

**CITY OF WEST HOLLYWOOD
NOTICE INVITING SEALED BIDS**

CITYWIDE WATER FEATURES MAINTENANCE SERVICES

PUBLIC NOTICE IS HEREBY GIVEN that the City of West Hollywood as AGENCY, invites sealed bids through this Invitation to Bid process, to be received only by submitting electronically at <https://www.planetbids.com/portal/portal.cfm?CompanyID=22761> for the above stated work and will only receive such bids no later than the hour of **1:00 PM ON THURSDAY, AUGUST 29, 2024**, at which time or thereafter said bids will be electronically opened and available online.

The City seeks to award one or more maintenance contracts to provide routine and on-call water features maintenance services to nine (9) water features located at citywide locations for a two (2) year term with three one-year options to renew. Contractors shall furnish all labor, incidental trade-related materials, tools, equipment, transportation/ mobilization/ vehicle expenses/ fuel, relevant expenses, taxes, insurances, bonding, overhead and profit, traffic control, permits, and public noticing, as required, to accomplish the work in accordance with the City's contract requirements/specifications.

General work includes: routine cleaning, occasional deep cleaning, and preventative maintenance on all equipment and associated devices; and on-call repair services.

Bids must be submitted electronically for the exact item(s) requested in the bid specifications. Copies of the bid and associated documents are available for free from the City's website at: <http://www.weho.org/bid>, and on the City's electronic bidding portal: <https://www.planetbids.com/portal/portal.cfm?CompanyID=22761>. To schedule a virtual or in-person review of the hard copy Bid Documents, reach out to the point of contact listed at the bottom of this Notice.

The agency hereby affirmatively ensures that minority business enterprises will be afforded full opportunity to submit bids in response to this notice and will not be discriminated against on the basis of race, color, national origin, ancestry, sex, or religion in any consideration leading to the award of contract.

Minimum Requirements: The Contractor shall be in business for a minimum of five years providing services under public works contracts/requirements as defined by the State of California and demonstrate recent experience within the last three years providing the requested services and using the required license(s) as outlined in the scope of work.

License Requirements: Pursuant to Section 7028.15 of the Business and Professions Code and Section 3300 of the Public Contract Code, all bidders must possess proper licenses for performance of this Contract. Contractors shall possess at a minimum a valid and active State of California Contractor license: **C-61 Limited Specialty / D-35 Pool and Spa Maintenance**.

Self-Performance: Contractors are required to notify the City and produce required documentation when specialized subcontractors perform any portion of the work. The Contractor shall self-perform, with its own organization, contract work to at least 50% of

the Contract Price with the exception of the following Specialty Items: **None**.

Subcontractors: Contractors are required to notify the City and produce required documentation when specialized subcontractors perform any portion of the work. All Subcontractors must possess the appropriate licenses for each trade subcontracted and they shall be listed on the bid documents as requested to include percentage and dollar value of work.

Please note the following items may be applicable to this bid. It is the responsibility of the Contractor to make that determination based on California Law and other applicable government agency requirements, which this work falls under the jurisdiction of.

OPTIONAL Job Walk: The City is available to provide site visits upon request. Please reach out to the bid contact to arrange a site visit appointment no less than 2 business days before the deadline. Please provide the list of location names of interest to visit. All site visits must be completed by **TUESDAY, AUGUST 20, 2024, at 3:30 p.m.**

Duration/Term: The City seeks to award one or more maintenance contracts for a two (2) year term with three one-year options to renew. The City does not guarantee usage of services nor compensation for unused services. The Contractor will only be compensated for services completed to the satisfaction of the City.

Requests for Information (RFIs), Questions & Clarifications: All requests for information and questions/clarifications shall be submitted electronically at <https://www.planetbids.com/portal/portal.cfm?CompanyID=22761> under the above stated project. Any questions addressing the interpretation or clarification of the Bid Forms or the Bid Documents must be submitted no later than **THURSDAY, AUGUST 22, 2024 at 10:00 a.m. through the City's electronic submission process**. Following this deadline no questions regarding the bid packet will be accepted.

Deadline for Submission: All Bids must be submitted electronically and received at <https://www.planetbids.com/portal/portal.cfm?CompanyID=22761> no later than **THURSDAY, AUGUST 29, 2024 at 1:00 p.m. through the City's electronic submission process**. The system will not allow Bids to be received after the deadline and it is the sole responsibility of the bidders to allow adequate time to upload all required bidding documents.

Prevailing Wages: Any contract entered into, pursuant to this notice, will incorporate the provisions of the California State Labor Code and may be subject to compliance monitoring and enforcement by the California Department of Industrial Relations. Pursuant to the provisions of the California State Labor Code, and calling particular attention to Sections 1770, 1771, 1774-1776, 1777.5, 1813, and 1815, the minimum prevailing rate of per diem wages for each craft, classification, or type of workperson needed to provide work performed under contract shall be those determined by the Director of the California Department of Industrial Relations. The minimum prevailing rate of per diem wages are on file at the City Hall, City of West Hollywood, 8300 Santa Monica Boulevard, West Hollywood, California 90069, and are available to any interested party on request per the requirements in Section 1773.2.

Pursuant to Section 1725.5, no contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)]. A Contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work unless currently registered and qualified to perform public work. It is not a violation for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 of the Labor Code at the time the contract is awarded.

Pursuant to Section 1777.5, the employment of apprentices by the Contractor, or any such subcontractor under them, and upon award of this contract shall comply with timely filing requirements made by the Division of Apprenticeship Standards and all other relevant requirements. Every apprentice employed upon public works shall be paid the prevailing rate of per diem wages for apprentices in the trade to which they are registered and shall be employed only at the work of the craft or trade to which they are registered. Affirmative action will also be required to ensure against discrimination in employment practices on the basis of race, color, national origin, ancestry, sex, religion, sexual orientation, or handicap.

Pursuant to a public works contract or a subcontract to supply goods, services, or materials, the Contractor or subcontractor offers and agrees to assign to the awarding body all rights, title, and interest in, and to, all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act (Chapter 2 [commencing with Section 16700] of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials. This assignment shall be made and become effective at the time the awarding body tenders final payment to the Contractor, without further acknowledgement by the parties.

Living Wage Ordinance: The City of West Hollywood's [Living Wage Ordinance](#) shall be followed when applicable. West Hollywood Municipal Code: Chapter 3.20 Living Wage Requirements for Service Contracts.

Interest in More Than One Bid: No bidder shall be allowed to make, submit or be interested in more than one bid. However, a person, firm, corporation or other entity that has submitted a sub proposal to a bidder, or that has quoted prices of materials to a bidder, is not thereby disqualified from submitting a sub proposal or quoting prices to other bidders submitting a bid to the Owner.

Bid Security and Insurance Certificates; Performance and Payment Bonds: The bid must be accompanied by cash or a cashier's check to be submitted to the City Clerk prior to deadline; or the bid must be accompanied by a bid bond or equivalent substitution in lieu of a bond made payable to the AGENCY for an amount no less than ten percent (10%) of the total bid price, this can be scanned and submitted as part of the online bid submission. Any bid not accompanied by such a guarantee will not be considered. The successful bidder will be required to furnish, within **five business days** of the written Notice of Award, insurance certificates and endorsements as described in the Bid

Documents, a Performance Bond in the amount of one hundred percent (100%) of the Total Bid Price Per Year, and a Payment (Material and Labor) Bond in the amount of one hundred percent (100%) of the Total Bid Price Per Year, on the forms provided and in the manner described in the Bid Documents. Only bonds executed by an admitted surety insurer, as defined in Code of Civil Procedure Section 995.120, shall be accepted. The surety must be a California-admitted surety with a current A.M. Best's rating no less than A: VII and satisfactory to the City. If a California-admitted surety insurer issuing bonds does not meet these requirements, the insurer will be considered qualified if it is in conformance with Section 995.660 of the California Code of Civil Procedure, and proof of such is provided to the City.

Lowest Bidder: The lowest bid shall be the lowest bid price on the base contract without consideration of the prices on the additive or deductive items. If the City opts to award multiple contracts, the City will select lowest bidders in order.

Bid Protests: Shall follow the City of West Hollywood's [Bid Protest Procedure](#) as found in the Municipal Code: Chapter 3.08 Purchasing System; Section 3.08.036 Bid Protest Procedure Applicable to Public Works Construction Projects.

Standard Specifications: The Standard Specifications of the Agency are contained in the most recent edition of the STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION ("Greenbook"), including all supplements, as written and promulgated by the Joint Cooperative Committee of the Southern California Chapter of the American Public Works Association and the Southern California District of the Associated General Contractors of California. The Standard Specifications set forth above will control the General Provisions for this Contract except as amended in the Bid Documents or other Contract Documents.

Owner's Rights: The City of West Hollywood reserves the right to reject any and all bids or to waive any irregularities or informalities in any bids or in the bidding should it deem this necessary for the public good, and also the bid of any Bidder who has been delinquent or unfaithful in any former contract with the City of West Hollywood and to take all bids under advisement for a period of ninety (90) days. No bidder may withdraw its bid for a period of ninety (90) days after the date from the opening thereof. The award of contract, if made, will be to the lowest responsible Bidder as determined solely by the City of West Hollywood.

Point of contact: Erin Hamant at 323.848.6859 or ehamant@weho.org.

BY ORDER OF THE CITY OF WEST HOLLYWOOD
Melissa Crowder, City Clerk

AFFIDAVIT OF POSTING

State of California)
County of Los Angeles)
City of West Hollywood)

I declare under penalty of perjury that I am employed by the City of West Hollywood in the Office of the City Clerk, and that this document was posted on:

Date: August 8, 2024
Signature: \\Alyssa T. Poblador\
Office of the City Clerk