

CITY OF STOCKTON



**REQUEST FOR SEALED BIDS
RENOVATION OF BANNER ISLAND BALL PARK
FOR THE CITY OF STOCKTON, CALIFORNIA
(PUR 24-028)**

**BIDS WILL BE RECEIVED UNTIL THE HOUR OF
2:00 O'CLOCK P.M., Thursday, May 9, 2024,
IN THE OFFICE OF THE CITY CLERK,
FIRST FLOOR, CITY HALL, 425 NORTH EL DORADO STREET,
STOCKTON, CALIFORNIA 95202-1997**

INVITATION FOR SEALED BID
RENOVATION OF BANNER ISLAND BALL PARK
PUR 24-028

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NOTICE INVITING SEALED BIDS

NOTICE IS HEREBY GIVEN that sealed bids are invited by the City of Stockton, California for specifications for **RENOVATION OF BANNER ISLAND BALL PARK FOR THE CITY OF STOCKTON, (PUR 24-028)** in strict accordance with the specifications.

The City is seeking bids from qualified Contractors to provide full construction services to complete required upgrades needed at the Banner Island Ballpark (Ballpark). The Ballpark is home to the Stockton Ports, single A professional baseball team, affiliated with the Oakland A's. Given the professional affiliation, Major League Baseball (MLB) sets the standards for the ballparks where their professional athletes train and play. MLB surveyed all minor league ball parks in 2021 against newly released facility standards. The Stockton Ballpark's major areas of deficit are in separate full commissary areas for each team (Home and visiting), ladies locker room facilities for umpires; and in meeting dimensions and square footage requirements for areas such as pitching tunnels, coaches' offices, training rooms, etc. The City has worked with architectural firm, Pendulum, Inc. to review the existing facility to assess how space can be reconfigured to meet the new requirements, adding square footage/new-build only when necessary to minimize scope, time and overall cost. This solicitation includes the construction of the necessary changes to the ballpark as specified in the construction drawings and a brief narrative for the project are attached in Exhibit 1.

The bid specifications and forms can be obtained from the City of Stockton's website at www.stocktonca.gov/adminbid and must be delivered to the Office of the City Clerk, City Hall, 425 North El Dorado Street, Stockton, California, up to but not later than **2:00 p.m., on Thursday, MAY 9, 2024.**

A mandatory job walk will be held on APRIL 12, 2024 at 10 a.m. promptly at 404 W Fremont St. Stockton, CA 95203. Interested bidders arriving at 10:01 a.m. or later will not be admitted. Failure to attend will result in your bid being rejected.

The City reserves the right to reject any and/or all bids received.

Information on Bid Process/Clarification/Technical Data

Procurement Division

(209) 937-8357

e-mail: stocktonbids@stocktonca.gov

DISCLAIMER: The City does not assume any liability or responsibility for errors/omissions in any document transmitted electronically.

Dated: **March 28, 2024**

As part of the American Rescue Plan Act (ARPA) of 2021, the City anticipates receiving a new, "one-time allotment" of federal funds to address local needs generated by the COVID- 19 pandemic. ARPA funds may be used to support a wide variety of locally determined needs, including small business support and economic recovery through marketing efforts. For a full description of the City's planned ARPA allocations please see: <https://www.stocktonca.gov/government/departments/manager/ARP/default.html>

ELIZA GARZA
CITY CLERK OF THE CITY OF STOCKTON

BIDDER'S CHECKLIST

Did You:

- * ___ Complete the following bid documents (FROM THIS PACKET ONLY SUBMIT PAGES **20 to 25**, along with any illustrations/brochures):
 - * ___ Sign and notarize by jurat certificate the "Non-Collusion Affidavit" form. An "All-Purpose Acknowledgment" form will not be sufficient.
 - * ___ Complete and sign the "Bid to be Submitted" form.
 - * ___ Sign the "Bidder's Agreement" form. **Include (with bid) name and e-mail address for City contact, if different from signatree**
 - * ___ Recheck your math on each item extension and total column. Do not superimpose numerals on your bid forms. If erasures or interlineations appear on your bid form, they must be initialed by the person preparing the bid.

- * ___ Submit one (1) ORIGINAL of all bid documents. Additionally, submit one (1) flash drive with an electronic version of the bid documents.

- * ___ Review all clarifications/questions/answers on the City's website at www.stocktonca.gov/adminbid

- * ___ Deliver sealed bid to City Hall, City Clerk's Office (1st floor), 425 North El Dorado Street, Stockton, CA 95202, before **May 9, 2024, at 2:00 p.m.** Sealed bid shall be marked "Bid" and indicate project name, number, and bid opening date.
Please note that some overnight delivery services do not deliver directly to the City Clerk's Office. This could result in the bid arriving in the City Clerk's Office after the bid opening deadline and therefore not being accepted. NOTE: The Stockton City Clerk's office is closed from 12 noon to 1 p.m. for lunch.
 - A) **Renovation of Banner Island Ball Park for the City of Stockton,**
 - B) **(PUR 24-028)**
 - C) **MAY 9, 2024**

CONTACT INFORMATION:

Information on Bid Process/Clarification/Technical Data
Stephennie Link (209) 937-8357 e-mail: stocktonbids@stocktonca.gov

*If not completed as required, your bid may be voided.

***DISCLAIMER:** The City does not assume any liability or responsibility for errors/omissions in any document transmitted electronically.

*THIS FORM IS FOR YOUR INFORMATION ONLY AND DOES NOT NEED TO BE SUBMITTED WITH YOUR BID.

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INVITATION FOR SEALED BID

1.0 GENERAL INFORMATION

1.1 REQUEST FOR SEALED BID

The purpose of this sealed bid is to request bidders to present their qualifications and capabilities to provide RENOVATION OF BANNER ISLAND BALL PARK FOR THE CITY OF STOCKTON. (PUR 24-028) for the City of Stockton.

1.2 INVITATION TO SUBMIT A BID

Bids shall be submitted no later than **2:00 p.m., on Thursday, MAY 9, 2024**, in the office of:

CITY CLERK
CITY OF STOCKTON
425 NORTH EL DORADO STREET
STOCKTON, CA 95202-1997

The bid should be firmly sealed in an envelope which shall be clearly marked on the outside, RENOVATION OF BANNER ISLAND BALL PARK FOR THE CITY OF STOCKTON. (PUR 24-028). Additionally, submit one (1) flash drive with an electronic version of the bid documents. Any bid received after the due date and time indicated will not be accepted and will be deemed rejected and returned, unopened, to the bidder.

1.3 LOCAL BUSINESS PREFERENCE

Stockton Municipal Code Section 3.68.090 reads as follows:

Preference shall be given to the purchase of supplies, materials, equipment, and contractual services from local merchants, quality and price being equal. Local merchants who have a physical business location within the boundaries of San Joaquin County, and who have applied for and paid a business license tax and registration fee pursuant to Stockton Municipal Code Title 5, Chapter 5.08, License Taxes, shall be granted two (2) percent bid preference. Local merchants who have a physical business location within the boundaries of the City of Stockton, and who have applied for and paid a business license tax and registration fee pursuant to Stockton Municipal Code Title 5, Chapter 5.08, License Taxes, shall be granted five (5) percent bid preference. This section is intended to provide preference in the award of certain City contracts in order to encourage businesses to move into and expand within the City. (Ord. 2014-03-18-1601 C.S. § 1; prior code § 3-106.1)

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1.4 LOCAL EMPLOYMENT—PUBLIC WORKS CONTRACTORS

Bidders must comply with City of Stockton Municipal Code (SMC) Section 3.68.095, Ordinance No. 011-09 adopted Sept. 1, 2009, effective Oct. 1, 2009.

1.5 CONSEQUENCE OF SUBMISSION OF BID

- A. The City shall not be obligated to respond to any bid submitted nor be legally bound in any manner by the submission of a bid.
- B. Acceptance by the City of a bid obligates the bidder to enter into a contract with the City.
- C. A contract shall not be binding or valid against the City unless or until it is executed by the City and the bidder.
- D. Statistical information contained in these documents is for informational purposes only. The City shall not be responsible for the accuracy of said data. City reserves the right to increase or decrease the project scope.

1.6 EXAMINATION OF BID MATERIALS

The submission of a bid shall be deemed a representation and warranty by the bidder that it has investigated all aspects of the bid, that it is aware of the applicable facts pertaining to the bid process and its procedures and requirements, and that it has read and understands the bid. No request for modification of the provisions of the bid shall be considered after its submission on the grounds the bidder was not fully informed as to any fact or condition. Statistical information which may be contained in the bid or any addendum thereto is for informational purposes only. The City disclaims any responsibility for this information which may subsequently be determined to be incomplete or inaccurate.

1.7 ADDENDA AND INTERPRETATION

The City will not be responsible for, nor be bound by, any oral instructions, interpretations, or explanations issued by the City or its representatives. Any request for clarifications/questions/answers of a bid shall be made in e-mail and deliverable to:

CITY OF STOCKTON
ATTN: Stephennie Link
PROCUREMENT DIVISION
stocktonbids@stocktonca.gov

Such request for clarification shall be sent to the City by April 24, 2024, 2:00 PM. Any City response to a request for clarifications/questions/answers will be posted

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on the City's website at www.stocktonca.gov/adminbid by May 1, 2024, and will become a part of the bid. The bidder should await responses to inquires prior to submitting a bid.

1.8 DISQUALIFICATION

Any of the following may be considered cause to disqualify a bidder without further consideration:

- A. Evidence of collusion among bidders;
- B. Any attempt to improperly influence any member of the evaluation panel;
- C. Any attempt to communicate in any manner with a City of Stockton elected official during the bid process will, and shall be, just cause for disqualification/rejection of bidder's bid submittal and considered non-responsive.
- D. A bidder's default in any operation of a contract which resulted in termination of that contract; and/or
- E. Existence of any lawsuit, unresolved contractual claim, or dispute between bidder and the City.
- F. No person, firm, or corporation shall be allowed to make or file or be interested in more than one bid for the same supplies, services, or both; provided, however, that subcontract bids to the principal bidders are excluded from the requirements of this section: Section 3.68.120 of the Municipal Code.

1.9 BID REJECTED

A bid shall be prepared and submitted in accordance with the provisions of these bid instructions and specifications. Any alteration, omission, addition, variance, or limitation of, from, or to a bid may be sufficient grounds for rejection of the bid. The City has the right to waive any defects in a bid if the City chooses to do so. The City may not accept a bid if:

- A. Any of the bid forms are left blank or are materially altered;
- B. Any document or item necessary for the proper evaluation of the bid is incomplete, improperly executed, indefinite, ambiguous, or missing.

1.10 CONDITIONS TO BE ACCEPTED IF ANY WORK IS SUBCONTRACTED

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- A. The bidder assumes full responsibility, including insurance and bonding requirements, for the quality and quantity of all work performed.
- B. If bidder's supplier(s) and/or subcontractor's involvement requires the use of a licensed, patented, or proprietary process, the vendor of the process is responsible for assuring that the subcontractor, supplier, and/or operator have been properly authorized to use the process or for providing another process which is comparable to that which is required prior to submission of a bid.

1.11 LICENSING REQUIREMENTS

Any professional certifications or licenses that may be required will be the sole cost and responsibility of the successful bidder.

Bidder must possess a General Contractors License to perform the work specified within these documents.

A City of Stockton Business license may be required for this project. Please contact the City of Stockton Business License Division at (209) 937-8313.

1.12 INSURANCE REQUIREMENTS

Bidder, at Bidder's sole cost and expense and for the full term of the resultant contract or any extension thereof, shall obtain and maintain at least all of the insurance requirements listed in attached Exhibit 2..

All coverage shall be provided by a carrier authorized to transact business in California and shall be primary. All policies, endorsements, and certificates shall be subject to approval by the Risk Manager of the City to Stockton as to form and content. These requirements are subject to amendment or waiver if so approved in writing by the Risk Manager.

Maintenance of proper insurance coverage is a material element of this contract, and failure to maintain or renew coverage or to provide evidence of renewal may be treated as a material breach of contract.

The Bidder shall assert that these insurance requirements will be met as part of their proposal response. *Failure to comply with these insurance requirements may result in a proposal being deemed unresponsive.* Bidder shall satisfy these insurance requirements concurrently with the signing of the contract prior to commencement of work. *It is strongly suggested that insurance requirements be reviewed with Bidder's broker to ensure any additional costs are included in the proposal pricing component.*

Any questions pertaining to insurance requirements, please contact City of Stockton Risk Services at (209) 937-5037.

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1.13 HOLD HARMLESS

To the fullest extent permitted by law, Contractor shall hold harmless, defend and indemnify City of Stockton and its officers, officials, employees and volunteers from and against any and all liability, loss, damage, expense, costs (including without limitation costs and fees of litigation) of every nature arising out of or in connection with Contractor's performance of work hereunder or its failure to comply with any of its obligations contained in the agreement, except such loss or damage which was caused by the sole negligence or willful misconduct of the City of Stockton. This obligation is independent of, and shall not in any way be limited by, the minimum Insurance obligations contained in this agreement. These obligations shall survive the completion or termination of this agreement..

1.14 APPLICABLE LAW

Applicable law shall be governed by the laws of the State of California. Venue shall be proper in the Superior Court of the State of California, county of San Joaquin, Stockton Branch, or, for actions brought in Federal Court, the United States District Court for the Eastern District of California, Sacramento Division.

Deliverables must conform with all applicable federal, state, and local laws. Such conformity includes compliance with federal sanctions, and Contractor certifies that it has not and will not engage in prohibited transactions with sanctioned persons or entities.

1.15 METHOD OF PAYMENT

Payment will be made within thirty (30) days after invoices are received and accepted by the City. Invoices shall be billed monthly using percentage of completed by tasks, (expected to be similar to those listed in the fee schedule).

1.16 NOTICE TO OUT-OF-STATE VENDOR

The City of Stockton will pay all applicable sales/use tax directly to the State of California for this purchase.

It is the policy of the City of Stockton to pay all applicable California sales/use tax directly to the State Board of Equalization (BOE) pursuant to California Revenue and Taxation Code 7051.3. The City of Stockton will self-accrue all sales/use tax on purchases made from out-of-state vendors.

Sales and use tax on purchases made by the City of Stockton from all companies located outside California and whose products are shipped from out of state will be remitted to the BOE directly by the City under permit number **SR KHE 28-**

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051174 DP. Please do not include sales/use tax on the invoice that you submit to the City of Stockton.

Questions regarding the City of Stockton's payment of sales/use tax can be directed to the City of Stockton's Procurement Division at (209) 937-8357.

1.17 TERM

The City intends to establish a three (3) year contract with ability to extend one (1) additional year.

1.18 COMPETITIVE PRICING

Bidder warrants and agrees that each of the charges, economic or product terms or warranties granted pursuant to this Contract are comparable to or better than the equivalent charge, economic or product term or warranty being offered to any similarly situated commercial or other government customer of bidder. If bidder enters into any arrangements with another customer of bidder to provide product under more favorable charges, economic or product terms or warranties, bidder shall immediately notify CITY of such change and this Contract shall be deemed amended to incorporate the most favorable charges, economic or product terms or warranties.

1.19 FUNDING

Any award which results from this bid will terminate without penalty at the end of the fiscal year in the event funds are not appropriated for the next fiscal year. If funds are appropriated for a portion of the fiscal year, this contract will terminate without penalty, at the end of the term for which funds are appropriated. Additionally, as part of the American Rescue Plan Act (ARPA) of 2021, the City anticipates federal funds to address local needs generated by the COVID- 19 pandemic. ARPA funds may be used to support a wide variety of locally determined needs, including small business support and economic recovery through marketing efforts. For a full description of the City's planned ARPA allocations please see: <https://www.stocktonca.gov/government/departments/manager/ARP/default.html>

1.20 UNCONDITIONAL TERMINATION FOR CONVENIENCE

The City may terminate the resultant contract for convenience by providing a sixty (60) calendar day advance notice unless otherwise stated in writing.

1.21 AUDITING OF CHARGES & SERVICES

The City reserves the right to periodically audit all charges and services made by the bidder to the City for services provided under the contract. Upon request, the bidder agrees to furnish the City with necessary information and assistance. This purchase is subject to compliance with the ARPA Final Rule and 2 CFR 200 terms.

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1.22 BID SECURITY

Every bid offered shall be accompanied by an acceptable financial instrument (bidder's bond, certified or cashier's check) in favor of and payable at sight to the City of Stockton for an amount not less than \$0.00 or a bidder's bond executed by a surety authorized by the Insurance Commissioner to transact business of insurance in the State of California, made out in favor of the CITY OF STOCKTON for an amount not less than \$0.00 and no bid shall be considered unless accompanied by such certified or cashier's check or bidder's bond.

If bidder elects to accompany their bid with a bidder's bond, then said bond shall state on its face that, "in the event the person, firm, or corporation is awarded the contract and the said bidder shall fail, neglect, or refuse to enter into a contract to said equipment or materials, then the amount therein mentioned in the bidder's bond accompanying the bid of said person, firm, or corporation shall be declared to be forfeited to the City."

In the event that the person, firm, or corporation to whom said contract may be awarded fails, neglects, or refuses to enter into contract to furnish said equipment, materials or services, as hereinbefore provided within thirty (30) days of award, then the cashier's check, or certified check and the amount therein mentioned, accompanying the bid of said person, firm, or corporation, shall be declared to be forfeited to said City; or, if non-complying bidder has accompanied their bid with a bidder's bond, appropriate legal action to collect the bidder's bond, shall be undertaken.

As information, the City will **NOT** accept company or personal checks for bid security.

1.23 CONTRACT BONDS

The successful bidder will be required to furnish the City of Stockton with a Faithful Performance Bond in the amount of 100% of the contract and shall be furnished concurrently with the signing of the contract.

The surety which provides the bond(s) must be authorized by the Insurance Commissioner to transact business of insurance in the State of California.

Said bonds shall be executed by the surety and contractor concurrently with the signing of the contract. The form of said bonds must be approved by the appropriate City departments.

All alterations, extension of time, extra and additional work, and other changes authorized by these specifications or any part of the contract shall be made without securing the consent of the surety or sureties on the contract bonds.

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1.24 AWARD

Upon conclusion of the bid process, a contract may be awarded for Renovation of Banner Island Ball Park for the City of Stockton.

The City reserves the right to make an award on any item, quantity of any item, group of items, or in the aggregate to that/those bidder(s) whose bid(s) is/are most responsive to the needs of the City. Further, the City reserves the right to reject any and all bids, or alternate bids, or waive any informality in the bid as is in the City's best interest.

Consideration will be given in comparing bids and awarding a contract, not only to the dollar amount of the bids, but also to:

- Any other criteria as best suits the City of Stockton
- Compatibility resulting in the lowest ultimate cost; Best value to the City

1.25 CHANGES

The City's Representative has the authority to review and recommend or reject change orders and cost proposals submitted by the bidder or as recommended by the bidder's project manager, pursuant to the adopted City of Stockton Standard Specifications.

1.26 OTHER GOVERNMENTAL AGENCIES

If mutually agreeable to all parties, the use of any resultant contract/purchase order may be extended to other political subdivisions, municipalities, or tax supported agencies.

Such participating governmental bodies shall make purchases in their own name, make payment directly to successful bidder and be liable directly to the successful bidder, holding the City of Stockton harmless.

1.27 LIQUIDATED DAMAGES

Liquidated damages in the amount of one thousand (1,000) dollars per day will be assessed per each working day over the agreed upon schedule allotted for this project.

1.28 PRODUCT OWNERSHIP

Any documents, products or systems resulting from the contract will be the property of the City of Stockton.

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1.29 CONFIDENTIALITY

If bidder believes that portions of a bid constitute trade secrets or confidential commercial, financial, geological, or geophysical data, then the bidder must so specify by, at a minimum, stamping in bold red letters the term "**CONFIDENTIAL**" on that part of the bid which the bidder believes to be protected from disclosure. The bidder must submit in writing specific detailed reasons, including any relevant legal authority, stating why the bidder believes the material to be confidential or a trade secret. Vague and general claims as to confidentiality will not be accepted. The City will be the sole judge as to whether a claim is general and/or vague in nature. All offers and parts of offers that are not marked as confidential may be automatically considered public information after the contract is awarded. **The bidder is hereby put on notice that the City may consider all or parts of the offer public information under applicable law even though marked confidential.**

1.30 JOB WALK

A Mandatory job walk will be held on April, 12, 2024 at 10:00 a.m.. promptly at 404 W Fremont St. Stockkton, CA 95203. . Interested bidders arriving at 10:01 a.m. or later will not be admitted.

**1.31 PREVAILING WAGES & CONTRACTOR/SUBCONTRACTOR REGISGRATION
REGISTRATION REQUIREMENTS**

Prevailing wage rates are required for this project according to State and Federal Labor laws. Prevailing wage rates can be found by logging on to <http://www.dir.ca.gov/dlsr/DPreWageDetermination.htm>.

Pursuant to Labor Code Section 1771.1(a): A Contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Labor Code Section 1725.5. It is not a violation of this section for an unregistered Contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the Contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.

No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].

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No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5.

Department of Industrial Relations- Contractor Registration information and web link: <http://www.dir.ca.gov/Public-Works/PublicWorks.html>

In compliance with Senate Bill 854 and the California Labor Code, all Bidders shall include with their Bid proof of registration from the Department of Industrial Relations (DIR) that includes the contractor's Legal Name, Registration Number, License Type/Number, Registration Date and Expiration Date, for every contractor and subcontractor, regardless of tier.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. Contractors must submit their certified payroll records directly to the Division of Labor Standards Enforcement Compliance Monitoring Unit, as well as the City of Stockton.

1.32 CONTRACTOR'S SAFETY RESPONSIBILITY

The scope of work for this project has been reviewed for special risks or hidden dangers that may be present to employees of the bidder or any subcontractor. The bidder is required to identify, notify employees, and implement special precautions to prevent injuries to employees. Additionally, the bidder is required to identify its skill, experience, and equipment in dealing with the types of risk to employees.

1.31 PROTEST POLICY

Protest and Appeal Procedures. In order to maintain fairness and impartiality, the City of Stockton has established a solicitation protest policy and procedure.

A. Protest Procedure

1. All protests must be in writing and stated as a formal protest.
2. A casual inquiry, complaint, or a statement of intent to protest that does not provide the facts and issues, and does not comply with the content requirements or deadlines, will not be considered or acted upon as a protest.
3. The protest must contain a complete statement of the basis for the protest and must include all relevant supporting documentation.
4. The solicitation process and procedures, including evaluation criteria, shall not be proper grounds for protest. Concerns related to the solicitation process and procedures, including evaluation criteria, should be raised and addressed, if at all, prior to the bid/proposal due date and time to allow adjustments before evaluation of the solicitation.

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5. Protests must be filed with the City's Chief Financial Officer, or designee, , not later than five (5) days after the date the City mails the Letter of Intent to Award .
6. Deliveries of the protest by hand, mail, email are acceptable.
7. The City is not responsible for lost or misplaced protests, or to assure the protest is received within the protest deadlines
8. The party challenging the award decision to bear the burden of proof of material error to justify invalidation of the proposed award.

B. Protest Review

1. The Chief Financial Officer or designee shall respond in writing at least generally to each material issue raised in the protest.
2. The Chief Financial Officer's, or designee 's, administrative decision may be appealed in writing to the City Manager no later than (5) business days after the date the Chief Financial Officer's, or designee's , the decision is mailed to the protesting party.
3. The City Manager shall review and decide the appeal based on the grounds and documentation set forth in the original protest to the Chief Financial Officer, or designee.
4. Each party shall bear its own costs and expenses involved in the protest and appeal process, including any subsequent litigation .
5. The City Manager's administrative decision is final. After the City Manager issues the final administrative decision, the time in which judicial review of the decision must be sought shall be governed by California Code of Civil Procedure Section 1094 or as such section may be amended from time to time.
6. If the protested procurement involves state or federal funds , the Chief Financial Officer, or designee, shall give notice to the interested party that he or she has the right to appeal to the appropriate agency, which shall be identified by name and address. An appeal hereunder shall be filed with the appropriate agency within five (5) working days of the dispatch of rejection notices to the interested party(ies).
7. The City may require the protesting party to submit a City Council approved non-refundable protest fee to cover the administrative cost of processing the protest.

Bidders, proposers , and contractors wishing to protest or appeal a procurement or contracting decision by the City must follow the procedures provided by this section. The City will not review protests or appeals that are not submitted in accordance with these provisions and procedures.

A copy of this policy can be requested from the procurement specialist noted in Section 1.7 of this document.

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(left intentionally blank)

2.0 BACKGROUND/GENERAL NATURE OF SERVICE

The primary purpose of the proposed modifications to Banner Island Ballpark located in Stockton, CA is to ensure the facility complies with Major League Baseball (MLB) Player Development License (PDL) Requirements. In 2022 MLB conducted a facility audit documenting facility non compliance items. Plans have been prepared to resolve all deficiencies. The City is seeking a General Contractor to renovate and construct..

2.1 SCOPE OF SERVICES

The City is seeking a general contractor to provide renovate and construct the needed improvements to the Banner Island Ball Park to meet MLB required standards, per construction drawings. The primary purpose of the proposed modifications to Banner Island Ballpark located in Stockton, CA is to ensure the facility complies with Major League Baseball (MLB) Player Development License (PDL) Requirements. In addition, there are several facility improvements being proposed as Add Alternates for the purposes of pricing that will serve as facility enhancements and fan amenities with the goal of keeping the facility competitive with other facilities of the same caliber and class of baseball.

In 2022 MLB conducted a facility audit and report documenting facility non-compliance items. Conceptual plans and construction drawings have been designed by Pendulum Studio, LLC (Kansas City, MO) to resolve all identified deficiencies. Schematic Design drawings outlining proposed facility modifications were submitted to MLB by the Stockton Ports on behalf of the City of Stockton in early 2023. The documents were reviewed and approved by MLB's designated review agency (Ewing Cole) to be in compliance with MLB requirements. The approach of the plan is to modify and re-use space and equipment where practical to complete the improvements with a cost and time-sensitive method.

The improvements have been approved by MLB to be completed or largely completed by the beginning of the 2025/26 season, commencing in March 2026.

The documented scope of the project is as follows:

1. Existing Batting/Pitching Tunnel

- The existing batting/pitching tunnel located on the grade level/main concourse level along the first base line was identified as NOT being in compliance with MLB standards which requires two (2) lanes with dimensions of no less than 15'-0" feet wide by 75'-0" feet, with an additional perimeter width of at least 2'-0" feet on all sides. The required clear height of the batting tunnel is required to be 12'-0" feet which includes any potential sag of the overhead netting system. The existing batting tunnel is too low by approximately 2'-0" feet.
- The proposed solution is to repurpose the existing open air batting tunnel for use as a shared weight room facility (MLB requires a minimum of 750 SF of enclosed and conditioned space easily accessible by the home and visiting team).

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- The existing netting and lighting fixtures shall be removed. The interior space in its entirety shall be enclosed and conditioned by filling any openings to the main concourse with storefront glazing or exterior grade stucco. A new rooftop mechanical unit shall be added above the space.
- The enclosed square footage area in excess of 750 SF shall be used as a new hospitality space equipped with new plumbing, lighting, and interior finishes.

2. New Batting/Pitching Enclosure

- A new 3,500 SF batting/Pitching has been located in a portion of the existing surface parking lot as a standalone building for use by the home and visiting team. The new building shall match the overall aesthetic of the existing facility and shall comply with the MLB interior spatial requirements.
- In addition to the batting/pitching lanes the required 200 SF minimum secure MLB storage room shall be housed in this new building.

3. Female Staff Locker Addition

- Although temporary measures were taken for the 2023 season to repurpose an existing public restroom for use as female staff accommodations, the fix will not comply long-term. MLB requires a minimum accommodation of two (2) showers, two (2) lavatories, two (2) water closets, and four (4) lockers for female staff use. The existing facility trash compactor shall be relocated from its existing position directly adjacent to the visitor locker room and instead placed adjacent to the new batting/pitching enclosure. This move will allow more efficient and serviceable access for garbage removal from the site through a new gate system from the slightly reconfigured surface parking lot.
- The prior trash compactor location shall be the site of a new building enclosure with the required number of fixtures for the MLB required female staff lockers.

4. Visiting Team Locker Room Program Additions

- The existing visiting team locker room does NOT comply with the MLB required locker count. It also does NOT have a MLB compliant commissary area (service kitchen) to accommodate food service for the visiting team.
- The visiting team locker room shall be expanded to accept eight (8) additional lockers as well as a new enclosed commissary area that includes the following MLB required amenities:
 - Hot and cold water sink
 - Microwave
 - Dishwasher
 - Upper and lower storage cabinets
 - Refrigerator/Freezer
 - Seating for a minimum of eight (8) individuals
- The aforementioned locker additions shall consist of repurposed lockers from the existing home team locker room. (The design intent for this project is to maximize cost efficiency by reusing as many existing furniture components as possible)

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- One (1) additional MLB required whirlpool shall be added to the existing visiting team training room
- A private Visiting Team Manager's office shall be added to the locker room space equipped with a desk and two (2) lockers per MLB requirements.
- Interior finishes shall be patched and repaired as needed. At all areas that include new scope, finishes matching existing conditions shall be provided.

5. Home Team Locker Room Program Additions

- The existing home team lockers shall receive a total refresh bringing the facility up to par with comparable markets and transforming the space into a first rate but efficient and comfortable space for the home team.
- All existing home team lockers shall be removed but preserved and shall be repurposed in other areas that require lockers such as the listing team lockers, new female staff locker room and visiting coach/manager locker rooms.
- The home team player, coaches, and manager locker rooms shall receive all new lockers
- Per MLB requirements a new manager's office shall be constructed (currently does not exist).
- The existing home team weight room (currently not sharable with then visiting team and too small) shall be repurposed for use as the MLB required home team commissary and shall include the following MLB required amenities:
 - A hot and cold water sink
 - Microwave
 - Dishwasher
 - Upper and lower storage cabinets
 - Refrigerator/Freezer
 - Seating for a minimum of eight (8) individuals
- The existing laundry area shall be upgraded to include the following MLB required appliances:
 - Two (2) 50 lb commercial washers
 - One (1) 70 lb commercial dryer
- All existing floor, ceiling, and base finishes shall be refreshed.

6. Temporary Female Staff Accommodations

- As mentioned previously the temporary female staff accommodations made for the 2023 season shall be kept in tact and used as a dedicated locker room for female umpires per MLB requirements.
- Interior finishes shall be refreshed so that the space feels permeant versus temporary.

7. Secure Player Parking

- The existing player parking adjacent to the public parking lot is not marked and is not totally secure in line with MLB requirements.
- New 8'-0" feet tall secure line fencing and a code accessible gate shall be added and 35 parking spaces shall be striped for secure player use.

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8. Batter's Eye Extension

- MLB requires the batter's eye screen at dead center field to be 36'-0" feet tall by 60'-0" feet wide minimum. Currently the batter's eye screen is short by approximately 7'-0" vertically.
- A screen extension has been documented and shall be installed to bring the facility in compliance.

9. Seating Bowl Reseat

- The original stadium seating manufacturer (American Seating) is no longer in business and therefore the existing seating stock is not serviceable by means of replacement parts and stock. Many of the existing seats are broken and in some cases present the potential of injury to patrons due to broken backs and seat pans.
- All seating in the seating bowl shall be replaced and shall maintain the existing seating count one for one.

10. Field Lighting Upgrade

- MLB requires all facilities to upgrade to LED lighting with a minimum lighting level of 110 foot candles (fc) in the infield and 70 foot candles (fc) in the outfield. The current field lighting system is NOT in compliance.
- MUSCO lighting is providing an updated photometric analysis of the ballpark and a bid to bring the lighting system into full MLB compliance.

11. Existing Steel Member Repaint (Add Alternate)

- The existing structure is showing its age with an abundance of fading and peeling paint. This is likely due to the original specification of an inferior high performance coating specification.
- The documents currently call for a complete repainting of all exposed steel elements which will substantially improve the overall look and feel of the facility.

12. Kids Playground Area Relocation (Add Alternate)

- The current location of the kids playground is in a prime location for a more adult centric casual activation zone. We propose relocating the playground area to the current BBQ area adjacent to the maintenance building in center field.
- Modest reconfiguration of a small portion of the existing grass seating area will provide ample space for inflatable games and other activities to be enjoyed by visiting patrons while also providing protection from fly balls behind existing buildings.

13. New Right Field Bar (Add Alternate)

- As mentioned in item 11 above, the current area designated as the kids playground is underutilized. In an effort to bring new energy to the ballpark and take advantage of views to the water year round, a new covered bar area that will also house yard games has been designed down the right field line.
- The program shall include a 50'-0" long 360 degree bar with a steel super structure and roof covering that supports a series of six (6) flat screen TVs and ceiling fans.

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- Lounge furniture and drink rails (high and low) shall be distributed throughout the area. Ample lighting shall also be supplied to ensure the space is comfortable during the day and at night.

2.2 CITY RESPONSIBILITIES

1. City will provide access to City maps, conceptual drawings, records, studies, plans and other documents relating to the project.
2. City will provide the code building inspection and any special inspection required.

BID DOCUMENTS

- A) **BID – RENOVATION OF BANNER ISLAND BALL PARK FOR THE CITY OF STOCKTON**
- B) **PUR 24-028**
- C) **Bid Opening Date: May 9, 2024**

COMPANY NAME: _____

CONTACT NAME: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

EMAIL: _____

Fee Proposal Sheet

		Price
1	Batting/Pitching Tunnels	
	Construction	
2	Netting and Lighting Fixtures (not covered by Musco)	
	Construction	
3	New Batting/Pitching Enclosure	
	Construction	
4	Visiting Team Locker Room Program Additions	
	· Service Kitchen	
	· Eight (8) lockers	
	· Seating for eight (8) minimum	
	· Appliances including Sink and storage cabinets.	
	· Whirlpool	
	· Visiting Team Manager's office	
	· Two (2) lockers	
	· Interior Finishes	
	Female Staff Locker Addition	
	Construction	
5	Home Team Locker Room Program Additions	
	· Service Kitchen	
	· Eight (8) lockers	
	· Seating for eight (8) minimum	
	· Appliances including Sink and storage cabinets.	
	· Whirlpool	
	· Visiting Team Manager's office	

	· Two (2) 50 lb Commercial Washers	
	· One (1) 70 lb Commercial Dryer	
	· Interior Finishes	
	Construction	
6	Temporary Female Staff Accommodations	
	· Interior Finishes	
	Construction	
7	Secure Player Parking	
	· New fencing	
	Construction	
8	Batter's Eye Extension	
	· Batter Eye Screen	
	Construction	
9	Seating Bowl Reseat	
	Seating	
10	Field Lighting Upgrade	
11	Existing Steel Member Repaint (Add Alternate)	
12	Kids Playground Area Relocation (Add Althernate)	
13	New Right Field Bar (Add Alternate)	
	Total Project Cost:	

FORM OF BID

The bidder warrants this equipment for a minimum period of _____ years.

Any questions regarding specifications should be directed to, Procurement Division,
at telephone (209) 937-8357

FIRM

ADDRESS

SIGNED BY

TITLE OR AGENCY

DATE

()

TELEPHONE

NOTE: Bidders are to mark their sealed bids to clearly indicate the content as:

- A) Renovation of Banner Island Ball Park for the City of Stockton**
- B) PUR 24-028**
- C) MAY 9, 2024**

IF YOU DO NOT WISH TO BID, PLEASE RETURN YOUR BID IMMEDIATELY STATING REASON.

BIDDER'S AGREEMENT

In submitting this bid, as herein described, the bidder agrees that:

1. They have carefully examined the specifications and all other provisions of this form and understand the meaning, intent, and requirements of same.
2. They have reviewed and understand all clarifications/questions/answers on the City's website at www.stocktonca.gov/adminbid
3. They will enter into written contract and furnish the item(s)/service(s) in the time specified in strict conformity with the specifications and conditions contained therein for the price quoted by the bidder on this bid.
4. The proposed price is inclusive of all freight and handling charges and includes delivery to the City of Stockton, Municipal Service Center, or if specified, to the alternate point of delivery shown in the specifications.
5. They have signed and notarized the attached Non-Collusion Affidavit form whether individual, corporate or partnership. Must be "A Jurat" notarization.

FIRM

ADDRESS

SIGNED BY

TITLE OR AGENCY

E-MAIL ADDRESS

NOTE: Bids are invalid which are unsigned, If erasures or interlineations appear on your bid form, they must be initialed by the person preparing the bid. Bids shall be mailed or delivered to:

**OFFICE OF THE CITY CLERK
FIRST FLOOR, CITY HALL
425 NORTH EL DORADO STREET
STOCKTON, CALIFORNIA 95202-1997**

On or before **2:00 p.m. May 9, 2024**, and publicly opened immediately thereafter in the City Council Chambers.

SPECIAL NOTE: U.P.S. OR OTHER SPECIAL HANDLING SERVICES DO NOT DELIVER DIRECTLY TO THE CITY CLERK'S OFFICE. BIDDERS ARE ADVISED THAT IF A SPECIAL HANDLING SERVICE IS USED, BIDS MAY NOT REACH THE CITY CLERK'S OFFICE IN TIME FOR BID OPENING AND WILL BE REJECTED AND RETURNED TO BIDDER.

3.0 PROPOSAL EXHIBITS

Exhibits can be found on the City's Bid Flash website: www.stocktonca.gov/adminbid

3.1 Exhibit 1 – Overview Map and Narrative Of Banner Island Ballpark

3.2 Exhibit 2 – Insurance Requirements

The Risk Services Division develops insurance requirements for all contracts for the City of Stockton. The Division also reviews and approves all bonds and evidence of insurance, including Certificates of Insurance and endorsements for all contracts. Examples include:

- Contracts - Constructions, Professional Services, Supplier, Lease
- Permits - Encroachment, Revocable, Street Closures, Block Parties
- Bonds - Performance, Maintenance, Labor and Materials
- Community Services – Special Events

This project is subject to Insurance Requirements for: **Renovation Of Banner Island Ball Park For The City Of Stockton**

Visit the following website to review the appropriate insurance requirements for this solicitation:

<http://www.stocktonca.gov/government/departments/humanResources/riskServices/insurance.html>

3.3 Exhibit 3 – Sample Contract

Enter any additional technical, performance or functional specifications for the request.