

the intervening period between each issuance of written rates by the Director of Industrial Relations. During the Work and pursuant to Labor Code §1771.4(a)(4), the Department of Industrial Relations shall monitor compliance with prevailing wage rate requirements and enforce the Contractor's prevailing wage rate obligations.

Each Bidder must be a DIR Registered Contractor when submitting a Bid Proposal. The Bid Proposal of a Bidder who is not a DIR Registered Contractor when the Bid Proposal is submitted will be rejected for non-responsiveness. All Subcontractors identified in a Bidder's Subcontractors' List must be DIR Registered contractors at the time the Bid Proposal is submitted. The foregoing notwithstanding, a Bid Proposal is not subject to rejection for non-responsiveness for listing Subcontractor the Subcontractors List who is/are not DIR Registered contractors if such Subcontractor(s) complete DIR Registration pursuant to Labor Code §1771.1(c)(1) or (2). Further, a Bid Proposal is not subject to rejection if the Bidder submitting the Bid Proposal listed any Subcontractor(s) who is/are not DIR Registered contractors and such Subcontractor(s) do not become DIR Registered pursuant to Labor Code §1771.1(c)(1) or (2), but the Bidder, if awarded the Contract, must request consent of the District to substitute a DIR Registered Subcontractor for the non-DIR Registered Subcontractor pursuant to Labor Code §1771.1(c)(3), without adjustment of the Contract Price or the Contract Time.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations, including but not limited to prevailing wage compliance and Skilled and Trained Workforce requirements.

No bidder may withdraw his bid for a period of **thirty (30) DAYS** after the date set for the opening of the bids.

A BID BOND shall be required and shall be supplied with the CONTRACTOR'S bid on the day of the bid. All bids shall be presented under sealed cover and accompanied by one of the following forms of bidder's security: cash, a cashier's check, certified check, or a bidder's bond executed by an admitted surety insurer, made payable to the trustees. The security shall be in an amount equal to at least 10 percent of the amount bid. A bid shall not be considered unless one of the forms of bidder's security is enclosed with it.

A Payment Bond and Performance Bond for contracts over \$25,000.00 **WILL BE** required prior to the execution of the contract. The Payment and Performance Bond shall be in the form called for in the contract documents. Payment Bond and Performance Bond shall be provided upon receipt of the **Notice to Proceed**. Performance and Payment bonds shall be supplied prior to the beginning of construction. A Certificate of Insurance shall be required as well before work can begin.

Pursuant to the provisions of the Public Contract Code, Sections 22300, CONTRACTOR may substitute certain securities for any funds withheld by OWNER to ensure their performance under the contract. At the request and expense of CONTRACTOR, securities equivalent to any amount withheld shall be deposited, at the discretion of the OWNER, with either OWNER or with a state or federally chartered bank, as the escrow agent, who shall then pay any funds otherwise subject for retention to CONTRACTOR. Upon satisfactory completion of the contract, the securities shall be returned to the CONTRACTOR.

Securities eligible to investment shall include those listed in Government Code, Section 61430, bank and savings and loan certificates of deposit, interest bearing demand deposit accounts, standby letters of credit, or any other security mutually agreed to by CONTRACTOR and OWNER. CONTRACTOR shall be the beneficial owner of any securities substituted for funds withheld and shall receive any interest on them. The escrow agreement shall be essentially similar to the one indicated in the General Conditions.

In accordance with Education Code section 17076.11, this district has a participation goal for disabled veteran business enterprises of at least 3 percent per year of the overall dollar amount of funds allocated to the district by the State Allocation Board pursuant to the Leroy F. Greene School Facilities Act of 1998 for construction or modernization and expended each year by the school district. Prior to, and as a condition precedent for final payment under any contract for such project, the contractor shall provide appropriate documentation to the district identifying the amount paid to disabled veteran business enterprises in conjunction with the contract, so that the district can assess its success at meeting this goal.