



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

September 13, 2007

Addendum No. 3

Contract Number: C 201752
TIP Number: U-3412A
County: Union
Project Description: Martin Luther King, Jr. Boulevard (SR 1223) from Lancaster Avenue (NC 200) to Goldmine Road (SR 1162)

RE: Distribution of Addendum No. 3

Dear Sir:

Reference is made to the Request for Proposal recently furnished to you on the above project. The following revisions have been made to the Request for Proposal:

The COVER SHEET has been revised.

The TABLE OF CONTENTS has been revised.

Pages 1, 5 and 39 of the PROJECT SPECIAL PROVISIONS have been revised.

Page 47 of the GENERAL SECTION has been revised.

Page 64 of the STRUCTURES SCOPE OF WORK has been revised.

The FUEL USAGE FACTOR CHART AND EXTIMATE OF QUANTITIES has been revised.

The attached original (labeled) Final RFP (September 13, 2007) that contains all addenda is being supplied to you. This original labeled RFP must be used to submit the Price Proposal.

One bound copy and one unbound copy of the Final RFP (September 13, 2007) that contains all addenda are available for you on the Design-Build pick-up table located in Century Center Building "B". It is the Design-Build Team's responsibility to insure that the unbound copy is complete and includes all the information contained in the bound RFP. The Department assumes no responsibility and makes no claims for its use. Additional bound copies may be obtained, at a cost of \$25.00 per copy, by contacting Ms. Betty Rawls at 919-250-4128.

As specified in the Request for Proposals (RFP) your Team is required to participate in a **30-minute** presentation, followed by an oral interview with the Department's Technical Review Committee from **X:XX p.m. to X:XX p.m. on October 22, 2007** in the Structure Design Conference Room "C" (Century Center Building A) at 1020 Birch Ridge Drive, Raleigh, NC. Please contact the other members of your Design-Build Team and inform them of this appointment. A maximum of **ten (10)** people from the Design-Build Team may attend.

Please note that **12 copies** of the Technical Proposal, the sealed Price Proposal and sealed Fuel Usage Factor Chart and Estimate of Quantities will be required for submittal **no later than 4:00 p.m. (EST) on October 10, 2007.**

If you have any questions or need additional information, I can be reached by telephone at (919) 250-4124.

Sincerely,

R.A. Garris, PE
Contract Officer

RAG/tmb

cc: Mr. Steve Varnedoe, PE
Mr. Jon Nance, PE
Ms. Deborah Barbour, PE
Mr. Victor Barbour, PE

Mr. Art McMillan, PE
Mr. Clarence Coleman, PE (w/3)
Mr. Phillip Harris, PE
Mr. Carl Goode
Mr. Ron Hancock, PE
Mr. David Harris, PE
Mr. Randy Henegar, PE (w/)
Mr. Ron Davenport, PE (w/)
Mr. Van Argabright, PE
Mr. Jay McInnis, PE (w/)
Ms. Tawana Brooks, PE (w/3)
Mr. Rick Mason (w/)
Mr. Tim Kirk
Mr. Joseph Ishak, PE (w/)
Mr. Ayman Alqudwah, PE (w/)
Mr. Roger Worthington, PE (w/)
Ms. Teresa Bruton, PE (w/4)
Ms. Marsha Sample (w/)
Mr. Allen Raynor, PE (w/)
Mr. Ronald Graham, PE (w/)
Mr. Scott Allen, PE (w/)
Mr. Rodger Rochelle, PE (w/)
Mr. Richard Hancock, PE (w/)
Mr. Ellis Powell, PE
Mr. Barry Moose, PE (w/)
Mr. Jay Bennett, PE
Mr. John Emerson, PE (w/)
Ms. Jennifer Brandenburg, PE (w/)
TRC Members
File

Ms. Anne Gamber PE – Hydraulics (w/)
Mr. John Pilipchuk, PE – Geotechnical (w/)
Dr. Clark Morrison, PE - Pavement Design (w/)
Mr. Barney Blackburn, PE - Erosion & Sed. Cont. (w/2)
Ms. Jackie Armstrong, EI – Roadway (w/)
Mr. Mitch Hendee, PE - Traffic Control (w/)
Mr. David Boyd - Utility Coordination (w/)
Mr. Lonnie Brooks, PE - Structures / Railroad (w/)
Mr. Cyrus Parker, PE - Geo-Environmental (w/)
Mr. Tim McFadden – Signing (w/)
Ms. Tammy Stewart - Public Information (w/)
Mr. Neal Strickland - Right-of-Way (w/)
Ms. Elizabeth Lusk - Environmental Permits (w/)
Ms. Leilani Paugh - On-Site Mitigation (w/)
Mr. Tim Williams, PE - Signal Design (w/)
Mr. Jimmy Goodnight, PE – Roadway (w/)

Mr. Calvin Leggett, PE
Mr. Doug Allison
Dr. Judith Corley-Lay, PE
Mr. Njoroge Wainaina, PE
Mr. Dave Henderson, PE
Mr. Ron King, PE
Mr. Greg Perfetti, PE
Mr. Don Lee
Mr. Richard Mullinax, PE
Mr. Greg Thorpe, PE
Mr. Stuart Bourne, PE
Mr. Tony Wyatt, PE (w/)
Mr. Wayne Johnson, PE (w/)
Mr. Robert Memory, PE (w/)
Mr. James Dunlop, PE (w/)



-- STATE OF NORTH CAROLINA--
DEPARTMENT OF TRANSPORTATION
RALEIGH, N.C.



FINAL RFP

Includes

Addendum No. 1 - July 26, 2007

Addendum No. 2 - August 15, 2007

Addendum No. 3 - September 13, 2007

DESIGN-BUILD PROJECT

TIP U-3412A

September 13, 2007

VOID FOR BIDDING

DATE AND TIME OF TECHNICAL AND PRICE PROPOSAL SUBMISSION: **October 10, 2007** AT **4:00 PM**

DATE AND TIME OF PRICE PROPOSAL OPENING: **October 23, 2007** AT **10:00 AM**

CONTRACT ID: C 201752

WBS ELEMENT NO. 34938.3.3

FEDERAL-AID NO. STP-1223(1)

COUNTY: Union

ROUTE NO. SR 1223 (Martin Luther King, Jr. Boulevard)

MILES: Approximately 3 miles

LOCATION: SR 1223 (Martin Luther King, Jr. Boulevard) from NC 200 (Lancaster Avenue) to SR 1162 (Goldmine Road)

TYPE OF WORK: DESIGN-BUILD AS SPECIFIED IN THE SCOPE OF WORK
CONTAINED IN THE REQUEST FOR PROPOSALS

NOTICE:

ALL PROPOSERS SHALL COMPLY WITH ALL APPLICABLE LAWS REGULATING THE PRACTICE OF GENERAL CONTRACTING AS CONTAINED IN CHAPTER 87 OF THE GENERAL STATUTES OF NORTH CAROLINA WHICH REQUIRES THE PROPOSER TO BE LICENSED BY THE N.C. LICENSING BOARD FOR CONTRACTORS WHEN BIDDING ON ANY NON-FEDERAL AID PROJECT WHERE THE BID IS \$30,000 OR MORE, EXCEPT FOR CERTAIN SPECIALTY WORK AS DETERMINED BY THE LICENSING BOARD. PROPOSERS SHALL ALSO COMPLY WITH ALL OTHER APPLICABLE LAWS REGULATING THE PRACTICES OF ELECTRICAL, PLUMBING, HEATING AND AIR CONDITIONING AND REFRIGERATION CONTRACTING AS CONTAINED IN CHAPTER 87 OF THE GENERAL STATUTES OF NORTH CAROLINA. NOT WITHSTANDING THESE LIMITATIONS ON BIDDING, THE PROPOSER WHO IS AWARDED ANY PROJECT SHALL COMPLY WITH CHAPTER 87 OF THE GENERAL STATUTES OF NORTH CAROLINA FOR LICENSING REQUIREMENTS WITHIN 60 CALENDAR DAYS OF BID OPENING, REGARDLESS OF FUNDING SOURCES.

5% BID BOND OR BID DEPOSIT REQUIRED

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Fuel Usage Factor Chart and Estimate of Quantities (WHITE SHEET)

Award Limits on Multiple Projects (YELLOW SHEET)

Listing of DBE Subcontractors (YELLOW SHEETS)

Execution of Bid, Noncollusion Affidavit & Debarment Certification Signature Sheet
(YELLOW SHEETS)

***** PROJECT SPECIAL PROVISIONS *****

CONTRACT TIME AND LIQUIDATED DAMAGES

DB1 G04

The date of availability for this contract is **November 26, 2007** except that the Design-Build Team shall not begin ground disturbing activities, including utility relocations and tree harvesting, (this does not include permitted investigative borings covered under a Nationwide Permit No. 6) until the required permits have been acquired, as stipulated in the Environmental Permits Scope of Work contained elsewhere in this Request for Proposals (RFP). The Design-Build Team shall consider this factor in determining the proposed completion date for this project.

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 **November 1, 2010**.

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 by the Special Provision entitled "Substantial Completion" found 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.

OTHER LIQUIDATED DAMAGES AND INCENTIVES

(3/22/07)

DB1 G11

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

Liquidated Damages for Intermediate Contract Time #1 for lane narrowing, lane closure, holiday and special event time restrictions for NC 200, SR 1158, NC 75, NC 84, SR 1200, SR 1162 and Martin Luther King Jr. Boulevard are \$1,000.00 per hour.

800-2 MEASUREMENT AND PAYMENT

5 percent of the “Total Amount Bid for Entire Project” shall be considered the lump sum amount for Mobilization. Partial payments for Mobilization will be made beginning with the first partial pay estimate paid on the contract. Payment will be made at the rate of 50 percent of the lump sum amount calculated for Mobilization. The remaining 50 percent will be paid with the partial pay estimate following approval of all permits required in the Environmental Permits Scope of Work for this project.

SUBMITTAL OF QUANTITIES, DIESEL # 2 FUEL BASE INDEX PRICE AND OPT-OUT OPTION:

(5-23-07)

(A) Submittal of Quantities

Submit quantities on the *Fuel Usage Factor Chart and Estimate of Quantities* sheet, located in the back of this RFP, following the Itemized Proposal Sheet.

The Design-Build Team shall prepare an Estimate of Quantities that they anticipate incorporating into the completed project and upon which the Price Proposal was based. The quantity breakdown shall include all items of work that appear in the *Fuel Usage Factor Chart and Estimate of Quantities* sheet. Only those items of work which are specifically noted in the Fuel Usage Factor Chart will be subject to fuel price adjustments. The quantity estimate submitted in the Price Proposal shall be the final total quantity for which fuel price adjustments will be made for each item, regardless of supplemental agreements. The Department will review the Estimate of Quantities to ensure its reasonableness to the proposed design. Agreement of quantities will be a prerequisite prior to execution of the contract.

Submittal The submittal shall be signed and dated by an officer of the Design-Build Team. The information shall be copied and submitted in a separate sealed package with the outer wrapping clearly marked “Fuel Price Adjustment” and shall be delivered at the same time and location as the Technical and Price Proposal. The original shall be submitted in the Price Proposal.

Trade Secret Information submitted on the *Fuel Usage Factor Chart and Estimate of Quantities* sheet will be considered “Trade Secret” in accordance with the requirements of G.S. 66-152(3) until such time as the Price Proposal is opened.

(B) Base Index Price

The Design-Build Team’s Estimate of Quantities will be used on the various partial payment estimates to determine fuel price adjustments. The Design-Build Team shall submit a payment request for quantities of work completed based on the work completed for that estimate period. The quantities requested for partial payment shall be reflective of the work actually accomplished for the specified period. The Design-Build Team shall certify that the quantities are reasonable for the specified period. The base index price for DIESEL #2 FUEL is **\$ 2.2611** per gallon.

When it is determined that the monthly selling price of asphalt binder on the first business day of the calendar month during which the last day of the partial payment period occurs varies either upward or downward from the Base Price Index, the partial payment for that period will be adjusted. The partial payment will be adjusted by adding the difference (+ or -) of the base price index subtracted from the monthly selling price multiplied by the total theoretical quantity of asphalt binder authorized for use in the plant mix placed during the partial payment period involved.

The base price index for asphalt binder for plant mix is **\$ 339.29** per ton.

This base price index represents an average of F.O.B. selling prices of asphalt binder at supplier's terminals on **September 1, 2007**.

TRAINING REQUIREMENTS

(7-1-95)

DB1 G136

The Design-Build Team's attention is directed to the Standard Special Provision "Training Special Provision" included elsewhere in this Request for Proposal.

The number of trainees to be trained on this project shall be two.

FIELD OFFICE

Description

This work shall consist of furnishing, erecting, equipping, and maintaining a field office for the exclusive use of Department Engineers and Inspectors at a location on the project approved by the Engineer.

Procedures

The field office and equipment shall remain the property of the Design-Build Team. The field office shall be separated from buildings and trailers used by the Design-Build Team and shall be erected and functional as an initial operation. Failure to have the field office functional when work first begins on the project shall result in withholding payment of the Design-Build Team's monthly progress estimate. The field office shall be operational throughout the duration of the project and shall be removed upon completion and final acceptance of the project.

The field office shall be weatherproof, tightly floored and roofed, constructed with an air space above the ceiling for ventilation, and supported above the ground. The width of the field office shall be at least 10 feet, and the floor-to-ceiling height shall be at least 7 feet 6 inches. The inside walls and ceiling shall be constructed of plywood, masonite, gypsum board, or other suitable materials. The exterior walls, ceiling, and floor shall be insulated.

the person or persons were “formerly involved” while employed by the State. The restriction period shall be for the duration of the contracted project with which the person was involved. *Former Involvement* shall be defined as active participation in any of the following activities:

- Drafting the contract
- Defining the scope of the contract
- Selection of the Design-Build Team
- Negotiation of the cost of the contract (including calculating manhours or fees); and
- Administration of the contract.

An exception to these terms may be granted when recommended by the Secretary and approved by the Board of Transportation.

Failure to comply with the terms stated above in this section shall be grounds for termination of this contract and / or not being considered for selection of work on future contracts for a period of one year.

SUBMITTAL OF TECHNICAL AND PRICE PROPOSALS

Technical and / or Price Proposals that do not adhere to all the requirements noted below may be considered non-responsive and may result in the Department not considering the Design-Build Team for award of the contract or reading their Price Proposal publicly.

GENERAL

Technical and Price Proposals will be accepted until **4:00 P.M. Local Time on Wednesday, October 10, 2007**, at the office of the State Contract Officer:

Mr. Randy A. Garris, PE
Project Services Unit
1020 Birch Ridge Drive
Century Center Complex Bldg. B
Raleigh, NC 27610

No Proposals will be accepted after the time specified.

Proposals shall be submitted in 2 separate, sealed parcels containing the Technical Proposal in one and the Price Proposal in the other parcel.

STRUCTURES SCOPE OF WORK (09-13-07)**Project Details**

The Design-Build Team shall be responsible for all structures necessary to complete the project.

The -L- Line shall bridge the following features:

- NC 75
- CSX Railroad
- Bearskin Creek

Structures are anticipated at the following locations:

- Dry Fork Creek near Sta. 155+00 +/- -L- (preliminary roadway plans dated 11/21/06)
- Unnamed tributary near Sta. 68+60 +/- -L- (preliminary roadway plans dated 11/21/06)
- Dry Fork Creek near Sta. 16+80 +/- -Y6- (preliminary roadway plans dated 11/21/06)

All structures shall meet the requirements of the Hydraulics and Environmental Permits Scopes of Work.

**** NOTE **** Deleted paragraph on bridge on -L- over Bearskin Creek.

The existing bridge at Sta. 16+80 -Y6- shall be removed.

Size of box culverts to be determined by the Design-Build Team.

The vertical and horizontal clearances for the bridge over NC 75 shall accommodate a future four-lane divided arterial with a 30-foot median.

**** NOTE **** Revised and relocated paragraph on railroad minimum vertical and horizontal clearances.

All bridge barrier rails shall be jersey shaped barriers per Standard Drawing CBR1.

Shoulder piers for grade separations shall be avoided when possible. MSE walls in front of end bents are allowed provided ample room remains underneath the bridge for clear recovery on the proposed roadway or (2) future widening to six lanes, whichever governs.

A live load rating chart for girders will be required on the bridge plans.

At bridge locations along the -L- line, the Design-Build Team shall be responsible for either attaching a conduit system to the bridge structure or installing a conduit system underground. See Signals scope of work for conduit location and details.

General

The Design-Build Team's primary structural design firm shall be on the Highway Design Branch list of firms qualified for Structure Design and maintain an office in North Carolina.

FUEL USAGE FACTOR CHART AND ESTIMATE OF QUANTITIES

Description of Work	Units	Fuel Usage Factor Diesel #2	Estimate of Quantities
Unclassified Excavation	Gal/CY	0.29	_____cy
Borrow Excavation	Gal/CY	0.29	_____cy
Aggregate Base Course	Gal/Ton	0.55	_____tons
Aggregate for Cement Treated Base Course			
Portland Cement for Cement Treated Base Course			
Asphalt Concrete Base Course	Gal/Ton	2.90	_____tons
Asphalt Concrete Intermediate Course			
Asphalt Concrete Surface Course			
Open-Graded Asphalt Friction Course			
Sand Asphalt Surface Course, Type F-1			
Portland Cement Concrete Pavement	Gal/CY	0.98	_____cy
Structural Concrete			
Concrete Shoulders Adjacent to Pavement			

The above quantities represent a reasonable estimate of the total quantities anticipated, for each item, as pertaining to fuel price adjustments, and is representative of the design proposed in the Technical Proposal submitted under separate cover.

Or

The Design-Build Team elects not to pursue reimbursement for Fuel Price Adjustments on this project.

The information submitted on this sheet is claimed as a "Trade Secret" in accordance with the requirements of G.S. 66-152(3) until such time as the Price Proposal is opened.

Signature, Title

Dated

Print Name, Title

(Submit a copy of this sheet in a separate sealed package with the outer wrapping clearly marked "Fuel Price Adjustment" and deliver with the Technical and Cost Proposal.)