

## **SUMMARY**

CONTRACT NO.: 300396  
FEDERAL PROJECT NO.: HSIPL-5949(112)  
PROJECT NAME: HUTTON ROAD WIDENING PROJECT  
LOCATION: FROM CUYAMA LANE TO THE NIPOMO CREEK BRIDGE  
ENGINEER'S ESTIMATE: \$ 527,721  
PROJECT DURATION: 60 DAYS  
STATUS: OPEN  
POSTED: 06/08/2010  
BID DUE: 07/08/2010 at 3:00 p.m.  
UDBE GOAL: 7.5 %

## **PROJECT DESCRIPTION**

This project includes the construction of roadway improvements on Hutton Road from Nipomo Creek Bridge to Route 166, a distance of approximately 2,600 feet. Improvements include widening shoulders, superelevation correction, bike lane striping, improved glare screen (abutting Hwy 101), and adjustments to existing guardrails at Nipomo Creek Bridge and Route 166. The work includes excavation, removal of existing roadway surface, fencing and miscellaneous drainage facilities. Construction shall include superelevation correction, new roadway surface, concrete sidewalk and curb ramp, various drainage facilities, chain link fence and fence screen, signage, traffic striping and marking, and such other items or detail work not mentioned herein that are required by the plans, the Standard Specifications, Standard Plans, or the Special Provisions.

## **AMENDED NOTICE**

No Addendums

## **REQUEST FOR INFORMATION**

The responses to bidder request for information, unless incorporated into a formal addenda to the contract, are not part of the contract and are provided for the bidder's convenience only.

No RFIs have been submitted for this project at this time.

To submit a request for information, [click here](#).

## **NOTICE AND INSTRUCTIONS TO BIDDERS**

See attached document for bidding instructions and information regarding purchase of Project Plans and Specifications.

## **CONTACT**

DEPARTMENT OF PUBLIC WORKS  
PROJECT ENGINEER: JEFF WERST  
PHONE NUMBER: (805) 781-4480  
EMAIL: [jwerst@co.slo.ca.us](mailto:jwerst@co.slo.ca.us)

**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION**

**NOTICE AND INSTRUCTIONS TO BIDDERS**

**FOR**

**HUTTON ROAD WIDENING PROJECT  
FROM CUYAMA LANE TO THE  
NIPOMO CREEK BRIDGE, NIPOMO, CA  
CONTRACT NO. 300396  
FEDERAL PROJECT NO. HSIPL-5949(112)**

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## IMPORTANT SPECIAL NOTICE

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Attention is directed to the following sections of the Special Provisions regarding the County's Race/Gender Conscious DBE program:

Section 2-1.04	<u>Disadvantaged Business Enterprise (DBE)</u>
Section 3-1.01	<u>Award of Contract</u>
Section 5-1.11	<u>Subcontractor and DBE Records</u>
Section 5-1.12	<u>DBE Certification Status</u>
Section 5-1.13	<u>Performance of Subcontractors</u>
Section 5-1.14	<u>Subcontracting</u>

Bidders may submit requests for information to the County during the bid period at the following website:

[http://www.slocounty.ca.gov/PW/Design\\_Division/Projects\\_Out\\_To\\_Bid.htm](http://www.slocounty.ca.gov/PW/Design_Division/Projects_Out_To_Bid.htm)

Attention is directed to Section 4-1.03, "Submittals" of these Special Provisions regarding the time period to submit the listed items upon receipt of the fully executed contract.

Copies of the following documents are on file with the Department of Public Works of the County of San Luis Obispo and are available to the Contractor as "Material Information":

"Materials Report, Hutton Road Improvements, Nipomo Creek Bridge to Route 166, Nipomo Area" (Earth Systems Pacific, 2/12/09, File No.: SL-15875-SA)

"Stormwater Pollution Prevention Plan for Hutton Road Widening, from Cuyama Lane to the Nipomo Creek Bridge, Nipomo, CA" (Draft, for reference only, prepared by Cannon, October 2009)

Copies of the "Material Information" handouts are available for review at the San Luis Obispo County Public Works Department, Room 207, County Government Center, San Luis Obispo, CA, and can be downloaded during the bid period from the Public Works Department website at the following address:

[http://www.slocounty.ca.gov/PW/Design\\_Division/Projects\\_Out\\_To\\_Bid.htm](http://www.slocounty.ca.gov/PW/Design_Division/Projects_Out_To_Bid.htm)

**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION  
NOTICE TO BIDDERS**

Sealed proposals will be received at the office of the County Clerk, 1055 Monterey Street, Room D-120, San Luis Obispo, California 93408 until 3:00 P.M. on Thursday, July 8, 2010, which bids will then be opened and declared at 3:15 o'clock P.M. on the above mentioned date at a public meeting at 1055 Monterey Street, Room D-120, by the County Clerk, for the following Public Works Project:

**HUTTON ROAD WIDENING PROJECT  
FROM CUYAMA LANE TO THE  
NIPOMO CREEK BRIDGE, NIPOMO, CA  
CONTRACT NO. 300396  
FEDERAL PROJECT NO. HSIPL-5949(112)**

Any bid received at the Office of the Clerk of the Board of Supervisors of the County of San Luis Obispo after 3:00 P.M. on the date specified above shall not be considered, and shall be returned to the bidder unopened.

THIS PROJECT IS SUBJECT TO THE "BUY AMERICA" PROVISIONS OF THE SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982 AS AMENDED BY THE INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1991.

**The UDBE Contract goal is 7.5 percent.**

Bids are required for the entire work described herein.

A bound copy of a reduced size set of the Project Plans, the Agreement, the General and Special Provisions, and blank forms suitable for use in bidding on said work may be obtained from the Department of Public Works, Room 207, County Government Center, San Luis Obispo, CA 93408 and may be purchased therefrom for (\$25.45) twenty-five dollars and forty-five cents, (tax included), per bound copy, said purchase cost not to be refunded. No bid will be considered which is not in accordance with or on the forms herein referred to. **A full size set of the Project Plans, and cross sections if any, are charged separately at the department's current rates and will be provided only upon.**

Revised 12/09

Federal funds are being used on this project, and therefore, the Davis-Bacon Act applies. The Federal minimum wage rates for this project as predetermined by the United States Secretary of Labor are set forth in the Special Provisions. If there is a difference between the minimum wage rates predetermined by the Secretary of Labor and the prevailing wage rates determined to be applicable to this contract by the Director of the California Department of Industrial Relations for similar classifications of labor, the Contractor and subcontractors shall pay not less than the higher wage rate.

Pursuant to the provisions of Section 1773 of the California Labor Code, the Board of Supervisors of the County of San Luis Obispo has obtained from the Director of the California Department of Industrial Relations the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work for the locality in which the work is to be performed for each needed craft, classification, or type of workman. Copies of said prevailing rate of per diem wages are on file in the Office of the Clerk of the Board of Supervisors and available at the California Department of Industrial Relations' web site address at: [www.dir.ca.gov/DLSR/PWD](http://www.dir.ca.gov/DLSR/PWD).

Bidders are advised that any contractor who is awarded a public works project and intends to use a craft or classification not shown on the general prevailing wage determination may be required to pay the wage rate of that craft or classification most closely related to it as shown in the general determinations effective at the time of the call for bids.

Travel and subsistence payments shall be in accordance with Section 1773.1 of the Labor Code. Wage rates for holiday and overtime work shall be in accordance with Section 1773 of the Labor Code. Attention is directed to the provisions in Sections 1777.5, 1777.6 and 1777.7 of the Labor Code concerning the employment of apprentices by the Contractor or any subcontractor. Attention is directed to the provisions in Section 1776 of the Labor Code concerning payroll records. Revised 8/09

Attention is directed to the provisions in Sections 1810 – 1815 of the Labor Code concerning work hours. Revised 8/09

Bidders are advised that the Copeland Anti-Kickback Act (18 USC 874) as supplemented in the Department of Labor regulations (29 CFR Part 3) applies to this contract. This act provides that the Contractor shall be prohibited from inducing any person employed in the construction, completion, or repair of public facilities to give up any part of the compensation which they are otherwise entitled. Revised 8/09

The bidder's attention is directed to the provisions of Section 2-1.02, "Required Listing of Proposed Subcontractors," of the Special Provisions regarding the requirement that proposed subcontractors be listed in the bidder's proposal. A "DESIGNATION OF SUBCONTRACTORS" form for listing subcontractors, as required, is included in the section titled "Bid Proposal and Forms" of the Contract Documents. This form must be completed and submitted with bidder's bid proposal.

The bidder's attention is directed to the provisions of Section 2-1.04A, "UDBE Commitment Submittal," of the Special Provisions regarding the requirement that bidders submit the "UDBE COMMITMENT" form, included in the section titled "Bid Proposal and Forms" of the Contract Documents. This form must be completed and submitted with bidder's bid proposal. Revised 8/09

The bidder's attention is directed to the provisions of Section 2-1.04B, "UDBE Good Faith Effort Submittal," of the Special Provisions regarding the requirement that bidder's submit the "UDBE INFORMATION - GOOD FAITH EFFORTS" form, included in the section titled "Bid Proposal and Forms" of the Contract Documents.

All bonds and endorsements thereto to be submitted pursuant to this contract shall be written by a company authorized to do surety business in the State of California with a minimum of a "B" rating and of adequate financial category as rated by the current edition of Best's Key Rating Guide as published by A.M. Best Company, Inc., Oldwick, New Jersey 08858.

Each bid must be accompanied by a form of bidder's security, namely cash, certified check, cashier's check, or bidder's bond, in the amount of ten percent (10%) of the total of the bid. Said checks shall be made payable to the County of San Luis Obispo. Said bidder's bond shall be on a form approved by or acceptable to the County. Said bidder's security shall be a guarantee that the bidder, if awarded the contract, will enter into a contract for the performance thereof satisfactory to said Board of Supervisors.

All addenda issued before the time in which to submit bids expires shall form a part of the Contract Documents and shall be covered in the bid. Bidders shall acknowledge and confirm receipt of each and every addendum in their bid proposal. (For example, if the County issues three addenda, each addendum shall be listed separately and acknowledged by the Bidder.)

Within ten (10) calendar days, not including Saturdays, Sundays, and legal holidays, after receipt of notice that the contract has been awarded, the successful bidder, shall execute a written contract with the County in the form prescribed herein.

At the time of execution of the contract, the successful bidder shall submit the certificates of insurance stipulated in Article 7 of the Agreement, and, in addition thereto, shall furnish a "Performance" Bond in the sum of one hundred percent (100%) of the contract bid to guarantee the performance of the contract, and a "Payment Bond" in the sum of one hundred percent (100%) of the contract bid. The bond forms are included in the section titled "Agreement" of the Contract Documents.

At the time of execution of the contract, the successful bidder shall submit the "DBE INFORMATION" form, included in the section titled "Agreement" of the Contract Documents.

Revised 8/09

The bidder's attention is directed to the provisions of Section 4-1.03, "Submittals," of the Special Provisions regarding the requirement that the successful bidder submit the Storm Water Pollution Prevention Plan, Recycling Plan, Proposed Progress Schedule, and Traffic Control Plan within 10 calendar days of receipt of the fully executed contract. Revised 1/10

In accordance with San Luis Obispo County Code, Title 8, Health and Sanitation, Chapter 8.12, "Solid Waste Management," a project "Recycling Plan" and "Disposal Report" are required for this contract. The bidder's attention is directed to Sections 4-1.03, "Submittals," and 5-1.23, "Solid Waste Management," of the section titled "Special Provisions" of the Contract Documents.

Revised 1/10

Attention is directed to the provisions of Section 5-1.07, "Measurement and Payment," of the Special Provisions permitting the substitution of equivalent securities for any moneys withheld to ensure performance of this contract. Said Section 5-1.07 is incorporated by reference in this invitation for bid as if fully set forth at length.

The Board of Supervisors reserves the right to reject any or all bids, and to waive discrepancies, irregularities, informalities or any other errors in the bids or bidding, if to do so seems to best serve the public interest. The right of the Board of Supervisors to waive errors applies even if the Contract Documents state that a discrepancy, irregularity, informality or other error makes a bid nonresponsive, so long as the error does not constitute a material error.

Revised 9/09

The successful bidder must be licensed to perform the work in accordance with the laws of the State of California. Accordingly, the successful bidder shall possess a Class A general engineering contractor's license at the time this contract is awarded. In the alternative, the successful bidder shall possess a specialty contractor's license that permits the successful bidder to perform with his or her own organization contract work amounting to not less than 30% of the original total contract price and to subcontract the remaining work in accordance with Section 5-1.055, "Subcontracting," of the Amendments to the Standard Specifications. Failure of the bidder to be properly and adequately licensed shall constitute a failure to execute the contract and shall result in the forfeiture of the bidder's security.

#### BID PROTESTS

Any bid protest must be submitted in writing to the Department of Public Works, Room 207, County Government Center, 976 Osos Street, San Luis Obispo, CA 93408; Attention: Design Engineer before 5 p.m. of the 7th business day following bid opening.

The initial protest document shall contain a complete statement of the basis for the protest and all evidence and documents supporting the protest available to the protesting party. The protest shall refer to the specific portion of the document which forms the basis for the protest. The protest shall include the name, address and telephone number of the person representing the protesting party. The party filing the protest shall concurrently transmit a copy of the initial protest document and any attached documentation to all other parties with a direct financial interest which may be adversely affected by the outcome of the protest. Such parties shall include all other bidders who appear to have a reasonable prospect of receiving an award depending upon the outcome of the protest. The County Board of Supervisors will issue a decision on the protest.

The procedure and time limits set forth in this section are mandatory and are the bidder's sole and exclusive remedy in the event of bid protest and failure to comply with these procedures shall constitute a waiver of any right to further pursue the bid protest, including filing a Government Code Claim or legal proceedings.

SPECIAL INSTRUCTIONS TO BIDDERS: Bidders must satisfy themselves by personal examination of the location of the proposed work and by such other means as they prefer as to the actual conditions and requirements of the work, and shall not at any time after submission of the bid dispute, complain, or assert that there was any misunderstanding in regard to the nature or amount of work to be done.

By order of the Board of Supervisors of the County of San Luis Obispo made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

County Clerk and Ex-officio Clerk  
of the Board of Supervisors

By \_\_\_\_\_  
Deputy Clerk

**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION**

**BID PROPOSAL AND FORMS**

**FOR**

**HUTTON ROAD WIDENING PROJECT  
FROM CUYAMA LANE TO THE  
NIPOMO CREEK BRIDGE, NIPOMO, CA  
CONTRACT NO. 300396  
FEDERAL PROJECT NO. HSIPL-5949(112)**

**BID PROPOSAL**

TO: THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA:

Pursuant to and in compliance with your Notice to Bidders, the undersigned, as bidder, declares that the only person or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm or corporation; that he/she is aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self insurance in accordance with the provisions of that code, and he/she will comply with such provisions before commencing the performance of the work of this contract; that he/she has carefully examined the location of the proposed work, the annexed proposed form of contract, and he/she proposes, and agrees if this proposal is accepted, that he/she will contract with the Board of Supervisors of the County of San Luis Obispo in the form of the copy of the contract annexed hereto, to provide all necessary machinery, tools, apparatus and other equipment needed, and to do all of the work and furnish all the materials specified in the contract, in the manner and the time therein prescribed, and according to the requirements of the Department of Public Works and Transportation as therein set forth, and that he/she will take in full payment therefor the following unit prices, to-wit:

**HUTTON ROAD IMPROVEMENT PROJECT  
SAN LUIS OBISPO COUNTY, CA  
CONTRACT NO. 300396  
FEDERAL PROJECT NO. HSIPL-5949 (112)  
BID PROPOSAL**

ITEM NO.	CODE NO.	DESCRIPTION OF ITEM	APPROX. QUANTITY	UNIT OF MEASURE	UNIT PRICE (IN FIGURES) DOLLARS. CENTS	TOTAL AMOUNT DOLLARS. CENTS
1	74016	CONSTRUCTION SITE MANAGEMENT	1	L.S.		
2	74020	WATER POLLUTION CONTROL	1	L.S.		
3	120090	CONSTRUCTION AREA SIGNS	1	L.S.		
4	120100	TRAFFIC CONTROL SYSTEM	1	L.S.		
5	150608	REMOVE EXISTING CHAIN LINK FENCE	1060	L.F.		
6	150742	REMOVE ROADSIDE SIGN	5	EA.		
7	150769	REMOVE EXISTING ASPHALT CONCRETE SURFACING	7500	S.F.		
8	150820	REMOVE EXISTING DRAINAGE INLET	1	EA.		
9	150823	REMOVE EXISTING DOWNDRAIN	1	L.S.		
10	152390	RELOCATE ROADSIDE SIGN	5	EA.		

11	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	2730	S.Y.		
12	160101	CLEARING AND GRUBBING	1	L.S.		
13	190101	ROADWAY EXCAVATION	885	C.Y.		
14	198200	SUBGRADE ENHANCEMENT FABRIC	2800	S.Y.		
15	203016	EROSION CONTROL (TYPE D)	4400	SY		
16	203021	FIBER ROLLS	1300	LF		
17	260201	CLASS 2 AGGREGATE BASE	980	CY		
18	390102	HOT MIX ASPHALT (TYPE A) OVERLAY	1250	TON		
19	390102	HOT MIX ASPHALT (TYPE A) LEVELING COARSE	240	TON		
20	390103	HOT MIX ASPHALT (TYPE A)	280	TON		
21	394048	HOT MIX ASPHALT DIKE (TYPE E)	700	L.F.		
22	566011	ROADSIDE SIGN	1	EA.		
23	650018	24" REINFORCED CONCRETE PIPE	10	L.F.		
24	690158	12" HDPE DOWNDRAIN	20	L.F.		
25	707050	CONCRETE PIPE INLET	1	EA.		
26	721010	ROCK SLOPE PROTECTION	3	CY		
27	731505	MINOR CONCRETE (CURB, GUTTER & SIDEWALK)	2.0	C.Y.		
28	731623	MINOR CONCRETE (CURB RAMP)	2.0	C.Y.		
29	800300	TEMPORARY CHAIN LINK FENCE	1170	L.F.		
30	800395	GLARE SCREEN FENCE	1170	L.F.		
31	820107	DELINEATOR (CLASS 1)	5	EA.		
32	839523	SIDEWALK BARRICADE	1.0	EA.		
33	840653	PAINT TRAFFIC STRIPE	11700	L.F.		
34	840660	PAINT PAVEMENT MARKING	220	S.F.		
35	850111	PAVEMENT MARKER (RETROREFLECTIVE)	235	EA.		
					<b>TOTAL BID</b>	

Bidder's Name: \_\_\_\_\_

Bidder represents that he/she has hereinabove set forth for each unit basis item of work a unit price and a total for the item, and for each lump sum item a total for the item, all in clearly legible figures in the respective spaces provided for that purpose. In the case of unit basis items, the amount set forth under the "Total" column is the extension of the unit price bid on the basis of the approximate quantity for the item.

In case of discrepancy between the unit price and the total set forth for a unit basis item, the unit price shall prevail, provided, however, if the amount set forth as a unit price is ambiguous, unintelligible, or uncertain for any cause, or is omitted, or is the same amount as the entry in the "Total" column, then the amount set forth in the "Total" column for the item shall prevail and shall be divided by the estimated quantity for the item and the price thus obtained shall be the unit price.

**In accordance with 23 CFR 635.102, proposals in which the prices are mathematically or materially unbalanced may be rejected.** Following are the U.S. Comptroller General's definitions of mathematically and materially unbalanced bids:

- A bid is mathematically unbalanced if the bid is structured on the basis of nominal prices for some work and inflated prices for other work; that is, each element of the bid must carry its proportionate share of the total cost of the work plus profits.
- A bid is materially unbalanced if there is reasonable doubt that award to the bidder submitting the mathematically unbalanced bid will result in the lowest ultimate cost to the Government.

Revised 8/09

Bidder shall execute and submit with their proposal, copies of each of the following:

- DESIGNATION OF SUBCONTRACTORS
- UD BE COMMITMENT
- BIDDER'S LIST OF SUBCONTRACTORS (DBE and NON-DBE)
- EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION
- CERTIFICATION OF NON-SEGREGATED FACILITIES
- NON-COLLUSION AFFIDAVIT
- DEBARMENT AND SUSPENSION CERTIFICATION
- PUBLIC CONTRACT CODE SECTION 10162 QUESTIONNAIRE
- PUBLIC CONTRACT CODE SECTION 10232 STATEMENT
- PUBLIC CONTRACT CODE SECTION 10285.1 STATEMENT
- NONLOBBYING CERTIFICATION FOR FEDERAL AID CONTRACTS
- DISCLOSURE OF LOBBYING ACTIVITIES

Revised 8/09

Bidder declares that he/she has read, and agrees to, the Special Provisions, including, without limitation, the provisions of Sections 1, 2, 3, 4, 5, 6, and 7 thereof.

Bidder understands that this Contract is subject to Part 26, Title 49, Code of Federal Regulations entitled "Participation By Disadvantaged Business Enterprise in Department of Transportation Financial Assistance Programs." Bidder further understands that the award of this Contract, if it be awarded, will be to the lowest responsible bidder whose proposal complies with all the requirements prescribed herein.

Bidder is fully informed respecting the requirements of Part 26, Title 49, of the Code of Federal Regulations, and has read and understands the Disadvantaged Business Enterprise (DBE) provisions set forth in Sections 2, 3, and 5 of the Special Provisions.

Bidder shall list the name and address of each subcontractor to whom the bidder proposes to directly subcontract portions of the work as required by the provisions in Section 2-1.02, "Required Listing of Proposed Subcontractors," of these Special Provisions. The list of subcontractors shall also set forth the portion of work that will be done by each subcontractor listed. The "DESIGNATION OF SUBCONTRACTORS" form for listing the subcontractors is included in the section titled "Bid Proposal and Forms" of the Contract Documents.

Accompanying this bid proposal is a bidder's bond, cash, cashier's check, or a certified check, payable to the County of San Luis Obispo, for the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), said amount being at least ten percent (10%) of the total of the bid.

A bidder's bond, cash, cashier's check, or a certified check accompanies this bid proposal as a guarantee. The proceeds thereof shall become the property of the County of San Luis Obispo if the proposal is withdrawn after the time fixed in the Notice to Bidders for the opening of bids, or if, in case this bid is accepted by said Board of Supervisors and such bidder has received notice that the contract has been awarded to him/her, the undersigned shall fail within ten (10) calendar days, not including Saturdays, Sundays, and legal holidays, thereafter to execute a contract with the County and furnish the certificates of insurance and bonds required by the Notice to Bidders and said Board of Supervisors. Otherwise, said guarantee, except a bidder's bond, will be returned to the undersigned.

Revised 1/10

This bid proposal may be withdrawn, in writing, prior to the time fixed in the Notice to Bidders for the opening of bids. It is understood and agreed that this bid proposal will not be withdrawn after the time fixed in the Notice to Bidders for the opening of bids. Bidders further agree that the failure of the County to open bids for this project exactly at the time fixed in said Notice shall not extend the time within which bids may be withdrawn.

The undersigned bidder will sign and deliver to the County of San Luis Obispo the written contract, together with the certificates of insurance and bonds described in the Notice to Bidders, within ten (10) calendar days, not including Saturdays, Sundays, and legal holidays, after the undersigned has received notice that the contract has been awarded to him/her.

Revised 1/10

The undersigned, as bidder, declares that he/she is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self insurance in accordance with the provisions of that code, and will comply with such provisions before commencing the performance of the work of this contract.

The bidder's execution of the signature portion of this bid proposal shall also constitute an endorsement and execution of those certifications, questionnaires, and assurances which are a part of this proposal.