

**DEPARTMENT OF TRANSPORTATION**

DES-OE MS #43  
1727 30TH Street, 2ND Floor  
Sacramento, CA 95816



**\*\* 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 7, 2003

04-SF-80-13.2  
04-0120C4  
ACBRIM-080-1(093)N

Addendum No. 4

Dear Contractor:

This addendum is being issued to the contract for construction on State highway in SAN FRANCISCO COUNTY IN SAN FRANCISCO AT YERBA BUENA ISLAND.

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 22, 2003.

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

In the Special Provisions, Section 2-1.02B, "SUBMISSION OF DBE INFORMATION," is revised as attached.

In the Special Provisions, Section 3, "AWARD AND EXECUTION OF CONTRACT," the second paragraph is revised as follows:

"Bids will be compared on the basis of the Engineer's Estimate of the quantities of work to be done and the number of working days bid for completion of the work. The award of the contract, if it be awarded, will be made within 30 days after the opening of the proposals if the apparent lowest bidder has met the goal for DBE participation. The award of the contract, if it be awarded, will be made within 60 days after the opening of the proposals if the apparent lowest bidder has not met the goal for DBE participation but has claimed good faith efforts to do so. These periods will be subject to extension for such further periods as may be agreed upon in writing between the Department and the bidders concerned. The award, if made, will be to the lowest responsible bidder whose proposal complies with all the requirements prescribed and who has met the goal for DBE participation or has demonstrated, to the satisfaction of the Department, adequate good faith efforts to do so. Meeting the goal for DBE participation or demonstrating, to the satisfaction of the Department, adequate good faith efforts to do so is a condition for being eligible for award of contract. The lowest bid will be determined on the basis of the "Total Basis for Comparison of Bids (A+B)" set forth in the proposal. The contract price for the awarded contract will be the "Total Bid (A)" set forth in the proposal."

In the Proposal and Contract, the form "DBE INFORMATION GOOD FAITH EFFORTS" is replaced by "GOOD FAITH EFFORTS DOCUMENTATION" as attached.

Addendum No. 4  
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April 7, 2003

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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. 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

## **2-1.02B SUBMISSION OF DBE INFORMATION**

The apparent successful bidder (low bidder), the second low bidder and the third low bidder shall submit the "CALTRANS BIDDER - DBE INFORMATION" form, and "GOOD FAITH EFFORTS DOCUMENTATION" (GFE) form if they have not met the goal, to the Department of Transportation, 1120 N Street, Room 0200, MS #26, Sacramento, California 95814 so the information is received by the Department no later than 4:00 p.m. ON THE FOURTH DAY, not including Saturdays, Sundays and legal holidays, following bid opening. DBE Information and GFE Documentation sent by U.S. Postal Service certified mail with return receipt and certificate of mailing and mailed on or before the third day, not including Saturdays, Sundays and legal holidays, following bid opening will be accepted even if it is received after the fourth day following bid opening. Other bidders need not submit DBE Information and GFE Documentation unless requested to do so by the Department. When a request is made by the Department, the DBE Information and GFE Documentation of the other bidders shall be received by the Department within 4 days of the request, not including Saturdays, Sundays and legal holidays, unless a later time is authorized by the Department.

Failure to submit the "CALTRANS BIDDER - DBE INFORMATION" form by the time specified will be grounds for finding the bid nonresponsive.

Where the bidder has not met the designated DBE goal, it must submit the GFE Documentation to establish that, prior to the bid, it made adequate good faith efforts to meet the goal.

Bidders are cautioned that even though their DBE Information indicates they will meet the stated DBE goal, they should also submit their GFE Documentation to protect their eligibility for award of the contract in the event the Department, in its review, finds that the goal has not been met.

If it is determined that GFE Documentation is needed to determine a bidder's eligibility for award, failure of the bidder to have submitted the "GOOD FAITH EFFORTS DOCUMENTATION" form by the time specified herein will be grounds for finding the bid or proposal nonresponsive.

It is the bidder's responsibility to make enough work available to DBEs and to select those portions of the work or material needs consistent with the available DBEs to meet the goal for DBE participation.

The bidder's DBE Information shall include the names, addresses and phone numbers of DBE firms that will participate, with a complete description of work or supplies to be provided by each, the dollar value of each DBE transaction, and a written confirmation from the DBE that is participating in the contract. A copy of the DBE's quote will serve as written confirmation that the DBE is participating in the contract. When 100 percent of a contract item of work is not to be performed or furnished by a DBE, a description of the exact portion of that work to be performed or furnished by that DBE shall be included in the DBE Information, including the planned location of that work. The work that a DBE prime contractor has committed to performing with its own forces as well as the work that it has committed to be performed by DBE subcontractors, suppliers and trucking companies will count toward the goal.

The bidder's GFE Documentation shall demonstrate that, prior to bidding, adequate good faith efforts to meet the goal were made.

In order to demonstrate the bidder's adequate good faith efforts to meet the DBE goal, the bidder should include the following information and supporting documents, as necessary:

- A. The names and dates of each publication in which a request for DBE participation for the project was placed by the bidder. Attach copies of published advertisements or proofs of publication.
- B. The names of certified DBEs and the dates on which they were solicited to bid on the project. Include the items of work offered. Describe the methods used for following up initial solicitations to determine with certainty if the DBEs were interested, and the dates of the follow-up. Attach supporting documents such as copies of letters, memos, facsimiles sent, telephone logs, telephone billing statements, and other evidence of solicitation. Bidders are reminded to solicit certified DBEs through all reasonable and available means and provide sufficient time to allow DBEs to respond.
- C. Items of work the bidder has made available to DBE firms. Identify those items of work the bidder might otherwise perform with its own forces and those items that have been broken down into economically feasible units to facilitate DBE participation. For each item listed, show the dollar value and percentage of the total contract. It is the bidder's responsibility to demonstrate that sufficient work to meet the goal was made available to DBE firms.

- D. For each item of work made available, the selected firm and its status as a DBE, the DBEs that provided quotes, the price quote for each firm, the price difference for each DBE if the selected firm is not a DBE, and the name, address and telephone number for each firm. If the firm selected for the item is not a DBE, provide the reasons for the selection.
- E. Descriptions of the efforts made to provide interested DBEs with adequate information about the plans, specifications and requirements of the contract to assist them in responding to a solicitation. Where such information was provided by the bidder, identify the name of the DBE assisted, the nature of the information provided, and date of contact. Provide copies of supporting documents, as appropriate.
- F. Descriptions of any and all efforts made to assist interested DBEs in obtaining bonding, lines of credit, insurance, necessary equipment, supplies, and materials (excluding supplies and equipment which the DBE subcontractor purchases or leases from the prime contractor or its affiliate). Where such assistance was provided by the bidder, identify the name of the DBE assisted, nature of the assistance offered, and date. Provide copies of supporting documents, as appropriate.
- G. The names of agencies, including the firms listed in Section 2-1.02A, "DBE Goal for this Project," and the dates on which they were contacted to provide assistance in contacting, recruiting and using DBE firms. If the agencies were contacted in writing, provide copies of supporting documents.
- H. Any additional data to support a demonstration of good faith efforts.

**GOOD FAITH EFFORTS DOCUMENTATION**

Low, second low and third low bidders shall submit the following information to document adequate good faith efforts. Bidders should submit the following information even if the "CALTRANS BIDDER - DBE INFORMATION" form indicates that the bidder has met the DBE goal. This will protect the bidder's eligibility for award of the contract if Caltrans determines that the bidder failed to meet the goal for various reasons, e.g., a DBE firm was not certified at bid opening, or the bidder made a mathematical error.

Submittal of only the "CALTRANS BIDDER - DBE INFORMATION" form may not provide sufficient documentation to demonstrate that an adequate good faith effort was made.

The following items are listed in the Section entitled "Submission of DBE Information" of the Special Provisions:

- A. The names and dates of each publication in which a request for DBE participation for this project was placed by the bidder. Attach copies of published advertisements or proofs of publication:

Publications	Dates of Advertisement

- B. The names of certified DBEs and the dates on which they were solicited to bid on this project. Include the items of work offered and the dates and methods used for following up initial solicitations to determine with certainty whether the DBEs were interested. Attach copies of solicitations, telephone records, fax confirmations, etc.

Names of DBEs Solicited	Date of Initial Solicitation	Item(s) of Work	Follow Up Methods and Dates

- C. Items of work the bidder made available to DBE firms, identifying those items of work the bidder might otherwise perform with its own forces and those items that have been broken down into economically feasible units to facilitate DBE participation. For each item listed, show the dollar value and percentage of the total contract. It is the bidder's responsibility to demonstrate that sufficient work to meet the goal was made available to DBE firms.

D. For each item of work made available, the selected firm and its status as a DBE, the DBEs that provided quotes, the price quote for each firm, and the price difference for each DBE if the selected firm is not a DBE:

Item(s) of Work	Name of Selected Firm	DBE or non-DBE	Name of Rejected Firm	Quote (\$)	Price Difference (\$)

If the firm selected for the item is not a DBE, provide the reasons for the selection on an separate sheet and attach.

Names, addresses, and phone numbers for the firms listed above:

E. Efforts made to provide interested DBEs with adequate information about the plans, specifications, and requirements of the contract to assist them in responding to a solicitation. Identify the DBE assisted, the information provided, and the date of contact.

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F. Efforts made to assist interested DBEs in obtaining bonding, lines of credit, insurance, necessary equipment, supplies, materials, or related assistance or services, excluding supplies and equipment the DBE subcontractor purchases or leases from the prime contractor or its affiliate. Identify the DBE assisted, the assistance offered, and the date.

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G. The names of agencies and the dates on which they were contacted to provide assistance in contacting, recruiting and using DBE firms. If the agencies were contacted in writing, provide copies of supporting documents.

Name of Agency		Method & Date of Contact		Results

H. Any additional data to support a demonstration of good faith efforts:

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**NOTE:** USE ADDITIONAL SHEETS OF PAPER IF NECESSARY.