

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

Category:	Administration	Policy # 2009-03
Title:	Procedures for Bidding, Construction and Acceptance of District Public Works	

PURPOSE

The purpose of this policy is to establish certain procedures for the bidding, award, construction and acceptance of public works of over \$5,000 by the District. To the extent that any provisions of this Policy are inconsistent with the provisions contained in the specifications or contract for a specific public work, the provisions of the specific public work shall control.

PROCEDURES

- 1) District Staff will review District Consultant prepared improvement plans and associated bidding documents for public works to insure conformity with the requirements of the District Standards.
- 2) District Staff will approve District Consultant prepared improvement plans when the improvement plans and associated documents conform to the District Standards.
- 3) District Staff will request that the District Improvements Committee recommend to the District Board that the public project be advertised for competitive bidding.
- 4) After authorization by the District Board, District Staff will publish a notice inviting bids in accordance with the District Standards. If required by the bid specifications, a mandatory pre-bid conference or job walk shall be held.
- 5) All bids must be sealed, filed with the District prior to the date and time specified in the bid notice, and accompanied by security of at least ten percent (10%) of the bid amount to guarantee the bid. Bids that are delivered late or without security shall not be considered by the District.
- 6) Upon receipt of the bids, District Staff will publicly open and review the bids to determine (1) which bidder is the lowest monetary bidder, (2) whether the lowest monetary bidder submitted a responsive bid, (3) and whether the lowest monetary bidder is responsible. District staff will provide all bids and make a recommendation for award of the contract to the District Improvements Committee.
- 7) Upon the recommendation of the District Improvements Committee, the District Board will determine whether to award the contract and to authorize the General Manager to execute the necessary contract documents. A bidder that is rejected based on non-responsibility or non-responsiveness shall be entitled to notice and an opportunity to present evidence or materials on the matter prior to the award of the contract by the District Board. The District Board reserves the right to reject all bids or waive minor irregularities in the bidding process.

- 8) The General Manager will execute the necessary contract documents subject to the receipt of the following documents:
 - a) Faithful Performance and Labor & Materials Bonds (each in the amount of not less than 100% of the contract amount).
 - b) Insurance certificates as required by the contract.
 - c) Easements and right of entry authorizations.
 - d) Other requirements that may be required by the District Standards, the bid documents and specifications, or as specified by the District Board.

- 9) The General Manager, or his/her designee, shall be responsible for administration of the public works project in accordance with the District Standards, and bid documents and specifications.

- 10) Upon completion of the public works project, the General Manager shall cause a notice of completion to be filed in accordance with the requirements of the District Standards. Undisputed retained funds shall be released within sixty (60) days following the completion of the public work. If a dispute exists between the District and the contractor, the District may withhold one hundred and fifty percent (150%) of the disputed amount. If stop notices remain at the end of the sixty (60) day period, the District shall withhold one hundred and fifty percent (150%) of the amount of the stop notices.

- 11) Upon the contractor's completion of the items of work identified in the listing of deficiencies, posting of at least a One (1) Year Warranty Bond (in the amount of at least 10% of the contract amount) and execution of the proper guarantee form, District Staff recommend to the District Board that the completed improvements be accepted.

- 12) The District Staff, shall accept the public work project and authorize the release of the faithful performance and labor & materials bonds.
 - a) Accept the completed improvements for maintenance.
 - b) Order the filing of the Notice of Completion.
 - c) Order the release of retention subject to the successful completion of the 35 day Stop Payment Period.
 - d) Order the release of the Faithful Performance and Labor & Materials Bonds.

- 13) Prior to expiration of the One (1) Year Warranty period, District Staff will perform an inspection ("walk-through") of the project for identification and listing of deficiencies.

- 14) Upon the contractor's completion of the items of work identified in the listing of deficiencies found on the One (1) Year Warranty period inspection, District Staff will release the One (1) Year Warranty Bond be released.

Approved by RMCS D Board of Directors	March 18, 2009
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