



REQUEST FOR OFFERS (RFO)

Solicitation Title: Safety Fencing for Rose Canyon Offices
Solicitation No.: 5005498

Release Date: 10/9/2018 Offers Due By: 10/31/2018
Federally Funded: Yes No Funding Source: FTA FHWA Other
Project Number: 3312500 Award based on: Lowest Price Best Value

SANDAG Contact: Regis Dorsaima Remit via Email to: Regis.dorsaima@sandag.org
Phone: (619) 699-4868 Email: Regis.dorsaima@sandag.org

Liquidated Damages: Yes No
Amount / Calendar Day: \$n/a
Calendar Days for Completion: 30 days
Contractor License Required: Yes No
License Classification: B or C-13
DBE Goal: Yes No
SANDAG may split the award between multiple Offerors: Yes No
Insurance/Bond Required: Yes No
Prevailing Wage*: Yes No
* CA State or Davis-Bacon, whichever is greater

Offer shall be valid for 60 days. Offeror must attach any Terms and Conditions including license agreements that it wants to use to supplement SANDAG's Terms to its offer - failure to do so is a waiver by Offeror to supplement SANDAG's terms. Terms that conflict with SANDAG Terms and Conditions will only be accepted on negotiated procurements and at SANDAG's discretion. Terms that materially conflict with SANDAG Terms and Conditions on low bid procurements shall not be permitted. SANDAG reserves the right to cancel this RFO. Part 2 of this RFO must be submitted by Offeror with offer.

Total Offer Amount (Including all items and services described in the Project Requirements and itemized Price Sheet, including any applicable taxes, fees or delivery charges: \$

This purchase is subject to the Standard Terms and Conditions located at www.sandag.org including FTA and FHWA provisions as indicated by the funding source boxes above. By signing this offer, Offeror acknowledges that it has read and accepted the terms and conditions associated with this RFO.

Company Name (Offeror) Address City State Zip Code
Phone Number Email Address
Name of Authorized Representative Signature Date

PART 1 PROJECT REQUIREMENTS

I. SUMMARY

SANDAG is seeking to install a chain link fence along a stepped block wall entering a driveway at the Rose Canyon Offices.

II. TECHNICAL SPECIFICATIONS

The scope of work includes all labor and materials needed for the fabrication and installation of a new chain link fence to insure safety when entering and exiting the driveway.

The specifications of the work will include but is not limited to the following:

- Chain-Link Fencing
- Galvanized Base Plates
- Welding
- Labor

See Section 3, Exhibit A - Project Specifications

III. MINIMUM QUALIFICATIONS

Offers shall be accepted from Offerors who hold either a "B" or "C-13" license issued by the State of California's Contractors State Licensing Board.

IV. MAINTENANCE AND SERVICES

Full compensation for final cleanup will be considered as included in the price paid for the various items of work and no separate payment will be made. Before final presentation of the work, the site must be free of rubbish and excess materials. All parts of the site shall be left in a neat and presentable condition.

V. LOCATION

Offeror shall install a chain link fence at the following location:

- 5965 Santa Fe St. San Diego, CA 92109

Offerors can schedule a site visit by contracting the SANDAG Project Manager

VI. PREVAILING WAGE

This project qualifies as a public works project as defined by the California Department of Industrial Relations (DIR). Based on the estimated amount of the entire project, the small project exemption applies. Under small project exemption, contractors who work exclusively on small projects are not required to register as public works contractors or file electronic certified payroll reports for the project. Prevailing wages must still be paid on this project. Contractors are still required to maintain certified payroll records on a continuous basis, and provide those records to the Labor Commissioner's Office upon request.

VII. SELECTION OF OFFEROR

A. Low Bid Selection Method

The Offeror that meets all qualifications, is responsive and responsible, and submits the lowest offer amount on the first page of this RFO will be awarded an Agreement.

The Agreement shall consist of the provisions in this RFO, cross-referenced federal terms and conditions, any SANDAG-issued purchase order, and the Standard Terms and Conditions, in that order of precedence. No work shall commence until after a notice to proceed or purchase order is issued by SANDAG. SANDAG shall have no obligation to pay for goods or services provided prior to approval of the Agreement by SANDAG. The selected Offeror also may be referred to as Contractor in the Agreement.

VIII. PROTEST PROCEDURES

SANDAG protest procedures may be obtained by email from the SANDAG Contact listed on the first page of this RFO.

IX. SUPPLEMENTAL PROVISIONS FOR THIS PROCUREMENT

A. Insurance

OFFEROR shall procure and maintain for the duration of this Agreement, the following types and amounts of insurance against claims for injuries to persons, or damages to property, which may arise from or in connection with the performance of the work under the Agreement by OFFEROR, its agents, representatives, or employees:

| Insurance Type | Requirements | Limits |
|---|---|---|
| Commercial General Liability (CGL) | Coverage shall conform to ISO Form CG 00 01 covering CGL on an "occurrence" basis. Policy shall include all elements of Coverages A, B and C. | Limits no less than \$1,000,000 - per occurrence for bodily injury, personal injury and property damage. The general aggregate limit shall be twice the required occurrence limit. The policy shall be issued on a policy basis. |
| Automobile Liability | Coverage shall conform to ISO Form CA 00 01 covering any auto (Code 1). | Limit no less than \$300,000 - per accident for bodily injury and property damage. The policy shall be issued on a combined single limit. |
| Workers' Compensation and Employer's Liability | Insurance shall cover or insure under the applicable laws relating to workers' compensation insurance, in accordance with the "Workers' Compensation and Insurance Act," Division IV of the Labor Code of the State of California and any Acts amendatory thereof. Not required for sole proprietors or companies with no employees. Verifiable proof of exemption shall be required from OFFEROR upon request. | As required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than \$1,000,000 per accident; \$1,000,000 policy limit bodily injury by disease; and \$1,000,000 each employee bodily injury by disease. |

| Insurance Type | Requirements | Limits |
|-----------------------------|---|-------------------|
| Installation Floater | <p>Coverage shall conform to Commercial Inland Marine Property Insurance Form.</p> <p>A property installation floater shall be obtained that provides for the improvement, remodel, modification, alteration, conversion or adjustment, to existing buildings, structures, processes, machinery and equipment. The Property Installation Floater shall provide property damage coverage for any building, structure, cribbing, falsework, scaffolding, construction forms, as well as contractor's machinery or equipment damaged, impaired, broken or destroyed during the performance of the Work, including during transit, installation and testing at the project site(s).</p> <p>Coverage shall also include debris removal and pollution clean-up and removal.</p> <p>Offeror waives any rights of subrogation against SANDAG, and the policy form must permit and accept such waiver. Offeror hereby releases and holds harmless SANDAG for any loss or damage to its equipment.</p> <p>Coverage shall cease at the time when the Work performed has been accepted by SANDAG.</p> | Replacement Costs |

Failure to provide or continue in force any insurance as described in this Insurance section shall be deemed a material breach of the Agreement, which SANDAG may deem to constitute cause for immediate termination. SANDAG reserves the right to withhold payments to OFFEROR in the event of material noncompliance with the insurance requirements. The requirements as to the types and limits of insurance coverage to be maintained by OFFEROR are not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by OFFEROR under the Agreement, including, but not limited to, the provisions concerning indemnification. The specified insurance limits are minimum amounts to be provided, and any insurance maintained by OFFEROR above such limits shall provide protection to SANDAG and all additional insureds to the same extent as other insurance provided by OFFEROR.

PART 2 SUBMISSION DOCUMENTS

The documents in this part of the RFO must be completed by the Offeror and submitted with the offer. If all documents identified below are not submitted and/or are not complete and executed, the offer may be classified as non-responsive and will not be considered further.

The following list is provided to assist in assuring a complete submission:

1. Itemized Price Sheet
2. Bidders List
3. Workers Compensation Certificate
4. Public Records Act Indemnification Certificate
5. False Claims Certificate
6. Public Contract Code Section 10162 Questionnaire
7. Public Contract Code Section Statements
8. Eligibility Certification of Federally Funded Contracts
9. Subcontractor's Statement of Eligibility
10. Certification of Primary Participant Regarding Debarment, Suspension and Other Responsibility Matters
11. Non-Collusion Affidavit
12. EEO Certificate

The following items shall be provided by the successful offeror within three (3) business days of SANDAG's request and are required to issue an agreement:

1. W9
2. Insurance Certificates, as needed

ITEMIZED PRICE SHEET

| Item No. | Description | Unit of Measure | Qty | Unit Price | Total Price | |
|---|-------------------------------------|-----------------|-----|------------|--------------|-----------|
| 1 | Chain Link Fencing | FT | 130 | \$ | \$ | |
| 2 | 5/8" x 8 x 6 Galvanized Base Plates | EA | 13 | \$ | \$ | |
| 3 | Welding | HR | | \$ | \$ | |
| 4 | Labor | HR | | \$ | \$ | |
| 5 | Delivery | Lot | 1 | \$ | \$ | |
| 7 | Sales Tax | Lot | 1 | \$ | \$ | |
| <i>Pricing is inclusive of prevailing wage requirements</i> | | | | | Total | \$ |

BIDDERS LIST

| Offeror Name | Contract No. |
|--|--------------|
| <p>The U.S. Department of Transportation (DOT) requires the San Diego Association of Governments (SANDAG) to create and maintain a Bidders List containing information about all firms (Disadvantaged Business Enterprise (DBEs) and non-DBEs) that offer on the SANDAG DOT-assisted contracts in accordance with 49 C.F.R. 26.11. The Offeror is to complete all requested information for every firm that submitted an offer, including the Offeror itself and any proposed subcontractors. SANDAG will utilize this information to assist in the Overall Annual DBE Goal Setting process.</p> | |

| Offeror's Information | | | | | | |
|--|----|---|----|-----|---|--|
| Name of Offeror's Firm: | | Phone: () - | | | | |
| Firm Address: | | Fax: () - | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 5px;">City</td> <td style="width: 10%; padding: 5px;">ST</td> <td style="width: 60%; padding: 5px;">ZIP</td> </tr> </table> | | City | ST | ZIP | Type of work/services/materials provided: | |
| City | ST | ZIP | | | | |
| Number of years in business: | | | | | | |
| Contact Person: | | Title: | | | | |
| Is the firm currently certified as a DBE under 49 C.F.R. 26? <input type="checkbox"/> Yes <input type="checkbox"/> No | | Check the box below for your firm's annual gross receipts last year: | | | | |
| Offeror has DBE Certification in the following categories (place an "X"): <input type="checkbox"/> African American <input type="checkbox"/> Asian Pacific American <input type="checkbox"/> Native American <input type="checkbox"/> Woman <input type="checkbox"/> Hispanic American <input type="checkbox"/> Subcontinent Asian American <input type="checkbox"/> Other | | <input type="checkbox"/> Less than \$1 million <input type="checkbox"/> Less than \$5 million <input type="checkbox"/> Less than \$10 million <input type="checkbox"/> Less than \$15 million <input type="checkbox"/> More than \$15 million | | | | |

**BIDDERS LIST
(CONT'D)**

| Subcontractor's Information | | |
|--|-----|---|
| Name of Subcontractor's Firm: | | Phone: () - |
| Firm Address: | | Fax: () - |
| City | | Type of work/services/materials provided: |
| ST | ZIP | |
| Number of years in business: | | |
| Contact Person: | | Title: |
| Is the subcontractor's firm currently certified as a DBE under 49 C.F.R. 26? <input type="checkbox"/> Yes <input type="checkbox"/> No | | Check the box below for your firm's annual gross receipts last year: <input type="checkbox"/> Less than \$1 million <input type="checkbox"/> Less than \$5 million <input type="checkbox"/> Less than \$10 million <input type="checkbox"/> Less than \$15 million <input type="checkbox"/> More than \$15 million |
| Subcontractor has DBE Certification in the following categories (place an "X"): <input type="checkbox"/> African American <input type="checkbox"/> Asian Pacific American <input type="checkbox"/> Native American <input type="checkbox"/> Woman <input type="checkbox"/> Hispanic American <input type="checkbox"/> Subcontinent Asian American <input type="checkbox"/> Other | | |

If necessary, this Bidders List form can be duplicated to include all firms (DBEs and non-DBEs) that submitted an offer to subcontract to Offeror relating to this DOT-assisted Project, whether they were successful or unsuccessful in their attempt to obtain a contract from Offeror.

WORKERS' COMPENSATION CERTIFICATE

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that code and I will comply with such provisions before commencing the performance of the work of this Agreement.

Executed this _____ day of _____, 20____.

Official, legal name of Offeror (Type or Print)

Print Name: _____ Title: _____

Signature: _____ Date: _____

PUBLIC RECORDS ACT INDEMNIFICATION CERTIFICATE

I, _____ hereby agree, on behalf of
(Type or Print name)

Official, legal name of Offeror (Type or Print)

to indemnify and defend SANDAG in the event SANDAG withholds production of any records submitted in response to this RFO that Offeror has marked "Confidential" "Trade Secret" "Proprietary", or similar designations, in response to a Public Records Act request pursuant to California Government Code section 6250 or a Freedom of Information Act request.

Official, legal name of Offeror (Type or Print)

Print Name: _____ Title: _____

Signature: _____ Date: _____

FALSE CLAIMS CERTIFICATION

OFFEROR'S CERTIFICATION OF COMPLIANCE
WITH
LAWS RELATING TO
FALSE CLAIMS

I hereby certify that if awarded the Agreement of which this certificate shall be made a part of, I will ensure that Offeror does not violate any provisions of the False Claims Act or any other applicable federal or state laws and regulations relating to the filing of false claims against a public agency, including laws and regulations hereinafter enacted. I additionally certify that in the event it is determined that Offeror or one of its subcontractors has violated the False Claims Act, that such violation shall be grounds for, among other things, debarment pursuant to the policies established by Federal, State, or local law.

Official, legal name of Offeror (Type or Print)

Print Name: _____ Title: _____

Signature: _____ Date: _____

PUBLIC CONTRACT CODE SECTION 10162 QUESTIONNAIRE

In accordance with Public Contract Code Section 10162, the Offeror shall complete, under penalty of perjury, the following questionnaire:

Has the Offeror, any officer of the Offeror, or any employee of the Offeror who has a proprietary interest in the Offeror, ever been disqualified, removed, or otherwise prevented from bidding or proposing on, or completing a federal, state, or local government project because of a violation of law or a safety regulation?

Yes No

If the answer is yes, explain the circumstances in the space below.

Official, legal name of Offeror (Type or Print)

Print Name: _____ Title: _____

Signature: _____ Date: _____

PUBLIC CONTRACT CODE SECTION STATEMENTS

PUBLIC CONTRACT CODE SECTION 10232 STATEMENT

In conformance with Public Contract Code Section 10232, the Offeror, hereby states under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the Offeror within the immediately preceding two year period because of the Offeror's failure to comply with an order of a federal court which ordered the Offeror to comply with an order of the National Labor Relations Board.

PUBLIC CONTRACT CODE SECTION 10285.1 STATEMENT

In conformance with Public Contract Code Section 10285.1 (Chapter 376, Stats. 1985), the Offeror hereby declares under penalty of perjury under the laws of the State of California that the Offeror

has has not

(MUST CHECK ONE)

been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Public Contract Code Section 1101, with any public entity, as defined in Public Contract Code Section 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Offeror" is understood to include any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1 (reference to "Offeror").

The above statement is part of the offer. Signing the offer on the signature portion thereof shall also constitute signature of this statement. Offerors are cautioned that making a false certification may subject the certifier to criminal prosecution.

Official, legal name of Offeror (Type or Print)

Print Name: _____ Title: _____

Signature: _____ Date: _____

ELIGIBILITY CERTIFICATION FOR FEDERALLY FUNDED CONTRACTS

The award of the Agreement is subject to a financial assistance contract between the San Diego Association of Governments (SANDAG) and the U.S. Department of Transportation or another federal agency. Any name appearing on the Comptroller General's list of ineligible contractors for federally financed or assisted contracts is not eligible for the Agreement.

Offeror hereby certifies that neither the Offeror nor any of its officers or holders of a controlling interest are on the U.S. Comptroller General's list of ineligible contractors for federally funded and assisted contracts. In the event the Offeror or any of its subcontractors are included on such a list during the performance of this Project, Offeror shall promptly inform SANDAG of this fact.

Official, legal name of Offeror (Type or Print)

Print Name: _____ Title: _____

Signature: _____ Date: _____

SUBCONTRACTOR'S STATEMENT OF ELIGIBILITY

(To be filled out by each proposed subcontractor and submitted with the proposal.)

_____ certifies that neither it nor its
(Type or Print name)

principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any federal project by any federal department or agency.

Where the subcontractor is unable to certify any of the statements in the certification, such subcontractor shall attach an explanation with this form.

The subcontractor certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 USC 3801, et seq., are applicable.

Official, legal name of Offeror (Type or Print)

Print Name: _____ Title: _____

Signature: _____ Date: _____

**DEBARMENT AND SUSPENSION CERTIFICATE,
TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29**

Offeror, under penalty of perjury, certifies that, except as noted below, he/she or any other person associated therewith in the capacity of owner, partner, director, officer, manager:

1. is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
2. has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past three (3) years;
3. does not have a proposed debarment pending; and
4. has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three (3) years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining Offeror's responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Official, legal name of Offeror (Type or Print)

Print Name: _____ Title: _____

Signature: _____ Date: _____

EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATE

Offeror hereby certifies that it will comply with the provisions of the San Diego Association of Governments (SANDAG) Equal Employment Opportunity Program (SANDAG Board Policy No. 007), and rules and regulations adopted pursuant thereto, Title VI of the Civil Rights Act of 1964, the California Fair Employment Practices Act, and any other applicable federal and state laws and regulations relating to equal employment opportunity, including laws and regulations hereinafter enacted.

Furthermore, Offeror hereby certifies that it

has has not

(MUST CHECK ONE)

been found, adjudicated, or determined to have violated any laws of Executive Orders relating to employment discrimination or affirmative action including, but not limited to, Title VII of the Civil Rights Act of 1964, as amended, (42 U.S.C. 2000(e) et seq.); the Equal Pay Act (29 U.S.C. 206(d)); Executive Order (EO) 10925 (Kennedy, 1961), EO 11114 (Kennedy, 1963), or EO 11246 (Johnson, 1965); or the California Fair Employment and Housing Act (Government Code 12460 et seq.); by any federal or California court or agency, including but not limited to the Equal Employment Opportunity Commission, the Office of Federal Contract Compliance Programs, and the California Fair Employment and Housing Commission.

If the "has" box is marked above, please explain the circumstance.

Official, legal name of Offeror (Type or Print)

Print Name: _____ Title: _____

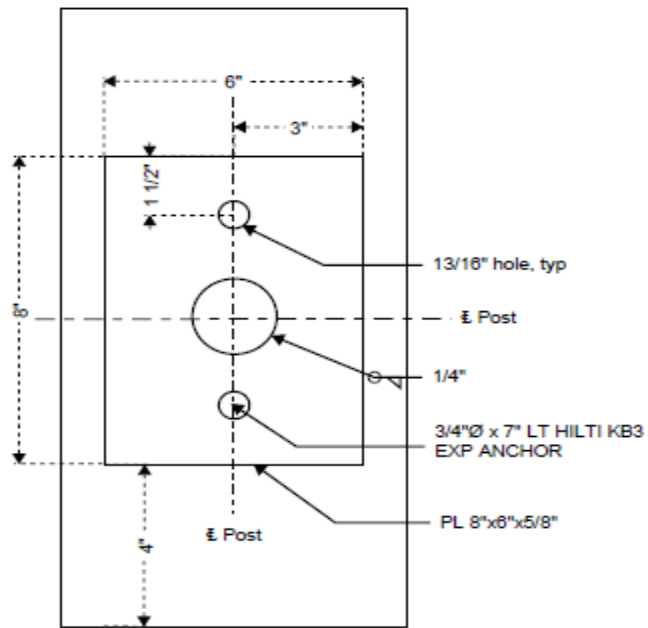
Signature: _____ Date: _____

WAGE DETERMINATION

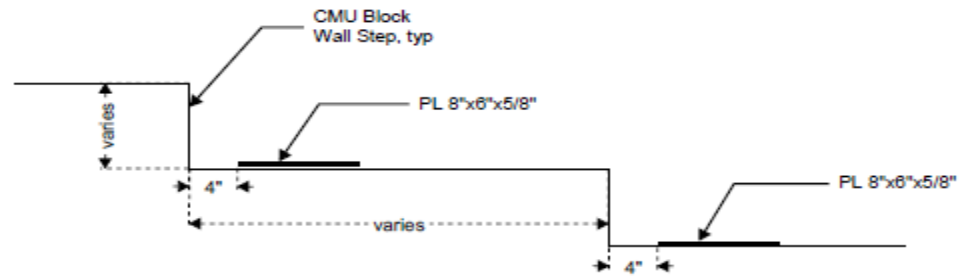
Please visit the following website to review California General Prevailing Wage Rates:
<https://www.dir.ca.gov/OPRL/DPreWageDetermination.htm>

PART 3
EXHIBIT A - PROJECT SPECIFICATIONS

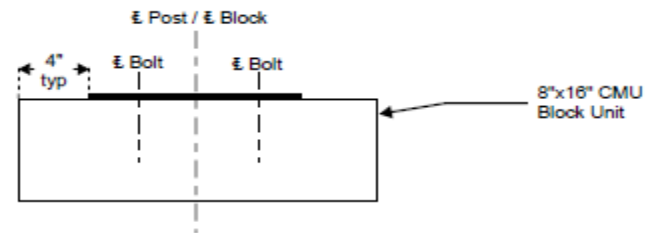




PLAN DETAIL - RAILING CONNECTION



ELEVATION DETAIL - RAILING CONNECTION



CMU BLOCK - PLATE CONNECTION DETAIL