

RFP Addendum #4
Contract No. E-5N45
Financial Project ID # 238677-1-52-01
ARRA 283 B

SR 35 Baseline Road Widening from South of SR/CR 464 to North of SR 40

Addendum:

The Request for Proposal is hereby amended as shown below:

Revision 1, Section II, Schedule of Events is hereby modified as shown below:

238677-1-52-01	
Date	Event
<u>July 6th, 2009</u>	Shortlist meeting at 8:15 a.m. local time in the Secretary's Conference Room.
<u>Sept. 2nd, 2009</u>	Technical Proposals due in District Office by 10:00am local time.
<u>September 17, 2009</u>	Question and Answer Session in Cypress A Conference Room. Times are as shown below: 8:15am C.W. Roberts Contracting, Inc. 9:25am Russell Engineering, Inc. 10:35am Anderson Columbia Co., Inc. One hour will be allotted for questions and responses.
<u>September 21, 2009</u>	Bid Proposals due in District Office by 2:00pm local time.
<u>September 21, 2009</u>	Public announcing of Technical Scores and opening of Price Proposals at 2:00 p.m. local time in the Volusia County Conference room.
<u>September 21, 2009</u>	Public Meeting of Selection Committee to determine intended Award at 4:00p.m. in the Secretary's Conference Room.
<u>September 21, 2009</u>	Posting of the Department's intended decision to Award by 5:00 p.m. local time (will remain posted for 3 days) Lobby of the FDOT, District V Office 719 South Woodland Boulevard Deland, Florida 32720
<u>September 24, 2009</u>	Anticipated Award Date.
<u>October 19, 2009</u>	Anticipated Execution Date.
<u>October 30, 2009</u>	Anticipated Notice to Proceed.

Revision No. 2: Section VI, Design and Construction Criteria, the following text is hereby deleted from the Request for proposal

Any equipment used by the Design/Build Firm for this project shall not produce vibration levels exceeding 0.20 inches / per second at any point between the right of way and 300 feet outside of the right of way. Vibration monitoring equipment shall be provided that is capable of detecting velocities of 0.1 in/s or less. A qualified Specialty Engineer shall be employed to monitor and record vibration levels produced by vibratory construction equipment used on this project. The monitoring shall be taken at locations between the right of way and 300 feet outside of the right of way line during all construction activities involving the use of equipment that produces vibration. These records shall be furnished to the Project Engineer to assure compliance within 24 hours of performing each activity. The Design/Build Firm shall perform Pre-Construction survey with the use of video and still photography on each property, located within 300 feet from the right of way, identifying the existing structural conditions of the property or any other improvement of such property that may be affected by vibration. In addition, the Design/Build Firm shall provide each owner with a copy of the survey and have each owner sign an affidavit acknowledging the results of the survey. No construction operations will be allowed until the Pre-Construction Survey is completed and submitted to the Engineer.

Once vibration-producing construction activities are complete, a Post-Construction Survey shall be performed for each property in the Pre-Construction Survey identifying any new or additional damage to the property, or to any improvements on such property, as compared to the Pre-Construction survey. Each property owner shall be provided with a copy of the Post-Construction Survey for his property, and the Specialty Engineer's assessment indicating the presence of damage or no damage, and in the event of damage, the Specialty Engineer's assessment of whether the observed damage in relation to the Pre-Construction Survey is or is not the result of construction vibrations, and have each owner acknowledge receipt. For each property where no new or additional damage is identified in the Post-Construction Survey, the Design/Build Firm's Specialty Engineer shall, within 30 calendar days, certify no damage was caused by construction vibrations. In the event this certification is disputed by a property owner, resolve such dispute in good faith within 30 calendar days of notification of the dispute. Any related unresolved disputes or suits after Final Acceptance shall be disclosed as specified in Article 9-8(c) of the Standard Specifications. Should the Design/Build Firm fail to resolve the dispute within 30 days, in accordance with Article 7-11.2 the Engineer may, upon 48 hours notice, proceed to repair, rebuild, or otherwise restore such property as may be deemed necessary, and the Department will deduct the cost thereof from any monies due or which may become due the Design/Build Firm under the Contract. For each property where new or additional damage is identified in the Post-Construction Survey, the Design/Build Firm's Specialty Engineer shall, within 30 calendar days, determine if the damage could be reasonably attributable to vibration from the Design/Build Firm's operations, and if such is the case, repair the damage or settle any just claim for repairs from damage within 30 days, and provide evidence to the Engineer of such settlement, or of the property owner's agreement and acceptance of repairs, before Final Acceptance. In the event of disputes over damage with a property owner, such disputes shall be resolved in good faith within 30 calendar days of notification of the dispute. Any related unresolved disputes or suits after Final Acceptance shall be disclosed as specified in Article 9-8(c) of the Standard Specifications. Should the Design/Build Firm fail to resolve the dispute within 30 days, in accordance with Article 7-11.2 the Engineer may, upon 48 hours notice, proceed to repair, rebuild, or otherwise restore such property as may be deemed necessary, and the Department will deduct the cost thereof from any monies due or which may become due the Design/Build Firm under the Contract. The Post-Construction Survey and related certifications as described above shall be furnished to the Project Engineer prior to the date of final acceptance per Article 5-11.

A. Question and Answer Session

The Department shall meet with each Proposer, formally, for a Question and Answer session. FHWA shall be invited on FA Oversight Projects. The purpose of the Q & A session is for the Technical Review Committee to seek clarification and ask questions, as it relates to the Technical Proposal, of the Proposer. The Question and Answer sessions will occur after the date the Technical Proposal are due, and be part of the Overall Technical Proposal Scoring. The Department will terminate the presentations promptly at the end of the allotted time. The Department may tape record or videotape all or part of the presentations. The Question and Answer session will not constitute “discussions” or negotiations. Proposers will not be permitted to ask questions of the Department except to ask the meaning of a clarification question posed by the Department. No additional time will be allowed to research answers.

Please respond upon receipt, and direct any questions to Lisa Hightower at (386) 943-5515, or at lisa.hightower@dot.state.fl.us

Posted: August 10, 2009: Time 5:00p.m.

By: Lisa Hightower

Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under chapter 120, Florida Statutes.