

DEPARTMENT OF TRANSPORTATION
DES-OE MS #43
1727 30TH Street, 2ND Floor
Sacramento, CA 95816



**** WARNING ** WARNING ** WARNING ** WARNING ****
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September 4, 2003

04-Son-116-38.9/40.9
04-131244
ACSTP-STPE-P116-(039)E

Addendum No. 2

Dear Contractor:

This addendum is being issued to the contract for construction on State highway in SONOMA COUNTY IN AND NEAR SEBASTOPOL FROM 0.32 KM EAST OF OCCIDENTAL ROAD TO 0.1 6 KM WEST OF HURLBUT AVENUE.

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 September 16, 2003. The original bid opening date was previously postponed indefinitely under Addendum No. 1 dated June 27, 2003.

This addendum is being issued to set a new bid opening date as shown herein and revise the Project Plans, the Notice to Contractors and Special Provisions, and the Proposal and Contract.

Project Plan Sheets 2, 3, 5, 8, 39, 40, 41, 43, 44, 45, 47, 48, 49, 50, 52, 53, 56, 57, 58, 59, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, and 76 are revised. Half-sized copies of the revised sheets are attached for substitution for the like-numbered sheets.

In the Special Provisions, Special Notices, "A+B BIDDING SPECIAL NOTICE" is added as follows:

"A+B BIDDING SPECIAL NOTICE

The bidder's attention is directed to Section 2, "Proposal Requirements and Conditions," Section 3, "Award and Execution of Contract," and Section 4, "Beginning of Work, Time of Completion and Liquidated Damages," in the special provisions. In addition to the item prices and totals, the proposal shall set forth the number of working days bid to complete the work on the contract. Bids will be compared on the basis of the sum of the item totals on the Engineer's Estimate for the work to be done (TOTAL BID (A)), plus the product of the number of working days bid to complete all work and the cost per day shown on the Engineer's Estimate (TOTAL BID (B)). The lowest bid will be determined on the basis of the "Total Basis for Comparison of Bids (A+B)" set forth in the Engineer's Estimate.

Bids in which the number of working days bid for completion of the work exceed the maximum number of days specified will be considered non-responsive and will be rejected."

In the Notice To Contractors, on page 2, the third paragraph is revised as follows:

"Cross sections for this project are available at the office of the District Director of Transportation of the district in which the work is situated in paper copy format."

Addendum No. 2
Page 2
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In the Special Provisions, Section 2, "PROPOSAL REQUIREMENTS AND CONDITIONS," Section 2-1.01, "GENERAL," is revised as attached.

In the Special Provisions, Section 3, "AWARD AND EXECUTION OF CONTRACT," the second 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. The award of the contract, if it be awarded, will be to the lowest responsible bidder whose proposal complies with all the requirements prescribed and who has met the goal for DBE participation or has demonstrated, to the satisfaction of the Department, adequate good faith efforts to do so. Meeting the goal for DBE participation or demonstrating, to the satisfaction of the Department, adequate good faith efforts to do so is a condition for being eligible for award of contract. 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 exceed **180** will be considered non-responsive and will be rejected."

In the Special Provisions, Section 4, "BEGINNING OF WORK, TIME OF COMPLETION AND LIQUIDATED DAMAGES," the section is replaced as attached.

In the PROPOSAL AND CONTRACT, pages one and two are replaced as attached.

In the Proposal and Contract, the Engineer's Estimate Items 55, 56, and 60 are revised as attached.

To Proposal and Contract book holders:

Replace page 5 and add page 7A of the Engineer's Estimate in the Proposal with the attached revised pages 5 and 7A of the Engineers Estimate. The revised Engineer's Estimate is to be used in the bid.

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 UPS overnight mail to Proposal and Contract book holders to ensure that each receives it.

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
Office Engineer

Attachments

2-1.01 GENERAL

The bidder's attention is directed to the provisions in Section 2, "Proposal Requirements and Conditions," of the Standard Specifications and these special provisions for the requirements and conditions which the bidder must observe in the preparation of the Proposal form and the submission of the bid.

In addition to the subcontractors required to be listed in conformance with Section 2-1.054, "Required Listing of Proposed Subcontractors," of the Standard Specifications, each proposal shall have listed therein the portion of work that will be performed by each subcontractor listed.

The proposal shall set forth the unit prices, item totals, TOTAL BID (A), the number of working days bid for completion of the work, the product of the working days bid and the cost per day shown on the Engineer's Estimate (TOTAL BID (B)), and the "Total Basis for Comparison of Bids (A+B)," in clearly legible figures, in the respective spaces provided, and shall be signed by the bidder, who shall fill out the blanks in the proposal form as therein required.

The Bidder's Bond form mentioned in the last paragraph in Section 2-1.07, "Proposal Guaranty," of the Standard Specifications will be found following the signature page of the Proposal.

The amount of the bidder's security required in Section 2-1.07, "Proposal Guaranty," of the Standard Specifications shall be based on the "TOTAL BID (A)" set forth on the proposal form.

Submit request for substitution of an "or equal" item, and the data substantiating the request to the Department of Transportation, Submit request for substitution of an "or equal" item, and the data substantiating the request to the Department of Transportation, 111 Grand Avenue, Oakland, California 94612, so that the request is received by the Department by close of business on the fourth day, not including Saturdays, Sundays and legal holidays, following bid opening.

In conformance with Public Contract Code Section 7106, a Noncollusion Affidavit is included in the Proposal. Signing the Proposal shall also constitute signature of the Noncollusion Affidavit.

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate. Each subcontract signed by the bidder must include this assurance.

SECTION 4. BEGINNING OF WORK, TIME OF COMPLETION AND LIQUIDATED DAMAGES

Attention is directed to the provisions in Section 8-1.03, "Beginning of Work," in Section 8-1.06, "Time of Completion," and in Section 8-1.07, "Liquidated Damages," of the Standard Specifications and these special provisions.

The Contractor shall furnish the Engineer with a statement from the vendor that the order for the electrical materials required for this contract has been received and accepted by the vendor; and the statement shall be furnished by March 1, 2004. The statements shall give the date that the electrical materials will be shipped. If the contractor has the necessary materials on hand, the Contractor will not be required to furnish the vendor's statement. The Contractor shall not begin work until the contract has been approved by the Attorney General, or the attorney appointed and authorized to represent the Department of Transportation. After the approval of the contract, the Contractor shall not begin any work which will alter the existing field conditions before March 1, 2004.

The work shall be diligently prosecuted to completion before the expiration of the **NUMBER OF WORKING DAYS BID** beginning on March 1, 2004.

The Contractor shall pay to the State of California the sum of \$ 5200 per day, for each and every calendar day's delay in finishing the work after expiration of the number of working days bid, until work requiring closure of lanes or shoulders on State Highway Route 116 is complete.

The Contractor shall pay to the State of California the sum of \$ 3700 per day, for each and every calendar day's delay in finishing the work after expiration of the number of working days bid, if no further lane or shoulder closures are required on State Highway Route 116 to complete the remaining work.

In no case will liquidated damages of more than \$ 5200 per day be assessed.

(BECAUSE SOME COLORED INKS WILL NOT REPRODUCE IN COPY MACHINES, PLEASE USE BLACK INK TO COMPLETE THIS PROPOSAL.)

(DO NOT DETACH)

PROPOSAL TO THE DEPARTMENT OF TRANSPORTATION

CONTRACT NO. 04-131244

NAME OF BIDDER _____

BUSINESS P.O. BOX _____

CITY, STATE, ZIP _____

BUSINESS STREET ADDRESS _____

(Please include even if P.O. Box used)

CITY, STATE, ZIP _____

TELEPHONE NO: **AREA CODE ()** _____

FAX NO: **AREA CODE ()** _____

CONTRACTOR LICENSE NO. _____

The work for which this proposal is submitted is for construction in conformance with the special provisions (including the payment of not less than the State general prevailing wage rates or the Federal minimum wage rates), the project plans described below, including any addenda thereto, the contract annexed hereto, and also in conformance with the Department of Transportation Standard Plans, dated July 1999, the Standard Specifications, dated July 1999, and the Labor Surcharge and Equipment Rental Rates in effect on the date the work is accomplished.

The special provisions for the work to be done are dated June 9, 2003 and are entitled:

STATE OF CALIFORNIA; DEPARTMENT OF TRANSPORTATION; NOTICE TO CONTRACTORS AND SPECIAL PROVISIONS FOR CONSTRUCTION ON STATE HIGHWAY IN SONOMA COUNTY IN AND NEAR SEBASTOPOL FROM 0.32 KM EAST OF OCCIDENTAL ROAD TO 0.1 6 KM WEST OF HURLBUT AVENUE

The project plans for the work to be done were approved May 12, 2003 and are entitled:

STATE OF CALIFORNIA; DEPARTMENT OF TRANSPORTATION; PROJECT PLANS FOR CONSTRUCTION ON STATE HIGHWAY IN IN SONOMA COUNTY IN AND NEAR SEBASTOPOL FROM 0.32 KM EAST OF OCCIDENTAL ROAD TO 0.1 6 KM WEST OF HURLBUT AVENUE

Bids are to be submitted for the entire work. The amount of the bid for comparison purposes will be the total of the following: the sum of the item totals; and, the product of the number of working days bid to complete the work and the cost per day shown on the proposal form. This amount shall be set forth as the "Total Basis for Comparison of Bids: (A) + (B)."

The bidder shall set forth for each unit basis item of work a unit price and a total for the item, and for each lump sum item a total for the item, all in clearly legible figures in the respective spaces provided for that purpose. In the case of unit basis items, the amount set forth under the "Item Total" column shall be the product of the unit price bid and the estimated quantity for the item.

In case of discrepancy between the unit price and the total set forth for a unit basis item, the unit price shall prevail, except as provided in A. or B., as follows:

- A. If the amount set forth as a unit price is unreadable or otherwise unclear, or is omitted, or is the same as the amount as the entry in the item total column, then the amount set forth in the item total column for the item shall prevail and shall be divided by the estimated quantity for the item and the price thus obtained shall be the unit price;
- B. (Decimal Errors) If the product of the entered unit price and the estimated quantity is exactly off by a factor of ten, one hundred, etc., or one-tenth, or one-hundredth, etc. from the entered total, the discrepancy will be resolved by using the entered unit price or item total, whichever most closely approximates percentagewise the unit price or item total in the Department's Final Estimate of cost.

The bidder shall also set forth the number of working days bid to complete the work and the product of the number of working days and the cost per day shown on the proposal form, in clearly legible figures in the respective spaces provided for that purpose. In the case of a discrepancy between the number of working days and the product, the number of working days shall prevail, except that if the number of working days is unreadable or otherwise unclear, or is omitted, or is the same amount as the entry for the product, then the amount set forth as the product shall prevail and shall be divided by the cost per day shown and the number thus obtained shall be the number of working days.

If both the unit price and the item total are unreadable or otherwise unclear, or are omitted, the bid may be deemed irregular. Likewise if the item total for a lump sum item is unreadable or otherwise unclear, or is omitted, the bid may be deemed irregular unless the project being bid has only a single item and a clear, readable total bid is provided.

Symbols such as commas and dollar signs will be ignored and have no mathematical significance in establishing any unit price or item total or lump sums. Written unit prices, item totals and lump sums will be interpreted according to the number of digits and, if applicable, decimal placement. Cents symbols also have no significance in establishing any unit price or item total since all figures are assumed to be expressed in dollars and/or decimal fractions of a dollar. Bids on lump sum items shall be item totals only; if any unit price for a lump sum item is included in a bid and it differs from the item total, the items total shall prevail.

The foregoing provisions for the resolution of specific irregularities cannot be so comprehensive as to cover every omission, inconsistency, error or other irregularity which may occur in a bid. Any situation not specifically provided for will be determined in the discretion of the Department, and that discretion will be exercised in the manner deemed by the Department to best protect the public interest in the prompt and economical completion of the work. The decision of the Department respecting the amount of a bid, or the existence or treatment of an irregularity in a bid, shall be final.

If this proposal shall be accepted and the undersigned shall fail to execute the contract and return it, together with the contract bonds, to the Department of Transportation so that it is received within 10 days, not including Saturdays, Sundays and legal holidays, after the bidder has received the contract for execution, the Department of Transportation may, at its option, determine that the bidder has abandoned the contract, and thereupon this proposal and the acceptance thereof shall be null and void and the forfeiture of the security accompanying this proposal shall operate and the same shall be the property of the State of California.

The undersigned, as bidder, declares that the only persons or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm, or corporation; that he has carefully examined the location of the proposed work, the annexed proposed form of contract, and the plans therein referred to; and he proposes, and agrees if this proposal is accepted, that he will contract with the State of California, in the form of the copy of the contract annexed hereto, to provide all necessary machinery, tools, apparatus and other means of construction, and to do all the work and furnish all the materials specified in the contract, in the manner and time therein prescribed, and according to the requirements of the Engineer as therein set forth, and that he will take in full payment therefor the following prices, to wit:

ENGINEER'S ESTIMATE

04-131244

Item	Item Code	Item	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	198001	IMPORTED BORROW	M3	2500		
42	198007	IMPORTED MATERIAL (SHOULDER BACKING)	M3	1230		
43 (S)	031470	EROSION CONTROL NETTING	M2	2200		
44 (S)	203003	STRAW (EROSION CONTROL)	TONN	12		
45 (S)	203014	FIBER (EROSION CONTROL)	KG	6100		
46	074037	MOVE-IN/MOVE-OUT (TEMPORARY EROSION CONTROL)	EA	1		
47 (S)	203024	COMPOST (EROSION CONTROL)	KG	8100		
48	203026	MOVE-IN/MOVE-OUT (EROSION CONTROL)	EA	1		
49 (S)	203045	PURE LIVE SEED (EROSION CONTROL)	KG	360		
50 (S)	203056	COMMERCIAL FERTILIZER (EROSION CONTROL)	KG	890		
51 (S)	203061	STABILIZING EMULSION (EROSION CONTROL)	KG	600		
52	220101	FINISHING ROADWAY	LS	LUMP SUM	LUMP SUM	
53	250401	CLASS 4 AGGREGATE SUBBASE	M3	78		
54	374206	SEAL RANDOM CRACKS	LS	LUMP SUM	LUMP SUM	
55	390102	ASPHALT CONCRETE (TYPE A)	TONN	20 000		
56	390107	ASPHALT CONCRETE (LEVELING)	TONN	3500		
57	394040	PLACE ASPHALT CONCRETE DIKE (TYPE A)	M	480		
58	394048	PLACE ASPHALT CONCRETE DIKE (TYPE E)	M	31		
59	394049	PLACE ASPHALT CONCRETE DIKE (TYPE F)	M	12		
60	397001	ASPHALTIC EMULSION (PAINT BINDER)	TONN	20		

