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**** WARNING ** WARNING ** WARNING ** WARNING ****
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Users are cautioned that California Department of Transportation (Department) does not assume any liability or responsibility based on these electronic files or for any defective or incomplete copying, excerpting, scanning, faxing or downloading of the contract documents. As always, for the official paper versions of the bidders packages and non-bidder packages, including addenda write to the California Department of Transportation, Plans and Bid Documents, Room 0200, P.O. Box 942874, Sacramento, CA 94272-0001, telephone (916) 654-4490 or fax (916) 654-7028. Office hours are 7:30 a.m. to 4:15 p.m. When ordering bidder or non-bidder packages it is important that you include a telephone number and fax number, P.O. Box and street address so that you can receive addenda.

April 10, 2008

03-ED-50-75.6
03-2M7804

Addendum No. 1

Dear Contractor:

This addendum is being issued to the contract for construction on State highway in EL DORADO COUNTY IN SOUTH LAKE TAHOE AT 0.1 MILE EAST OF ROUTE 50/89 INTERSECTION.

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 April 16, 2008.

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

Project Plan Sheet E-1 is revised to replace note 1 to "Equipment or material to be removed and become the property of the Contractor. Existing 19' high pole and abandon existing foundation. At location to be determined by the Engineer, install new State Furnished Model 510 LED CMS on single post type, full cantilever sign structure."

In the Special Provisions, Section 5-1.025, "RELATION WITH CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD," is added as attached.

To Proposal and Contract 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 CONTRACTORS section of the Notice to Contractors and Special Provisions.

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.

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This office is sending this addendum by confirmed facsimile to all book holders to ensure that each receives it. A copy of this addendum is available for the contractor's use on the Internet site:

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

JODY JONES
District 3 Director

Attachments

5-1.1025 RELATIONS WITH CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

This project lies within the boundaries of the LAHONTAN Regional Water Quality Control Board (RWQCB).

This project includes construction activities that will result in land disturbance within the Lake Tahoe Hydrologic Unit. The Lahontan Regional Water Quality Control Board has issued a regional general permit that governs storm water and non-storm water discharges resulting from construction activities in the Lake Tahoe Hydrologic Unit. The Lake Tahoe regional general permit is entitled "Board Order No. 6-00-03, National Pollutant Discharge Elimination System General Permit No. CAG616002 for Discharges of Storm Water Runoff Associated with Construction Activity Involving Land Disturbance in the Lake Tahoe Hydrologic Unit – El Dorado, Placer, and Alpine Counties." A copy of the regional permit is available for review from the Lahontan Region South Lake Tahoe Office, 2501 Lake Tahoe Blvd., South Lake Tahoe, California 96150, Telephone: (530) 542-5400 and may also be obtained at:

<http://www.swrcb.ca.gov>

This project includes construction activities that will result in land disturbance within the Lake Tahoe Hydrologic Unit. The Lahontan RWQCB has issued a regional general permit that governs storm water and non-storm water discharges resulting from construction activities in the Lake Tahoe Hydrologic Unit. The Lake Tahoe regional general permit is entitled "Board Order No. 6-91-31, WDID No. 6A0999999999 General Waste Discharge Requirements for Construction of Small Commercial, Multi-Family Residential, Utility and Public Works Projects Lake Tahoe Basin." A copy of the regional permit is available for review from the Lahontan Region South Lake Tahoe Office, 2501 Lake Tahoe Blvd., South Lake Tahoe, California 96150, Telephone: (530) 542-5400 and may also be obtained at:

<http://www.swrcb.ca.gov>

The Contractor shall know and comply with provisions of Federal, State, and local regulations and requirements that govern the Contractor's operations and storm water and non-storm water discharges from the project site and areas of disturbance outside the project limits during construction. Attention is directed to Sections 7-1.01, "Laws to be Observed," 7-1.11, "Preservation of Property," and 7-1.12, "Indemnification and Insurance," of the Standard Specifications.

The Contractor shall be responsible for penalties assessed on the Contractor or the Department as a result of the Contractor's failure to comply with the provisions in "Water Pollution Control" of these special provisions or with the applicable provisions of the Federal, State, and local regulations and requirements.

Penalties as used in this section shall include fines, penalties, and damages, whether proposed, assessed, or levied against the Department or the Contractor, including those levied under the Federal Clean Water Act and the State Porter-Cologne Water Quality Control Act, by governmental agencies or as a result of citizen suits. Penalties shall also include payments made or costs incurred in settlement for alleged violations of applicable laws, regulations, or requirements. Costs incurred could include sums spent instead of penalties, in mitigation or to remediate or correct violations.

WITHHOLDS

The Department will withhold money due the Contractor, in an amount estimated by the Department, to include the full amount of penalties and mitigation costs proposed, assessed, or levied as a result of the Contractor's violation of the permits, or Federal or State law, regulations, or requirements. Funds will be withheld by the Department until final disposition of these costs has been made. The Contractor shall remain liable for the full amount until the potential liability is finally resolved with the entity seeking the penalties. Instead of the withhold, the Contractor may provide a suitable bond in favor of the Department to cover the highest estimated liability for any disputed penalties proposed as a result of the Contractor's violation of the permits, law, regulations, or requirements.

If a regulatory agency identifies a failure to comply with the permits and modifications thereto, or other Federal, State, or local requirements, the Department will withhold money due the Contractor, subject to the following:

- A. The Department will give the Contractor 30 days notice of the Department's intention to withhold funds from payments which may become due to the Contractor before acceptance of the contract. Funds withheld after acceptance of the contract will be made without prior notice to the Contractor.
- B. No withholds of additional amounts out of payments will be made if the amount to be withheld does not exceed the amount being withheld from partial payments in accordance with Section 9-1.06, "Partial Payments," of the Standard Specifications.
- C. If the Department has withheld funds and it is subsequently determined that the State is not subject to the entire amount of the costs and liabilities assessed or proposed in connection with the matter for which the withhold was made, the Department will return the excess amount withheld to the Contractor in the progress payment following the determination. If the matter is resolved for less than the amount withheld, the Department will pay interest at a rate of 6 percent per year on the excess withhold.

The Contractor shall notify the Engineer immediately upon request from the regulatory agencies to enter, inspect, sample, monitor, or otherwise access the project site or the Contractor's records pertaining to water pollution control work. The Contractor and the Department shall provide copies of correspondence, notices of violation, enforcement actions, or proposed fines by regulatory agencies to the requesting regulatory agency.