

**NOTICE TO CONTRACTORS**  
(Public Contract Code § 20112)

[To be published by Owner in a newspaper of general circulation  
at least once a week for two weeks]

Notice is hereby given that \_\_\_\_\_ (hereinafter referred to as “Owner”) has issued a Request for Proposals and Qualifications for Lease-Leaseback Construction Services (“RFP”) for:

*(NAME AND LOCATION OF PROJECT)*

Owner will receive sealed proposals in response to the RFP no later than [DATE] at [TIME] on the clock designation by the Owner or its representative as the governing clock, at:

[NAME AND ADDRESS OF DISTRICT AND PLACE OF OPENING OF PROPOSALS]

Copies of the RFP and the drawings and specifications for the Project may be obtained from:

*(ARCHITECT’S NAME, ADDRESS AND TELEPHONE NUMBER)*

upon deposit of \_\_\_\_\_ [Dollar Amount Written Out] (\$ \_\_\_\_\_) refundable when drawings and specifications are returned in good condition.

The RFP is issued in accordance with Education Code section 17406. The award of an agreement for Lease-Leaseback Construction Services will be determined on a best value basis as detailed in the RFP.

This Project is subject to prequalification. If a contractor is not prequalified by the Owner, Owner will not accept the contractor’s proposal. Any subcontractors the contractor lists for work requiring C-\_\_\_\_, \_\_, \_\_, \_\_, and \_\_ [insert where applicable, C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46] licenses must have current pre-qualified status with the Owner.

Public works projects shall be subject to compliance monitoring and enforcement by the Department of Industrial Relations. For all projects over Twenty-five Thousand dollars (\$25,000), a contractor or subcontractor shall not be qualified to submit a proposal or to be listed in a proposal subject to the requirements of Public Contract Code section 4104 unless currently registered and qualified under Labor Code section 1725.5 to perform public work as defined by Division 2, Part 7, Chapter 1 (§§ 1720 et seq.) of the Labor Code. For all projects over Twenty-five Thousand dollars (\$25,000), a contractor or subcontractor shall not be qualified to enter into, or engage in the performance of, any contract of public work (as defined by Division 2, Part 7, Chapter 1 (§§ 1720 et seq.) of the Labor Code) unless

currently registered and qualified under Labor Code section 1725.5 to perform public work.

*(USE THIS PARAGRAPH IF APPLICABLE:)* The Owner will require the successful contractor to achieve the minimum goal of 3% DVBE (Disabled Veteran Business Enterprises) established in the RFP or to provide acceptable evidence of good faith efforts to do so. The DVBE documents must be sealed and filed in the Business Office of the Owner at the same time the proposal is sealed and filed.

*[IF APPLICABLE, ADD:]* Owner, or its designee, has determined that certain materials, services, products or things designated by specific brand or trade name shall not be subject to Public Contract Code section 3400(a) in order that [insert one or more]: a field test or experiment may be made to determine the product's suitability for future use; in order to match other materials, services, products or things in use on a particular Owner public improvement either completed or in the course of completion; in order to obtain a necessary item that is only available from one source; in order to respond to an emergency declared by Owner. These specific materials, services, products or things are identified in \_\_\_\_\_ [insert document name(s)].

Pursuant to the Contract Documents, the successful contractor will be required to furnish a Payment (Labor and Material) Bond in the amount of one hundred percent (100%) of the Total Sublease Amount, and a Faithful Performance Bond in the amount of one hundred percent (100%) of the Total Sublease Amount, said bonds to be secured from Admitted Surety insurers (an insurance organization authorized by the Insurance Commissioner to transact business of insurance in the State of California during this calendar year). The surety insurers must, unless otherwise agreed to by Owner in writing, at the time of issuance of the bonds, have a rating not lower than "A-" as rated by A.M. Best Company, Inc. or other independent rating companies. Owner reserves the right to approve or reject the surety insurers selected by the successful contractor and to require the successful contractor to obtain bonds from surety insurers satisfactory to the Owner. The contractor will be required to furnish insurance as set forth in the Contract Documents.

The successful contractor will be allowed to substitute securities or establish an escrow in lieu of retainage, pursuant to Public Contract Code Section 22300, and as described in the General Conditions.

The Owner will not consider or accept any proposals from contractors who are not licensed to do business in the State of California, in accordance with the California Public Contract Code, providing for the licensing of contractors. In accordance with Section 3300 of said Code, the contractor shall have a Class "\_\_\_\_\_" license and shall maintain that license in good standing through Project completion and all applicable warranty periods. Contractor shall state the California contractor license number, and for all projects over Twenty-five Thousand dollars (\$25,000) the public works contractor registration number, on the Designation of Subcontractors form for all subcontractors doing more than one-half of one percent (0.5%) of the contractor's total proposal, unless otherwise specified in the RFP.

Subcontractors shall maintain their licenses in good standing through Project completion and all applicable warranty periods. Owner reserves the right to reject any proposal if contractor or any subcontractor is not licensed in good standing from the time the proposal

is submitted to Owner up to award of the Contract, whether or not the contractor listed the subcontractor inadvertently, or if a listed subcontractor's license is suspended or expires prior to award of the Contract. Owner also reserves the right to reject any proposal if a listed subcontractor's license is not in good standing to perform the work for which it is listed from the time of submission of the proposal to award of the Contract.

The Director of Industrial Relations of the State of California, in the manner provided by law, has ascertained the general prevailing rate of per diem wages and rate for legal holidays and overtime work. The Contractor must pay for any labor therein described or classified in an amount not less than the rates specified. Copies of the required rates are on file at the Owner's business office and are available to any interested party on request.

Advertise:      1st Publication Date      \_\_\_\_\_  
                         2nd Publication Date      \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_