

## **INSTRUCTIONS TO PROPOSERS**

The Stockton Unified School District ("District") is seeking bids for charter transportation services. Services will primarily involve the transportation of students for athletic events and field trip activities using School Pupil Activity Buses ("SPAB"). Drivers must hold current SPAB and/or School Bus licenses and certificates. The District guarantees a minimum base trip consisting of five (5) hours and one hundred fifty (150) miles. Mileage and hours for any trip will commence from the District's point of origin.

Proposers maintaining a school bus fleet for regular home-to-school transportation may also use these school buses for school activity trips within one hundred fifty (150) miles, offered at a discounted rate.

Proposers are expected to support this goal by developing, implementing, and monitoring a charter transportation program that ensures a safe and comfortable transportation environment for students, while maintaining compatibility and functionality with existing operations.

Proposers shall follow the instructions in this document, and shall submit all documents, forms, and information required for consideration of a Bid. The District will evaluate information submitted by the Proposers and, if incomplete or unsatisfactory to the District, Bidder's bid may be rejected at the sole discretion of the District.

1. Proposals are requested for the following contract ("Contract"):

### **Comprehensive Transportation Charter Service Program Bid No. 25.1300**

2. District will receive sealed bids from Proposers as stipulated in the Notice to Proposers.
3. Proposers must submit bids on the Bid Form and Proposal and all other required District forms. Bids not submitted on the District's required forms shall be deemed non-responsive and shall not be considered. Additional sheets required to fully respond to requested information are permissible.
4. Proposers must supply all information required by each Bid Document. Bids must be full and complete. District reserves the right in its sole discretion to reject any Bid as non-responsive as a result of any error or omission in the Bid. Proposers must complete and submit all of the following documents with the Bid Form and Proposal:
  - a. Bid Bond on the District's form or other security
  - b. Bidder Information Form
  - c. Bidder's Statement Regarding Insurance Coverage
  - d. Non-Collusion Declaration
5. Proposers must submit with the Bid Form and Proposal either cash, a cashier's check or a certified check payable to District, or a bid bond by an admitted surety insurer of in the amount of Twenty Thousand Dollars (\$20,000), which is approximately ten (10) percent of the estimated annual Contract value. If Bidder chooses to provide a Bid

Bond as security, Bidder must use the required form of corporate surety provided by District. The Surety on Bidder's Bid Bond must be an insurer admitted in the State of California and authorized to issue surety bonds in the State of California. Bids submitted without necessary bid security will be deemed non-responsive and will not be considered.

7. If Bidder to whom Contract is awarded fails or neglects to enter into Contract and submit required bonds, insurance certificates, and all other required documents, within **FOURTEEN (14)** calendar days after the date of the Notice of Award, District may deposit Bid Bond, cash, cashier's check, or certified check for collection, and proceeds thereof may be retained by District as liquidated damages for failure of Bidder to enter into Contract, in the sole discretion of District. It is agreed that calculation of damages District may suffer as a result of Bidder's failure to enter into the Contract would be extremely difficult and impractical to determine and that the amount of the Bidder's required bid security shall be the agreed and conclusively presumed amount of damages.
8. Bids shall be clearly written in pen, or typewritten, without erasure or deletions. District reserves the right to reject any Bid containing erasures or deletions.
9. Proposers shall not modify the Bid Form and Proposal or qualify their Bids. Proposers shall not submit to the District a scanned, re-typed, word-processed, or otherwise recreated version of the Bid Form and Proposal or other District-provided document.
10. Submission of a Bid signifies careful examination of Bid Documents and complete understanding of the nature, extent, and location of services to be performed. Proposers are charged with all information and knowledge that a reasonable bidder would ascertain from having performed this required investigation, research, and analysis. Bid prices must include entire cost of all services incidental to completion of the Contract.
11. All questions about the meaning or intent of the Bid Documents, including but not limited to the Contract, are to be directed in writing to the District's Transportation Department Office, 2963 Sanguinetti Lane, Stockton, CA 95205, ATTN: Rudy Valderrama, Transportation Manager ([rvalderrama@stocktonusd.net](mailto:rvalderrama@stocktonusd.net)). Interpretations or clarifications considered necessary by the District in response to such questions will be issued in writing by Addenda emailed, faxed, mailed, or delivered to all parties recorded by the District as having received the Contract Documents or posted on the District's website (<https://www.stocktonusd.net/Page/18676>). Questions received less than **SEVEN (7)** calendar days prior to the date for opening Bids may not be answered. Only questions answered by formal written Addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.
12. Addenda may also be issued to modify parts of the Bid Documents, including the Contract, as deemed advisable by the District.
13. Each Bidder must acknowledge each Addendum in its Bid Form and Proposal by number or its Bid shall be considered non-responsive. Each Addendum shall be part of the Bid Documents. A complete listing of Addenda may be secured from the District.

14. All bids must be sealed, and marked with name and address of the Bidder and the Bid number and time of bid due date and time. Bids will be received as indicated in the Notice to Proposers.
  - a. Mark envelopes with the name of the Contract (Comprehensive Transportation Charter Service Program Bid No. **25.1300**
  - b. Bids must be submitted to the District's Transportation Department Office, 2963 Sanguinetti Lane, Stockton, CA 95205, ATTN: Kathryn Baggese, Director, Transportation, by date and time shown in the Notice to Proposers.
  - c. Bids must contain all documents as required herein.
15. Bids will be opened at or after the time indicated for receipt of bids.
16. Pursuant to Education Code section 39802, the District has no obligation to accept the bid with the lowest cost offered. The District shall award the Contract, if it awards it at all, to the lowest responsive responsible bidder, unless the District, at its sole discretion, determines that the public interest will be best served by accepting a bid other than the bid with the lowest cost. The District also reserves the right, at its sole discretion, to award the Contract to multiple, different Proposers.
17. Pursuant to Education Code section 39879, enacted by Senate Bill 88 (2023) and operative on July 1, 2025, a bidder awarded the Contract shall attest in writing by completing a certification that, for the entire duration of the Contract, the bidder will remain in compliance with any applicable laws, and the bidder's drivers will meet the requisite qualification standards. No additional compensation shall be due for compliance with Senate Bill 88.
18. The Bidder to whom Contract is awarded shall execute and submit the following documents by 5:00 p.m. of the **FOURTEENTH (14<sup>th</sup>)** calendar day following the date of the Notice of Award. Failure to properly and timely submit these documents entitles the District to reject the bid as non-responsive.
  - a. Contract: To be executed by successful Bidder. Submit three (3) copies, each bearing an original signature.
  - b. Insurance Certificates and Endorsements as required.
  - c. Workers' Compensation Certification.
  - d. Tuberculosis Clearance Certification.
  - e. Criminal Background Investigation/Fingerprinting Certification.
  - f. Drug-Free Workplace Certification.
  - g. Driver Qualification Certification.
19. Any bid protest by any Bidder regarding any other bid must be submitted in writing to the District, before 5:00 p.m. of the **THIRD (3<sup>rd</sup>)** business day following bid opening.

- a. Only a Bidder who has actually submitted a bid, and who could be awarded the Contract if the bid protest is upheld, is eligible to submit a bid protest. Subcontractors are not eligible to submit bid protests. A Bidder may not rely on the bid protest submitted by another Bidder.
  - b. A bid protest must contain a complete statement of any and all bases for the protest and all supporting documentation. Materials submitted after the bid protest deadline will not be considered.
  - c. The protest must refer to the specific portions of all documents that form the basis for the protest.
  - d. The protest must include the name, address and telephone number of the person representing the protesting party.
  - e. The party filing the protest must concurrently transmit a copy of the protest and any attached documentation to all other parties with a direct financial interest that may be adversely affected by the outcome of the protest. Such parties shall include all other Proposers or proposers who appear to have a reasonable prospect of receiving an award depending upon the outcome of the protest.
  - f. The procedure and time limits set forth in this paragraph are mandatory and are each bidder's sole and exclusive remedy in the event of bid protest. Failure to comply with these procedures shall constitute a waiver of any right to further pursue the bid protest, including filing a Government Code Claim or legal proceedings.
20. District reserves the right to reject any or all bids, including without limitation the right to reject any or all nonconforming, non-responsive, unbalanced, or conditional bids, to re-bid, and to reject the bid of any bidder if the District believes that it would not be in the best interest of the District to make an award to that bidder, whether because the bid is not responsive or the bidder is unqualified or of doubtful financial ability or fails to meet any other pertinent standard or criteria established by the District. District also reserves the right to waive inconsequential deviations. For purposes of this paragraph, an "unbalanced bid" is one having nominal prices for some items and/or enhanced prices for other items.
21. Discrepancies between written words and figures, or words and numerals, will be resolved in favor of numerals or figures.
22. Prior to the award of Contract, the District reserves the right to consider the responsibility of the Bidder. District may conduct investigations as the District deems necessary to assist in the evaluation of any bid and to establish the responsibility, including, without limitation, qualifications and financial ability of Proposers and other persons and organizations to perform and furnish the services in accordance with the contract documents to the District's satisfaction within the prescribed time.

23. The submittals and any other supporting materials submitted to the District will not be returned and will become the property of the District unless portions of the material are designated as proprietary at the time of submittal and are specifically requested to be returned. Vague designations and/or blanket statements regarding entire pages or documents are insufficient and will not bind the District to protect the designated matter from disclosure. Furthermore, the District will have no liability to the Bidder or any other party as a result of any public disclosure of any submittal or supporting material.

END OF DOCUMENT