

NOTIFICATION OF ADDENDUM

ADDENDUM NO. 2

DATED 10/19/2009

Control	0017-17-006, ETC.
Project	STP 2010(199)ES
Highway	BI 35-C, ETC.
County	LASALLE, ETC.

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 on the Addendum Acknowledgement form contained in your bid proposal by placing a mark in the box next to the respective addendum.

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: STP 2010(199)ES

CONTROL: 0017-17-006

COUNTY: LASALLE

LETTING: 10/21/2009

REFERENCE NO: 1019

PROPOSAL ADDENDUMS

- PROPOSAL COVER
- BID INSERTS (SH. NO.:
- GENERAL NOTES (SH. NO.: A,E,F,G

- SPEC LIST (SH. NO.:
- SPECIAL PROVISIONS:
- ADDED:

DELETED:

- SPECIAL SPECIFICATIONS:
- ADDED:

DELETED:

- OTHER: PLAN SHEETS (GENERAL NOTES)

DESCRIPTION OF ABOVE CHANGES
(INCLUDING PLANS SHEET CHANGES)

Proposal General Notes Sheet A, Item 6, second sentence, revised wording to Indicate Contractor is to store material.

Proposal General Notes sheets E, F & G revised by text shifting.

Sheet 4, Item 6, Revised 2nd sentence.

Sheet 4B, Item 8, Revised 2nd paragraph to specify and define nighttime work only and to clarify how and where nighttime work only and standard workweek time changes will apply.

Sheet 4B revised by text shifting.

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General

Item 5 Control of the Work

Reference all existing striping and pavement markings in a manner which allow the markings to be re-established. Place extra reference (if needed) to ensure that the markings (lane lines, edge lines, ramp gores, etc.) are in-line with signs on OSB's, TMS arrows, etc.

The "1-800 call services" for utility locations do not include TxDOT/county/city facilities. Contact the Laredo District Signal Section (956-712-7770) for coordination with TxDOT underground lines and/or facilities

Item 6 Control of Materials

Contact the project supervisor to request material a minimum of one work day prior to pick up. Load material with contract personnel. Contractor to store material in a safe location, off TxDOT property or Right-of-Way, unless otherwise approved. Use material furnished by TxDOT only on the TxDOT project(s) intended. Return any unused material as soon as possible.

Item 7 Legal Relations and Responsibilities

For all pits or quarries, comply with the "Texas Aggregate Quarry and Pit Safety Act."

Upon completion of all work provided in the contract for any individual project, the Engineer will make an inspection. If it is found to be satisfactory, the Contractor will be released from further maintenance on that individual project. Such partial acceptance will be made in writing and will in no way void or alter any terms of the contract.

If an abandoned-in-place natural gas pipeline is encountered and has to be removed, wrapped steel gas pipelines will be assumed to contain asbestos, unless analytical testing of the wrap material determines that the wrap material contains less than 1% asbestos, as determined using the Polarized Light Microscopy (PLM) Method. Observe and comply with all federal, state and local laws, ordinances and regulations regarding the management of asbestos containing materials. At a minimum, the following procedure will be used whenever an existing wrapped steel gas pipe has to be removed (for whatever reason) during construction operations.

1. Notify the Engineer.

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2. As soon as the pipe is removed, cover and secure the ends of the pipe with a double layer of 6 mil plastic, then move it to a secure temporary storage site (approved by the Engineer) within the project limits. Care will be taken to avoid damage to the plastic and if damaged, replace before further handling of the pipe. If the wrapping of the pipe is damaged, the entire pipe will be covered with plastic.

3. The Engineer will determine the owner (utility company) of the gas line to coordinate removal of the pipe from the project. If the owner of the gas pipe cannot be determined, the Engineer will make arrangements to transport the pipe off the project. The Contractor will not be responsible for removing the pipe from the project.

4. The removal of the steel gas pipe from the trench is subsidiary to the work that created the need to remove the pipe (structural excavation, roadway excavation, removal and replacement of the pipe, etc). The work performed in handling the pipe after it has been removed (covering with plastic, hauling to a secure storage within the project, and loading onto the transportation vehicle for removal from the project) will be paid for through the extra work order process.

If an existing asbestos Cement (AC) pipe is encountered and has to be removed, observe and comply with all federal, state and local laws, ordinances and regulations regarding the management of asbestos containing materials. At the minimum, work involving AC pipe should be overseen by a person who has received asbestos training and is familiar with the National Emissions Standards for Hazardous Air Pollutants (NESHAP). If greater than 260 linear feet of pipe is to be removed, written notification to the Texas Department of State Health Services (DSHS) 10 days prior commencing with the removal of AC pipe is required. At each location shown in the plans and/or identified during construction to involve AC pipe, remove the necessary amount of AC pipe without creating any friable material. For tie-ins remove whole sections of AC pipe at the nearest joint. Remove the AC pipe and store it in a secure (Engineer approved) location for pick up by the owner of the utility. Prior to performing this work, notify the Engineer and the owner of the utility of the work schedule 48 hours in advance of beginning the work.

Jurisdictional Waters of the United States and Project Specific Locations (PSL) Coordination - This project requires permit(s) with environmental resource agencies. There is a high probability that environmentally sensitive areas will be encountered on contractor designated project specific locations (PSLS) for the project (including but not limited to haul roads, equipment staging areas, parking areas, etc.).

Requirements for Work within Jurisdictional Waters of the United States: The department has been authorized to perform work within designated areas of the project under U.S. Army Corps of Engineers (USACE) nationwide permit (NWP) #14 and/or #3a and/or #3b.

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The contractor will not initiate activities in a project specific location (PSL) associated with a U.S. Army Corps of Engineers (USACE) permit area (i.e. an area where the USACE has jurisdiction) that has not been previously evaluated by the USACE as part of the permitting for this project. Such activities include, but are not limited to, haul roads, equipment staging areas, borrow and disposal sites. Associated defined here includes materials delivered to or from the PSL. The permit area includes all waters of the U.S. and their associated wetlands affected by activities associated with this project. Special restrictions may be required for such work in these USACE jurisdictional areas. The contractor will be responsible for any and all consultations with the USACE regarding activities, including PSLs, which have not been previously evaluated by the USACE. The Contractor will provide the department with a copy of all consultation(s) or approval(s) from the USACE prior to initiating activities.

The contractor may proceed with activities in PSLs that do not affect a USACE permit area if a self determination has been made that the PSL is non-jurisdictional or proper USACE clearances have been obtained in jurisdictional areas or have been previously evaluated by the USACE as part of the permit review of this project. The contractor is solely responsible for documenting any determination(s) that their activities do not affect a USACE permit area. The contractor will maintain copies of their determination(s) for review by the department and/or any regulatory agency.

The disturbed area for all project locations in the Contract, and the Contractor project specific locations (PSLs) within 1 mile of the project limits for the Contract, will further establish the authorization requirements for storm water discharges. The Department will obtain an authorization to discharge storm water from the Texas Commission on Environmental Quality (TCEQ) for the construction activities shown on the plans. The Contractor is to obtain required authorization from the TCEQ for Contractor PSLs for construction support activities on or off the ROW. When the total area disturbed in the Contract and PSLs within 1 mile of the project limits exceeds 5 acres, the Contractor shall provide a copy of the Contractor Notice of Intent (NOI) for the PSLs to the Engineer and to the local government operating a municipal separate storm sewer system (MS4) if applicable. If the total area of project disturbed areas and PSLs total between 1-acre but less than 5-acres, the Contractor shall post the appropriate Contractor Construction Site Notice for all Contractor PSLs to be in compliance with TCEQ storm water regulations.

In order to expedite the approval process for PSLs or to eliminate or minimize potential impacts to project progress, initiate coordination efforts with the U.S.A.C.E. within 30 days from the date of "authorization to begin work" for all PSLs that are in areas where the USACE has jurisdiction (i.e. USACE permit areas). If this is not done, the contractor waives the right to request any contract time considerations if project progress is impacted and PSL'S approval is still pending.

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Requests submitted to the area engineer will be evaluated on this basis, and will require documentation showing substantial early coordination efforts to expedite the approval process as herein stated. The request will include a detailed chronological summary status with dates of coordination activities with the resource agencies, including those occurring after the initial coordination, to be reviewed and confirmed by the district's environmental section.

For PSLs that fall within USACE permit areas, the Contractor must document and coordinate with the USACE, if required, before any excavation hauled from or embankment hauled into a USACE permit area by either (1) or (2) below.

1. Restricted Use of Materials for Previously Evaluated Permit Areas. The Contractor will document both the project specific location (PSL) and their authorization and the Contractor will maintain copies for review by the Department and/or any regulatory agency. When an area within the project limits has been evaluated by the USACE as part of the permit process for this project, then:
 - a. Suitable excavation of required material in the areas shown on the plans and cross sections as specified in Item 110 is used for permanent or temporary fill (Item 132, Embankment) within a USACE permit area may be restricted;
 - b. Suitable embankment (Item 132) from within the USACE permit area is used as fill within a USACE evaluated area may be restricted; and,
 - c. Unsuitable excavation or excess excavation ["Waste"] (Item 110) that is disposed of at an approved location within a USACE evaluated area may be restricted.
2. Contractor Materials from Areas Other than Previously Evaluated Areas. The Contractor will provide the Department with a copy of all USACE coordination or approvals before initiating any activities for an area within the project limits that has not been evaluated by the USACE or for any off right-of-way locations used for the following, but not limited to, haul roads, equipment staging areas, borrow and disposal sites, including:
 - a. Item 132, Embankment, used for temporary or permanent fill within a USACE permit area; and,
 - b. Unsuitable excavation or excess excavation ["Waste"] (Item 110, Excavation) that is disposed of outside a USACE evaluated area.

Storm Water Regulations Requirements:

The Contractor shall be responsible for (off ROW) PSLs applicable to the TCEQ Construction General Permit (CGP) requirements and will notify the Engineer of the disturbed acreage within one (1) mile of the project limits. The Contractor shall obtain any required authorization form the TCEQ for any Contractor PSLs for construction support activities on or off ROW.

The total area disturbed for this project is 90 acres. The disturbed area in this project, all project locations in the Contract, and the Contractor project specific

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locations (PSLs), within 1 mile of the project limits, for the Contract will further establish the authorization requirements for storm water discharges. The Department will obtain an authorization to discharge storm water from the Texas Commission on Environmental Quality (TCEQ) for the construction activities shown on the plans. The Contractor is to obtain required authorization from the TCEQ for Contractor PSLs for construction support activities on or off the ROW. When the total area disturbed in the Contract and PSLs within 1 mile of the project limits exceeds 5 acres, the Contractor shall provide a copy of the Contractor NOI for PSLs on the ROW to the Engineer and to the local government that operates a municipal separate storm sewer system (MS4), if applicable.

Item 8 Prosecution and Progress

No weekend closures will be allowed on the weekends which include the following holidays: January 1, the last Monday in May, July 4, the first Monday in September, the fourth Thursday in November, December 25 and Easter weekend.

Only nighttime work will be allowed for the following highways:

Highway	From	To
US 90	Stricklen Ave.	17th Street
US 90	Ave. F	East Cortinas St.

At times when and at locations where only nighttime work is allowed, the Contractor shall set up traffic control no earlier than **8:00 P.M.** and shall have all work completed and traffic control removed by **6:00 A.M.**

Working days for nighttime only work will be in accordance with **Article 8.3.C.2.a. Nighttime Work Only.**

At times when and at locations where Nighttime work is not required, working days will be in accordance with **Article 8.3.A.4. Standard Workweek.**

Equipment and material may be pre-staged at approved locations.

Item 500 Mobilization

"Materials-on-Hand" payments will not be considered in determining percentages used to compute mobilization payments.

Item 502 Barricades, Signs, and Traffic Handling

Designate, as the Contractor Responsible Person (CRP), an English speaking employee on-call nights and weekends with a local address and telephone number (or any other time that work is not in progress) for maintenance of signs and barricades. This employee will be located within one (1) hour of traveling time to the project site. Notify the Engineer in writing of the name, address and

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telephone number of this employee. Furnish this information to local law enforcement officials.

The time frame for the Contractor to provide properly maintained traffic control devices before they are considered to be in non-compliance with this Item, is 48 hours regardless of the days of the week involved after notification is done in writing by the Engineer.

When advanced warning flashing arrow panel(s) is/are specified, maintain one standby unit in good condition at the job site ready for immediate use is required.

Place eight inches of both red and white stripes in an inverted "V" design on the back of all TMA's. Conform all sheeting to Departmental Material Specification D-9-8300, Type C.

Traffic control required for this project will not be paid for directly, but will be considered subsidiary to the various bid items.

Provide two-way radios in areas where flagmen do not have visual contact with one another or cannot communicate with one another.

Provide shadow vehicles equipped with Truck Mounted Attenuators (TMA) as shown on Traffic Control Plan (TCP) standards (2 series).

Limit lane closures to a maximum of 3 miles. If more than one lane closure location is desired, provide a minimum of a 2 mile passing zone between locations. Provide a separate sign set up for each location.

Ensure equipment and materials are a minimum of 30 feet from the edge of the travel lane during non-working hours.

Erect signs in locations not obstructing the traveling public's view of the normal roadway signing or necessary sight distance at intersections and curves.

Item 506 Temporary Erosion, Sedimentation, and Environmental Controls

The SW3P for this contract shall consist of using, as directed by the engineer, any erosion or water pollution control measure deemed necessary by the engineer. Any erosion or water pollution control measure deemed necessary by the engineer shall be implemented by the contractor as prescribed by this item and in accordance with the applicable specification. Payment for erosion control measures for which applicable pay items are not included in the contract shall be made in accordance with the Article 9.5, "Force Account."

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Item 6834: Portable Changeable Message Signs

Use of a portable changeable message sign as advance notice of lane closures will be required for 7 calendar days prior to the start of each location. Portable Changeable Message Signs will not be paid directly but will be subsidiary to **Item 502 Barricades, Signs, and Traffic Handling.**

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