

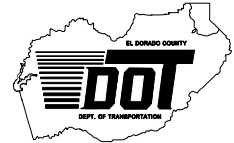


CONSTRUCTION DIVISION
 2441 Headington Road
 Placerville CA 95667
 Phone: (530) 642-4987
 Fax: (530) 295-2655

JAMES W. WARE, P.E.
 Director of Transportation

 Internet Web Site:
<http://edcgov.us/dot>

MAIN OFFICE
 2850 Fairlane Court
 Placerville CA 95667
 Phone: (530) 621-5900
 Fax: (530) 626-0387



DATE: July 11, 2011

TO: All Prospective Bidders

SUBJECT: Addendum No. 1
Contract Overlay - North Shingle Road (4 miles) Project
(Contract No. PW 10-30567, CIP No. 72179)

Submit proposals for this work with the understanding and full consideration of this addendum. The revisions declared in this addendum are essential parts of the Contract.

ITEM NO.	LOCATION, PAGE OR DRAWING NO.	DESCRIPTION OF CHANGE
1.01	SP-4	<p>Section 2-1.09 “Reliable Contractor Declaration”</p> <p>Add the following as the second paragraph of the section:</p> <p><i>“If a contractor or subcontractor is placed on the CIWMB Unreliable List after award of the contract, County may terminate this contract.”</i></p>
1.02	SP-6	<p>Section 2-1.10 “Opt Out of Payment Adjustments for Price Index Fluctuations” is added to the special provisions and is included as Attachment A attached to this addendum.</p>
1.03	SP-16	<p>Section 5-1.28 “Access to Inspection of Work”</p> <p>Add the following to the first sentence after <i>“at all times”</i> and before <i>“shall have full access”</i>:</p> <p><i>“during the performance of the contract and for a period of ninety (90) days after completion of the Work, or until all grant requirements have been completed,”</i></p>

ITEM NO.	LOCATION, PAGE OR DRAWING NO.	DESCRIPTION OF CHANGE
1.04	SP-18	<p>Section 5-1.34 “Copyrights, Trademarks, and Patents”</p> <p>Add the following two paragraphs to the end of this section:</p> <p><i>“Contractor shall submit copies of all draft public education or advertising materials to the County for transmittal to the CIWMB Grant Manager for review and approval prior to Contractor’s production of materials. Unless omission of the following copyright designation is pre-approved in writing by the CIWMB Grant Manager, all public education and advertising materials shall state: “© {year of creation} by the California Integrated Waste Management Board (CIWMB). Used pursuant to license granted by CIWMB. All rights reserved. This publication, or parts thereof, may not be reproduced without permission.”</i></p> <p><i>The State shall have separate and independent ownership of all drawings, design plans, specifications, notebooks, tracings, photographs, negatives, reports, findings, recommendations, data, software, and memoranda of every description or any part thereof, paid for in whole or in any part with CIWMB grant funds.”</i></p>
1.05	SP-20	<p>Section 5-1.39 “Payment Adjustments for Price Fluctuations” is added to the special provisions and is included as Attachment B to this addendum.</p>
1.06	SP-21	<p>Section 7-1.02 “Proof of Insurance Requirements”</p>

		<p>Change the following in item 2:</p> <p>After “County of El Dorado” add “the State of California, CIWMB”.</p> <p>Before “officers” change “its” to “their”.</p>
1.07	Appendix C and Appendix D	Title pages for Appendix C and Appendix D were not included in the Contract Document Booklet. Please note that Appendix C consists of drawings entitled “North Shingle Road Overlay Sign Exhibit” and “Exhibit – C”. Appendix D consists of the “Location Map”.
1.08	C-8	Replace page C-8 of the Agreement with Page C-8 rev attached to this addendum.
1.09	P-9A	Add Opt Out of Payment Adjustments For Price Index Fluctuations Form” page P-9A to the Proposal.

Page C-8 rev of the Agreement shall be attached to original Page C-8 of the Agreement in the Contract Documents booklet. Page P-9A shall be attached to the reverse side of Page P-9 of the Proposal in the Contract Document booklet. The remaining pages of this addendum shall be attached to the Contract Documents booklet.

Indicate receipt of this addendum by filling in the number of this addendum in the space provided on the signature page of the proposal.

Holders who have already mailed their proposal can contact Janel Gifford at (email: Janel.Gifford@edcgov.us) to arrange return of their proposal.

Inform all suppliers and subcontractors as necessary.

The DOT is only sending this addendum by posting on the following website: <http://www.edcgov.us/Government/DOT/Bids.aspx>.

If you are not a Contract Documents Holder, but request a set of documents to bid on this project, you must comply with the requirements of this addendum when submitting your bid.

Attachments:

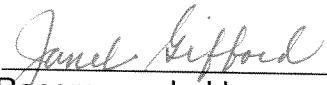
Attachment A (new Section 2-1.10 Opt 1 page
Out of Payment Adjustments for Price
Index Fluctuations)

Attachment B (new Section 5-1.39 4 pages
Payment Adjustments for Price Index
Fluctuations)

C-8 rev 1 page


P-9A 1 page

End of Addendum No. 1



Recommended by:
Janel Gifford, P.E.
Office Engineer

7/11/11
Date



Approved by:
James W. Ware, P.E.
Director of Transportation

7/11/11
Date

2-1.10 OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

You may opt out of the payment adjustments for price index fluctuations as specified in "Payment Adjustments for Price Index Fluctuations" of these special provisions. If you elect to opt out of the provisions of this specification, you must complete the "Opt Out of Payment Adjustments for Price Index Fluctuations" form. The completed form must be submitted with your bid.

5-1.39 PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

GENERAL

Summary

This section applies to asphalt contained in materials for pavement structural sections and pavement surface treatments such as hot mix asphalt (HMA), tack coat, asphaltic emulsions, bituminous seals, asphalt binders, and modified asphalt binders placed in the work. This section does not apply if you opted out of payment adjustment for price index fluctuations at the time of bid.

The Engineer adjusts payment if the California Statewide Crude Oil Price Index for the month the material is placed is more than 5 percent higher or lower than the price index at the time of bid.

The California Statewide Crude Oil Price Index is determined each month on or about the 1st business day of the month by the Department using the average of the posted prices in effect for the previous month as posted by Chevron, ExxonMobil, and ConocoPhillips for the Buena Vista, Huntington Beach, and Midway Sunset fields.

If a company discontinues posting its prices for a field, the Department determines the index from the remaining posted prices. The Department may include additional fields to determine the index.

For the California Statewide Crude Oil Price Index, go to:

<http://www.dot.ca.gov/hq/construc/crudeoilindex/>

If the adjustment is a decrease in payment, the Department deducts the amount from the monthly progress payment.

The Department includes payment adjustments for price index fluctuations when making adjustments under Section 4-1.03B, "Increased or Decreased Quantities," of the Standard Specifications.

If you do not complete the work within the contract time, payment adjustments during the overrun period are determined using the California Statewide Crude Oil Price Index in effect for the month in which the overrun period began.

If the price index at the time of placement increases:

1. 50 percent or more over the price index at bid opening, notify the Engineer.
2. 100 percent or more over the price index at bid opening, do not furnish material containing asphalt until the Engineer authorizes you to proceed with that work. The Department may decrease Bid item quantities, eliminate Bid items, or terminate the contract.

Submittals

Before placing material containing asphalt, submit the current sales and use tax rate in effect in the tax jurisdiction where the material is to be placed.

Submit certified weight slips for HMA, tack coat, asphaltic emulsions, and modified asphalt binders, including those materials not paid for by weight, as specified in Section 9-1.01, "Measurement of Quantities," of the Standard Specifications. For slurry seals, submit certified weight slips separately for the asphaltic emulsion.

ASPHALT QUANTITIES

General

Interpret the term "ton" as "tonne" for projects using metric units.

Hot Mix Asphalt

The Engineer calculates the quantity of asphalt in HMA using the following formula:

$$Q_h = HMATT \times [X_a / (100 + X_a)]$$

where:

Q_h = quantity in tons of asphalt used in HMA
 $HMATT$ = HMA total tons placed
 X_a = theoretical asphalt content from job mix formula expressed as percentage of the weight of dry aggregate

Rubberized Hot Mix Asphalt

The Engineer calculates the quantity of asphalt in rubberized HMA (RHMA) using the following formula:

$$Q_{rh} = RHMATT \times 0.80 \times [X_{arb} / (100 + X_{arb})]$$

where:

Q_{rh} = quantity in tons of asphalt in asphalt rubber binder used in RHMA
 $RHMATT$ = RHMA total tons placed
 X_{arb} = theoretical asphalt rubber binder content from the job mix formula expressed as percentage of the weight of dry aggregate

Modified Asphalt Binder in Hot Mix Asphalt

The Engineer calculates the quantity of asphalt in modified asphalt binder using the following formula:

$$Q_{mh} = MHMATT \times [(100 - X_{am}) / 100] \times [X_{mab} / (100 + X_{mab})]$$

where:

Q_{mh} = quantity in tons of asphalt in modified asphalt binder used in HMA
 $MHMATT$ = modified asphalt binder HMA total tons placed
 X_{am} = specified percentage of asphalt modifier
 X_{mab} = theoretical modified asphalt binder content from the job mix formula expressed as percentage of the weight of dry aggregate

Hot Mix Asphalt Containing Reclaimed Asphalt Pavement (RAP)

The Engineer calculates the quantity of asphalt in HMA containing RAP using the following formulas:

$$Q_{rap} = HMATT \times [X_{aa} / (100 + X_{aa})]$$

where:

$$X_{aa} = X_{ta} - [(100 - X_{new}) \times (X_{ra} / 100)]$$

and

Q_{rap} = quantity in tons of asphalt used in HMA containing RAP
 $HMATT$ = HMA total tons placed
 X_{aa} = asphalt content of HMA adjusted to account for the asphalt content in RAP expressed as percentage of the weight of dry aggregate
 X_{ta} = total asphalt content of HMA expressed as percentage of the weight of dry aggregate
 X_{new} = theoretical percentage of new aggregate in the HMA containing RAP determined from RAP percentage in the job mix formula
 X_{ra} = asphalt content of RAP expressed as percentage

Tack Coat

The Engineer calculates the quantity of asphalt in tack coat (Q_{tc}) as either:

1. Asphalt binder using the asphalt binder total tons placed as tack coat
2. Asphaltic emulsion by applying the formula in "Asphaltic Emulsion" to the asphaltic emulsion total tons placed as tack coat

Asphaltic Emulsion

The Engineer calculates the quantity of asphalt in asphaltic emulsions, including fog seals and tack coat, using the following formula:

$$Q_e = AETT \times (X_e / 100)$$

where:

- Q_e = quantity in tons of asphalt used in asphaltic emulsions
- AETT = undiluted asphaltic emulsions total tons placed
- X_e = minimum percent residue specified in Section 94, "Asphaltic Emulsions," of the Standard Specifications based on the type of emulsion used

You may, as an option, determine "X_e" by submitting actual daily test results for asphalt residue for the asphaltic emulsion used. If you choose this option, you must:

1. Take 1 sample every 200 tons but not less than 1 sample per day in the presence of the Engineer from the delivery truck, at midload from a sampling tap or thief, and in the following order:
 - 1.1. Draw and discard the 1st gallon
 - 1.2. Take two separate 1/2-gallon samples
2. Submit 1st sample at the time of sampling
3. Provide 2nd sample within 3 business days of sampling to an independent testing laboratory that participates in the AASHTO Proficiency Sample Program
4. Submit test results from independent testing laboratory within 10 business days of sample date

Slurry Seal

The Engineer calculates the quantity of asphalt in slurry seals (Q_{ss}) by applying the formula in "Asphaltic Emulsion" to the actual quantity of asphaltic emulsion used in producing the slurry seal mix.

Modified Asphalt Binder

The Engineer calculates the quantity of asphalt in modified asphalt binder using the following formula:

$$Q_{mab} = MABTT \times [(100 - X_{am}) / 100]$$

where:

- Q_{mab} = quantity in tons of asphalt used in modified asphalt binder
- MABTT = modified asphalt binder total tons placed
- X_{am} = specified percentage of asphalt modifier

Other Materials

For other materials containing asphalt not covered above, the Engineer determines the quantity of asphalt (Q_o).

PAYMENT ADJUSTMENTS

The Engineer includes payment adjustments for price index fluctuations in progress pay estimates. If material containing asphalt is placed within 2 months during 1 estimate period, the Engineer calculates 2 separate adjustments. Each adjustment is calculated using the price index for the month in which the quantity of material containing asphalt subject to adjustment is placed in the work. The sum of the 2 adjustments is used for increasing or decreasing payment in the progress pay estimate.

The Engineer calculates each payment adjustment as follows:

$$PA = Q_t \times A$$

where:

PA = Payment adjustment in dollars for asphalt contained in materials placed in the work for a given month.

Qt = Sum of quantities of asphalt (Qh + Qrh + Qmh + Qrap + Qtc + Qe + Qss + Qmab + Qo).

A = Adjustment in dollars per ton of asphalt used to produce materials placed in the work rounded to the nearest \$0.01.

For US Customary projects, use:

$A = [(Iu / Ib) - 1.05] \times Ib \times [1 + (T / 100)]$ for an increase in the crude oil price index exceeding 5 percent

$A = [(Iu / Ib) - 0.95] \times Ib \times [1 + (T / 100)]$ for a decrease in the crude oil price index exceeding 5 percent

Iu = California Statewide Crude Oil Price Index for the month in which the quantity of asphalt subject to adjustment was placed in the work.

Ib = California Statewide Crude Oil Price Index for the month in which the bid opening for the project occurred

T = Sales and use tax rate, expressed as a percent, currently in effect in the tax jurisdiction where the material is placed. If the tax rate information is not submitted timely, the statewide sales and use tax rate is used in the payment adjustment calculations until the tax rate information is submitted.

IN WITNESS WHEREOF, the said Department of Transportation of the County of El Dorado, State of California, has caused this Agreement to be executed by County's Board of Supervisors, on its behalf, and the said Contractor has signed this Agreement the day and year written below.

COUNTY OF EL DORADO

Dated _____

Chairman, Board of Supervisors

Attest:
Suzanne Allen De Sanchez
Clerk of the Board of Supervisors

Dated: _____

By: _____
Deputy Clerk

CONTRACTOR

Dated: _____

Name of Company

By: _____
Authorized Representative

License No.

Federal Employer Identification No.

By: _____

Corporate Secretary

NOTE: If Contractor is a corporation, the legal name of the corporation shall be set forth above together with the signature of the officer or officers authorized to sign contracts on behalf of the corporation; if Contractor is a co-partnership, the true name of the firm shall be set forth above together with the signature of the partner or partners authorized to sign contracts on behalf of the co-partnership; and if Contractor is an individual, his/her signature shall be placed above. Contractor executing this document on behalf of a corporation or partnership shall be prepared to demonstrate by resolution, article, or otherwise that it is appropriately authorized to act in these regards. For such corporation or partnership, such authority shall be demonstrated to the satisfaction of County. If signature is by an agent, other than officer of a corporation or a member of a partnership, an appropriate Power of Attorney shall be on file with the Department prior to signing this document. A corporation shall be in good standing and qualified to do business in the State of California.

Mailing Address: _____

Business Address: _____

City, Zip: _____

Phone: _____

Fax: _____

END OF CONTRACT

**OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX
FLUCTUATIONS**

You may opt out of the payment adjustments for price index fluctuations as specified in "Payment Adjustments for Price Index Fluctuations" of the special provisions. If you elect to opt out of the provisions of this specification, complete this form and submit it with your bid.

Bidder Name: _____

Contract No. PW 10-30567

I opt out of the payment adjustments for price index fluctuations.

Date: _____

Signature: _____