

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
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**** WARNING ** WARNING ** WARNING ** WARNING ****
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August 20, 2007

12-Ora-405-24.8/26.2
12-0A7624

Addendum No. 2

Dear Contractor:

This addendum is being issued to the contract for construction on State highway in ORANGE COUNTY IN HUNTINGTON BEACH AND WESTMINISTER FROM 0.3 KM NORTHWEST OF MAGNOLIA STREET OVERCROSSING TO EDINGER AVENUE OVERCROSSING.

Submit bids for this work with the understanding and full consideration of this addendum. The revisions declared in this addendum are an essential part of the contract.

Bids for this work will be opened on August 30, 2007.

This addendum is being issued to revise the Notice to Contractors and Special Provisions and provide a supplemental copy of the Information Handout.

In the Special Provisions, Section 3, "AWARD AND EXECUTION OF CONTRACT," the third paragraph is revised as follows:

"Bids will be compared on the basis of the Engineer's Estimate of the quantities of work to be done and the number of working days bid for completion of the work, except plant establishment. The lowest bid will be determined on the basis of the "Total Basis for Comparison of Bids (A+B)" set forth in the proposal. The contract price for the awarded contract will be the "Total Bid (A)" set forth in the proposal. Bids in which the number of working days bid for completion of the work, except plant establishment, exceed 250 will be considered non-responsive and will be rejected."

In the Special Provisions, Section 5-1.17, "PROJECT INFORMATION," in the third paragraph, Item F is added as follows:

"F. United States Army Corp of Engineers Nationwide Permit Number 33 (Temporary Construction, Access and Dewatering) and Number 14 (Linear Transportation Projects)."

In the Special Provisions Section 5-1.215, "RELATIONS WITH UNITED STATES ARMY CORP OF ENGINEERS," is added attached.

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To Proposal and Contract book holders:

Attached is a copy of the Information Handout, "Department Of The Army Nationwide Permit Number 33 (Temporary Construction, Access And Dewatering) And Number 14 (Linear Transportation Projects Permit)."

Inquiries or questions in regard to this addendum must be communicated as a bidder inquiry and must be made as noted in the NOTICE TO CONTRACTORS section of the Notice to Contractors and Special Provisions.

Indicate receipt of this addendum by filling in the number of this addendum in the space provided on the signature page of the proposal.

Submit bids in the Proposal and Contract book you now possess. Holders who have already mailed their book will be contacted to arrange for the return of their book.

Inform subcontractors and suppliers as necessary.

This office is sending this addendum by GSO overnight mail to Proposal and Contract book holders to ensure that each receives it. A copy of this addendum is available for the contractor's use on the Internet Site:

http://www.dot.ca.gov/hq/esc/oe/weekly_ads/addendum_page.html

If you are not a Proposal and Contract book holder, but request a book to bid on this project, you must comply with the requirements of this letter before submitting your bid.

Sincerely,

ORIGINAL SIGNED BY

REBECCA D. HARNAGEL, Chief
Office of Plans, Specifications & Estimates
Division of Engineering Services - Office Engineer

Attachment

5-1.125 RELATIONS WITH THE UNITED STATES ARMY CORPS OF ENGINEERS

The location of the East Garden Grove-Wintersburg Channel Culvert is within an area controlled by the U.S. Army Corps of Engineers Permit No.SPL-2006-1913-SJH has been issued covering work to be performed under this contract. All work within the East Garden Grove-Wintersburg Channel Culvert shall conform to the conditions set out in the Army Corps Nationwide Permit No. 33 (Temporary Construction, Access and Dewatering) and No. 14 (Linear Transportation Projects) under section 404 of the Clean Water Act. The Contractor shall be fully informed of rules, regulations, and conditions of the permit that may govern the Contractor's operations in the areas and shall conduct the work accordingly. Said document shall be a part of, and shall become, an integral part of the special provisions and contract for this project.

The provisions of this section shall be made a part of every subcontract executed pursuant to this contract.

Copies of the permit may be obtained at the Department of Transportation, Plans and Bid Documents Section, MS 26, 1120 N Street, Room 200, Sacramento, CA 95814, Telephone 916-654-4490, and are available for inspection at the office of the District Director of Transportation at District 12, Construction Administration Branch, 3347 Michelson Drive, Suite 100, Irvine, CA, 92612, Telephone (949) 724-2269.

Attention is directed to Section 7-1.01, "Laws to be Observed," Section 7-1.01G, "Water Pollution," and Section 7-1.12, "Responsibility for Damage," of the Standard Specifications.

Any modifications to the permit which are proposed by the Contractor shall be submitted in writing to the Engineer for transmittal to the U.S. Army Corps of Engineers for their consideration.

When the Contractor is notified by the Engineer that a modification to the permit is under consideration, no work will be allowed on the proposed modification until the Department takes action on the proposed modification. Any modification to any agreement between the Department of Transportation and U.S. Army Corps of Engineers shall be fully binding on the Contractor, and the provisions of this section shall be made a part of every subcontract executed pursuant to this contract. No additional time or compensation will be allowed for delays caused by the Contractor's proposed modifications to the agreement between the Departments of Transportation and U.S. Army Corps of Engineers.

Attention is directed to Section 8-1.06, "Time of Completion," of the Standard Specifications. Days when the Contractor's operations are restricted in the East Garden Grove-Wintersberg Channel Culvert by the requirements of this section shall not be considered to be nonworking days if these restrictions cause a delay in the current controlling operation or operations.

Full compensation for conforming to the above requirements shall be considered as included in the contract prices paid for the various contract items of work and no additional compensation will be allowed therefor.