

CITY OF SAUSALITO
DEPARTMENT OF PUBLIC WORKS
ENGINEERING AND CAPITAL PROJECTS
420 Litho Street
Sausalito, California 94965-1933
KEVIN McGOWAN, PE
DIRECTOR OF PUBLIC WORKS/CITY ENGINEER
(415) 289-4176

Addendum No. 4

Issued: March 5, 2020

For

Southview Park Improvement Project

NOTICE TO ALL CONTRACTORS SUBMITTING BIDS FOR THIS WORK:

You are hereby notified of the following information, changes, clarifications or modifications to the original Contract Documents, Project Manual, Drawings, and Specifications. This Addendum supersedes the original Contract Documents wherein it contradicts the same and shall take precedence over anything to the contrary therein. All other conditions remain UNCHANGED.

This Addendum is hereby made a part of the Contract Documents to the same extent as though it were originally included therein.

SPECIAL CONDITIONS-SPECIFICATIONS-BID DOCUMENTS:

Notice Inviting Bids:

The Notice Inviting Bids is revised to include: Only Contractors who have been pre-qualified by the City of Sausalito for this Project are eligible to submit a bid.

Bidder's Questionnaire:

The Bidder's Questionnaire and all references to it are deleted in their entirety.

Bid Opening:

Bid Opening Date has been extended. Notice is hereby given that sealed bids will be received by the City of Sausalito (City) at the office of the City Clerk of the City of Sausalito, located at

420 Litho Street, Sausalito, CA 94965 no later than 2:00 PM local time on **April 10, 2020**, for furnishing all labor, materials, equipment and services for the construction of improvements designated as; Southview Park Improvement Project.

CONTRACTOR PRE-QUALIFICATION:

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

Notice is hereby given that City of Sausalito has determined that all bidders on the Southview Park Improvement Project to be undertaken by the City of Sausalito must be pre-qualified prior to submitting *a bid on that project*. It is mandatory that all Contractors who intend to submit a bid, fully complete the pre-qualification questionnaire, provide all materials requested herein, and be approved by City of Sausalito to be on the final qualified bidders list. No bid will be accepted from a Contractor that has failed to comply with these requirements. If two or more business entities submit a bid as part of a Joint Venture, or expect to submit a bid as part of a Joint Venture, each entity within the Joint Venture must be separately qualified to bid. The last date to submit a fully completed questionnaire is **Thursday March 19 at 2:00 p.m.** Contractors are encouraged to submit pre-qualification applications 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 the bid advertisement for this project.

Answers to questions contained in the attached questionnaire, information about current bonding capacity, notarized statement from surety, and the most recent reviewed or audited financial statements, with accompanying notes and supplemental information, are required. City of Sausalito will use these documents as the basis of rating Contractors in respect to the size and scope of contracts upon which each Contractor is qualified to bid. City of Sausalito reserves the right to check other sources available. City of Sausalito's decision will be based on objective evaluation criteria.

City of Sausalito reserves the right to adjust, increase, limit, suspend or rescind the pre-qualification rating based on subsequently learned information. Contractors whose rating changes sufficient to disqualify them will be notified, and given an opportunity for a hearing consistent with the hearing procedures described below for appealing a pre-qualification rating.

While it is the intent of the pre-qualification questionnaire and documents required therewith to assist City of Sausalito in determining bidder responsibility prior to bid and to aid City of Sausalito in selecting the lowest responsible bidder, neither the fact of pre-qualification, nor any pre-qualification rating, will preclude City of Sausalito from a post-bid consideration and determination of whether a bidder has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness.

The pre-qualification applications should be submitted under seal and marked "CONFIDENTIAL" to City of Sausalito, Director of Public Works, 420 Litho St., Sausalito, CA 94965.

The pre-qualification applications (questionnaire answers and financial statements) 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 of Sausalito and provide updated accurate information in writing, under penalty of perjury.

City of Sausalito reserves the right to waive minor irregularities and omissions in the information contained in the pre-qualification application submitted, to make all final determinations, and to determine at any time that the pre-qualification procedures will not be applied to a specific future public works project.

Contractors may submit pre-qualification applications during regular working hours on any day that the offices of City of Sausalito are open. Contractors who submit a complete pre-qualification application will be notified of their qualification status no later than ten (10) business days after submission of the information.

City of Sausalito may refuse to grant pre-qualification where the requested information and materials are not provided, or not provided by **Thursday March 19 at 2:00 p.m.** There is no appeal from a refusal for an incomplete or late application, but re-application for a later project is permitted. 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 Sausalito of its appeal of the decision with respect to its pre-qualification rating, no later than nine (9) business days prior to the closing time for the receipt of bids for this public works project. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of City of Sausalito, 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 seven (7) business days after City of Sausalito's receipt of the notice of appeal, and no later than four (4) business days prior to the last date for the receipt of bids on the project. The hearing shall be an informal process conducted by an Appeals Panel to which the City Manager's Office 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 of Sausalito'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 of Sausalito 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 public works contract to be let by City of Sausalito, or on all contracts to be let by City of Sausalito until the contractor meets City of Sausalito's requirements. In addition, a contractor may be found not pre-qualified for either:

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

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

- The qualification of subcontractors in the following crafts or trades, following acceptance of your bid, but before the award is made:

- Pre-qualification of all subcontractors.
- Pre-qualification of subcontractors in certain crafts.
- Post-bid qualification review.

Attachment 1 City of Sausalito's Contractor Pre-Qualification Questionnaire

END OF ADDENDUM NO.4

**Issued By: City of Sausalito
Kevin McGowan
Director of Public Works, City Engineer**

ACKNOWLEDGED

Bidder's Signature

**A signed copy of this addendum is to be submitted as a part of the bid package for the subject project.
Failure to do so may subject the Bidder to Disqualification.**