

SECTION 1 - NOTICE TO CONTRACTORS (Continued)

6. The DISTRICT reserves the right to reject the bid of any or all Bidders for any reason and to waive any informality or irregularity in the bids received. The DISTRICT also reserves the right to withdraw this Invitation for Bids at any time for any reason without prior notice and the DISTRICT makes no representations that the Contract will be awarded to any Bidder responding to this Invitation for Bids.

The award of the Contract, if it be awarded, will be to the lowest responsible bidder whose proposal complies with all the requirements specified. The award will be made within NINETY (90) DAYS after the opening date of the bid proposals as specified in Section B1. This period will be subject to extension for such further period as may be agreed upon in writing between the DISTRICT and the lowest responsible bidder. All bids will be compared on the basis of the Engineer's Estimate of the quantities of work to be done.

The DISTRICT also reserves the right to determine whether a Bidder is a responsible Bidder based on the Bidder's trustworthiness, quality, fitness, capacity, experience, and ability to perform as required under this Invitation for Bids. Any Bidder, or any officer of such Bidder, or an employee of such Bidder who has a proprietary interest in such Bidder, who has been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local project because of a violation of law or a safety regulation, may be determined to be a non-responsible Bidder.

A designee or designees of the Public Works Director shall perform the evaluation of a Bidder's responsibility. When the Public Works Director's designee determines that a Bidder is disqualified as non-responsible, the Public Works Director's designee shall mail to the affected Bidder the disqualification determination, the basis for the determination, and any supporting evidence that the Public Works Director's designee received or relied on relating to such determination.

Any Bidder who disagrees or disputes the non-responsible determination, may appeal such rating or determination. Such appeal may only be taken by filing a written notice of appeal with the General Manager within FIVE (5) WORKING DAYS after the Public Works Director's designee has mailed notice of the rating or determination. Within FIVE (5) WORKING DAYS of the receipt of an appeal, the General Manager, or a designee of the General Manager who has not been involved in the evaluation of qualifications of Contractors for the subject project, shall conduct a hearing on the appeal. During the hearing, the affected Bidder shall have the opportunity to rebut any evidence used as a basis for the non-responsible determination and to present evidence to the General Manager or the General Manager's designee hearing the appeal as to why the Bidder should be found responsible. Within FIVE (5) WORKING DAYS of the conclusion of the hearing, the General Manager or the General Manager's designee hearing the appeal shall issue a written decision on the appeal and such decision shall be final.

7. The DISTRICT has determined the prevailing rate of per diem wages for the doing of this work, the scale of wages is set forth by Resolution No. 5730-79 of the City Council, this resolution is on file in the office of the City Clerk of the City of Garden Grove, and is hereby made a part of and is incorporated herein.
8. Apprentices may be employed in conformity with Section 1777.5, 1777.6 and 1777.7 of the California Labor Code. Every apprentice shall be paid the standard wage paid to apprentices under the regulations of the trade at which he/she is employed. Information relative to the employment of apprentices shall be obtained from the Director of the Department of Industrial Relations, who is the Administrative Officer of the California Apprenticeship Council.