

**DEPARTMENT OF TRANSPORTATION**  
**DIVISION OF ENGINEERING SERVICES**  
OFFICE ENGINEER, MS 43  
1727 30<sup>TH</sup> STREET  
P.O. BOX 168041  
SACRAMENTO, CA 95816-8041  
FAX (916) 227-6214  
TTY (916) 227-8454



*Flex your power!*  
*Be energy efficient!*

**\*\* WARNING \*\* WARNING \*\* WARNING \*\* WARNING \*\***  
**This document is intended for informational purposes only.**

Users are cautioned that California Department of Transportation (Department) does not assume any liability or responsibility based on these electronic files or for any defective or incomplete copying, excerpting, scanning, faxing or downloading of the contract documents. As always, for the official paper versions of the bidders packages and non-bidder packages, including addenda write to the California Department of Transportation, Plans and Bid Documents, Room 0200, P.O. Box 942874, Sacramento, CA 94272-0001, telephone (916) 654-4490 or fax (916) 654-7028. Office hours are 7:30 a.m. to 4:15 p.m. When ordering bidder or non-bidder packages it is important that you include a telephone number and fax number, P.O. Box and street address so that you can receive addenda.

March 29, 2007

04-Ala-80-1.6/2.7  
04-0120L4

Addendum No. 2

Dear Contractor:

This addendum is being issued to the contract for construction on State highway in ALAMEDA COUNTY IN OAKLAND FROM 1.6 KM WEST OF THE TOLL PLAZA TO 0.3 KM WEST OF THE TOLL PLAZA.

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 June 5, 2007.

This addendum is being issued to revise the Proposal and Contract.

In the Proposal and Contract, pages 18, 19, 20, 21, 22, 23, 24, 25, & 26 are added as attached.

To Proposal and Contract 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 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.

Addendum No. 2  
Page 2  
March 29, 2007

04-Ala-80-1.6/2.7  
04-0120L4

This office is sending this addendum by confirmed facsimile 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](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

Accompanying this proposal is \_\_\_\_\_  
(NOTICE: INSERT THE WORDS "CASH(S \_\_\_\_\_)", "CASHIER'S CHECK," "CERTIFIED CHECK," OR "BIDDER'S BOND," AS THE CASE MAY BE.)  
in amount equal to at least ten percent of the total of the bid.

The names of all persons interested in the foregoing proposal as principals are as follows:

### IMPORTANT NOTICE

If bidder or other interested person is a corporation, state legal name of corporation, also names of the president, secretary, treasurer, and manager thereof; if a copartnership, state true name of firm, also names of all individual copartners composing firm; if bidder or other interested person is an individual, state first and last names in full.

---

---

---

---

---

Licensed in conformance with an act providing for the registration of Contractors,

License No. \_\_\_\_\_ Classification(s)

**ADDENDA** - This Proposal is submitted with respect to the changes to the contract included in addenda number/s

\_\_\_\_\_  
(Fill in addenda numbers if addenda have been received and insert, in this Proposal, any Engineer's Estimate sheets that were received as part of the addenda.)

By my signature on this proposal I certify, under penalty of perjury under the laws of the State of California, that the foregoing questionnaire and statements of Public Contract Code Sections 6101, 7110, 10162, 10232 and 10285.1 are true and correct and that the bidder has complied with the requirements of Section 8103 of the Fair Employment and Housing Commission Regulations (Chapter 5, Title 2 of the California Administrative Code). By my signature on this proposal I further certify, under penalty of perjury under the laws of the State of California, that the Noncollusion Affidavit required by Public Contract Code Section 7106 is true and correct.

Date: \_\_\_\_\_



---

---

---

Signature and Title of Bidder

Business Address \_\_\_\_\_

Place of Business \_\_\_\_\_

Place of Residence \_\_\_\_\_

**STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION  
BIDDER'S BOND**

We, \_\_\_\_\_  
\_\_\_\_\_ as Principal, and  
\_\_\_\_\_

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee," in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

**THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:**

WHEREAS, the Principal is submitted to the Obligee, for \_\_\_\_\_  
(Copy here the exact description of work, including location, as it appears on the Proposal)

for which bids are to be opened at \_\_\_\_\_ on \_\_\_\_\_  
(Insert place where bids will be opened) (Insert date of bid opening)

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in conformance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Principal  
\_\_\_\_\_  
Surety  
By \_\_\_\_\_  
Attorney-in-fact

**CERTIFICATE OF ACKNOWLEDGEMENT**

State of California  
County of \_\_\_\_\_ SS

On this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_ before me  
\_\_\_\_\_, personally appeared \_\_\_\_\_,  
Attorney-in-fact

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument as the attorney-in-fact of \_\_\_\_\_, and acknowledged to me that he (she) subscribed the name of the said company thereto as surety, and his (her) own name as attorney-in-fact.

(SEAL)

\_\_\_\_\_  
Notary Public



**DVBE INFORMATION**  
**GOOD FAITH EFFORTS**

Low, second low and third low bidders shall submit the following information to demonstrate that a good faith effort to meet the DVBE goal has been made if their CALTRANS BIDDER - DVBE - INFORMATION form indicates that the DVBE goal will not be met.

Even if the bidder's CALTRANS BIDDER -DVBE - INFORMATION form indicates the DVBE goal will be met, bidders should submit the following information to protect their eligibility for award of the contract. This is important because the submittal of only the CALTRANS BIDDER - DVBE - INFORMATION form will not normally provide sufficient information to demonstrate that a good faith effort was made. A bidder may not meet the DVBE goal after the submittal is analyzed by Caltrans for various reasons, e.g., if the subcontractor submitted by the bidder was not certified on the date bids were opened, or if the bidder made a mathematical error.

The following items are listed in Section 2-1.02B of the Special Provisions:

- A. The Office of Small Business and DVBE Services, Department of General Services was contacted to identify DVBEs:

<u>Contact</u>	<u>Dates of Contact</u>
----------------	-------------------------

- B. The names and dates of advertisement in trade media and media focusing on DVBEs:

<u>Media</u>	<u>Dates of Advertisement</u>
--------------	-------------------------------

C. The names of all potential DVBEs to whom invitations to bid were submitted:

Names of DVBEs

Dates of Submittals

D. The names of all available DVBEs who were considered for this project:

Names of DVBEs Considered

NOTE:

- USE ADDITIONAL SHEETS OF PAPER IF NECESSARY. APPROPRIATE DOCUMENTATION SUCH AS COPIES OF NEWSPAPER ADS, LETTERS SOLICITING BIDS, AND TELEPHONE LOGS SHOULD ACCOMPANY THIS FORM.





STATE OF CALIFORNIA  
**DEPARTMENT OF TRANSPORTATION**  
CONTRACT NO. 04-0120L4

THIS AGREEMENT, made and concluded, in duplicate, \_\_\_\_\_, between the State of California, by the Department of Transportation thereof, party of the first part, and

Contractor, party of the second part.

**ARTICLE I.--WITNESSETH,**

That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the said party of the first part, and under the conditions expressed in the 2 bonds, bearing even date with these presents, and hereunto annexed, the said party of the second part agrees with the said party of the first part, at his own proper cost and expense, to do all the work and furnish all the materials, except such as are mentioned in the specifications to be furnished by said party of the first part, necessary to construct and complete in a good, workmanlike and substantial manner and to the satisfaction of the Department of Transportation, the work described in the special provisions and the project plans described below, including any addenda thereto, and also in conformance with the Department of Transportation Standard Plans, dated July 2004, the Standard Specifications, dated July 1999 and the Labor Surcharge and Equipment Rental Rates in effect on the date the work is accomplished, which said special provisions, project plans, Standard Plans, Standard Specifications, and Labor Surcharge and Equipment Rental Rates are hereby specially referred to and by such reference made a part hereof.

The special provisions for the work to be done are dated February 26, 2007 and are entitled:

**STATE OF CALIFORNIA; DEPARTMENT OF TRANSPORTATION; NOTICE TO CONTRACTORS AND SPECIAL PROVISIONS FOR CONSTRUCTION ON STATE HIGHWAY IN ALAMEDA COUNTY IN OAKLAND FROM 1.6 KM WEST OF THE TOLL PLAZA TO 0.3 KM WEST OF THE TOLL PLAZA**

The project plans for the work to be done were approved January 29, 2007 and are entitled:

**STATE OF CALIFORNIA; DEPARTMENT OF TRANSPORTATION; PROJECT PLANS FOR CONSTRUCTION ON STATE HIGHWAY IN ALAMEDA COUNTY IN OAKLAND FROM 1.6 KM WEST OF THE TOLL PLAZA TO 0.3 KM WEST OF THE TOLL PLAZA**

**ARTICLE II.--**

The said party of the first part hereby promises and agrees with the said Contractor to employ, and does hereby employ, the said Contractor to provide the materials and to do the work according to the terms and conditions herein contained and referred to, for the prices hereinafter set forth, and hereby contracts to pay the same at the time, in the manner and upon the conditions herein set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

**ARTICLE III.--**

The State general prevailing wage rates determined by the Director of Industrial Relations are hereby made a part of this contract. It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the bid or proposal of said Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

**ARTICLE IV.--**

By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self insurance in conformance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

**ARTICLE V.--**

And the said Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this agreement; also for all loss or damage, arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the Department of Transportation, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work and for well and faithfully completing the work, and the whole thereof, in the manner and according to the plans and specifications, and the requirements of the Engineer under them, to wit:

**ENGINEER'S ESTIMATE**

Item No.	Item Code	Item	Unit of Measure	Estimated Quantity	Unit Price (In Figures)	Item Total (In Figures)
		(Items in CONTRACT will be the same as those bid in PROPOSAL)				

IN WITNESS WHEREOF, The parties to these presents have here-unto set their hands the year and date first above written

STATE OF CALIFORNIA,  
DEPARTMENT OF TRANSPORTATION

Director of Transportation

By \_\_\_\_\_

Contractor

By \_\_\_\_\_

Licensed in conformance with an act providing for the registration of contractors,

License No. \_\_\_\_\_

Federal Employer Identification  
Number \_\_\_\_\_

Approved and certified as being in conformance with the requirements of the State Contract Act.

\_\_\_\_\_  
Attorney, Department of Transportation

Approved Effective \_\_\_\_\_

INFORMATION ONLY

NOT TO BE COMPLETED WITH BID