

**DEPARTMENT OF TRANSPORTATION**

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February 27, 2003

08-SBd-15-R120.6/R199.5  
08-4567V4  
ACIM-015-1(218)178E

Addendum No. 2

Dear Contractor:

This addendum is being issued to the contract for construction on State highway in SAN BERNARDINO COUNTY IN AND NEAR BARSTOW AND YERMO FROM EAST MAIN STREET OVERCROSSING TO 0.32 KM SOUTH OF RASOR 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 March 18, 2004. The original bid opening date was previously postponed indefinitely under Addendum No. 1 dated August 5, 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, the Proposal and Contract and the Federal Minimum Wages with Modification Number 1 dated 1-30-04.

Project Plan Sheets 2, 95, 106 and 120 are revised. Half-sized copies of the revised sheets are attached for substitution for the like-numbered sheets.

In the Special Provisions, Section 5-1.17, "BORROW, DISPOSAL AND MATERIAL SITES," is revised as attached.

In the Special Provisions, Section 5-1.18, "ENDANGERED SPECIES PROTECTION," is revised as attached.

In the Special Provisions, Section 10-1.015, "COOPERATION," is added, as attached.

In the Special Provisions, Section 10-1.14, "TEMPORARY PAVEMENT DELINEATION," the following paragraph is added before subsection "TEMPORARY PAVEMENT MARKERS":

**"TEMPORARY TRAFFIC STRIPE (PAINT)**

Temporary traffic stripe consisting of painted traffic stripe shall be applied and maintained at the locations shown on the plans. The painted temporary traffic stripe shall be complete in place at the location shown prior to opening the traveled way to public traffic. Temporary painted traffic stripe shall conform to the provisions in Section 84-3, "Painted Traffic Stripes And Pavement Markings," of the Standard Specifications, except for payment. "

In the Special Provisions, Section 10-1.14, "TEMPORARY PAVEMENT DELINEATION," the following paragraph is added after the first paragraph of subsection "MEASUREMENT AND PAYMENT":

"Full compensation for removing temporary pavement delineation paint when no longer required shall be considered as included in the contract unit price paid for temporary traffic stripe paint and no separate pavement will be made therefore."

In the Special Provisions, Section 10-1.19, "TEMPORARY TRAFFIC SCREEN," is deleted.

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In the Special Provisions, Section 10-1.20, "EXISTING HIGHWAY FACILITIES," subsection "COLD PLANE ASPHALT CONCRETE PAVEMENT," the following sentence is added after the first sentence of the sixth paragraph:

"All cold planed surfacing shall be paved prior to opening to public traffic in conformance with "MAINTAINING TRAFFIC" of these special provisions Section 10-1-10."

In the Special Provisions, Section 10-1.20, "EXISTING HIGHWAY FACILITIES," in subsection "COLD PLANE ASPHALT CONCRETE PAVEMENT," the seventh paragraph is deleted.

In the Special Provisions, Section 10-1.21, "CLEARING AND GRUBBING," the third paragraph is revised as follows:

"At locations where there is no grading adjacent to a bridge or other structure, clearing and grubbing of vegetation shall be limited to 1.0m outside the physical limits of the bridge or structure."

In the Proposal and Contract, the Engineer's Estimate, item no. 13 is deleted as attached.

To Proposal and Contract book holders:

Replace page 3 of the Engineer's Estimate in the Proposal with the attached revised page 3 of the Engineer's 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 all book holders to ensure that each receives it. A copy of this addendum and the modified wage rates are 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  
Office Engineer

Attachments

**10-1.015 COOPERATION**

It is anticipated that work by other contractors (Contract No. 08-476104) to Build a Truck Climbing Lane in San Bernardino County near Baker on Route 15 from 5.9 Km North of Afton Road OC to 2.3 Km South of Basin Road OC (KP 185.50 to KP 191.52) , (Contract No. 08-0C0404) to Regrade the Median to 1:10 slope or flatter in San Bernardino County on Route 15 from East of Yermo Overcrossing to Nevada State line at various locations (KP 139.01 to KP299.72) and (Contract No. 08-1A9104) to re-grade the existing median cross slope to 1:10 or flatter and install thrie beam barrier in the median in San Bernardino County in and near the city of Barstow on Route 15 from Muriel Avenue OC to 0.5 Km North of Soap Mine Road UC (KP 119.33 to KP 122.86) and from 0.1 Km South of Calico Ditch to East Yermo OC (KP 130.14 to KP R139.01) may be in progress within the limits of this project during progress of the work on this contract.

### **5-1.17 BORROW, DISPOSAL AND MATERIAL SITES**

The operation of a borrow or disposal site used by the Contractor to produce or dispose of material for this project shall comply with the requirements in the Standard Specifications and these special provisions. Provisions for water pollution, air pollution, and sound control that apply within the limits of the contract shall apply to borrow or disposal sites utilized by the Contractor.

Temporary haul roads shall be surfaced or watered and otherwise maintained so that no dust nuisance is created, in conformance with the provisions in Section 10, "Dust Control," of the Standard Specifications. Operations at the site shall be confined to as small an area as is practicable. Vegetation, desert crust, and other natural features outside the operating area shall be protected from damage by the Contractor's operations.

The sites and haul roads shall be graded and treated so that, at the time of final inspection of the contract, the site and haul roads will drain, will blend with the surrounding terrain, and will not provide a potential source of blowing dust or other pollution greater than their original potential, as determined by the Engineer. The number of working days allowed for this project includes time to remove equipment, if required, and to restore the borrow site to its natural condition. No additional time will be allowed therefor.

If the Contractor obtains the necessary permits for borrow, disposal or material sites from the city or county having jurisdiction or from the appropriate pollution control boards and such permits contain requirements which conflict with the requirements in the second, third and fourth paragraphs of this section, the requirements of the permits shall govern over the conflicting requirements of this section.

The Contractor shall comply with the Endangered Species Protection Act in performance of the work necessary for project completion outside of the Interstate 15 project right-of-way.

The Contractor shall provide evidence of compliance prior to accepting or receiving materials or goods produced from outside of the right-of-way or through the use of facilities located outside of the right-of-way, including but not limited to, non-commercial batch plants, haul roads, quarries and similar operations.

The Contractor shall demonstrate compliance with the "Endangered Species Protection Act" by providing any one of the following to the Engineer:

- (1) A letter of compliance from the "United States Fish and Wildlife Service".
- (2) A section 10(a)(1)(B) incidental take permit or
- (3) A biological opinion issued by the "United States Fish and Wildlife Service" to a federal agency having jurisdiction over the area outside of the project right-of-way in which the materials or goods were produced or facilities located.

Copies of the compliance documents will be maintained at the worksite by the Engineer.

Full compensation for complying with the requirements for borrow, disposal, and material sites in this section shall be considered as included in the prices paid for the contract items of work which require the use of the sites and no additional compensation will be allowed therefor.

## 5-1.18 ENDANGERED SPECIES PROTECTION

**APPLICABLE LAWS (Tortoise);**--The Federal Endangered Species Act of 1973 (16 U.S.C. 1531-1543) and The California Endangered Species Act.

**TORTOISE HABITAT;**--This project area is within or near identified Desert Tortoise (*Gopherus agassizii*) range/habitat. The Desert Tortoise is under the protection of both the Federal and State Endangered Species Acts. The range/habitat includes areas within the State (Caltrans) Transportation Right of Way.

**MOHAVE GROUND SQUIRREL;--(When applicable);** This area may also be suitable range/habitat for the Mohave Ground Squirrel, (MGS) (*Spermophilus mohavensis*) which is under the protection of the California Endangered Species Act. The range/habitat includes areas within the State (Caltrans) Transportation Right of Way.

**VIOLATIONS AND LEGAL CONSEQUENCES (Tortoise);**--Section 9 of the Federal Endangered Species Act prohibits the "Take" of listed species without special exemption. "Take" is defined as harassing, harming, pursuing, hunting, shooting, wounding, killing, capturing, collecting, or attempting to engage in any such conduct. Penalties for any of the above listed actions include: (1.) Possible fines up to \$50,000, and/or (2.) Possible imprisonment up to one year.

**TRAINING PROGRAM REQUIREMENTS (Tortoise);**--The Contractor shall be responsible for providing information and training to all employees, subcontractors, and the Contractor's representatives on the project site in connection with Contractor's work activities. This includes laborers, tradesmen, material suppliers, equipment maintenance personnel, supervisors, foremen, office personnel, food vendors and all other non-State personnel.

**TORTOISE TRAINING BROCHURE;**--A California Department of Transportation information brochure entitled "Protection of the Desert Tortoise During Limited Scope Projects" has been prepared to assist the Contractor in fulfilling the training requirements. A copy of this brochure is included in the bid package and is available from the Engineer, or the Office of the District Director of Transportation, located at 464 West Fourth Street, San Bernardino, California, for the Contractor to reproduce and distribute.

**TORTOISE MONITOR;**--The Contractor shall retain, and have available, the services of a qualified biologist approved by the United States Fish and Wildlife Service (FWS). Written proof of said FWS qualifications shall be submitted to the Caltrans District 08 Biological Studies Unit prior to the commencement of field operations. Said biologist shall perform on-site monitoring and all tortoise handling activities that may be required.

**TEMPORARY TORTOISE FENCING;--(When required);** Temporary tortoise fencing will be placed around water tanks, staging and storage areas, and batch plants that occur in desert tortoise habitat. The tortoise fencing shall be installed immediately following the pre-construction tortoise sweep or in the accompaniment of the qualified biologist and prior to the commencement of on-site work. A qualified biologist shall accompany the fence installers during installation and have the authority Temporary tortoise fencing will be placed around water tanks, staging and storage areas, and batch plants that occur to temporarily delay or redirect work to avoid harm to any tortoise.

**FENCE MAINTENANCE;**--The contractor shall maintain and repair all tortoise fences during the life of the contract. This work shall include trash removal, sediment buildup removal, re-securing the ground apron, hole filling or any other corrective action to maintain the integrity and functionality of the fence as directed by the engineer within 72 hours of detection.

**TORTOISE REPORTING;**--The Contractor shall report immediately all sightings of, or encounters with, any tortoise within the project limits to the Engineer or his/her specified Caltrans biological coordinator. If a tortoise enters the work area or is unearthed during excavation operations, that work shall immediately cease until the animal(s) is/are removed to safety. In no case shall any unauthorized person handle or otherwise move or disturb the tortoise.

**TORTOISE HANDLING;**--Tortoises shall be purposefully handled or moved only by a qualified biologist approved by the USFWS and the CDFG and acting in behalf of those agencies or the State as authorized agents for the Federal Highway Administration. Tortoise handling shall be accomplished only in accordance with the procedures established by the USFWS and CDFG.

**LITTER CONTROL PROGRAM;**--A litter (trash) control program shall be placed in effect on this project by the Contractor. Closeable trash containers shall be provided in appropriate locations, as approved by the Engineer, for the use of project personnel. These trash containers shall be kept closed at all times and routinely serviced to remove trash from the project site. The Contractor shall require that all personnel use these containers for disposal of food scraps, wrappers, cans, bottles, etc., and that any employee not using the trash containers shall secure such items and remove them from the project site at the end of their work shift. These requirements shall also apply to any food vendor allowed on the site.

**PRE-CONSTRUCTION ACTIVITIES;**--A pre-construction tortoise sweep of the project site shall be performed by a qualified biologist, which will be completed by the California Department of Transportation (Caltrans), to verify that there are no tortoise or occupied burrows in the project work area. Any pre-sweep construction or other activity within the tortoise habitat area shall only be done in the presence of the qualified biologist. The biologist shall accompany any crew/person involved in that activity and shall have the authority to direct movements to avoid harm to a tortoise or burrow. This includes, but is not limited to, electrical work, overside and down drain, fencing, core drilling, sampling, material drops, or any movement of equipment. All potential hazards to a tortoise, as determined by the Engineer, resulting from contractor operations shall be removed or made safe prior to leaving the area.

The Contractor shall retain, and have available, the services of a qualified biologist as described herein for a pre-construction sweep of the project site, on-site monitoring (if required), and all tortoise handling activities that may be required. The Contractor shall submit, in writing, a request to the Engineer for the biological pre-construction sweep. The Contractor shall comply with the Endangered Species Protection Act in performance of the work necessary for project completion outside of the Interstate 15 project right-of-way.

The Contractor shall provide evidence of compliance prior to accepting or receiving materials or goods produced from outside of the right-of-way or through the use of facilities located outside of the right-of-way, including but not limited to, non-commercial batch plants, haul roads, quarries and similar operations.

The Contractor shall demonstrate compliance with the "Endangered Species Protection Act" by providing any one of the following to the Engineer:

- (1) A letter of compliance from the "United States Fish and Wildlife Service".
- (2) A section 10(a)(1)(B) incidental take permit or
- (3) A biological opinion issued by the "United States Fish and Wildlife Service" to a federal agency having jurisdiction over the area outside of the project right-of-way in which the materials or goods were produced or facilities located.

Copies of the compliance documents will be maintained at the worksite by the Engineer.

**CONSTRUCTION ACTIVITY IN HABITAT AREA;**-- All construction activities shall be confined within the identified work area, which is within 1.0 meter of edge of pavement. At no time, shall equipment or personnel be allowed to be outside of the 1.0 meter from edge of pavement without being accompanied by an authorized tortoise biologist. This includes but is not limited to, electrical work, overside and down drain work, fencing, core drilling, sampling, material drops, or any movement of equipment.

**TIME EXTENSION;**--If suspension of a work activity is ordered by the Engineer due to an encounter with a tortoise, and if, in the opinion of the Engineer, the Contractor's current controlling operation is delayed or interfered with by reason of the suspension, the delay will be considered a right of way delay as specified in Section 8-1.09, "Right of Way Delays," of the Standard Specifications.

**PAYMENT;**--Full compensation for conforming to the provisions of this section, not otherwise provided for, shall be considered as included in the contract prices paid for the various contract items of work involved and no additional compensation will be allowed therefor.

**ENGINEER'S ESTIMATE**  
**08-4567V4**

Item	Item Code	Item	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070012	PROGRESS SCHEDULE (CRITICAL PATH METHOD)	LS	LUMP SUM	LUMP SUM	
2	070018	TIME-RELATED OVERHEAD	LS	LUMP SUM	LUMP SUM	
3	074019	PREPARE STORM WATER POLLUTION PREVENTION PLAN	LS	LUMP SUM	LUMP SUM	
4 (S)	074020	WATER POLLUTION CONTROL	LS	LUMP SUM	LUMP SUM	
5 (S)	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	
6 (S)	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	
7 (S)	120159	TEMPORARY TRAFFIC STRIPE (PAINT)	M	50 700		
8 (S)	120165	CHANNELIZER (SURFACE MOUNTED)	EA	560		
9 (S)	120300	TEMPORARY PAVEMENT MARKER	EA	6550		
10 (S)	128650	PORTABLE CHANGEABLE MESSAGE SIGN	EA	4		
11 (S)	129000	TEMPORARY RAILING (TYPE K)	M	7280		
12 (S)	129100	TEMPORARY CRASH CUSHION MODULE	EA	14		
13	BLANK					
14	150615	REMOVE ENTRANCE TAPER	EA	130		
15	150662	REMOVE METAL BEAM GUARD RAILING	M	4300		
16	150704	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE	M	7600		
17	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	M	20 300		
18	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	M2	660		
19	150722	REMOVE PAVEMENT MARKER	EA	69 400		
20	150771	REMOVE ASPHALT CONCRETE DIKE	M	123 000		