

PREBID CONFERENCE – 4/13/10 @ 1:30PM
Hatlen Theater – Lighting, Sound, Communications/Data Upgrade

Thank you for attending the mandatory pre-bid conference for this project. Please turn off all cell phones, pagers, and other electronic media that may interrupt this presentation.

The mandatory pre-bid conference consists of two parts, the meeting and the site visit. Please provide your company's name if it is not pre-listed and pass forward a business card that includes the full company name and address. Sign the mandatory attendance sheet and initial where indicated for this portion of the mandatory pre-bid conference. You will be asked to initial again at the conclusion of the job walk. You must sign and initial in both places for the entire pre-bid conference in order to be eligible to bid on this project.

I will provide you with the general information regarding the project; explain the bidding documents and the University requirements for compliance. No statements made by me or any other University Representative during this meeting or during the site visit will modify or change any provision included in the bidding documents. Only changes that are issued in writing by addenda will change the provisions of the bidding documents. In the event of any conflict or inconsistency between any information provided today or in the bidding documents, the bidding documents will control. All questions regarding the project need to be submitted in either e-mail or by fax in an RFI format to both the University Representative (George.Levinthal@pf.ucsb.edu, 805/893-4493) and the University's Representative's Consultant, Robert Nettles from Santa Barbara Electrical Design, Inc. (bobnettles@sbedinc.com, 805-963-1925) by 4:00PM on Tuesday, April 27, 2010.

At the conclusion of my portion, I will turn the conference over to:

George Levinthal, the University Representative, and Robert Nettles, the University's Representative's Consultant, they will conduct the site visit and provide you with additional project information and allow for questions.

DESCRIPTION OF THE WORK:

Scope.

Improve and add new conduits for lighting, sound and communications/data to the stage area and up onto the catwalk and ceiling of the 13, 064 GSF theater. Slightly over 4000 ASF will be impacted by the project. In addition the project will involve running about 30' of conduit on the exterior of the building from the Electrical Room to the Theater.

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ESTIMATED CONSTRUCTION COST IS \$725,000.00;

The **License Requirement** is a **C-10, Electrical**

PREQUALIFICATION PROCEDURE:

On Friday, April 2, 2010, prequalification documents were made available on our home page: <http://facilities.ucsb.edu/> under section: Contracts, Projects Available for Bid. Prequalification documents are also included in the Bidding Documents, also released on Friday, April 2, 2010.

Bidder must submit prequalification documents in a sealed envelope marked, "General Contractor Prequalification Documents – Hatlen Theater – Lighting, Sound, Communications/Data Upgrade" on or before 2:30PM, Monday, April 19, 2010 at:

Contracting Services

Facilities Management, Building #439

Door #E, Reception Counter

University of California, Santa Barbara

Santa Barbara, California 93106-1030

Bidders will be notified whether or not they are prequalified. Prequalification Notices will be sent and posted to Facilities website: April 23, 2010

A bidder who passes the pre-established rating system will be allowed to submit bids for the project. A bidder who fails will be excluded from submitting a bid.

The evaluation is solely for the purpose of determining, in a timely manner, bidders who are deemed qualified for successful performance of the type of work included in this project. The contract will be awarded to the prequalified bidder submitting the lowest responsive bid.

THE CONTRACT TIME OF THIS PROJECT IS 100 calendar days.

Contractor understands and agrees that the Contract involves performance in and around adjacent existing, functioning used facilities. The Contractor recognizes that the Work must be coordinated to avoid disruption of normal functions.

Contractor shall NOT interrupt mechanical and electrical services or utilities to Campus facilities except at such times as will cause the least inconvenience to the University, and ONLY with the approval of the University's Representative. The exact time of the interruption shall be arranged in advance with the University's Representative in compliance with the Specification Section.

Working hours are from 7:00 am to 5:00 pm on calendar days unless otherwise indicated. Other Work hours or days are subject to the approval of the University's Representative.

Contractor's use of the Project site for the Work, storage, and staging is restricted to the areas and the time periods specified as designated in the Bidding Documents, Drawings and Specifications. Please allow for continued use of adjacent existing buildings by the University and the public.

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LIQUIDATED DAMAGES

The Contractor will be assessed **\$1000.00** as Liquidated Damages for each day the work remains incomplete beyond the expiration of the Contract Time. After Substantial Completion the rate for liquidated damages shall be reduced to the sum of \$500.00.

INSURANCE REQUIREMENTS (General Conditions & Supplementary Conditions

The insurance requirements for this contract are as follows:

General Liability

\$1M Each Occurrence-Combined Single Limit for Bodily Injury and Property
\$1M Products - Completed Aggregate
\$1M Personal and Advertising Injury
\$2M General Aggregate; (not applicable to Comprehensive Form of Insurance).

Business Automobile Liability

\$1M Each Accident-Combined Single Limit for Bodily Injury and
Property Damage

Workers Compensation & Employer's Liability insurance are as required by Federal and State of California Laws.

All Certificates of insurance shall be issued ONLY by insurers listed by BEST with a rating of A- or better, and with a financial classification of 8 or better.

Please review the Certificate of Insurance form, Exhibit 1, carefully. The language cannot be modified or altered and you must use the insurance form provided. If you are selected as the apparent lowest responsible bidder you must comply with all four of the special provisions, which include but are not limited to naming the University as additional insured, that the insurance is primary, and that the University will receive written notice of changes to the policy. Your insurance carrier must use this form. If an accord form is used it must include the 4 special provision endorsements.

The four provisions to be included are as follows:

1. The Regents of the University of California, its officers, agents, employees, consultants, representatives, and representatives consultants are included as additional insureds but only in connection with this project
2. This insurance shall be primary insurance as respects the Regents of the University of California, its officers, agents and employees, any insurance or self insurance maintained by the Regents of the University of California shall be in excess and non contributory with this insurance.

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3. The provisions under paragraphs 1 &2 of this section, “special provisions” shall apply to claims, costs, injuries or damages but only in proportion to and to the extent such claims, costs, injuries, or damages caused by or result from the negligent acts or omissions of the named insured.

4. Should any of the insurance programs described herein be cancelled before the expiration date thereof, the issuing company will mail 30 days , 10 days for non payment of premium, written notice to the certificate holder named below.

BUILDERS RISK INSURANCE

The University provides a Builder’s Risk Coverage Program for all construction projects in excess of \$200,000. The University puts this in place for the project, we do all the paperwork, and pay the premium. However, in the event that this coverage is necessary, the Contractor is responsible for the deductibles as contained in the provisions of the policy. Builder’s Risk Coverage is described more fully in Article 11.2 of the General Conditions and also in Exhibit 12 of the Contract Documents.

BIDDER QUALIFICATIONS: To be allowed to submit a bid, Bidders must have the minimum experience set forth in the Supplementary Instructions to Bidders. Bidder shall submit their pre-qualifications on the form provided by the University. The Bidder shall provide a minimum of three (3) references for a project similar in scope to this project, either as a prime contractor or a subcontractor, with an overall construction cost greater than \$750,000.00 and an electrical cost greater than \$500,000.00 that has been successfully completed during the past five (5) years, and carry a C-10 license.

BID FORM

The majority of bids that are rejected are due to errors in the bid form. Material errors (those that involve money or time) can not be waived and cause a bid to be rejected as nonresponsive. Do not include any inclusive or exclusionary language, attachments, proposals, or references to the bid form. The only attachment to the bid form is either a bid bond or a cashier’s check.

Use the Bid Form found in the Contract Documents. No other form is acceptable. Any Bids submitted that are not on the University provided form will be rejected.

All Bid Form blanks are to be completed in either ink or typewritten; any alterations or erasures to previously entered information are to be individually initialed by the bidder.

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Bid Form, Item #4: Lump Sum Base Bid

Write all the amounts required in the Bid Form in **figures**.

Allowances

There are NO Allowances in this Contract

Bid Form, Item #6: Unit Prices

There are NO UNIT PRICES in this Contract:

Bid Form, Item #7: Daily Rate of Compensation for Compensable Delay

Bidder shall submit a per diem price to cover the cost of Owner-caused compensable delay. The per diem price shall include all of the Bidder's anticipated costs including overhead and profit. Compensable Delay is described more thoroughly in Articles 7 and 8 of the General Conditions. The compensable delay amount is used as a basis for award.

For this project the multiplier is **10** days.

Provide a daily rate only. Do not do the multiplication. The University will perform the extension of the daily rate times the multiplier. If in error you enter the extended amount, it is considered a material error and can not be waived.

Bid Form, Item #8: Alternates

There are TWO ALTERNATES in this Contract:

There are two check boxes associated with Alternate 1. Select whether the amount stipulated is a, DEDUCT, or NO CHANGE amount.

There are three check boxes associated with Alternate 2. Select whether the amount stipulated is an ADD, DEDUCT, or NO CHANGE amount

Bid Form, Item #9: List of Subcontractors

The University complies with the Public Contract Code cited as the “Subletting and Subcontracting Fair Practices Act”. All **first tier subcontractors** must be named whose work is valued in excess of one-half of one percent (0.005%) of the Lump Sum Base Bid that will provide labor, equipment, or materials and will be performing the Work at the Project Site. The Bid Form provides space for the trade (work activity), subcontractors name, license number, and location (city).

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Pursuant to the Public Contract Code, a bidder shall not list more than one subcontractor for the same scope of work without clearly separating the work intended to be performed.

Please be sure that the subcontractors carry the proper licenses for the trade of work performed. The subcontractor must have an active license at the time of the bid.

Bid Form, Item #10: List of Changes in Subcontractors due to Alternates

If an alternate requires a different subcontractor than one that is listed in item #9, those subcontractors must be named

Bid Form, Item #11 and Declaration:

All information regarding the bidder must be completed. A person legally authorized to bind the Bidder to a contract shall sign the Declaration Page in the Bid Form.

Bid Form, Item #12: Required Completed Attachments – Bid Security

A Bid Security in the amount of 10% of the Lump Sum Base Bid is required. Fill in the type of bid security you are using, either a Bid Bond or Certified Check.

Use the **UNIVERSITY'S BID BOND** form provided in the contract documents. Do not use a form that was provided for any other UC campus. It is imperative that only our Bid Bond form is used. If another Bid Bond Form is submitted, it is a material error and your bid will be rejected as non responsive.

The Surety issuing your bid bond shall be, on the Bid Deadline, an admitted surety insurer as defined in California Code of Civil Procedures Section 995.120. Confirm with your bonding company that they are listed.

You may submit a Certified Check made payable to The Regents of the University in lieu of the Bid Bond (10% of the Lump Sum Base Bid), but you must keep in mind that the University will keep your Certified Check (as well as the bid bonds) until award of the Contract.

Submitting the Bid:

Submit your Bid on the enclosed **Bid Form** along with your **Bid BOND**, in an Opaque bidding envelope with the following proper identification:

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- Project Name
- Project Number
- Your Company Name and return address

If you are mailing your bid, please place your bid in a separate envelope and mark on the outside of the mailing envelope, “Sealed Bid Enclosed.”

Bids are submitted to:

Facilities Management, Building 439
Door E, Reception Counter
University of California, Santa Barbara
Santa Barbara, California 93106-1030

Bids must be received prior to the deadline time specified. Telephone, Oral, and Facsimile copies of bids are not acceptable and considered nonresponsive.

Bid Opening Date: Tuesday May 4, 2010 at 2:30 PM.

DETERMINING THE APPARENT LOWEST RESPONSIBLE BIDDER

The University calculates the **Apparent Lowest Responsible Bidder** as follows:

- The amount of the Lump Sum Base Bid, (Item # 4 on the Bid Form)
- Plus the extended amount of the Compensable Delay, (Item # 7 on the Bid Form)
- Plus Alternate No. 1 (Item #8 on the Bid Form)
- NOTE: Alternate No. 2, is a POST AWARD and is NOT a Basis of Award.

AWARD & AGREEMENT: (4 pages)

If you are selected as the Apparent Lowest Responsible Bidder for this project, we will mail you an Agreement for signature.

You will have 10 days after receipt of the Apparent Lowest Responsible Bidder Letter to return to this office:

- 1) The executed Agreement;
- 2) Certificates of Insurance (Exhibit 1)
- 3) The Payment and Performance Bonds (Exhibits 2 & 3) in the amount of 100% of the contract price.
- 4) Selection of Retention Options (Exhibits 5A and 5B):

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The University will withhold 5% retention. You can also select an Escrow Agreement, which is described in Article 9.5 of the General Conditions. **The retention is released 35 days after the Notice of Completion has been recorded.**

- 5) The name of qualifications and references for the Superintendent proposed for the Work as required in Article 3.8 of General Conditions.
“The Contractor shall employ a competent Superintendent satisfactory to the Owner who shall be in attendance at the project site AT ALL TIMES DURING THE PERFORMANCE OF THE WORK. The Superintendent shall represent the Contractor and communications given to, and received from the Superintendent, shall be binding on the Contractor. Failure to maintain a Superintendent on the Project site at all times Work is in progress shall be considered a material breach of this Contract, entitling the University to terminate the Contract
- 6) Names of all Subcontractors with their addresses, telephone numbers, facsimile numbers, and trade (work activity).
- 7) Distribution of Contract Dollars and Self Certification-Contractor/Subcontractor forms. (Exhibits 13A and 14)
- 8) A Preliminary Contract Schedule as required under Article 3 of the General Conditions.
- 9) A Cost Breakdown (schedule of values) as required by Article 9 of the General Conditions.

All of these items must satisfy the requirements as set forth in the Bidding Documents of the contract.

If you fail to properly submit these items as required on or before the time specified, you may be disqualified, the Bid Bond may be forfeited and the contract may be awarded to the next lowest responsible bidder.

You do not have a contract in place until the University Vice Chancellor signs the Agreement and we send you a Notice to Proceed. The Notice to Proceed establishes the start and completion date.

1. The University is subject to and follows the California Subletting and Subcontracting Fair Practices Act. No prime Contractor whose bid is accepted shall substitute any

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person as subcontractor in place of the subcontractor listed in the original bid without first receiving written consent of the University. If after award of this contract, you subcontract any such portion of the work without notifying us, you shall be subject to penalties.

2. Certified Payrolls are required, and they are to be submitted with the Application for Payment, (Exhibit 4 in the Construction Documents). Submit the Application for Payment to University Representative for review and preliminary signature. The University will process the Application for Payment when all required supporting data have been received.

3. Prevailing Wages are required for all construction work done on campus. The fine for not paying prevailing wages is \$50/per worker for every day that you are in violation.

A current list of prevailing wages is available through our web site on line and in the Contract Office.

The Contractor and every Subcontractor required to submit certified payrolls and labor compliance documentation shall use the FM International Labor Compliance Program software “LCPtracker” provided by the University.

PARKING:

If you park on campus the fee is \$8/day; \$56.00/month; \$113/quarter; or \$432.00 per year. Parking will be covered in more detail at the pre-construction kick-off meeting, where either a Parking Services representative will be in attendance or the Project Manager will provide you with more details.

CONCLUSION:

Does anyone have any questions regarding the bidding documents?

Thank you for attending this portion of the pre-bid conference.

I'll now turn this over to: George Levinthal.