

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

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*Serious Drought.
Help save water!*

September 19, 2014

04-SCI-09-4.2

04-4S0504

Project ID 0400001202

STP-S009(018)E

Addendum No. 1

Dear Contractor:

This addendum is being issued to the contract for CONSTRUCTION ON STATE HIGHWAY IN SANTA CLARA COUNTY NEAR SARATOGA AT 0.8 MILE WEST OF SANBORN ROAD.

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 Wednesday, October 1, 2014.

This addendum is being issued to revise the project plans, the *Notice to Bidders and Special Provisions*, *Information Handout*, and the Federal Minimum Wages with Modification Number 22 dated 09/05/2014.

Project plan sheets 20, 21, and 24 are replaced and attached for substitution for the like-numbered sheets.

In the Special Provisions, Section 8-1.04C, is replaced as attached.

In the Special Provisions, Section 10, is replaced as attached.

In the Special Provisions, Section 14-6.02, is added as attached.

In the Special Provisions, Section 14-6.06, is added as attached.

The *Information Handout* "United States Army Corps of Engineers, Non-Reporting Nationwide 404" is replaced as attached.

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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*.

Submit the *Bid* book as described in the *Electronic Bidding Guide* at the Bidders' Exchange website.

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

Inform subcontractors and suppliers as necessary.

This addendum, EBS addendum file, attachments and the modified wage rates are available for the Contractors' download on the Web site:

http://www.dot.ca.gov/hq/esc/oe/project_ads_addenda/04/04-4S0504

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 blue ink, appearing to read "Bijan Sartipi".

BIJAN SARTIPI
District Director

Attachments

Replace "Reserved" in section 8-1.04C with:

Section 8-1.04B does not apply.

Start job site activities within 55 days after receiving notice that the Contract has been approved by the Attorney General or the attorney appointed and authorized to represent the Department.

Do not start job site activities until the Department authorizes or accepts your submittal for:

- .1 WPCP or SWPPP, whichever applies
- .2 SSSPC QP certifications

You may enter the job site only to measure controlling field dimensions and locate utilities.

Do not start other job site activities until all the submittals from the above list are authorized or accepted and the following information is received by the Engineer:

1. *Notice of Materials To Be Used* form.
- .2. Written statement from the vendor that the order for structural steel has been received and accepted by the vendor. The statement must show the dates that the materials will be shipped.

You may start job site activities before the 55th day after Contract approval if you:

1. Obtain specified authorization or acceptance for each submittal before the 55th day
2. Receive authorization to start

Submit a notice 72 hours before starting job site activities. If the project has more than 1 location of work, submit a separate notice for each location.

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10 GENERAL

Replace "Reserved" in section 10-1.03 of the RSS for section 10-1 with:

You may work from April 15, to October 15, of any year, except:

1. Removing trees prior to February 15, 2015.
2. On northbound from Station 15+00 to Station 16+00 , don't work outside pavement prior to May,15.

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REPLACED PER ADDENDUM NO. 1 DATED SEPTEMBER 19, 2014

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Replace section 14-6.02 with:

14-6.02 SPECIES PROTECTION

14-6.02A General

Section 14-6.02 includes specifications for protecting regulated species or their habitat.

This project is within or near habitat for regulated species shown in the following table:

Species Name
California red-legged frog.

14-6.02B Material

Not Used

14-6.02C Construction

14-6.02C(1) General

Not Used

14-6.02C(2) Protective Radius

Upon discovery of a regulated species, stop construction activities within a 50 Feet radius of the discovery or as defined in the table below. Immediately notify the Engineer. Do not resume activities until receiving notification from the Engineer.

14-6.02C(5) Protection Measures

Within species protection area 1, implement the following protection measures:

1. To minimize adverse impacts to fish and wildlife all work within the bed, bank, channel, and associated riparian habitat shall be confined to the period of May 15 to October 15. Revegetation work is not confined to this time period.
2. Construction actions will be scheduled to minimize effects on listed species and habitats. Except for limited vegetation clearing necessary to minimize effects to nesting birds, work will be conducted between April 15 and October 15 in all vegetated areas.
3. No trees within CDFW 1602 jurisdiction will be removed.
4. If Project activities will occur between February 15 and September 1, a Qualified Biologist shall conduct pre-construction surveys for nesting birds no more than one week prior to construction. Surveys shall consist of multiple days of observations. If nests are found the Qualified Biologist shall establish an appropriate buffer to be in compliance with Migratory Bird Treaty Act (MBTA) and Fish and Game Code 3503. The Qualified Biologist shall perform at least two hours of pre-construction monitoring of

the nest to characterize "typical" bird behavior. The Qualified Biologist shall monitor the nesting birds and shall increase the buffer if the Qualified Biologist determines the birds are showing signs of unusual or distressed behavior by Project activities. Atypical nesting behaviors which may cause reproductive harm include, but are not limited to, defensive flights/vocalizations directed towards Project personnel, standing up from a brooding position, and flying away from the nest. The Qualified Biologist shall have authority, through the Resident Engineer, to order the cessation of all Project activities if the nesting birds exhibit atypical behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established. To prevent encroachment, the established buffer(s) shall be clearly marked by high visibility material. The established buffer(s) shall remain in effect until the young have fledged or the nest has been abandoned as confirmed by the Qualified Biologist. Any sign of nest abandonment shall be reported to CDFW within 48 hours.

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5. Prior to the start of construction, a qualified biologist will conduct an educational training program for all construction personnel including contractors and subcontractors.

6.A Qualified Biologist shall conduct Pre-construction surveys immediately prior to the initiation of any ground disturbing activities within or adjacent to suitable California red-legged frog (CRLF) habitat. These surveys will comprise walking transects while conducting visual encounter surveys within areas that will be subject to staging, vegetation clearing, grubbing, grading, cut and fill, or other ground disturbing activities. All mammal burrows shall be inspected for signs of CRLF usage to the maximum extent practicable.

7. A Qualified Biologist shall be present onsite to monitor for CRLF during construction activities located within suitable CRLF habitat. Through communication with the Resident Engineer, a Qualified Biologist may stop work if deemed necessary for any reason to protect CRLF and will advise the Resident Engineer on how to proceed accordingly. A Qualified Biologist will conduct clearance surveys at the beginning of each day within or adjacent to suitable CRLF and habitat and regularly throughout the workday when construction is occurring within or adjacent to suitable CRLF. If CRLF are encountered in the action area, work within 50 feet of the animal will cease immediately and the Resident Engineer and a United States Fish and Wildlife Service (USFWS)/DFG-approved biologist will be notified. At no time shall work occur within 50 feet of a CRLF without a Qualified Biologist present.

8. Prior to handling and relocation, a USFWS/CDFW-approved Qualified Biologist will take precaution to prevent introduction of amphibian diseases in accordance with the Revised Guidance on Site Assessments and Field Surveys for the California Redlegged Frog (USFWS 2005). CRLF will be captured by hand, dipnet, or other USFWS approved methodology, transported by hand, dipnet or temporary holding container, and release as soon as practicable the same day of capture. Handling of CRLF will be minimized to the maximum extent practicable. Holding/transporting containers and dipnets will be thoroughly cleaned and disinfected and will be rinsed with freshwater onsite immediately prior to usage unless doing so would result in the injury or death of the animal due to the time delay. CRLF will be relocated to the nearest suitable habitat outside of the area where actions would not result in harm or harassment. The individual(s) will be released within suitable habitat in the Caltrans right-of-way or another property acceptable to the property owner, and the USFWS and CDFW will be notified. If suitable habitat cannot be identified, the USFWS and CDFW shall be contacted to determine an acceptable alternative.

9. To prevent inadvertent entrapment of CRLF, or other animals during construction, all excavated, steep-walled holes or trenches more than 2 feet deep will be covered with plywood or similar materials at the end of each workday or the holes or trenches will contain one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals.

10.To the extent practicable, Permittee shall leave the root masses of removed trees and shrubs in place. Disturbance or removal of vegetation shall not exceed the minimum necessary to complete operations.

11.All slopes or unpaved areas temporarily affected will be restored to pre-project conditions to the maximum extent practicable. Slopes and bare ground will be reseeded with native grasses and shrubs to stabilize and prevent erosion. Hydroseed mixes shall not contain exotic plant species. Prohibited exotic plant species include those identified in the California Exotic Pest Plant Council's database, which is accessible at: <http://www.cal-ipc.org/ip/inventory/weedlist.php>.

12.Permittee shall comply with all applicable state and federal laws, including the California and Federal Endangered Species Act. This Agreement does not authorize the take of any state or federally endangered listed species. Liability for any take or incidental take of such species remains the responsibility of the Permittee for the duration of the project. Any unauthorized take of listed species may result in prosecution and nullification of the Agreement.

13. If any wildlife is encountered during the course of project activities, said wildlife shall be allowed to leave the area unharmed and on their own volition.

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14. The perimeter of the work site shall be adequately fenced using high visibility Environmentally Sensitive Area (ESA) fencing to prevent damage to adjacent riparian habitat. No construction activities, within the riparian zone, will be allowed within the habitat protected by the ESA fencing. ESA fencing shall be inspected and maintained daily.

15. Prior to the start of construction, Wildlife Exclusion Fencing (WEF) shall be installed and maintained daily along the project footprint in all areas where sensitive species could enter the work site. The location of the WEF will be determined by the Resident Engineer, in consultation with a Qualified Biologist based on habitat suitability. The final project plans will show where and how the WEF will be installed. The bid solicitation package special provisions will clearly describe acceptable fencing material and proper WEF installation and maintenance.

16. Permittee shall conduct work defined in the above project description, and within the project area, during periods of dry weather. The project area is defined as the bed, bank, channel, and associated riparian habitat. The Permittee shall monitor forecasted precipitation. When 1/2 inch or more of precipitation is forecasted to occur, the Permittee shall stop work before precipitation commences. No activity of the project may be started if its associated erosion control measures cannot be completed prior to the onset of precipitation. After any storm event, the Permittee shall inspect all sites currently under construction and all sites scheduled to begin construction within the next 72 hours for erosion and sediment problems and take corrective action as needed. Seventy-two hour weather forecasts from National Weather Service shall be consulted and work shall not start back up until runoff ceases and there is less than a 30% forecast for precipitation for the following 24-hour period.

17. Permittee shall utilize erosion control measures throughout all phases of operation where sediment runoff from exposed slopes threatens to enter waterways. At no time shall silt laden runoff be allowed to enter the stream or directed to where it may enter the stream. Erosion control installations shall be monitored for effectiveness and shall be repaired or replaced as recommended by a Water Quality Monitor to the Resident Engineer or designated representative. As needed to prevent sediment transport, Permittee shall deploy soil stabilizer such as hydroseeding, netting, erosion control mats, mulch, fiber rolls, silt fences, check dams, and flow velocity dissipation devices. Permittee shall stabilize and equip construction site entrances and exits with tire washing capability. Materials containing monofilament or plastic shall not be used. Erosion and sediment control measures shall be installed prior to unseasonable rain storms.

18. Staging and storage areas for equipment, materials, fuels, lubricants and solvents, shall be located outside of the creek channel and banks. Stationary equipment such as motors, pumps, generators, compressors and welders, located within or adjacent to the creek shall be positioned over drip pans. Any equipment or vehicles driven and/or operated above or adjacent to the stream must be checked and maintained daily, to prevent leaks of materials that if introduced to water could be deleterious to aquatic life.

19. Refueling of mobile construction equipment and vehicles shall not occur within 50 feet of any water body, or anywhere that spilled fuel could drain to a water body. Refueling of stationary equipment requiring breakdown and setup to move will remain in place. All equipment shall be refueled with appropriate drip pans, absorbent pads, and water quality Best Management Practices. Equipment and vehicles operating in the project area shall be checked and maintained daily to prevent leaks of fuels, lubricants, or other liquids.

20. No discharge of pollutants from vehicle and equipment cleaning is allowed into any storm drains or watercourses.

21. Vehicle and equipment fueling and maintenance operations must be at least 50 feet away from watercourses, except at established commercial gas stations or established vehicle maintenance facilities.

22. Concrete wastes are collected in washouts and water from curing operations is collected and disposed. Neither will be allowed into watercourses.

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23. Spill containment kits will be maintained onsite at all times during construction operations and/ or staging or fueling of equipment.
24. Dust control measures will include use of water trucks and dust palliatives to control dust in excavation-and-fill areas, covering temporary access road entrances and exits with rock (rocking), and covering of temporary stockpiles when weather conditions require.
25. Coir rolls or straw wattles that do not contain plastic or synthetic monofilament netting will be installed along or at the base of slopes during construction to capture sediment.
26. Protection of graded areas from erosion using a combination of silt fences, fiber rolls, etc. along toes of slopes or along edges of designated staging areas, and erosion control netting (such as jute or coir) as appropriate on sloped areas. Erosion control materials that use plastic or synthetic monofilament netting will not be used within the action area. This includes products that use photodegradable or biodegradable synthetic netting, which can take several months to decompose. Acceptable materials include natural fibers such as jute, coconut, twine or other similar fibers.
27. Permanent erosion control measures such as bio-filtration strips and swales to receive storm water discharges from the highway, or other impervious surfaces will be incorporated to the maximum extent practicable.
28. All grindings and asphaltic-concrete waste will be stored within previously disturbed areas absent of habitat and at a minimum of 50 feet from any aquatic habitat, culvert, or drainage feature.
29. A speed limit of 15 miles per hour in the project footprint in unpaved areas will be enforced to reduce dust and excessive soil disturbance.
30. Construction access, staging, storage, parking areas, and temporary construction easements will be located within the project Caltrans ROW outside of any designated ESA. Access routes and the number and size of staging and work areas will be limited to the minimum necessary to construct the proposed project and will be limited to existing paved surfaces. Routes and boundaries of roadwork will be clearly marked prior to initiating construction or grading.
31. Routes and boundaries of roadwork will be clearly marked prior to initiating construction or grading.
32. To the maximum extent practicable, any borrow material will be certified to be nontoxic and weed free.
33. All food and food-related trash items will be enclosed in sealed trash containers and properly disposed of off-site.
34. No pets from project personnel will be allowed anywhere in the action area during construction.
35. No firearms will be allowed on the project site except for those carried by authorized security personnel, or local, State or Federal law enforcement officials.
36. A Spill Response Plan will be prepared. Hazardous materials such as fuels, oils, solvents, etc. will be stored in sealable containers in a designated location that is at least 100 feet from hydrologic features.
37. All equipment will be properly maintained and free of leaks. Servicing of vehicles and construction equipment including fueling, cleaning, and maintenance will occur at least 100 feet from any hydrologic features unless it is an existing gas station.

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38. Any vegetation that is within the cut and fill line or growing in locations where permanent structures will be placed (e.g., road alignment, shoulder widening, soil nail walls, etc.) will be cleared. Vegetation will be cleared only where necessary and will be cut above soil level except in areas that will be excavated for roadway construction. This will allow plants that reproduce vegetatively to resprout after construction. All clearing and grubbing of woody vegetation will occur by hand or using light construction equipment such as backhoes. If clearing and grubbing occurs between February 1 and August 31, a qualified biologist(s) will survey for nesting birds within the area(s) to be disturbed including a perimeter buffer of 100 feet for passerines and 300 feet for raptors before clearing activities begin. All nest avoidance requirements of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503 and 3503.5 will be observed. All cleared vegetation will be removed from the project footprint to prevent attracting animals to the project site. The contractor will be responsible for obtaining all permits, licenses, and environmental clearances for properly disposing of such materials. A Service-approved biologist will be present during all vegetation clearing and grubbing activities. Prior to vegetation removal, the Service-approved biologist shall thoroughly survey the area for California red-legged frogs. Once the Service-approved biologist has thoroughly surveyed the area, clearing and grubbing may continue without further restrictions on equipment; however, the Service-approved biologist shall remain onsite to monitor for California red-legged frogs until all clearing and grubbing activities are complete. After project completion, all temporarily affected areas shall be returned to original grade and contours to the maximum extent practicable, protected with proper erosion control materials, and revegetated with native species appropriate for the region and habitat communities on site.

39. To reduce the spread of invasive non-native plant species and minimize the potential decrease of palatable vegetation for wildlife species, Caltrans will comply with Executive Order 13112. This order is provided to prevent the introduction of invasive species and provide for their control in order to minimize the economic, ecological, and human health impacts. In the event that high- or medium-priority noxious weeds, as defined by the California Department of Food and Agriculture or the California Invasive Plant Council, are disturbed or removed during construction-related activities, the contractor will contain the plant material associated with these noxious weeds and dispose of it in a manner that will not promote the spread of the species. The contractor will be responsible for obtaining all permits, licenses, and environmental clearances for properly disposing of materials. Areas subject to noxious weed removal or disturbance will be replanted with fast-growing native grasses or a native erosion control seed mixture. If seeding is not possible, the area should be covered to the extent practicable with heavy black plastic solarization material until the end of the project.

40. All slopes or unpaved areas that are temporarily affected by the proposed action will be restored to pre-project conditions or better to the maximum extent practicable. Slopes and bare ground will be treated with tackified mulch to stabilize and prevent erosion. The site would be allowed to re-vegetate naturally. Temporary effects comprise areas denuded, manipulated, or otherwise modified from their existing, pre-project conditions, thereby removing one or more essential components of a listed species' habitat as a result of project activities that include, but are not limited to, construction, staging, storage, lay down, vehicle access, parking, etc. Temporary effects must be restored to baseline habitat values or better within one year following initial disturbance. Areas subject to ongoing operations and maintenance are not considered temporary even if they are restored within one year following initial disturbance. Affected areas not fulfilling these criteria are considered permanent.

14-6.02D Payment

Not Used

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Replace section 14-6.06 with:

14-6.06 SPECIES PROTECTION AREA

14-6.06A General

14-6.06A(1) Summary

Section 14-6.06 includes specifications for areas that have species protection requirements.

Species protection areas (SPAs) within the project limits are shown:

Species Protection Areas	
Identification	Location
SPA 1	Entire project Footprint.

14-6.06B Materials

Not Used

14-6.06C Construction

Not Used

14-6.06D Payment

Not Used

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