Department of Industrial Relations (DIR) or City of Trinidad?
 Yes No
8. Is your firm on the USEPA’s List of Violating Facilities? (40C.F.R., § 31.35; Gov. Code §4477)
 Yes No
9. At any time in the past three years has your firm been convicted of or had a civil judgement rendered against you for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property?
 Yes No

¹ A contractor disqualified solely because of a “Yes” answer given to question 4 and 6 may appeal the disqualification and provide an explanation of the relevant circumstances during the appeal procedure.

10. Is your firm or any of its owners, officers or partners presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in question 9 above?

Yes No

11. In the last five years has your firm had one or more public transactions (federal, state or local) terminated for cause or default?

Yes No

PART II. ORGANIZATIONAL INFORMATION

Licenses

12. List all California construction license numbers, classifications and expiration dates of the California contractor licenses held by your firm:

13. If any of your firm's license(s) are held in the name of a corporation or partnership, list below the names of the qualifying individual(s) listed on the CSLB records who meet(s) the experience and examination requirements for each license.

14. Has your firm changed names or license number in the past five years?

Yes No

If "yes," explain on a separate signed page, including the reason for the change.

15. Has any owner, partner or (for corporations:) officer of your firm operated a construction firm under any other name in the last five years?

Yes No

If "yes," explain on a separate signed page, including the reason for the change.

* * * * *

I, the undersigned, certify and declare that I have read all the foregoing answers to this prequalification questionnaire and know their contents. The matters stated in the questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California, that the foregoing is correct.

Dated: _____

(Signature)

(Printed Name)



NORTH VALLEY LABOR COMPLIANCE SERVICES

November 3, 2016

This is a public works project so all contractors/subcontractors listed on the bid form, bidding and/or working on the project must be registered with the Department of Industrial Relations (DIR).

<https://www.dir.ca.gov/Public-Works/Contractors.html>

All workers must be paid the prevailing wage (this includes, travel, subsistence, holiday pay, designated days off and overtime), determined by the Director of the DIR according to the type of work and location. Please refer to SB 854 at <http://www.dir.ca.gov/public-works/SB854.html> for questions pertaining to the annual fee and registration for contractors.

There is Proposition 84 funding on this project, for the City of Trinidad to meet the funding requirements they must have the project monitored for prevailing wage compliance. The City of Trinidad has contracted with North Valley Labor Compliance Services to monitor this project.

Each and every contractor needs to complete and submit weekly certified payroll, one copy needs to be kept in the sub contractor's file and a copy needs to be sent to the Prime Contractor, the Prime Contractor will forward one set of payroll directly to North Valley Labor Compliance Services. All public works projects are registered with the Department of Industrial Relations (DIR) *you are also required to submit payroll electronically to the DIR.* <http://www.dir.ca.gov/Public-Works/Certified-Payroll-Reporting.html>

Here is a list of the documents that will be required, please send copies to the Prime Contractor:

Appendix A, read and signed by each contractor, NVLCS provides.

DAS 140, Contract Award - this needs to be sent to the local training committees for your specific craft/s. Please provide proof that it was sent, certified mail receipt, or fax confirmation. If you are a Union contractor this is sent to the respective Unions for each craft. If you are not a signatory then you will send the DAS 140 to the apprentice training program found on the DAS website for each specific craft. Please keep a copy of the DAS 140 and proof of submittal and **send copies** to the Prime contractor. Find the apprenticeship programs for you specific craft/s at <http://www.dir.ca.gov/Public-Works/Certified-Payroll-Reporting.html>

Fringe Benefit Statement (craft specific), please send a copy and update with any and all pre-determined increases.

DAS 142, Request for apprentices (right before works starts) this form needs to be sent to the training committees 72 hours prior to starting work on the public works project, again this is craft specific. A copy of the request needs to be sent to the Prime contractor and proof of it being sent, certified mail receipt or faxed confirmation is sufficient. If you are a Union contractor, this is sent to your Union, if you are not Union this is sent to the apprentice training committee found on the DAS website for each specific classification. If the first committee cannot provide an apprentice then you will need to send the DAS 142 to a second state approved training committee found on the DAS website, if they do not have

North Valley Labor Compliance Services
6955 N. Durango Drive Suite 1115-254
Las Vegas, NV 89149
Phone 530-674-3033 Cell 714 408-8687
cplay@sbcglobal.net

apprentices to dispatch, then you need to request from the next committee and so on. Send a copy of all the correspondence so there is proof of your requests for apprentices to each of the training committees. Please send copies to the Prime Contractor. Find the apprenticeship committee to send the Request for dispatch at <http://www.dir.ca.gov/Public-Works/Certified-Payroll-Reporting.html>

Even if you are an owner/operator you are considered a “worker” on a public works project. You must submit certified payroll with hours that you work and pay yourself the hourly wage.

Once work has commenced:

1. Certified payroll needs to be completed weekly and submitted to the Prime Contractor. You also have to submit payroll to the DIR electronically.
2. All apprentices on public works projects have to be registered; apprentices submit certificates from the DAS website.
3. A non-performance payroll needs to be submitted each week if work is not performed until we receive a FINAL payroll, that is noted “FINAL”.
4. Each week of payroll needs to be numbered, a non-performance week counts as a week in your numbering.
5. Make sure your payroll has all the following information employee’s name, address, and social security number, the exact job classification from the DIR, with the basic pay rate, fringes, and straight time, meeting the prevailing wage. All withholding, deductions gross pay, net pay and check number. This also applies to Owner Operators.
6. Submit a monthly statement for proof of training fund contributions, and a copy of the check either paid to the Union, the training committee of the CA Apprenticeship Council, send copies to the Prime Contractor. If you are signatory to a Union a letter of Good Standing is fine.
7. Submit a new fringe benefit statement when any predetermined increases take place during the course of the project.
8. When you are done working on this project provide us with a FINAL payroll marked “FINAL”.
9. Sign the contractor affidavit, Prime and all subs need to send this in.

Pursuant to CA Labor Code Section 3099.2: Any person who performs work in the state of California, as electricians shall become certified pursuant to Section 3099 by the deadline specified in this subsection. The deadline for General Electricians and Fire/Life Safety Technicians was January 1, 2006. Electricians shall provide state certification for all journeyman electricians.

If violations occur, for example, misclassification of work, not meeting the prevailing wage, not requesting the dispatch of apprentices, not making the proper training fund contributions, not paying the correct fringe benefits, or not paying overtime etc. this can result in the withholding of payment until restitution or corrections are made. Also if a violation is found then the DIR can impose penalties and not allow a contractor to bid on public works for up to 3 years.

Please call if you have any questions.

Thank you,
Carolyn Lay
North Valley Labor Compliance
530-674-3033 or 714-408-8687

North Valley Labor Compliance Services
6955 N. Durango Drive Suite 1115-254
Las Vegas, NV 89149
Phone 530-674-3033 Cell 714 408-8687
cplay@sbcglobal.net