

## **SECTION 2: PROPOSAL REQUIREMENTS AND CONDITIONS**

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**2-01 CONTENTS OF PROPOSAL FORMS.** Prospective Bidders will be furnished with proposal forms that will state the location and description of the contemplated construction and will show the approximate estimate of the various quantities and kinds of Work to be performed or materials to be furnished, with a schedule of items for which unit bid prices or lump sum bid prices are asked.

**2-02 APPROXIMATE ESTIMATE.** The quantities given are approximate only, being given as a basis for the comparison of bids, and the City does not, expressly or by implication, agree that the actual amount of Work will correspond therewith, but reserves the right to increase or decrease the amount of any class or portion of the Work, or to omit portions of the Work, as may be deemed necessary or advisable by the Engineer.

**2-03 EXAMINATION OF PLANS, SPECIFICATIONS, SPECIAL PROVISIONS AND SITE OF THE WORK.**

a. The Bidder shall carefully examine the site of the Work contemplated and the Proposal, Plans, Special Provisions, as-built drawings where available, and contract forms therefor. It will be assumed that the Bidder has investigated and is satisfied as to the conditions to be encountered, as the character, quality and quantities of Work to be performed and materials to be furnished, and as to the requirements of these Standard Provisions, the Special Provisions, Standard Specifications and the Contract.

b. Bidders must satisfy themselves through their own investigation as to conditions to be encountered. By submitting a Proposal, the Bidder has certified that he has examined all items indicated in Paragraph a., Section 2-03, "Examination of Plans, Specifications, Special Provisions and Site of the Work."

**2-04 PROPOSAL FORMS.** The Bidder shall submit Bidder's Proposal on the forms furnished to Bidder. Proposals submitted on forms other than the ones issued to the Bidder will be disregarded. All proposals shall give the prices proposed and shall be signed by the Bidder. The Bidder shall fill out all blanks in the Proposal Form as therein required. Where a discrepancy exists between the prices written in words and the prices written in figures, the written words shall prevail. If there is a discrepancy between the unit prices and the totals, the unit prices shall prevail. Proposals without the unit prices written in words may be rejected.

**2-05 REJECTION OF PROPOSALS CONTAINING ALTERATIONS, ERASURES OR IRREGULARITIES.** Proposals may be rejected if they show any alterations of forms, additions not called for, conditional bids, incomplete bids, erasures, or irregularities of any kind.

When Proposals are signed by an agent other than an officer or manager of a corporation or a member of a partnership, a Power of Attorney must be on file with the City prior to opening bids or shall be submitted with the Proposal; otherwise, the Proposal will be rejected as irregular and unauthorized.

**2-06 PROPOSAL GUARANTY.** All bids shall be presented under sealed cover and shall be accompanied by cash, cashier's or certified check or by a Bidder's Bond, made payable to the City of Mountain View and executed as surety by some corporation authorized to issue surety bonds in the State of California, for an amount equal to at least ten percent (10%) of the amount of said bid and no bid shall be considered unless such cash, cashier's or certified check or Bidder's Bond is enclosed therewith. A Bidder's Bond will not be accepted unless it conforms to the bond form included in the "Contract Documents and Specifications" for the project and is properly filled out and executed. Blanks conforming to the above-mentioned form can be obtained by request from the Engineer. If desired, the bond form included in the "Contract Documents and Specifications" for the project, properly filled out as directed, may be executed and used as the Bidder's Bond.

**2-07 WITHDRAWAL OF PROPOSALS.** Any bid may be withdrawn at any time prior to, and not after, the hour fixed in the public notice for the opening of bids, provided that a request in writing, executed by the Bidder or Bidder's duly authorized representative, for the withdrawal of such bid is filed with the City Clerk or the Engineer. The withdrawal of a bid shall not prejudice the right of a Bidder to file a new bid.

**2-08 OPENING OF PROPOSALS.** Proposals will be opened and read at the time and place indicated in the Notice to Bidders.

**2-09 DISQUALIFICATION OF BIDDERS.** More than one proposal from an individual, firm, partnership, corporation or combination thereof under the same or different names will not be considered. Reasonable ground for believing that any Bidder is interested in more than one Proposal for the Work contemplated will cause the rejection of all Proposals in which such Bidder is interested. If there is reason for believing that collusion exists among the Bidders, any or all Proposals may be rejected. Proposals in which the prices obviously are unbalanced may be rejected.

The City may reject or decline to award a construction contract to any bidder which has previously been disqualified, removed or otherwise prevented from bidding on or completing a Federal, State or local government project because of a violation of law or a safety regulation.

**2-10 COMPETENCY OF BIDDERS.** No bid will be accepted from or a contract awarded to a Contractor who is not licensed in accordance with the law under the provisions of the "Contractor's License Law," Chapter 9 of Division 3 of the Business and Professions Code.