



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY  
GOVERNOR

LYNDO TIPPETT  
SECRETARY

September 26, 2007

**Addendum No. 4**

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. 4

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:

On the COVER SHEET, change the dates for the Technical and Price Proposal submission to **October 24, 2007** and for the Price Proposal opening to **November 8, 2007**. Please mark through dates shown on the September 13, 2007 (Labeled) RFP and insert the new dates. This correction must be done in ink and initialed and dated by your Team's primary contractor (reference the attached example). The corrected Final RFP, must be used to submit the Price Proposal for return to this office.

On page 1, the CONTRACT TIME AND LIQUIDATED DAMAGES project special provision has been revised. Please void page 1 in your proposal and staple the revised page 1 thereto.

Pages 47 and 51 of the GENERAL SECTION have been revised. Please void pages 47 and 51 in your proposal and staple the revised pages 47 and 51 thereto.

Page 67 of the RAILROAD COORDINATION SCOPE OF WORK has been revised. Please void page 67 in your proposal and staple the revised page 67 thereto.

Page 123 of the ENVIRONMENTAL PERMITS SCOPE OF WORK has been revised. Please void page 123 in your proposal and staple the revised page 123 thereto.

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 **X:XX p.m. to X:XX p.m. on November 7, 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 24, 2007**.

**MAILING ADDRESS:**  
NC DEPARTMENT OF TRANSPORTATION  
PROJECT SERVICES UNIT  
1591 MAIL SERVICE CENTER  
RALEIGH NC 27699-1591

TELEPHONE: 919-250-4128  
FAX: 919-250-4119

WEBSITE: [WWW.DOH.DOT.STATE.NC.US](http://WWW.DOH.DOT.STATE.NC.US)

**LOCATION:**  
CENTURY CENTER COMPLEX  
ENTRANCE B-2  
1020 BIRCH RIDGE DRIVE  
RALEIGH NC

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

Sincerely,

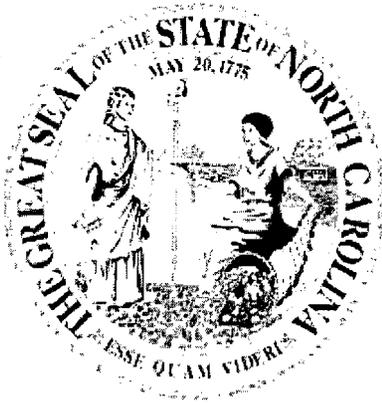
R.A. Garris, PE  
Contract Officer

RAG/tmb

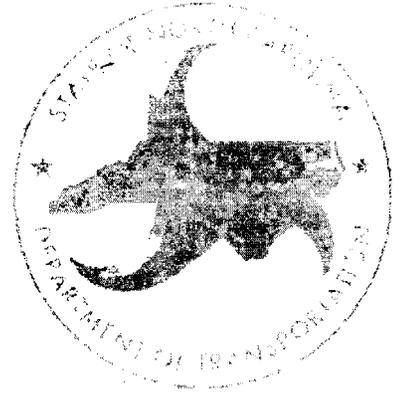
cc: Mr. Steve Varnedoe, PE  
Mr. Jon Nance, PE  
Ms. Deborah Barbour, PE  
Mr. Victor Barbour, PE  
Mr. Art McMillan, PE  
Mr. Clarence Coleman, PE (w/3)  
Mr. Phillip Harris, PE  
Mr. Carl Goode  
Mr. Ron Hancock, PE  
Mr. David Harris, PE  
Mr. Randy Henegar, PE (w/)  
Mr. Ron Davenport, PE (w/)  
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~~

EXAMPLE

VOID FOR BIDDING

x y z 9/26/07

October 24, 2007

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

November 8, 2007

WBS ELEMENT NO. 34938.3.3

x y z 9/26/07

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

**\*\*\* PROJECT SPECIAL PROVISIONS \*\*\*****CONTRACT TIME AND LIQUIDATED DAMAGES**

DB1 G04

The date of availability for this contract is **January 2, 2008** 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 **December 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.

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 24, 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.

***Natural Environmental Responsibility***

- Describe the Design-Build Team's approach to addressing environmental concerns within the project boundaries.
- Identify efforts to minimize impacts on wetlands, streams, riparian buffers, and other environmentally sensitive areas.
- Identify innovative approaches to minimize any impacts in environmentally sensitive areas. Describe any temporary impacts and associated minimization approaches.
- Describe the Design-Build Team's understanding of the overall approach to permitting and the Team's comfort level with obtaining the required permits within the allowed timeframe.
- Identify methods of construction in wetlands, streams, and buffers.
- Describe any Notice of Violations (NOV's) or Immediate Corrective Actions (ICA's) the Design-Build Team members have received and the disposition of any NOV's or ICA's.
- Describe the Design-Build Teams approach to Sedimentation and Erosion Control for the project.
- Describe the Design-Build Team's approach to and plan for On-Site Mitigation.
- Describe efforts to minimize excavation within the contaminated sites and associated disturbance to underlying soil.

***Design Features***

- Show plan view of design concepts with key elements noted.
- Identify preliminary horizontal and vertical alignments of all roadway elements.
- Show typical sections for the mainline of the project.
- Identify drainage modifications and designs to be implemented.
- Identify the appropriate design criteria for each feature if not provided.
- Identify all bridge types to be constructed, including any special design features or construction techniques needed.
- Identify any deviations, including proposed design exceptions, from the established design criteria that will be utilized. Explain why the deviation is necessary. Describe any Geotechnical investigations to be performed by the Design-Build Team.
- Identify any special aesthetics considerations that will be part of the design.
- Describe how any utility conflicts will be addressed and any special utility design considerations. Describe how the Design-Build Team's design and construction methods minimize the Department's utility relocation costs.
- Describe how the design will affect the Department's right-of-way costs.
- Identify types of any retaining walls and / or noise walls if applicable.
- Address the approach to coordinating any necessary efforts with railroad owners.
- Describe how the Design-Build Team's design will accommodate / benefit the future four-lane construction.
- Indicate the Design-Build Team's intent to perform additional grading operations within the proposed right of way to obtain borrow material and detail how it will affect / benefit the future project.
- The Design-Build Team shall include all costs associated with the protective fence required on the bridge over the CSX Railroad (reference the Railroad Coordination Scope of Work) in the lump sum price bid for the project. However, the Design-Build Team is not required to include the details associated with this protective fence in the Technical Proposal.

**RAILROAD COORDINATION SCOPE OF WORK** (09-25-07)

Unless a distinction is made, it is the Department's intention that whenever this scope of work references "Railroad" this would be CSX Transportation. The Design-Build Team shall be responsible for coordinating all Railroad design and construction details on Railroad right of way. Coordination shall include any necessary agreements required by the NCDOT and / or Railroad. The Design-Build Team shall be responsible for all Railroad costs associated with this project to include, but not be limited to, crossing surfaces, track materials, insurance, flagging, and right of way acquisition.

**Preparation for Construction within the Existing Railroad Right of Way**

- I. The Design-Build Team shall be required to use the following guidelines and any other guidelines as required by the Railroad, including but not limited to the information noted below and on the CSX website ([csx.com](http://csx.com)).
  - (A) *AREMA Manual for Railroad Engineering*
  - (B) *CSXT Public Project Information* dated 5/4/2007 with updated *CSXT Criteria for Overhead Bridges* dated 9/14/07
  - (C) *Federal Aid Policy Guide 23 CFR 140I*
  - (D) *Federal Aid Policy Guide 23 CFR 646*
  - (E) *NCDOT Construction Manual* Section 105-8
  - (F) *NCDOT Standard Specifications for Roads and Structures* Section 107-9 (Excluding Paragraph 2)
  - (G) *North Carolina Administrative Code* Section T19A: 02B, 0153 through 0159
  - (H) *CSX Transportation Special Provisions for Protection of Railway Interest*
  - (I) *CSX Design and Construction Standard Specifications*
- II. The Design-Build Team shall be responsible for verifying the number of trains per day and maximum speed allowed.

**Arrangements for Protection and Adjustments to Existing and Proposed Railroad Crossing Surface and Roadbeds:**

- I. The Design-Build Team shall make the necessary arrangements with the Railroad for the installation of new grade crossing surfaces, (permanent and temporary construction crossing), removal of temporary construction crossing after completion of project, shoring plans, encroachment agreements, and railroad force account estimates and agreements. All permanent crossing surfaces shall be concrete, both field and gauge. The Design-Build Team shall not commence any work on the Railroad right of way until all agreements have been executed, insurance acquired and approved, and all construction plans have been approved by the Railroad. The Design-Build Team shall make the necessary arrangements with the Railroad that are required to protect against property damage that may result in loss of service, expense, or loss of life. The Design-Build Team shall be responsible for all damage to the Railroad resulting from their operations and the Railroad may issue a stop order until all dangerous situations are remedied. The

**ENVIRONMENTAL PERMITS SCOPE OF WORK** (09-25-07)**General**

The Department will allow no direct contact between the Design-Build Team and representatives of the environmental agencies. No contact between the Design-Build Team and the environmental agencies shall be allowed either by phone, e-mail or in person, without representatives of the Department's Project Development & Environmental Analysis Branch's (PDEA) Branch and / or the Division's Environmental Officer present. A representative from the Alternative Delivery Unit shall be included on all correspondence.

The Design-Build Team shall be responsible for preparing all documents necessary for the Department to obtain the environmental permits for the construction requirements of this project. Permit applications shall be required for the US Army Corps of Engineers Section 404 Permit, and the NC Department of Natural Resources (DENR), Division of Water Quality (DWQ) Section 401 Water Quality Certification. The Design-Build Team shall not begin ground-disturbing activities, including utility relocation, until all environmental permits have been issued (this does not include permitted investigative borings covered under a Nationwide Permit #6).

The Department has reached Concurrence Point 4A in the Merger 01 Process used by the environmental agencies and the Department to obtain environmental permits for highway projects. The Design-Build Team shall be responsible for conducting the Concurrence Point 4B and 4C meetings. Any variations in the Department's proposed design and / or construction methods that nullify Concurrence Point 4A and / or require additional coordination with the Environmental Agencies shall be the sole responsibility of the Design-Build Team. The Department shall not allow any contract time extensions associated with this additional coordination. The Design-Build Team shall follow the appropriate details in the document titled "Merger 01 Implementation Team – Merger 01 Process Information" which will be provided to the short-listed firms.

Unless the Design-Build Team proposes earlier dates in their Technical Proposal, the Department will schedule the 4B and 4C meetings for U-3412A for April 2008 and July 2008, respectively. The Design-Build Team shall clearly identify in their Technical Proposal what months they would like the Department to schedule these meetings. Failure on the part of the Design-Build Team to meet the dates, as identified in their Technical Proposal, places all responsibility for associated delays solely in the hands of the Design-Build Team.

The Design-Build Team shall be bound by the terms of all signed planning documents and approved minutes and commitments of all concurrence meetings and shall be held accountable for meeting all permit conditions. The Design-Build Team shall be required to staff any personnel the Design-Build Team deems necessary to provide permit compliance.