

Solano Community College District

FINANCE & ADMINISTRATION DEPARTMENT

Public Works Projects UPCCAA Program

Bidding Limits and Purchasing Thresholds:

Public Work projects as defined will require the following:

- **\$25,000 or over** – Contractor must pay Prevailing Wages as set forth by the Department of Industrial Relations (DIR) <https://www.dir.ca.gov/public-works/publicworks.html>
- **\$60,000 or less** – District will retain one written quote from the Pre-Approved Qualified Contractors List (<http://www.solano.edu/purchasing/rfp.php>); or may be performed by the employees of the District by force account, by negotiated contract, or by purchase order.
 - **Contractor and Subcontractors over \$25,000** – must be registered with the Department of Industrial Relations (DIR) and have a valid registration number (SB 854) in order to perform work at the District. <https://www.dir.ca.gov/public-works/publicworks.html>
 - **\$25,000 or over – Performance and Labor and Material Payment Bonds**
- **\$60,000 to \$200,000 – Informal Bidding Procedures**

District will follow the Informal Bidding procedures, as set forth by Public Contract Code Section 22032 – UPCCAA

 - **Notice to Licensed Contractors to Submit Application** required advertisement ten (10) calendar days prior to bid due date
 - **Bid Bond** is required
 - **Performance and Labor and Material Payment Bonds** are required
 - **Bids** must be received on District's bid forms at the time and date of notice. If all bids received are in excess of two hundred thousand dollars (\$200,000), the Board of Trustees may award the contract, at two hundred twenty thousand dollars (\$220,000) or less, to the lowest responsible bidder.
- **\$200,000 or over** – **Formal Bid** is required

Informal Bidding Procedures

This informal bidding procedure shall only be used when bidding limits are between \$60,000 and \$200,000, in accordance to UPCCAA.

1. Pre-Approved Qualified Contractor List

At least once per calendar year, each public agency that has elected to become subject to the Uniform Public Construction Cost Accounting Act and intends to utilize the notice provisions outlined in section 22034(a) shall establish a new list or update its existing list of qualified contractors by mailing, faxing, or emailing written notice to all construction trade journals designated for that Agency under Section 22036. The notice shall invite all licensed contractors to submit the name of their firm to the Agency for inclusion on the Agency's list of qualified bidders.

2. Advertising of Notice Inviting Informal Bids

The public agency shall provide a notice inviting informal bids not less than ten days before the bids are due. The notice inviting informal bids shall be mailed to either or both of the following:

- All contractors on the qualified contractors list maintained; and/or
- All required construction trade journals (see Notice Calling for Pre-Qualification Application for list of construction trade journals)

3. Contents of Notice Inviting Informal Bids

At a minimum, the notice inviting informal bids shall include the following:

- Description of the project in general terms;
- State how to obtain more detailed information about the project;
- State the date, time, and place for the submission of sealed bids; and
- Include any other information required by state or local law.

Other types of information that could be included in the notice inviting informal bids shall include the following:

- A. Project Title and Informal Bid #;
- B. Engineer's Cost Estimate;
- C. Location of Project Site;
- D. Owner's Address, Phone Number and E-Mail Address;
- E. Architect's name and address (if applicable);
- F. Where plans and specifications may be obtained; and
- G. Requirements of bid bond/performance and payment bonds.

4. Proprietary Projects, Products or Services

If the public agency certifies that, to the best of their knowledge, the project, product, or service is proprietary in nature and can be obtained only from one contractor or source, and that no equivalent projects, products or services are available, then the notice inviting informal bids may be sent exclusively to such contractor or provider.

5. Contents of Informal Bid and Contract Documents

A sample form of the informal bid and contract documents, technical specifications, drawings, and other technical documents shall be made available on the website at: <http://www.solano.edu/purchasing/rfp.php>

6. Confidentiality/Sealed Informal Bids

Only sealed bids shall be accepted by the District. Sealed bids shall not be opened prior to the date of bid time and date of the opening, as specified in the notice inviting informal bids. This is not a PUBLIC bid opening.

7. Bidder's Security/Bid Bond

When required by applicable law or determined necessary by the public agency, each bidder shall be required to provide the appropriate security to guarantee its bid. Upon refusal or failure to execute the required contract or agreement and provide all required information and documentation, the full amount of the bid security shall be forfeited, except to the extent limited by state or local law.

8. Rejection of the Informal Bids

The District may, in its sole and absolute discretion, reject all informal bids presented. If after the first invitation of bids all informal bids are rejected, after re-evaluating its cost estimates for the project, providing a written notice to bidders of the intention to reject all bids which is mailed at least two business days prior to the bid opening, then the District shall have the option of any of the following:

- Abandon the project; or
- Re-advertise for bids in the manner described in these procedures; or
- By passage of a resolution of the Board of Trustees, declare that the project can be performed more economically by the employees of the District and have the project done by force account.

9. No Informal Bids Received

If no informal bid is received, the public agency may award the contract by any alternative procedure, negotiated contract or may be performed by employees of the District by force account as set forth in Section 22034 of the Public Contract Code.

10. Emergencies

In cases of emergency when repair or replacements are necessary, the Board of Trustees may proceed at once to replace or repair any public facility without adopting plans, specifications, or giving notice of inviting informal bids to let contracts. The work may be done by day labor, by contractor, or by a combination of the two.