

C. BID FORMS

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C.1 BID PROPOSAL FORM

(To be executed by Bidder and Submitted)

Project Name: Rancho Cañada del Oro Stock Pond Restoration Project

Location: Rancho Cañada del Oro Open Space Preserve
Casa Loma Road at Twin Creeks Road
Santa Clara County, CA

Scope of Work: General Conditions, Supplemental Conditions, mobilization/
demobilization, temporary control, earthwork, and site work as fully
described in the Bid Package for excavation, berm repair, inflow/outflow
pipe installation, and fence installation for three stock ponds at Rancho
Cañada del Oro Open Space Preserve.

Authority Representative: Rachel Clemons, Watershed Restoration Specialist
Santa Clara Valley Open Space Authority
33 Las Colinas Lane
San José, CA 95119
(408) 224-7476

The undersigned has carefully examined the site conditions for the Work, received the required Pre-Bid Meeting materials, reviewed all documents in the Bid Package, including the Plans and Specifications, accepts all terms and conditions of the Agreement, and has reviewed the following Addenda (fill in blanks below as appropriate to the number of Addenda issued for the project):

Addendum No. _____, dated _____, 20_____,
Addendum No. _____, dated _____, 20_____,
Addendum No. _____, dated _____, 20_____.

1. BASE BID

Bid Proposal will be evaluated and awarded based on **Total Base Bid**. The Authority may opt to award additional work, or accept deductive alternates based on unit pricing or breakdown submitted herein. Bidders proposed Duration for Completion shall be for Total Base Bid.

Provide all labor, equipment, material, transportation, applicable tax, profit, insurance, bonds and overhead to perform the Work in accordance with the Project Plans and Technical Specifications. All items are Furnish and Install unless noted otherwise. Refer to Plans and Technical Specifications for more information.						
No.	Description	Reference	Unit Type	Unit Price	Unit Qty	Extension
1	General conditions/mobilization	General Conditions	--	--	--	
2	Supplemental conditions, including water quality and pathogen control requirements	Supplemental Conditions	--	--	--	
Pond RC-01						
3	3(a) Dewatering	Plans	Hour			
	3(b) Pond liner		Cubic yard			
	3(c) On-site soil disposal		Cubic yard			
	3(d) Turtle ramps (2)		Each			
	3(e) Staff gage (1)		Each			
Pond RC-07						
4	4(a) Grading/excavation	Plans	Cubic yard			
	4(b) On-site soil disposal		Cubic yard			
	4(c) Inlet/outlet pipes and rock armor		--	--	--	
	4(d) Staff gage (1)		Each			
Pond RC-10						
5	5(a) Grading/excavation	Plans	Cubic yard			
	5(b) On-site soil disposal		Cubic yard			
	5(c) Outlet pipe and rock armor		--	--	--	
	5(d) Turtle ramp (1)		Each			
	5(e) Staff gage (1)		Each			
6	Post-construction erosion control and seed broadcasting	Plans	--	--	--	
<u>7</u>	<u>Demobilization and cleanup</u>	<u>Gen./Suppl. Conditions</u>	<u>--</u>	<u>--</u>	<u>--</u>	
<u>8</u>	Stand down allowance	Plans	--	--	--	\$5,000
TOTAL BASE BID						
Proposed start date – pre-construction work: _____						
Proposed start date – on-site construction work: _____						
Total days to complete project: _____ Calendar Days						

2. UNIT PRICES

Unit Prices shall be used for delays incurred to the project due to special species conditions, and may be exercised at any time during the execution of the Work. Stand-down time eligible for reimbursement shall comply with Supplemental Conditions Article Four, paragraph J. Stand-Down Time.

No.	Description	Unit	Unit Price
U1	Stand-Down Time – Equipment Operator	Hour	\$
U2	Stand-Down Time – Forman	Hour	\$
U3	Stand-Down Time – Laborer	Hour	\$

3. ADDITIVE ALTERNATES

No.	Description	Reference	Add Amount
A1	Pond RC-07 existing fence removal	Construction Plans	
A2	Pond RC-01 fence/gate installation		
A3	Pond RC-07 fence/gate installation		
A4	Pond RC-10 fence/gate installation		

4. CURRENT WORKLOAD AND FINANCIAL CAPACITY.

Contractor must provide adequate current workload and financial information to confirm Contractor’s financial ability to deliver this project.

**(a)WORKLOAD – List ALL current Projects & Value of the Current Work Backlog:
(Attach additional pages if necessary)**

Project	Value of Unfinished Work	Percentage Complete

(b) FINANCIAL – List Contractors’ Company yearly gross revenue for the last three years:

i) List the Company’s yearly gross revenue for the past 3 years.

2022 _____ 2023 _____ 2024 _____

ii) List the Company’s net income for the past 3 years.

2022 _____ 2023 _____ 2024 _____

iii) List the Company’s amount of re-invested income for the past 3 years.

2022 _____ 2023 _____ 2024 _____

5. LITIGATION.

If additional space is needed for explanations, please attach additional pages as necessary.

a) Has your company been assessed liquidated damages within the past 5 years?

No _____ Yes _____

If Yes,
Where? _____
Why? _____

b) Has your company been terminated for default or cause within the past 5 years?

No _____ Yes _____

If Yes,
Where? _____
Why? _____

c) Are there any judgements, claims, arbitration proceedings, or suits pending or outstanding against your organization?

No _____ Yes _____

If Yes,
Where? _____
Why? _____

d) Has your organization filed any lawsuits, submitted claims, or been involved in any litigation with regard to your contract activity within the last five years

No _____ Yes _____

If Yes,
Where? _____

Why? _____

6. **EXPERIENCE.** List three recently (within last 5 years) completed jobs of comparable scope, the contract amount, names, and telephone numbers of contract officers. Use additional sheets as necessary. The selected projects must cumulatively demonstrate the Bidder's experience in **pond restoration** (grading, liner install, inlet/outlet pipe install, and/or erosion control) and working in job site(s) with **sensitive/listed species**.

Job/Project Name _____

Owner _____ Year _____ Contract Amt \$ _____

Contact _____ Phone _____

Project Description _____

Job/Project Name _____

Owner _____ Year _____ Contract Amt \$ _____

Contact _____ Phone _____

Project Description _____

Job/Project Name _____

Owner _____ Year _____ Contract Amt \$ _____

Contact _____ Phone _____

Project Description _____

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5. **NONCOLLUSION CERTIFICATION.** The undersigned has executed and hereby submits the Noncollusion Affidavit (Form C.3), in accordance with Public Contracts Code Section 7106.

 6. **BID GUARANTEE.** No Bid will be considered unless accompanied by a guarantee in the amount of ten percent (10%) of the Total Base Bid), which shall be either a **BID BOND** (Attachment 4) written by an admitted surety satisfactory to the Authority in its sole discretion, a certified or cashier's check made payable to the Authority, or a cash deposit. In the event a successful bidder fails to satisfy all conditions for accepting the award (i.e. executed Agreement, provision of required bonds and proof of insurance) within the stated time limits, the Authority may declare the bidder's Bid Guarantee in default. Bidder acknowledges that the amount of actual damages the Authority would suffer in such event is extremely difficult and impractical to determine at this time by reason of the uncertainties, lapse of time, expense and loss of likely bidders resulting from the probable need to re-advertise and call for new bids. Bidder agrees that the amount of such Bid Guarantee shall be kept by the Authority as liquidated damages and agrees that the Authority may then award the work to any other bidder or may call for new bids. All Bid Guarantees will be held until after an award is made, an Agreement entered into, and required bonds and proof of insurance provided, at which time they will be returned.

7. **DISCLOSURE.** The names of all persons financially interested in this Bid Proposal are as follows:

Bidder, or any partner of Bidder, is a corporation, provide the legal name of the corporation, the state of its incorporation and the name and address of the President and of the Secretary. If Bidder is a partnership, provide name of the firm and names and addresses of all individual co-partners. Use additional sheets as necessary. If Bidder is an individual, provide the first and last name and address.

Name of Corporation: _____

State of Incorporation: _____

Name of Officer/Shareholder Title Address

Name of Bidder(s)/Partner(s) (If not a corporation)

8. **WITHDRAWAL OF BIDS.** Bids may be withdrawn prior to the opening of bids only by a signed, written notice received by the Authority Representative prior to the commencement of the bid opening. In consideration of Authority's reliance on and consideration of this Bid Proposal, the undersigned agrees that such Bid Proposal shall be irrevocable upon opening and shall not be withdrawn for sixty (60) calendar days following the bid opening even though award may be made to another bidder. Thereafter, such bid shall be automatically relieved.

I make the above Bid and declare under penalty of perjury that the statements made in this Bid Proposal are true and correct.

FULLY EXECUTED at _____,
City State

on _____,
Month Day Year

Signature¹ _____ Title _____

Name (please type or print) _____

Federal Employer I.D. Number _____

License Type _____

License Number _____ Expiration Date _____

DIR Registration Number _____

Name of Firm _____

Mailing Address _____

City _____ State _____ Zip _____

Phone (Bus) _____ Phone (Cell) _____

Email _____

¹ An authorized person for the Bidder must sign this Bid Proposal. If the Bidder is a partnership, a general partner must sign. If the Bidder is a corporation, an authorized officer of the corporation must sign and a corporate resolution conferring such authority must be provided.

C.2 LIST OF SUBCONTRACTORS
(To be executed by Bidder and Submitted with Bid)

Contractor must set forth the name, address, phone number, type and cost of work, and proof of required license for each subcontractor who will perform work or render services in any amount exceeding one-half percent (1/2%) of the total bid according to provisions of the California Public Contract Code §4100 through §4113. Each subcontractor must be licensed by the State of California Department of Consumer Affairs for the portion of work they perform in accordance with Contractor's License Law. Please attach as many sheets as necessary.

Company Name:

Contact:

Address:

Phone Number:

Type of Work:

Cost of Work:

Required License:

DIR Registration Number:

Company Name:

Contact:

Address:

Phone Number:

Type of Work:

Cost of Work:

Required License:

DIR Registration Number:

Company Name:

Contact:

Address:

Phone Number:

Type of Work:

Cost of Work:

Required License:

DIR Registration Number:

C.3 NONCOLLUSION AFFIDAVIT

NONCOLLUSION DECLARATION TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

The undersigned declares:

I am the _____ of _____, the party making the foregoing bid.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____, at _____, California.

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C.4 BID BOND

(Note: Bidder must use this form if Bid Guarantee is a Bond)

KNOW ALL PERSONS BY THESE PRESENTS THAT [name of Bidder] (hereinafter Principal), as Principal, and [name of Surety], a corporation organized and doing business under and by virtue of the laws of the State of _____ and duly licensed for the purpose of making, guarantying or becoming sole surety upon bonds or undertakings required or authorized by the laws of the State of California, as Surety, are held and firmly bound unto the Santa Clara Valley Open Space Authority, a California Special Authority, (hereinafter called the Obligee) in the just and full sum of _____ Dollars (\$ _____) _____ lawful money of the United States of America, for the payment of which we hereby bind ourselves and each of our successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT, WHEREAS, the Principal is about to hand in to the Obligee a Bid for the project known as the Rancho Cañada del Oro Stock Pond Restoration Project in accordance with the Contract Documents filed in the office of the Obligee and under the notice inviting proposals therefor.

NOW, THEREFORE, if the Bid as submitted by said Principal shall be accepted, and the contract for such work or supplies be awarded to the Principal, and the said Principal shall fail, neglect or refuse to enter into a contract to perform said work or deliver said supplies, and furnish good and sufficient bond and proof of insurance therefore, then the amount of this bond shall be declared to be forfeited to the Obligee, Santa Clara Valley Open Space Authority.

IN WITNESS WHEREOF, Principal and Surety have caused these presents to be duly signed and sealed this _____ day of _____, 2025.

Signature of Principal Signature of Surety

Attorney-in-Fact
State of California,

County of _____)

On _____ before me, _____
(insert name and title of the officer)

personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Seal

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C.5 PROOF OF PUBLIC WORKS CONTRACTOR REGISTRATION

Attach proof of Contractor and subcontractors' current and valid Department of Industrial Relations Public Works Contractor Registration (Lab. Code § 1725.5)

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