

Procurement of Construction



FEBRUARY 11, 2020



Procurement of Construction

Formal Bid Process

- **Formal public bidding requires compliance with statutory and common law requirements.**
- **The District must award the contract to the lowest responsive, responsible bidder (price only).**
- **Bid Bond on the District's form or other security is required for construction bids.**
 - **Must be equal to ten percent (10%) of contract price. Must have notary certificate, power of attorney, and certificate of authority of signer.**
 - **Other acceptable forms of security are cash, a cashier's check payable to the District, or a certified check payable to the District.**

Pub. Contract Code § 20111

Procurement of Construction

Formal Bid Process - Advertising

- **The District must advertise for bids and the following is required:**
 - **Published at least once a week for two weeks in some newspaper of general circulation, which also may be posted on the district's Web site or electronic portal (Pub. Contract Code § 20112);**
 - **Description of work to be done (Pub. Contract Code § 20112);**
 - **Time and place of bid opening (Pub. Contract Code § 20112);**
 - **Alternates in selection of the low bidder (Pub. Contract Code § 20103.8);**
 - **Mandatory job walk, if any (Pub. Contract Code § 6610);**
 - **Substitution of securities (Pub. Contract Code § 22300);**
 - **Required contractor's license to perform the work (Pub. Contract Code § 3300);**
 - **Prevailing wage and DIR registration (Labor Code §§ 1720 et seq. and 1725.5);**
 - **Sole sourced products if any (Pub. Contract Code § 3400).**
 - **May also include bid bonds and DVBE compliance.**

Procurement of Construction Bid Splitting and Change Orders

- “It shall be unlawful to split or separate into smaller work orders or projects any work, project, service, or purchase *for the purpose of* evading the provisions of this article requiring contracting after competitive bidding.”

Pub. Contract Code § 20116; emphasis added.

- Any change order on a contract awarded per PCC § 20111 cannot exceed \$15,000 or 10% of the contract amount, whichever is greater.
 - The Board does *not* have authority to approve a larger change order – not without an exception.

Pub. Contract Code § 20118.4

Procurement of Construction

Other Topics (Briefly...)

- **Prequalification**
 - **Mandatory for lease-leaseback projects and projects over \$1 million using state bond funds (Pub. Contract Code § 20111.6.)**
- **Lease-Leaseback**
 - **Post *Davis* case, there are now advertising requirements, best value selection provisions, subcontractor selection requirements, and the ability to contract for preconstruction services prior to DSA plan approval. (Educ. Code § 17406.)**
- **Design-Build**
 - **For K-12 districts, it can be used for projects over \$1 million. Whether to use DB must be determined early in the pre-design process. (Educ. Code § 17250.10, et seq.)**

CUPCCAA

What Is It?



- The California Uniform Public Construction Cost Accounting Act (“CUPCCAA”). (PCC §§ 22000 – 22045.)
- **Allows local agencies to perform public projects up to certain amounts with their own workforces (“Force Account”) or by negotiated contract.**
- **Provides for alternative (“informal”) bidding procedures when an agency performs public projects up to certain amounts.**
- **The agency must follow specific accounting procedures.**

CUPCCAA

Bid Limits

- Public projects of \$60,000 or less may be performed by negotiated contract or with the District's own workforces ("Force Account").
- Public projects of \$200,000 or less may be let to contract by the informal procedures set forth in the Act.
- Public projects of more than \$200,000 shall be let to contract by formal bidding procedures, including:
 - Plans, newspaper advertising for 14 days, trade journals for 15 days, other steps. (PCC §§ 22032 (a) - (c); PCC § 22037.)
- **WARNING: Do not split or separate a project to avoid a bid limit.**
"It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of this article requiring work to be done by contract after competitive bidding."
(PCC § 22033.)

CUPCCAA

Implementation

- **Resolution** - Governing Board approves resolution to become subject to CUPCCAA procedures.
- **Controller** - District files resolution with Controller.
- **District-Wide** - Entire District becomes subject to the Act.
- **The List** - District establishes and maintains list of qualified contractors for informal bids.
 - Board can enact informal bidding regulations under PCC §22034 to establish a list of contractors to be notified of potential projects and procedures for informal bidding.
 - Some Districts rely on authority in the above-referenced resolution for these processes and policies.

CUPCCAA

Establishing & Maintaining List of Qualified Contractors

- Annual Invitation in Newspaper. “For the purpose of securing informal bids, the board shall publish [in a newspaper]..., a notice inviting contractors to register to be notified of future informal bidding projects. All contractors included on the informal bidding list shall be given notice of all informal bid projects in any manner as the district deems appropriate.” (PCC §20116.)
 - This is not a “CUPCCAA” statute. This is a unique and general provision imbedded in the “bid-splitting” statute that is applicable to all school districts.
- Invitation in Trade Journals. District mails, faxes or emails written notice to designated trade journals, inviting all licensed contractors to submit required information for inclusion on qualified list for informal bids for the following calendar year. (§1.04.01 of the CUPCCAA Manual.)
 - *NOTE: The CUPCCAA Commission previously recommended the above November “trade journal invitation,” but no longer does. Even so, it is a best practice.*
 - Yes, that is contradictory...

CUPCCAA

Establishing & Maintaining List of Qualified Contractors

- **When They Ask** - Contractor may request to be added to the list by providing required information at any time. District must accept those requests.
- **Invite Contractors** - District staff can and should invite contractors to be on the list if staff wishes them to be on the list.
- **Past Bidders (Optional)** - Commission recommends inclusion of all contractors who submitted one or more valid bids during preceding year.
- **What are “Qualified” Contractors?** Should the District “prequalify” contractors for CUPCCAA projects? Should the District use a third party to assist?

CUPCCAA

Procedures for Informal Bidding

List - District maintains its list of qualified contractors, identified by work category;

Notice - District mails, faxes, and/or emails notice inviting bids at least 10 days before bids due to:

- All contractors on list for category of work; **or**
- Specified trade journals; **or**
- Both.

Scope - Notice should describe project in general terms with information for how to obtain detailed information and time and place for submission of bids.

- Will often include site walk, where appropriate.

CUPCCAA

Procedures for Informal Bidding, Cont'd.

- Notice need not include drawings, plans, etc., unless required for preparing bid.
- **Delegation** - Governing Board may delegate authority to award informal contracts to specific staff members.
- **Bid Opening** - District staff opens informal bids just like any other bid, at specified time and place.
- **Low Bid** - Lowest responsive, responsible bidder must be selected, or reject all bids.
- **High Bids** - If all bids received exceed \$200,000, Governing Board may pass four-fifths resolution awarding contract at \$212,500 or less to lowest responsible bidder if it determines District's cost estimate was reasonable.

CUPCCAA

Procedures for FORMAL Bidding

- **Public projects of more than \$200,000 shall be let to contract by formal bidding procedures, including:**
 - **Detailed architectural plans, standard bid and contract documents**
 - **Newspaper advertising at least once, 14 days before bid opening**
 - **Different than “once a week for two weeks,” which is the statutory requirement for advertisements for non-CUPCCAA school districts.**
 - **Many school districts still place two advertisements in the newspaper, but ensure that the first one is published at least 14 days prior to bid opening.**
 - **Notice in trade journals 15 days before bid opening**
 - **Other more detailed steps and processes**

CUPCCAA

These are Still Public Works (Construction) Contracts

- **Contractor Must Pay Prevailing Wages.** (Ed. Code §17424)
- **Bid Bond / Bid Security Required**
 - CUPCCAA does not waive the statutory requirement for a bid bond. (PCC §20111(b).)
- **Payment Bond Required**
 - Civil Code § 3247: “Every original contractor to whom is awarded a contract by a public entity . . . in excess . . . of \$25,000 for any public work shall file a payment bond.”
 - Get a performance bond too.
- **Fingerprinting.** (Ed. Code §45125, et seq.)
- **Field Act Compliance Required.** Construction is subject to all State approvals, as set forth in Education Code sections 17280 through 17313. (Ed. Code §17421.)

CUPCCAA

The Entire District is Subject to CUPCCAA

“A public agency which has...elected to become subject to [CUPCCAA], may utilize the bidding procedures set forth in [CUPCCAA] when contracting for "maintenance work," as defined in Section 22002, or when contracting for any other work which does not fall within the definition of "public project," as defined in Section 22002 [like repairs].”

(PCC §22003, emphasis added.)

COMPTON USD - FACILITIES DEPARTMENT




FACILITIES DEPARTMENT HOME PAGE

Compton Unified School District

ABOUT BOARD AGENDA BOARD ADMINISTRATION DEPARTMENTS SCHOOLS STAFF

Facilities Department



Welcome to Facilities Department Webpage!

Mission Statement

The Facilities Department supports the mission of the Compton Unified School District by providing adequate student housing and equitable utilization of facilities to support the achievement of our students.

Services & Organizations

The Facilities Department is responsible for the strategic planning and construction of major capital facilities construction projects. More specifically, the department's responsibilities include but are not limited to: extensive activities related to facilities planning & design, school utilization and improvement, surplus property, monitoring of construction projects, analysis of school building construction & modernization plans, prioritizing & implementing work schedules to assure work is conducted in a timely and efficient manner. In conjunction with the Maintenance & Operations department, identify and mitigate emergency/safety issues.

- Addressing campus deficiencies utilizing a strategic planning approach.
- Reviewing options that will enhance the learning/teaching environment as it relates to visual impacts, HVAC, classroom lighting and space utilization.
- Assuring that equitable improvements are made to all campuses.

Contact Us **Map** **Links**

429 South Olandor Ave
Compton, CA 90220

[State Allocation Board \(SAB\)](#)

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Contractor Pre-Qualification
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COMPTON

UNIFIED SCHOOL DISTRICT

Business and Administrative Services
Facilities, Maintenance, Operations and Transportation

Informal Bid Process

Public projects of sixty thousand dollars (\$60,000) or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order. (b) Public projects of two hundred thousand dollars (\$200,000) if all bids received are in excess of two hundred thousand dollars (\$200,000), (c) the governing body of the public agency may, by adoption of a resolution by a four-fifths vote, award the contract, at two hundred twelve thousand five hundred dollars (\$212,500) or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

Public Works Projects of more than \$200,000 shall be let to contract by the Formal Bidding Procedures as defined by PCC 22032-

Compton Unified School District has contracted with Colbi Technologies to provide a web-based process for prequalification called Quality Bidders.

Information and Documents:

Project Name	Dates
Construction Manager	Quality Bidder posting Advertisements
Architect (if applicable)	Pre-bid walk date, time, location
IOR and LOR (if applicable)	Bid submittal date, time and location
Estimated Construction Cost	Bid opening date, time and location
Budget Codes	Purchase Requisition with Approvals
General Scope of Work posted on Quality Bidders	Award Letter Packet
Special Conditions (if applicable)	
License Class	
Liquidated Damages	
Alternatives (additive or deductive)	
Time for Completion (days to complete after NTP)	

• For detailed instructions in completing your application on Quality Bidders, please navigate to the bottom of the page from this link: <https://www.qualitybidders.com/pages/contractor>

The following sites are locations for "List of Trade Journals" required by law:

Southern California Builders Association 723 N. Diamond Bar Blvd. #224 Diamond Bar, CA 91765 Phone: 909-396-1451 Email: scba@socalbuilders.org Website: www.socalbuilders.org	Construction Data Company 2001 9th Avenue, 2nd Floor Vero Beach, FL 32960 Phone: 800-800-652-0008 Email: service@cdcnews.com Website: www.cdcnews.com	Builders Notebook P.O. Box 4883 Santa Barbara, CA 93140 Phone: 877-776-5436 Email: planroom@buildersnotebook.com Website: www.buildersnotebook.com
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FACILITIES - CUPCCA



Facilities-CUPCCA

Contractor Registration Information (CUPCCAA)

What is CUPCCAA?

The California Uniform Public Construction Cost Accounting Act (CUPCCAA) is under the umbrella of the California Uniform Public Construction Cost Accounting Commission (CUPCCAC) and provides for alternative bidding procedures when an agency performs public project work by contract.

- Public projects of \$60,000 or less may be performed by the employees of a public agency by force account, by negotiated contract or by purchase order.
- Public projects of \$200,000, if all bids received are in excess of \$200,000.
- The governing body of the public agency may, by adoption of a resolution by a fourth-fifths vote, award the contract, at \$212,500 or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

* per Public Contract code 22032 and Public Contract Code 22034

In November of each year, participating district place an ad in various construction trade journals and a newspaper of general circulation inviting all licenses contractor to submit the name of their firm to the district for inclusion on the district's list of qualified bidders for the following year.

The Compton Unified School District has completed all the necessary requirements to participate in this alternative bidding process and solicits your firm to register. Compton Unified School District had contracted with Colbi Technologies to provide a web based process for pre-qualification called Quality Bidders. To get started with the online registration process click here: <http://qualitybidders.com/pages/contractor>.

Please contact Brianna Jimenez with any questions at bjimenez@compton.k12.ca.us or (310) 639-4321 ext. 67214. You may also contact qbsupport@colbitech.com with any questions about the use of the Quality Bidders web-based tool.

Thank you for your interest in pre-qualifying and working with Compton Unified School District.

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Facility Use Requests

QUALITY BIDDERS PAGE



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Pre-Qualification Apps

CUPCCAA Apps

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CONTRACTOR

- **Web-based.** Online application is easy to complete.
- **Fast.** One application can be sent to multiple school districts.
- **Simple.** Complete application, upload required documents, certify as accurate and press send.
- **Safe.** Financial documents are safe and secured.
- **Automated.** Program walks you through the steps to complete the application.
- **Paperless.** Monitor status online. Returned applications can be corrected and resubmitted.
- **Save.** Service is free for contractors, with no limits on the number of applications or districts. Sign up today!

[Sign Up](#)

BENEFITS

- Prequalify online to bid on large projects, or
- Informally bid (CUPCCAA) projects up to \$200,000
- Easy to complete online application
- Secure upload/storage of required documents
- Submit one application to multiple school districts
- Save the application as you go
- Copy/update applications
- Monitor status online
- FREE service for contractors

"In the past, we used a paper process... QualityBidders.com has streamlined the process significantly."

- Current User

QUALITY BIDDER CONTRACTORS



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- Reports
- Admin
- My Account
- Bids

Pre-Qualification Applications

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App#	Created	Submitted	Contractor	Company	Reviewed On	Reviewed By	Current Status	Approval Limit	Ready for Approval?	Expires	Actions
171680	02/11/2020	02/11/2020	Alberto Jaurgeud	Exclusive Metal Inc.	Not Reviewed		SUBMITTED				History Review Print
171563	02/11/2020	02/11/2020	Bobby Horack	Wolverine Fence Company Inc	Not Reviewed		SUBMITTED				History Review Print
171367	02/10/2020	02/10/2020	Marios Polychronas	Polychrome Construction Inc	Not Reviewed		SUBMITTED				History Review Print
171004	02/10/2020	02/10/2020	MATTHEW R RYAN	RYAN ELECTRIC INC	Not Reviewed		SUBMITTED				History Review Print
170907	02/07/2020	02/10/2020	Aris Shahbazyan	Aris construction	02/10/2020	Compton Unified SD QualityBidders	SUBMITTED		✓		History Review Print
170712	02/06/2020	02/06/2020	Carol Powell	Ace Electric Inc	02/07/2020	Compton Unified SD QualityBidders	SUBMITTED		✓		History Review Print
170687	02/06/2020	02/06/2020	Jennifer Bowen	McWhirter Steel Inc	02/10/2020	Compton Unified SD QualityBidders	SUBMITTED		✓		History Review Print
170588	02/06/2020	02/06/2020	Ron Martinez	Sunset Electrical Contractors, Inc	02/06/2020	Compton Unified SD QualityBidders	SUBMITTED		✓		History Review Print
170360	02/05/2020	02/05/2020	Shirley Carlton	Floor Tech America Inc.	02/06/2020	Compton Unified SD QualityBidders	SUBMITTED		✓		History Review Print
169797	02/03/2020	02/03/2020	Luis Gutierrez	CONTI CORPORATION dba: CONTI MEP CORPORATION	02/04/2020	Compton Unified SD QualityBidders	SUBMITTED		✓		History Review Print
169666	02/03/2020	02/03/2020	John Dunham	Intersect Technology Institute, Inc. DBA:ITI Cabling, Inc	02/03/2020	Compton Unified SD QualityBidders	SUBMITTED		✓		History Review Print
169301	01/30/2020	01/30/2020	THIERRY ABINADER	RAN ENTERPRISES INC	02/03/2020	Compton Unified SD QualityBidders	SUBMITTED		✓		History Review Print
168974	01/29/2020	01/29/2020	Ivan Lopez	IVL Contractors Inc.	01/30/2020	Compton Unified SD QualityBidders	SUBMITTED		✓		History Review Print
168945	01/29/2020	01/29/2020	Valerie Mendoza	Rite-Way Roof Corporation	02/03/2020	Compton Unified SD QualityBidders	SUBMITTED		✓		History Review Print
				PRECISION AIR		Compton					

FACILITIES - NOTICE TO CONTRACTORS

NOTICE TO CONTRACTORS CALLING FOR BIDS

NOTICE IS HEREBY GIVEN that the Compton Unified School District ("District"), acting by and through its Governing Board, invites sealed bids for the following work ("Work"):

BID # 12(18-19)FP, IT Building A Improvements

Bids shall be prepared in conformance with the Instructions to Bidders, using the forms included in the Bidding Documents. Submit all bids in a sealed envelope showing the bid number, opening date, and opening time. All Bids shall be received by the Compton Unified School District, Purchasing Department, 501 S. Santa Fe Avenue, 2nd Floor, Compton, CA 90221, no later than ten o'clock A.M. (10:00 a.m.) on **March 28, 2019** at the Secretary's desk (Purchasing Dept.). No other place is acceptable. To be thereafter on said date and at said location publicly opened and read aloud at 10:10 a.m. in the District's Board Room.

Bidders using mail service for submittal of bids, it is YOUR RESPONSIBILITY to ensure the bid package is received in the Purchasing Services Department at the address indicated above. The Bidder assumes full and sole responsibility for timely receipt of its Bid, the Bid Security and any other documents required to be submitted with the Bid, by the District at the location designated for receipt of Bids. Further note, for purposes of the bid submittal, the time stamp clock in the Purchasing Department of the Compton Unified School District will be considered the official time.

All bids shall be made and presented on a form furnished by the District. Each bid must be accompanied by a Bid Security no less than **ten percent (10%)** of the maximum amount of the Bid Proposal, inclusive of any additive Alternate Bid Item(s), submitted by certified or cashier's check of the total bid and must be made payable to the Compton Unified School District. Failure of any Bid Proposal to be accompanied by Bid Security in the form and in the amount required shall render such Bid Proposal to be non-responsive and rejected by the District.

Bidding Documents, including Plans, Drawings, Specifications, Instructions to Bidders and other documents, if any, will be available for download on the District's website at www.compton.k12.ca.us.

Mandatory Job Walk: **March 25, 2019 at 8:00 a.m.**

Location: **FMOT Conference Room
429 S. Oleander Avenue
Compton, CA 90220**

Questions must be submitted via email to dspottsville@compton.k12.ca.us no later than March 26, 2019 at 10:00 a.m.

Any contractor to whom a contract for the Work is awarded by the District shall be required to furnish performance and payment bonds as provided in the Instructions to Bidders and 5% retention.

Any contractor to whom a contract for the Work is awarded by the District is required to possess at the time of the contract for the Work is awarded a contracting license of the following classification(s): B.

**ANY
QUESTIONS?**

