



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY  
GOVERNOR

ANTHONY J. TATA  
SECRETARY

September 23, 2014

**Addendum No. 1**

Contract No.: C 203575  
TIP No.: U-3301  
County: Buncombe  
Project Description: NC 63 (Leicester Highway) from SR 1516 (Gilbert Road) to SR 1004 (Newfound Road)

RE: Addendum No. 1 to Final RFP

**December 16, 2014 Letting**

To Whom It May Concern:

Reference is made to the Final Request for Proposals dated September 18, 2014 recently furnished to you on the above project. We have since incorporated changes, and have attached a copy of Addendum No. 1 for your information. Please note that all revisions have been highlighted in gray and are as follows:

The first and second pages of the *Table of Contents* have been revised. Please void the first and second pages in your proposal and staple the revised first and second pages thereto.

Page Nos. 1, 10 and 37 of the *Project Special Provisions* have been revised. Please void Page Nos. 1, 10 and 37 in your proposal and staple the revised Page Nos. 1, 10 and 37 thereto.

Page No. 176 of the *Standard Special Provisions* has been revised. Please void Page No. 176 in your proposal and staple the revised Page No. 176 thereto.

If you have any questions or need additional information, I can be reached by telephone at (919) 707-6900.

Sincerely,

R.A. Garris, PE  
Contract Officer

RAG/mcw

cc: J. J. Swain, Jr., PE  
Tim McFadden

Rodger Rochelle, PE  
File

Teresa Bruton, PE

**MAILING ADDRESS:**  
NC DEPARTMENT OF TRANSPORTATION  
CONTRACT STANDARDS AND DEVELOPMENT UNIT  
1591 MAIL SERVICE CENTER  
RALEIGH NC 27699-1591

TELEPHONE: 919-707-6900  
FAX: 919-250-4119

**WEBSITE:**  
WWW.NCDOT.GOV

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

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

07/12/07

DB1 G04A

The date of availability for this contract is January 26, 2015, except that the Design-Build Team shall not begin ground disturbing activities, including utility relocations, (this does not include permitted investigative borings covered under a Nationwide Permit No. 6 or utility relocations in upland areas) until a meeting is held between the NCDOT, the regulatory agencies and the Design-Build Team; and 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 September 1, 2020.

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 **Two Thousand Dollars (\$2,000.00)** per calendar day.

**OTHER LIQUIDATED DAMAGES AND INCENTIVES**

(3/22/07) (Rev. 02/14/08)

DB1 G11

**Refer to the Transportation Management Scope of Work found elsewhere in this RFP 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 63 are \$500.00 per 15-minute period or any portion thereof.

Liquidated Damages for Intermediate Contract Time #2 for lane narrowing, lane closure, holiday and special event time restrictions for the Leicester Elementary School Entrance (-Y2-) are \$250.00 per 15-minute period or any portion thereof.

Liquidated Damages for Intermediate Contract Time #3 for road closure time restrictions for NC 63 are \$1,000.00 per 15-minute period or any portion thereof.

**Liquidated Damages for Erosion Control efforts apply to this project.** Reference the Erosion and Sedimentation Control Scope of Work for additional information under the Liquidated Damages Section.

### **Preliminary ATCs**

At the Design-Build Team's option, a Preliminary ATC submittal may be made that presents a concept and a brief narrative of the benefits of said concept. The purpose of allowing such a Preliminary ATC is to limit the Design-Build Team's expense in the pursuit of a Formal ATC that may be quickly denied by the Department.

To the greatest extent possible, the Department will review Preliminary ATCs within 10 business days of submittal and provide written comments and one of the responses noted below. The Department's response to a Preliminary ATC submittal will be either (1) that the Preliminary ATC is denied; (2) that the Preliminary ATC would be considered as a Formal ATC if the Team so elects to pursue a Formal ATC submission; (3) that an ATC is not required; (4) a documented question has been received outside of the ATC process on the same topic and the RFP will be revised to address that question; or (5) that the ATC takes advantage of an error or omission in the RFP or other documents incorporated into the contract by reference, in which case the ATC will not be considered and the RFP will be revised to correct the error or omission. The Department in no way warrants that a favorable response to a Preliminary ATC submittal will translate into a favorable response to a Formal ATC submittal. Likewise, a favorable response to a Preliminary ATC submittal is not sufficient to include the ATC in a Technical Proposal.

### **VALUE ANALYSIS**

(9-1-11)

DB1 G57

Value Engineering Proposals, as specified in Article 104-12 of the 2012 *Standard Specifications for Roads and Structures* will be accepted. Only proposals, which alter the requirements of the RFP issued by the Department, will be considered as Value Engineering Proposals.

### **SCHEDULE OF ESTIMATED COMPLETION PROGRESS**

(9-1-11) (Rev. 3/19/14)

DB1 G58

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 (% of Dollar Value)</u>
2015 (07/01/14 – 06/30/15)	7% of Total Amount Bid
2016 (07/01/15 – 06/30/16)	19% of Total Amount Bid
2017 (07/01/16 – 06/30/17)	18% of Total Amount Bid
2018 (07/01/17 – 06/30/18)	24% of Total Amount Bid
2019 (07/01/18 – 06/30/19)	16% of Total Amount Bid
2020 (07/01/19 – 06/30/20)	11% of Total Amount Bid
2021 (07/01/20 – 06/30/21)	5% of Total Amount Bid

The Design-Build Team shall also furnish its own progress schedule in accordance with Article 108-2 of the 2012 *Standard Specifications for Roads and Structures*. 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.

To plan, design, construct, and maintain BMPs to address water quality standards, the Design-Build Team shall use the *NCDOT Turbidity Reduction Options for Borrow Pits Matrix*, available at the website noted below:

**[http://www.ncdot.gov/doh/operations/dp\\_chief\\_eng/roadside/fieldops/downloads/Files/TurbidityReductionOptionSheet.pdf](http://www.ncdot.gov/doh/operations/dp_chief_eng/roadside/fieldops/downloads/Files/TurbidityReductionOptionSheet.pdf)**

Tier I Methods include stilling basins which are standard compensatory BMPs. Other Tier I methods are noncompensatory and shall be used when needed to meet the stream turbidity standards. Tier II Methods are also noncompensatory and are options that may be needed for protection of rare or unique resources or where special environmental conditions exist at the site which have led to additional requirements being placed in the DWQ's 401 Certifications and approval letters, Isolated Wetland Permits, Riparian Buffer Authorization or a DOT Reclamation Plan's Environmental Assessment for the specific site. Should the Design-Build Team exhaust all Tier I Methods on a site exclusive of rare or unique resources or special environmental conditions, Tier II Methods may be required by regulators on a case by case basis per supplemental agreement.

The Design-Build Team may use cation exchange capacity (CEC) values from proposed site borings to plan and develop the Price Proposal for the project. CEC values exceeding 15 milliequivalents per 100 grams of soil may indicate a high potential for turbidity and should be avoided when dewatering into surface water is proposed.

No additional compensation for monitoring borrow pit discharge will be paid.

### **CLEARING AND GRUBBING**

(9-1-11)

DB2 R01

With the exception of areas with Permanent Utility Easements, perform clearing on this project to the limits established by Method "II" shown on Standard No. 200.02 of the 2012 NCDOT *Roadway Standard Drawings*. In areas with Permanent Utility Easements, clearing shall extend to the right of way limits.

### **BURNING RESTRICTIONS**

(7-1-95)

DB2 R05

Open burning is not permitted on any portion of the right of way limits established for this project. The Design-Build Team shall not burn the clearing, grubbing or demolition debris designated for disposal and generated from the project at locations within the project limits, off the project limits or at any waste or borrow sites in Buncombe County. The Design-Build Team shall dispose of the clearing, grubbing and demolition debris by means other than burning and in accordance with state and local rules and regulations.

### **BUILDING AND APPURTENANCE REMOVAL / DEMOLITION**

(9-1-11)

DB2 R12A

Unless otherwise as agreed upon by the Department, seal all wells and remove or demolish all buildings and appurtenances, in their entirety, that are located either partially or completely

Prior to installation the Design-Build Team shall submit to the Engineer:

1. FHWA acceptance letter for each guardrail anchor unit certifying it meets the requirements of NCHRP Report 350, Test Level 3, in accordance with Section 106-2 of 2012 *Standard Specifications for Roads and Structures*.
2. Certified working drawings and assembling instructions from the manufacturer for each guardrail anchor unit in accordance with Section 105-2 of the 2012 *Standard Specifications for Roads and Structures*.

No modifications shall be made to the guardrail anchor unit without the express written permission from the manufacturer. Perform installation in accordance with the details in the plans developed by the Design-Build Team, and details and assembling instructions furnished by the manufacturer.

### **Construction**

Guardrail end delineation is required on all approach and trailing end sections for both temporary and permanent installations. Guardrail end delineation consists of yellow reflective sheeting applied to the entire end section of the guardrail in accordance with Section 1088-3 of the 2012 *Standard Specifications for Roads and Structures* and is incidental to the cost of the guardrail anchor unit.

### **STREET SIGNS AND MARKERS AND ROUTE MARKERS**

(07-01-95)

DB9 R01

Move any existing street signs, markers, and route markers out of the construction limits of the project and install the street signs and markers and route markers so that they will be visible to the traveling public if there is sufficient right of way for these signs and markers outside of the construction limits.

Near the completion of the project and when so directed by the Engineer, move the signs and markers and install them in their proper location in regard to the finished pavement of the project.

Stockpile any signs or markers that cannot be relocated due to lack of right of way, or any signs and markers that will no longer be applicable after the construction of the project, at locations directed by the Engineer for removal by others.

The Design-Build Team shall be responsible to the owners for any damage to any street signs and markers or route markers during the above described operations.

### **SUBLETTING OF CONTRACT**

(11-18-2014)

108-6

SP1 G186

Revise the 2012 *Standard Specifications for Roads and Structures* as follows:

**Page 1-67, Article 108-6 Subletting of Contract, line 7, add the following as the second sentence of the fourth paragraph:**

Purchasing materials for subcontractors is not included in the percentage of work required to be performed by the Contractor. If the Contractor sublets items of work but elects to purchase material for the subcontractor, the value of the material purchased will be included in the total dollar amount considered to have been sublet.