

DOCUMENT 00912

ADDENDUM NUMBER 2

Issued: April 18, 2014

Mirabel Fish Screen and Fish Ladder Replacement

FROM: Sonoma County Water Agency
404 Aviation Blvd.
Santa Rosa, CA 95403-9019

TO: Prospective Bidders

This Addendum forms a part of and modifies the Project Manual dated March 2014, and Addendum Number 1 dated April 4, 2014. Bidder shall acknowledge receipt of this Addendum in the space provided in Document 00400 (Bid Form).

Modified text is indicated as follows: Double-underline designates text to be inserted; ~~strikethrough~~ designates text to be deleted.

Addendum Number 2 consists of 9 pages (size 8 1/2" x 11") and 0 revised Drawings.

I. General Changes

A. No changes.

II. Changes to Prior Addenda

A. Document 00457 (Affirmative Steps Checklist):

1. Modify paragraph entitled "Required Supporting Documentation" as follows:

Required Supporting Documentation:

- Contractor shall retain supporting documentation as specified in Paragraph 1.4, Audit, of Section 01415 (Regulatory Requirements - Funding). Supporting documentation shall include, but not be limited to, the following: 1) advertisement postings in newspapers, trade journals or websites, 2) evidence of the use of the services of the Small Business Administration (SBA), Minority Business Development Agency of the US Department of Commerce (MBDA), and the State Office of Small Business and Disabled Veteran Enterprises (OSDS), such as copies of search results and advertisements conducted on these agencies' websites, and 3) evidence that qualified DBE/SBE/DVBES identified by Bidder were solicited. Examples of such evidence include records of communications between Bidder and identified DBE/SBE/DVBES.

2. Modify certification as follows:

I certify that I am duly authorized to bind the Bidder/Contractor to this certification, that I have reviewed and understand the requirements described in Attachment D of Section 01415

- (Regulatory Requirements - Funding) and that I have taken the steps required therein, and that I have reviewed and understand the requirements described in Paragraph 1.4, Audit, of Section 01415 (Regulatory Requirements - Funding). I further understand and certify that Owner may review the records described above prior to Award of Contract and that failure to establish compliance to Owner's satisfaction may result in rejection of the Bid.
3. Bidder shall use the modified Document 00457 (Affirmative Steps Checklist), attached and dated 4/18/14, in its Bid.
- B. Section 01415 (Regulatory Requirements - Funding), Attachment D:
1. Modify Paragraph 1.F of Attachment D as follows:
 - F. To qualify as a DBE, a business must be certified by the U.S. EPA, U.S. Small Business Association, U.S. Department of Transportation, or by another state, local, tribal, or private entity whose certification criteria match those maintained by these federal agencies. To qualify as a SBE/DVBE, a business must be certified by the State of California Office of Small Business and DVBE Certification (OSDS). Evidence of such certification is required and shall be provided to the Owner upon Owner's request. ~~with Document 00454 (Summary of Subcontractors/Suppliers/Vendors/Service Providers Hired).~~
 2. Modify Paragraph 5.A of Attachment D as follows:
 - A. Owner requires evidence that Contractor has followed the affirmative steps above. Owner requires that Contractor retain and produce documentation evidencing compliance with these requirements as specified in the Contract Documents Section 01415 (Audit) as evidence of completing the affirmative steps above. Without limiting the generality of the foregoing, Bidder/ Contractor shall, within 5 Business Days of Owner's request, deliver any requested information or documents, including, but not limited to, those related to the federal funding requirements described or otherwise referenced in Section 01415 (Regulatory Requirements - Funding) and its attachments.
 3. Modify Paragraph 5.B of Attachment D as follows:
 - B. ~~Prior to Bid, use~~ Document 00457 (Affirmative Steps Checklist) and the supporting documentation therein referenced should to document your evidence Bidder's DBE/SBE/DVBE enterprises solicitation efforts prior to Bid.
 4. Delete Paragraph 7 of Attachment D in its entirety. [renumber remaining paragraph accordingly]

~~7. FAILURE TO COMPLY WITH REQUIREMENTS~~

~~A. Failure to comply with these requirements is a material breach of the Contract Documents, which may result in termination and/or such other remedies as Owner may deem appropriate.~~

III. Changes to Introductory Information and Bidding Requirements

- A. Document 00100 (Advertisement for Bids):
 1. Modify first sentence of Paragraph 13 as follows:

13. BID SUBMISSION. Sealed Bids will be received at Owner's Office (see paragraph 5) until ~~10:00 a.m.~~ 2:00 p.m., Tuesday, April 29, 2014.

B. Document 00200 (Instructions to Bidders):

1. Modify Paragraph 26.C as follows:

C Envelope "A" shall be due by ~~10:00 a.m.~~2:00 p.m.

2. Insert the following as Paragraph 33.H:

H. Owner reserves the right in its sole discretion to reject any bid that fails to demonstrate to Owner's satisfaction that the Bidder undertook a good faith effort to comply with Section 01415 (Regulatory Requirements – Funding), Attachment D.

IV. Changes to Contracting Requirements

A. No changes.

V. Changes to Conditions of the Contract

A. Document 00800 (Supplementary Conditions):

1. Insert the following as Paragraph 2.B:

B. Supplement to paragraph 11.2.C, modify as follows:

11.2.C. Owner shall have the right to audit and copy Contractor's books and records of any type, nature, or description relating to the Project (including but not limited to financial records reflecting in any way costs claimed on the Project), and to inspect the Site, including Contractor's trailer, or other job Site office, and this requirement shall be contained in the subcontracts of Subcontractors working on Site. By way of example, Owner shall have the right to inspect and obtain copies of all Contract Documents, planning and design documents, Bid proposal and negotiation documents (subject to Document 00670 [Escrow Bid Documents]), cost records and job cost variance reports, design modification proposals, value engineering or other cost reduction proposals, revisions made to the original design, job Progress Reports, photographs, and as-built drawings maintained by Contractor. Owner and any other applicable governmental entity shall have the right to inspect all information and documents maintained under this paragraph 11.2 at any time during the Project and for a period of ~~five~~six years following Substantial Completion. This right of inspection shall not relieve Contractor of its duties and obligations under the Contract Documents. This right of inspection shall be specifically enforceable in a court of law, either independently or in conjunction with enforcement of any other rights in the Contract Documents.

VI. Changes to Specifications

A. Section 01415 (Regulatory Requirements – Funding):

1. Modify Paragraph 1.3A as follows:

A. The Project is funded in whole or part under California Department of Fish and Wildlife (CDFW) Fisheries Restoration Grant Program and National Oceanic and Atmospheric Administration funds. The agreement between Owner and CDFW is included at the end of this Section 01415 as Attachment A. Contractor shall comply with all conditions of the Agreement between Owner and CDFW which apply to any of Owner's contractors and subcontractors.

2. Insert the following as Article 1.9:

1.9 NOTICE OF CONTRACT MATERIALITY AND OWNER'S REMEDIES

- A. Failure to comply with the requirements set forth or otherwise referenced in this Section 01415 and its attachments is a material breach of the Contract Documents, which may result in withholding of payment, suspension of Work, termination, and any other remedies which may be provided under the Contract Documents or at law. Without limiting the generality of the foregoing, Contractor is further advised and understands that failure to comply with these requirements may result in liability under the State and Federal False Claims Acts (Cal. Government Code §12650-12656; 31 U.S.C. §3729-33) and, further, that the federal government may invoke its own enforcement mechanisms as against any firm participating in any violation of these requirements, including, but not limited to, prosecution pursuant to 18 USC § 1001.
- B. Section 02315 (Driven Steel Piling):
1. Modify Paragraph 2.2A2 as follows:
 2. ~~Inside~~Outside diameter: 18 IN.
- C. Section 05522 (Aluminum Railing):
1. Modify Paragraph 2.1 as follows:

2.1 MANUFACTURERS

A. Infill panels:

 - ~~A~~1. Newark Wire Works, Inc.
 - ~~B~~2. Or Approved Equal.
 2. Modify Paragraph 2.3A.8.e as follows:
 - e. Space vertical posts as required by loading requirements ~~but not more than 4 FT on center~~and as indicated.
 3. Modify first sentence of Paragraph 2.3A.9 as follows:
 9. Railing infill panels shall consist of 4 IN x 4 IN ~~x 1/8 IN~~ aluminum wire mesh, 0.125 IN - 0.1875 IN thick, in a rectangular grid secured to a perimeter frame.

VII. Changes to Drawings

- A. Drawing Number S28:
1. Modify Detail 3, Plan @ Stair Intermediate Landing, to include an additional W8 support beam, described as follows:
 - a. W8 cross support beam centered between gridlines E and D for the entire width of the landing labeled "Aluminum Grating, Typ."
- B. Drawing Number M5:
1. Modify Keynote 15 as follows:

15 16-GAUGE 304 STAINLESS STEEL SAFETY GRATING PLANKS WITH 1/8" PERFORATED HOLES THAT PROVIDE SLIP RESISTANCE. PROVIDE GASKETS AND SHIMS FOR TIGHT SEAL. MINIMUM 1.5" CHANNEL DEPTH.
- C. Drawing Number M6:
1. Section A:
 - a. Change pipe labels as follows (two places):

8" - ~~W~~RW

VIII. Question(s)/Answer(s)

Owner's responses to Bidder questions shall be for the purposes of interpretation and clarification of the Contract Documents only, and shall not be construed as changing, superseding, or contradicting any express term in the Contract Documents. If any Bidder believes that a response to a question warrants a change in any term in the Contract Documents, the Bidder shall so request the change be made in writing addressed to Owner and received no later than the latest date for submitting Bidder questions. In the absence of a change in any term of the Contract Documents, the express terms of the Contract Documents shall have precedence. Bidder questions are listed below verbatim.

- A. Section 05522 - Aluminum Railings lists Newark Wire Works, Inc. or approved equal. Does this apply to the entire railing system, or just to the infill panels? We were planning to bid fabrication of the railings and provide infill panels from Newark. After further review we are not certain about the intent of the specification.

Owner's response: Answered in this Addendum above.

- B. The Permanent Sheet Piling spec does not list a required section modulus, it refers to what sheet piling sections are shown on the drawings. Drawing S45 calls out two different sections; PZ27 and PZ22. What is the section required?

Owner's response: Bid per Bidding Documents.

- C. The specification for the Permanent Sheet Piling, in section 3.7E, calls for the contractor to furnish a Hammer Performance Analyzer. These devices are used for impact hammers, not vibratory hammers. Is it the Owner's intent to require impact driving for the Permanent Sheet Piling and preclude vibratory or other non-impact means to install the sheet?

Owner's response: Bid per Bidding Documents.

- D. The specification for the Driven Steel Piling, in section 2.2A.2 requires the pilings to be 18-inch interior diameter (ID). The convention in the United States is for pipe in diameters about 13" to be described as to its outside diameter (OD). Not only is an 18" ID pipe piling a special rolling which is much more expensive, the pile points will likely not fit onto an 18" ID pipe. Can the Driven Steel Piling be furnished in the customary 18" OD?

Owner's response: Answered in this Addendum above.

- E. Since there is federal funding for this project, will the Buy America Act be in effect for the supply of steel products which are to be permanently installed?

Owner's response: Buy American is not required.

- F. In the written specifications Section 05500, 2.3/F/5 (metal stairs) in calls for a 100 lb. uniform load or a 1,000 lb. concentrated load. Even the deepest aluminum grating (19-SGI-4, 2-1/2" "I-Bar" grating) will not support the concentrated load without an additional support at the EL 34.88 platform (see attached).

Owner's response: Answered in this Addendum above.

- G. In Section 00200, page 8, paragraphs 28, 29, and 30 the specs talk about unit prices and quantities yet the bid form has the Estimated Quantity column blanked out with XXXXX's and the Unit Price column is also blanked out with XXXXX's. Is the SCWA going to furnish quantities for the bid items? Will the bidder be required to enter quantities and unit prices?

Owner's response: Bid per Bidding Documents.

- H. Drawing S27, page 58, note 8 states the 18" steel pipe piles shall be 18" inside diameter x 3/8" wall. This is a non-standard pipe size and will be very expensive to make. Will the SCWA accept 18" outside diameter with the same 3/8" wall thickness? This is a common size and economical to purchase. If the SCWA insists on 18" inside diameter then can the Contractor furnish 20" outside diameter x 3/8" wall thickness instead?

Owner's response: Answered in this Addendum above.

- I. On page S29/Enlarged Section 1 contains a reference to "round hole safety grating". We can find no technical specifications for this product in the bid documents. Please advise.

Owner's response: Answered in this Addendum above.

- J. An issue has come up with our insurance company regarding the insurance requirements. Please see below.

General Liability

For projects under \$10,000,000, the General Liability limits required are \$5,000,000 per occurrence/\$5,000,000 aggregate

For projects over \$10,000,000, the General Liability limits requires are \$10,000,000 per occurrence/\$10,000,000 aggregate

Both can be met with the use of our Umbrella policy of \$10,000,000

Auto Liability

For projects under \$10,000,000, the Auto Liability limits required are \$1,000,000 combined single limit

For projects over \$10,000,000, the Auto Liability limits requires are \$2,000,000 combined single limit

Both can be met with the use of our Umbrella policy

Professional Liability

Currently we do not have this coverage. The specifications state that this is required if the contractor or its employees engage in design or professional services. I do not believe this project requires this service, therefore the insurance is not required?

We would like to know if our Umbrella policy of \$10,000,000 will be sufficient?

Owner's response: This question will be answered in a subsequent Addendum.

- K. can we up the size of the 4" X .120" woven wire as this is a little light?

Owner's response: Answered in this Addendum above.

- L. can the frame for this mesh be U-edge or does it need to be channel?

Owner's response: Bid per Bidding Documents. See 05522 (Aluminum Railing), Paragraph 2.3A.9 the fabricator has leeway to select a connection based on "...manufacturer's standard stand-off tabs."

- M. per specs, rail post are at 4'0" oc....per details, they are shown at 6'0" oc max I will assume that specs prevail?

Owner's response: Answered in this Addendum above.

N. all railing is mill finish?

Owner's response: This is in the Bidding Documents. See Section 05522 (Aluminum Railings), Paragraph 2.3B.

O. Is there a specification or callout for what size and gauge the material is for the (fish rated aluminum mesh per key note 17 on sheet A5

Owner's response: This is in the Bidding Documents. See Section 05920 (Flat Panel Fish Screens and Associated Metal Works), Paragraph 2.7.

P. Is there an option to substitute all aluminum rail to 304 stainless tube and wire mesh ?

Owner's response: Bid per Bidding Documents.

Q. I have a question on the material type on one of the piping systems. Its designation is W. W does not show up on Table A piping services or piping specification schedule. I need this clarification ASAP. Sheet 89 has a general note calling all fittings 304-316 stainless. Stainless does not show up in the specs.

Owner's response: Answered in this Addendum above.

R. we just noticed we don't have sheet 86 in our bid set of plans. Was it left off job posting?

Owner's response: Per Drawing Index, Sheet 86 is not used.

END OF DOCUMENT

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DOCUMENT 00457

AFFIRMATIVE STEPS CHECKLIST

Purpose and Use: This form is to be completed by Bidder and submitted with its Bid in accordance with Document 00200. Complete this checklist, and provide a written explanation for “No” answers. Owner uses this form to evaluate DBE/SBE/DVBE outreach efforts undertaken by Bidder.

DBE/SBE/DVBE Checklist		Yes	No
1	Did you solicit proposals or quotes from subcontractors/suppliers/vendors for this project?		
2	Did you break down the project, where economically feasible, into smaller tasks, quantities, or components to permit maximum participation by DBE/SBE/DVBE enterprises?		
3	Did project components have reasonable delivery schedules so as to encourage maximum participation of DBE/SBE/DVBEs?		
4	Did you provide sufficient time to facilitate the submission of DBE/SBE/DVBE proposals?		
5	Did you use the services of the Small Business Administration (SBA), Minority Business Development Agency of the US Department of Commerce (MBDA), and the State Office of Small Business and Disabled Veteran Enterprises (OSDS)?		
6	Did you identify DBE/SBE/DVBEs that may be potential sources of supplies, construction, and services?		
7	If the answer to Question 6 (above) was “yes,” did you solicit proposals or bids from those DBE/SBE/DVBEs?		

Required Supporting Documentation:

- Contractor shall retain supporting documentation as specified in Paragraph 1.4, Audit, of Section 01415 (Regulatory Requirements - Funding). Supporting documentation shall include, but not be limited to, the following: 1) advertisement postings in newspapers, trade journals or websites, 2) evidence of the use of the services of the Small Business Administration (SBA), Minority Business Development Agency of the US Department of Commerce (MBDA), and the State Office of Small Business and Disabled Veteran Enterprises (OSDS), such as copies of search results and advertisements conducted on these agencies’ websites, and 3) evidence that qualified DBE/SBE/DVBEs identified by Bidder were solicited. Examples of such evidence include records of communications between Bidder and identified DBE/SBE/DVBEs.

CERTIFICATION

I certify that I am duly authorized to bind the Bidder/Contractor to this certification, that I have reviewed and understand the requirements described in Attachment D of Section 01415 (Regulatory Requirements - Funding) and that I have taken the steps required therein, and that I have reviewed and understand the requirements described in Paragraph 1.4, Audit, of Section 01415 (Regulatory Requirements - Funding). I further understand and certify that Owner may review the records described above prior to Award of Contract and that failure to establish compliance to Owner’s satisfaction may result in rejection of the Bid.

CONTRACTOR/BIDDER SIGNATURE: _____

TITLE: _____

DATE EXECUTED: _____

END OF DOCUMENT