

DEPARTMENT OF TRANSPORTATION

ESC/OE MS #43
1727 30TH Street, 2ND Floor
Sacramento, CA 95816



May 25, 2000

05-Mon-1-40.4/46.9
05-0A9704

Addendum No. 1

Dear Contractor:

This addendum is being issued to the contract for construction on State highway in MONTEREY COUNTY NEAR LUCIA FROM 1.2 km SOUTH OF VICENTE CREEK BRIDGE TO 1.5 km NORTH OF BIG CREEK BRIDGE.

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 6, 2000.

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

In the Special Provisions, Section 4, "Beginning of Work, Time of Completion and Liquidated Damages," is replaced by the attached Section 4.

To Proposal and Contract book holders:

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 confirmed facsimile to all 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

NICK YAMBAO, Chief
Office of Plans, Specifications & Estimates
Division of Office Engineer

Attachment

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.

After the contract has been approved by the Attorney General or the attorney appointed and authorized to represent the Department of Transportation, the Contractor shall begin work within 15 calendar days after approval of the contract, or within 5°calendar days after the State of California 2000/2001 Fiscal Year Budget Act becomes law, or on September 5, 2000, whichever occurs later.

No work shall be performed on this project before September 5, 2000.

If the 2000/2001 Fiscal Year Budget Act does not become law by September 5, 2000, the Contractor may elect to terminate the contract at no cost to the State. This election to terminate will not prejudice the Contractor's performance and payment securities or its rights to participate in future bidding for the project. If the Contractor elects to terminate the contract as provided, notification of the termination shall be submitted by U.S. Postal Service certified mail, with return receipt and certificate of mailing, to the Department of Transportation, Division of Office Engineer, (MS 43), 1727 30th Street, Sacramento, CA 95816, and postmarked before the effective date the 2000/2001 Fiscal Year Budget Act becomes law.

This work shall be diligently prosecuted to completion before the expiration of **25°WORKING DAYS** beginning on the later of "A", "B" or "C" as follows:

- A. September 5, 2000 if the 2000/2001 Fiscal Year Budget Act becomes law before September 5, 2000, and the contract has been approved by the Attorney General or the attorney appointed and authorized to represent the Department of Transportation; or
- B. the fifth calendar day after the 2000/2001 Fiscal Year Budget Act becomes law on or after September 5, 2000, and the contract has been approved by the Attorney General or the attorney appointed and authorized to represent the Department of Transportation; or
- C. beginning on the fifteenth calendar day after the contract has been approved by the Attorney General or the attorney appointed and authorized to represent the Department of Transportation.

The Contractor shall pay to the State of California the sum of \$400 per day, for each and every calendar day's delay in finishing the work in excess of the number of working days prescribed above.

Work performed in conformance with the contract after September 5, 2000, will be considered authorized work and will be paid for as provided in the contract when the 2000/2001 Fiscal Year Budget Act becomes law and the contract is approved.

The Department will notify the Contractor when the 2000/2001 Fiscal Year Budget Act becomes law.