



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

November 6, 2006

Addendum No. 5

RE: Contract ID: C201269
TIP Number: I-2808A
FA No.: IMF-77-1 (157)72
Yadkin County
Project Description: I-77 from south of SR 1125 (Ashbury Church Road) to US 21

December 21, 2006 Letting

To Whom It May Concern:

Reference is made to the Final Request for Proposal with label furnished to you on November 1, 2006 for the above project.

The first page of the *TABLE OF CONTENTS* has been revised. Please void the first page of the *TABLE OF CONTENTS* and staple the revised first page of the *TABLE OF CONTENTS* thereto.

Pages 1 and 8 of the *PROJECT SPECIAL PROVISIONS SECTION* have been revised. Please void pages 1 and 8 in your proposal and staple the revised pages 1 and 8 thereto.

Sincerely,

R.A. Garris, P.E.
Contract Officer

Addendum No.5 to Final RFP
C 201269 (I-2808A) Yadkin County

cc: Mr. Steve Varnedoe, PE
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Mr. Khaled Al-Akhdar (w/)
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Mr. Ayman Alqudwah, PE (w/)
Mr. James Bridges, PE
Ms. Cheryl Gregory (w/)
Mr. Andy Gay, PE (w/)
Ms. Betty Rawls (w/)
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Ms. Brenda Moore, PE - Roadway (w/)
Dr. Clark Morrison, PE - Pavement Design (w/)
Mr. John Pilipchuk, PE - Geotechnical (w/)
Ms. Elizabeth Lusk - Environmental Permits (w/)
Ms. Michelle Long, PE - Public Information (w/)
Mr. Stephen Worthy - Utility Coordination (w/)
Mr. Barney Blackburn - Erosion & Sed. Cont. (w/)
Mr. Mitch Hendee, PE - Traffic Control (w/)
Mr. Tim McFadden - Signing (w/)
Ms. Anne Gamber, PE - Hydraulics (w/)
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Mr. Stuart Bourne, PE
Dr. Judith Corley-Lay, PhD., PE
Mr. Calvin Leggett, PE
Mr. Don Lee
Mr. Ellis Powell, PE
Mr. Jay Bennett, PE
Mr. Dave Henderson, PE
Mr. John Williamson

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***** PROJECT SPECIAL PROVISIONS *******CONTRACT TIME AND LIQUIDATED DAMAGES** (Projects without Permits)

The date of availability for this contract is **February 5, 2007**.

The completion date for this contract is defined as the date proposed in the Technical Proposal by the proposer who is awarded the project. The completion date thus proposed shall not be later than **August 15, 2009**.

The actual completion date proposed by the Design-Build Team is **(to be filled in by NCDOT after award)**.

When observation periods are required by the special provisions, they are not a part of the work to be completed by the completion date and/or intermediate contract times. Should an observation period extend beyond the final completion date, the acceptable completion of the observation period shall be a part of the work covered by the performance and payment bonds.

The liquidated damages for this contract are **Five Thousand Dollars** (\$5,000.00) per calendar day. As an exception to this amount, where the contract has been determined to be substantially complete as defined in Section 105-18 of the Standard Special Provisions – Division 1 contained elsewhere in this RFP, the liquidated damages will be reduced to **One Thousand Dollars** (\$1,000.00) per calendar day.

Where the Design-Build Team who is awarded the contract has proposed a completion date for the contract as required above, but also has proposed an earlier date for substantial completion, then both of these proposed dates will become contract requirements.

Liquidated damages of **Five Thousand Dollars** (\$5,000.00) per calendar day will be applicable to the early date for substantial completion proposed by the bidder. Liquidated damages of **One Thousand Dollars** (\$1,000.00) per calendar day will be applicable to the final completion date proposed by the bidder where the Design-Build Team has proposed an earlier date for substantial completion.

DB1 G06

OTHER LIQUIDATED DAMAGES AND INCENTIVES (12/12/05)

Refer to the Traffic Control Scope of Work for more information on the following time restrictions and liquidated damages:

Liquidated Damages for lane narrowing, lane closure, holiday, special event time and crossover restrictions for I-77 and US 421 are **\$5,000.00** per hour for this Intermediate Contract Time.

Liquidated Damages for road and ramp closure time restrictions on I-77 and US 421, are **\$1,250.00** per 15 minute period or any portion thereof for this Intermediate Contract Time.

Liquidated damages for Erosion Control efforts apply to this project. Reference Erosion and Sedimentation Control Scope of Work under liquidated damages.

VALUE ANALYSIS (9-27-05)

Value Engineering Construction Proposals (VECP), as identified in Article 104-12 of the Standard Special Provisions, Division 1 (found elsewhere in this RFP), will be accepted. Only proposals, which alter the requirements of the RFP issued by the Department, will be considered as Value Engineering Construction Proposals.

DB1 G57

SCHEDULE OF ESTIMATED COMPLETION PROGRESS (9-27-05)

The Design-Build Team's attention is directed to the Standard Special Provision entitled "Availability Of Funds - Termination Of Contracts" included elsewhere in this RFP. The Department of Transportation's schedule of estimated completion progress for this project as required by that Standard Special Provision is as follows:

<u>Fiscal Year</u>	<u>Progress (Dollar Value)</u>
2007 (7/01/06 – 6/30/07)	23 % of Total Amount Bid
2008 (7/01/07 – 6/30/08)	46 % of Total Amount Bid
2009 (7/01/08 – 6/30/09)	28 % of Total Amount Bid
2010 (7/01/09 – 6/30/10)	3 % of Total Amount Bid

The Design-Build Team shall also furnish its own progress schedule in accordance with the Project Special Provision entitled PROJECT SCHEDULE (found elsewhere in this RFP). Any acceleration of the progress as shown by the Design-Build Team's progress schedule over the progress as shown above shall be subject to the approval of the Engineer.

DB1 G58

DISADVANTAGED BUSINESS ENTERPRISE (2/24/04)

POLICY

It is the policy of the North Carolina Department of Transportation that Disadvantaged Business Enterprises shall have the opportunity to participate in the performance of contracts financed in whole or in part by Federal Funds in order to create a level playing field.

The Design-Build Team is also encouraged to give every opportunity to allow DBE participation in Supplemental Agreements.

OBLIGATION

The Design-Build Team, subcontractor, and sub-recipient shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Design-Build Team shall carry out applicable requirements of 49 CFR 26 in the award and administration of federally assisted contracts as approved by the Federal Highway Administration.. Failure by the Design-Build Team to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the Department deems necessary.

This obligation shall be incorporated into any subsequent contract at any level that is executed under the terms of this contract.