

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
P.O. BOX 168041, MS-43
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6299
FAX (916) 227-6282
TTY 711
www.dot.ca.gov



*Serious drought.
Help save water!*

May 1, 2014

Facsimile: (909) 394-4750

Neil T. O'Donnell, President
O' Donnell Construction, Inc.
559 W. Covina Blvd.
San Dimas, CA 91773

11-2M6104
11-Imp-8, 78, 86-VAR
B.O. 4/17/2014

Dear Mr. O'Donnell:

O' Donnell Construction, Inc. (O' Donnell) submitted a bid on contract 11-2M6104 on April 17, 2014. O' Donnell failed to acknowledge Addendum #1 dated April 11, 2014 (attached) on the signature page (attached) of its bid proposal. The California Department of Transportation (Caltrans) considers the addendum to be a material amendment to the contract and is unable to identify in O' Donnell's bid submittal that it considered and agreed to be bound to the terms of said addendum.

A bidder's failure to acknowledge a material amendment to the contract renders its bid nonresponsive. Unless O' Donnell is able to provide documentary evidence that establishes it considered and agreed to be bound by the requirements of Addendum #1, its bid may be rejected.

Please mail or fax any such documentary evidence to Caltrans by 4:00pm on May 6, 2014.

If you have any questions, please contact Huilin Yang, Contract Analyst, at (916) 227-6195.

Sincerely,

Huilin Yang

Huilin Yang
Contract Analyst

Attachment

F-1
4

CONTRACT NO. 11-2M6104

NAME OF BIDDER O'Donnell Construction, Inc.
BUSINESS P.O. BOX _____
CITY, STATE, ZIP _____
BUSINESS STREET ADDRESS 559 W. Covina Blvd.
(Include even if P.O. Box used)
CITY, STATE, ZIP San Dimas, CA 91773
TELEPHONE NO: AREA CODE (909) 394-4510
FAX NO: AREA CODE (909) 394-4750
CONTRACTOR LICENSE NO. 772905 A

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the *Notice to Bidders*.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.
2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non-plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:
 - 2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails except:
 - 2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.
 - 2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.
 - 2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.
 - 2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.
 - 2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.
 - 2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

- 2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.
For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.
For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.

2.7. The Department's decision on the bid amount is final.

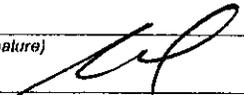
3. Bidder has and acknowledges the following addenda:

4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:

Cash \$ _____, Cashiers Check, Certified Check, Bidder's Bond

5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

- 5.1. Criminal prosecution
- 5.2. Rejection of the bid
- 5.3. Rescission of the award
- 5.4. Termination of the Contract

BY (Authorized Signature) 	DATE SIGNED (Do not type) 4/17/14
PRINTED NAME AND TITLE OF PERSON SIGNING Neil T. O'Donnell, President	

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
1727 30th Street MS-43
P.O. BOX 168041
SACRAMENTO, CA 95816-8041
FAX (916) 227-6214
www.dot.ca.gov/hq/esc/oe



*Serious Drought.
Help save water!*

April 11, 2014

11-Imp-8,78,86-VAR
11-2M6104
Project ID 1113000051

Addendum No. 1

Dear Contractor:

This addendum is being issued to the contract for CONSTRUCTION ON STATE HIGHWAY IN IMPERIAL COUNTY AT VARIOUS LOCATIONS.

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 Thursday, April 17, 2014.

This addendum is being issued to revise the *Notice to Bidders and Special Provisions*.

In the Special Provisions, Section 14, "Environmental Stewardship," is deleted.

To *Bid* book holders:

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 Bidders* section of the *Notice to Bidders 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 *Bid* book.

Submit bids in the *Bid* 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 addendum is available for the Contractors' download on the Web site:

http://www.dot.ca.gov/hq/esc/oe/project_ads_addenda/11/11-2M6104

If you are not a *Bid* 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,

A handwritten signature in black ink, appearing to read "Laurie Berman", followed by a long horizontal line.

LAURIE BERMAN
District Director