

# NOTIFICATION OF ADDENDUM

## ADDENDUM NO. 1

**DATED 3/28/2006**

<b>Control</b>	<b>1333-02-012</b>
<b>Project</b>	<b>BR 2004(763)</b>
<b>Highway</b>	<b>FM 1191</b>
<b>County</b>	<b>JACK</b>

Ladies/Gentlemen:

Attached please find an addendum on the above captioned project. Included in the attachment is an addendum notification which details the changes and the respective proposal pages which were added and/or changed.

Except for new bid insert pages, it is unnecessary to return any of the pages attached.

Bid insert pages must be returned with the bid proposal submitted to the Department, unless your firm is submitting a bid using a computer print out. The computer print out must be changed to reflect the new bid item information.

Contractors and material suppliers, etc. who have previously been furnished informational proposals are not being furnished a copy of the addendum. If you have a subcontractor on the above project, please advise them of this addendum. Acknowledgment of this addendum is not requested if your company has been issued a proposal stamped "This Proposal Issued for Informational Purposes."

You are required to acknowledge receipt of this addendum by entering the date, which appears at the top of this letter on the Addendum Acknowledgement Form, contained in your bid proposal.

Failure to Acknowledge receipt of this addendum in your bid proposal will result in your bid not being read.

SUBJECT: PLANS AND PROPOSAL ADDENDUMS

PROJECT: BR 2004(763)

CONTROL: 1333-02-012

COUNTY: JACK

LETTING: 04/11/2006

REFERENCE NO: 0327

**PROPOSAL ADDENDUMS**

-----

- PROPOSAL COVER
- BID INSERTS (SH. NO.: )
- GENERAL NOTES (SH. NO.: )
- X SPEC LIST (SH. NO.: 2-2 )
- X SPECIAL PROVISIONS: )
  - ADDED: 009---009
  - DELETED: 009---007
- SPECIAL SPECIFICATIONS:
  - ADDED:
  - DELETED:
- OTHER:

DESCRIPTION OF ABOVE CHANGES  
(INCLUDING PLANS SHEET CHANGES)

SPECIFICATION LIST: SHEET 2-2: REMOVED SP 009-007 ADDED SP 009---009

CONTROL : 1333-02-012  
PROJECT : BR 2004(763)  
HIGHWAY : FM 1191  
COUNTY : JACK

TEXAS DEPARTMENT OF TRANSPORTATION

**GOVERNING SPECIFICATIONS AND SPECIAL PROVISIONS**

ALL SPECIFICATIONS AND SPECIAL PROVISIONS APPLICABLE TO THIS PROJECT ARE IDENTIFIED AS FOLLOWS:

STANDARD SPECIFICATIONS: ADOPTED BY THE TEXAS DEPARTMENT OF  
----- TRANSPORTATION JUNE 1, 2004.  
STANDARD SPECIFICATIONS ARE INCORPORATED  
INTO THE CONTRACT BY REFERENCE.

ITEMS 1 TO 9 INCL., GENERAL REQUIREMENTS AND COVENANTS  
ITEM 100 PREPARING RIGHT OF WAY (103)  
ITEM 110 EXCAVATION (132)  
ITEM 132 EMBANKMENT (100)(204)(210)(216)(400)  
ITEM 161 COMPOST (160)  
ITEM 162 SODDING FOR EROSION CONTROL (166)(168)  
ITEM 164 SEEDING FOR EROSION CONTROL (162)(166)(168)  
ITEM 168 VEGETATIVE WATERING  
ITEM 169 SOIL RETENTION BLANKETS  
ITEM 247 FLEXIBLE BASE (105)(204)(210)(216)(520)  
ITEM 310 PRIME COAT (300)(316)  
ITEM 316 SURFACE TREATMENTS (210)(300)(302)(520)  
ITEM 432 RIPRAP (247)(420)(421)(427)(440)  
ITEM 462 CONCRETE BOX CULVERTS AND STORM DRAINS (400)(420)(421)  
(424)(440)(464)(476)  
ITEM 466 HEADWALLS AND WINGWALLS (400)(420)(421)(430)(440)(464)  
ITEM 496 REMOVING STRUCTURES (430)  
ITEM 500 MOBILIZATION  
ITEM 502 BARRICADES, SIGNS, AND TRAFFIC HANDLING  
ITEM 504 FIELD OFFICE AND LABORATORY  
ITEM 506 TEMPORARY EROSION, SEDIMENTATION, AND ENVIRONMENTAL  
CONTROLS (432)(556)  
ITEM 552 WIRE FENCE (445)(492)  
ITEM 658 DELINEATOR AND OBJECT MARKER ASSEMBLIES (445)  
ITEM 666 REFLECTORIZED PAVEMENT MARKINGS (316)(318)(662)(677)(678)  
ITEM 672 RAISED PAVEMENT MARKERS (677)(678)

SPECIAL PROVISIONS: SPECIAL PROVISIONS WILL GOVERN AND TAKE  
----- PRECEDENCE OVER THE SPECIFICATIONS ENUMERATED

HEREON WHEREVER IN CONFLICT THEREWITH.

REQUIRED CONTRACT PROVISIONS, FEDERAL-AID CONSTRUCTION CONTRACTS  
(FORM FHWA 1273, DECEMBER, 1993)

WAGE RATES

SPECIAL PROVISION "SCHEDULE OF LIQUIDATED DAMAGES" (000---275)  
SPECIAL PROVISION "PARTNERING" (000---002)  
SPECIAL PROVISION "NOTICE TO ALL BIDDERS" (000---003)  
SPECIAL PROVISION "NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO  
ENSURE EQUAL EMPLOYMENT OPPORTUNITY" (000---004)  
SPECIAL PROVISION "DISADVANTAGED BUSINESS ENTERPRISE IN FEDERAL-  
AID CONSTRUCTION" (000---461)  
SPECIAL PROVISION "STANDARD FEDERAL EQUAL EMPLOYMENT OPPORTUNITY  
CONSTRUCTION CONTRACT SPECIFICATIONS" (000---006)  
SPECIAL PROVISION "OPTIONAL TRAINING" (000---008)  
SPECIAL PROVISION "CERTIFICATION OF NONDISCRIMINATION IN EMPLOYMENT"  
(000---009)  
SPECIAL PROVISION "DEPARTMENT DIVISION MAILING AND PHYSICAL ADDRESS"  
(000---011)  
SPECIAL PROVISION TO ITEM 3 (003---020)  
SPECIAL PROVISION TO ITEM 5 (005---001)  
SPECIAL PROVISION TO ITEM 6 (006---018)  
SPECIAL PROVISION TO ITEM 9 (009---009)  
SPECIAL PROVISION TO ITEM 100 (100---001)  
SPECIAL PROVISION TO ITEM 420 (420---003)  
SPECIAL PROVISION TO ITEM 440 (440---001)  
SPECIAL PROVISION TO ITEM 492 (492---001)  
SPECIAL PROVISION TO ITEM 500 (500---002)  
SPECIAL PROVISION TO ITEM 502 (502---022)

SPECIAL SPECIFICATIONS:

-----

ITEM 5018 INCENTIVE FOR USING NON-ROAD DIESEL EQUIPMENT POWERED BY  
EPA TIER 1, 2, OR 3 DIESEL ENGINES IN NONATTAINMENT AND  
AFFECTED COUNTIES  
ITEM 5049 BIODEGRADABLE EROSION CONTROL LOGS (161)(506)  
ITEM 6038 PORTABLE CHANGEABLE MESSAGE SIGN

GENERAL: THE ABOVE-LISTED SPECIFICATION ITEMS ARE THOSE UNDER WHICH  
----- PAYMENT IS TO BE MADE. THESE, TOGETHER WITH SUCH OTHER  
PERTINENT ITEMS, IF ANY, AS MAY BE REFERRED TO IN THE ABOVE-  
LISTED SPECIFICATION ITEMS, AND INCLUDING THE SPECIAL  
PROVISIONS LISTED ABOVE, CONSTITUTE THE COMPLETE SPECIFI-  
CATIONS FOR THIS PROJECT.

## **SPECIAL PROVISION**

**009---009**

### **Measurement and Payment**

For this project, Item 009, "Measurement and Payment," of the Standard Specifications, is hereby amended with respect to the clauses cited below, and no other clauses or requirements of this Item are waived or changed hereby.

**Article 9.6. Progress Payments, Section A, Retainage** is voided and replaced by the following:

**A. Retainage.** Retainage will not be withheld on this project.

**Article 9.6. Progress Payments, Section B, Payment Provisions for Subcontractors** is voided and replaced by the following:

**B. Payment Provisions for Subcontractors.** For the purposes of this Article only, the term subcontractor includes suppliers and the term work includes materials provided by suppliers at a location approved by the department. Pay the subcontractors for work performed within 10 days after receiving payment for the work performed by the subcontractor. Also, pay any retainage on a subcontractor's work within 10 days after satisfactory completion of all of the subcontractor's work. Completed subcontractor work includes vegetative establishment, test, maintenance, performance, and other similar periods that are the responsibility of the subcontractor.

For the purpose of this Section, satisfactory completion is accomplished when:

- the subcontractor has fulfilled the Contract requirements of both the Department and the subcontract for the subcontracted work, including the submittal of all information required by the specifications and the Department; and
- the work done by the subcontractor has been inspected, approved, and paid by the Department.

The inspection and approval of a subcontractor's work does not eliminate the Contractor's responsibilities for all the work as defined in Article 7.14, "Contractor's Responsibility for Work."

The Department may pursue actions against the Contractor, including withholding of estimates and suspending the work, for noncompliance with the subcontract requirements of this Section upon receipt of written notice with sufficient details showing the subcontractor has complied with contractual obligations as described in this Article.

These requirements apply to all tiers of subcontractors. Incorporate the provisions of this Article into all subcontract or material purchase agreements.