

ADDENDUM NO. 1

San Bernardino Ave Phase 1

June 17, 2024

Page 1 of 6

**ADDENDUM NO. 1
San Bernardino Avenue Phase 1
WORK ORDER: H15219
AREA: Fontana
ROAD NO.: 725400-020**

BIDS OPEN 11:00 AM, THURSDAY, JULY 11, 2024

By Email via ePro System

The bid opening will be publicly viewable via goto.com using meeting ID 434-769-549, details are available in the Notice to Bidders pages of the Project Special Provisions.

Amend the Project Special Provisions as follows:

1. NOTICE TO BIDDERS

- a. On page NB-1, Replace the Paragraph that begins “Bids (also referred to as “proposals”) in response to...” With:

Bids (also referred to as “proposals”) in response to this solicitation can be submitted through the San Bernardino County Electronic Procurement Network (ePro) <https://epro.sbcounty.gov/bsol/>. **However, if the bid is submitted in ePro, the bidder’s security described herein must still be submitted in person in a sealed envelope prior to the proposal opening date and time, or hard copy in person, with the bidder’s security described herein in a sealed envelope prior to the proposal opening date and time,** to the San Bernardino County Department of Public Works at which time they will be transmitted, publicly opened, and declared via video and teleconference via goto.com/Meeting using meeting ID 434-769-549. See the flyer available under the bid posting on ePro for further login information for the following project:

- b. On page NB-8, After the last paragraph add:

CALIFORNIA AIR RESOURCES BOARD (CARB) IN-USE OFF-ROAD DIESEL-FUELED FLEETS REGULATION COMPLIANCE CERTIFICATION

This Project is subject to the California Air Resources Board (CARB) approved amendments relating to In-Use Off Road Diesel-Fueled Fleets found at California Code of Regulations Title 13, sections 2449, 2449.1, and 2449.2 (the “Regulations”). The Regulations require a Prime Contractor, bidding on a public works project to be awarded by any public works awarding body, to certify that the Contractors off-road diesel-fueled fleets comply with CARB regulations. Section 2249(b) includes a list of off-road diesel-fueled fleets subject to these regulations. It is the responsibility of the Contractor to verify if their fleet is subject to these regulations.

Contractor is required to obtain and submit Certificates of Reported Compliance from all subcontractors that are listed in the bid submission. Failure to provide Contractor’s CARB compliance number may constitute a material irregularity rendering their bid non-responsive and non-responsible, and subject to rejection for non-responsiveness.

No award shall be made to a Contractor that has failed to provide its CARB compliance certificates, unless the Contractor confirms that no equipment subject to the regulation will be used to execute the Contract Work. By submitting a bid, the Bidder hereby certifies that it is aware of the requirements set forth in Sections 2449, 2449.1, and 2449.2, Title 13, California Code of Regulations and any successful

ADDENDUM NO. 1

San Bernardino Ave Phase 1

June 17, 2024

Page 2 of 6

Bidder and its subcontractors shall comply with sections 2449, 2449.1, 2449.2 of Title 13 of the California Code of Regulations, including by providing Certificate(s) of Reported Compliance for In-Use Off-Road Diesel-Fueled Fleets for the fleet selected for the contract and their listed subcontractors, if applicable, with its bid.

Contractor shall not enter into a contract with a fleet for which it does not have a valid Certificate of Reported Compliance for the fleet and Contractor's listed subcontractors, if applicable, prior to entering into a new or renewed contract with that fleet. Contractor shall only allow fleets with valid Certificates of Reported Compliance on Contractor's job sites. The Certificates of Reported Compliance received by the Contractor for this Project must be retained for three (3) years after the Project's completion. Upon request by CARB, these records must be provided to CARB within five (5) business days of the request. Between March 1 and June 1 of each year, Contractor must collect new valid Certificates of Reported Compliance for the current compliance year, as defined in Regulation Section 2449(n), from all fleets that have an ongoing contract with the Contractor as of March 1 of that year. Contractor must not write contracts to evade this requirement.

If Contractor discovers that any fleet intending to operate vehicles subject to the Regulation for Contractor does not have a valid Certificate of Reported Compliance, as defined in Regulation section 2449(n), or if Contractor observes any noncompliant vehicles subject to the Regulation on Contractor's job site, then Contractor must report the required information to CARB within the time period contained in in the Regulations.

Upon request by CARB, Contractor must immediately disclose to CARB the name and contact information of each responsible party for all vehicles subject to the Regulation operating at the job site or for Contractor. If applicable, Contractor shall prominently display signage for any project where vehicles subject to the Regulation as provided and within the time period contained in the Regulation.

Situations in which prime contractors or public works awarding bodies, as applicable, are contracting for projects that are considered emergency operations, as defined in section 2449(c)(18), are exempt from the requirements in section 2449(i)(1)-(3), but must still retain records verifying vehicles subject to the regulation that are operating on the emergency operations project are actually being operated on the project for emergency operations only. These records must include a description of the emergency, the address or a description of the specific location of the emergency, the dates on which the emergency operations were performed, and an attestation by the fleet that the vehicles are operated on the project for emergency operations only.

Contractor shall complete and return the "California Air Resources Board (CARB) In-Use Off-Road Diesel-Fueled Fleets Certification of Compliance" form attached hereto as a condition to bidding this Project.

The addition of these requirements shall be considered in concert with existing documents in preparation of bids.

2. DIVISION II GENERAL CONSTRUCTION

- a. Replace section title 10-1.02 SUPPLEMENTAL WORK AT FORCE ACCOUNT (UNFORESEEN SUBGRADE STABILIZATION, UTILITY CONFLICT, REPAIR POTHOLES, CRACKS SEALING, AND PAVEMENT PATCHING) With:**

10-1.02 SUPPLEMENTAL WORK AT FORCE ACCOUNT (UNFORESEEN SUBGRADE STABILIZATION AND UTILITY CONFLICT)

ADDENDUM NO. 1

San Bernardino Ave Phase 1

June 17, 2024

Page 3 of 6

b. Under Section 10-1.02 SUPPLEMENTAL WORK AT FORCE ACCOUNT..., replace everything after the Paragraph that begins with "REPAIR POTHOLE, CRACKS SEALING..." With:

Attention is directed to section, "Asphalt Concrete Dike or Berm" elsewhere in these special provisions.

Additional work falling within the scope and character of the existing contract items shall be considered as normal to the progress of construction and shall be addressed in accordance with Section 4-1.05, "Changes and Extra Work", of the Standard Specifications.

If the Contractor is delayed in the completion of the contract work as a direct result of the work described in this section, an extension of time as provided in the fifth paragraph of Section 8-1.10, "Liquidated Damages" will be granted.

Compensation for work performed under this section, and calculated as prescribed in Section 9-1.04, "Force Account Payment", of the Standard Specifications will be cumulative over the duration of the contract.

Prospective bidders shall include the Contract Amount printed in the proposal for "Supplemental Work At Force Account (Unforeseen Subgrade Stabilization and Utility Conflict)" as their bid for this contract item. The amount shown is purely arbitrary and no guarantee is given or implied that any payments will be made.

Full compensation for conforming to the requirements of this section, including any additional mobilizing or demobilizing costs, and furnishing all labor, equipment, material (includes imported materials if needed), tools and incidentals and doing all work determined by the Engineer to fall under this section shall be considered to be included in payments made for "**Supplemental Work At Force Account (Unforeseen Subgrade Stabilization and Utility Conflict)**", and no separate payment will be made therefor.

c. After Section 10-1.23 COORDINATION, Add Section:

10-1.24 REPAIR POTHOLE, CRACKS SEALING AND PAVEMENT PATCHING

Prior to any pavement rehabilitation, Contractor shall field determine, assess, evaluate, and verify if the existing asphalt surfacing requires pothole repairs, crack sealing and pavement patching. The Contractor shall submit and report his findings to the Engineer immediately. Said findings will be reviewed and field verified. At the discretion of the Engineer, no extra work will be granted without the Engineer's prior approval.

POTHOLE REPAIRS

To promote good adhesion and bonding, Contractor to sweep out the area to be repaired or patched with a bristle brush or broom. Remove any loose debris, dirt, ice or standing water from the area to be repaired or patched.

Use 3/8" max., HMA. Shovel into the pothole. If the fault is deep over six inches, apply in two-inch layers, compacting each layer in succession. Shovel enough material into the fault to slightly crown the "patch". When completed compress the "patch" with a Tamper.

PAVEMENT PATCHING

Use Hot Mix Asphalt for patching either 3/8" or #4 (whichever is available) to patch alligator areas and where existing AC surfacing is dilapidated.

ADDENDUM NO. 1

San Bernardino Ave Phase 1

June 17, 2024

Page 4 of 6

CRACKS SEAL

If in the event, severe cracks in the existing asphalt concrete surfacing were found on the paved traffic lanes and shoulders that are $\frac{1}{4}$ " (**0.25"**) **wide to 2" in width** shall be prepared and filled with crack sealant in accordance with these special provisions.

Cracks which are greater than 2" in width and potholes in the existing surface shall be filled with 3/8" max., HMA.

MATERIALS

The modified asphalt crack sealant shall be a mixture of paving asphalt and ground rubber or ground rubber and polymer. The gradation of the ground rubber shall be such that 100 percent will pass a 2.36-mm (No.8) sieve. The modified asphalt crack sealant shall conform to the following requirements:

Test	ASTM Designation	Requirements
Softening Point	D 36	82°C min.
Cone Penetration @ 25°C	D 3407	30 dmm min.
Resilience @ 25°C	D 3407	40 percent min.
Flow	D 3407	3 mm max.

The modified asphalt crack sealant material shall be furnished premixed in containers with an inside liner of polyethylene. Packaged material shall not exceed 60 pounds. The modified asphalt crack sealant material shall be capable of being melted and applied to cracks at temperatures below 204°C. When heated, it shall readily penetrate cracks $\frac{1}{4}$ " wide or wider.

The Contractor shall provide the Engineer with a Certificate of Compliance conforming to the provisions in Section 6-1.07, "Certificate of Compliance," of the Standard Specifications with each shipment of crack sealant. Said certificate shall also certify that the sealant complies with the specifications and shall be accompanied with storage and heating instructions and cautions for the material.

PREPARATION

Cracks to be filled, potholes to be repaired, and adjacent asphalt concrete surfacing shall be cleaned and shall be free of dirt, vegetation, debris and loose sealant. A weed-killer/soil sterilant shall be applied. Cleaning shall be done by air blasting. Old sealant that protrudes above the asphalt concrete surfacing shall be completely removed. Routing will not be required. Hot compressed air or other means, approved by the Engineer, shall be used to clean and dry the crack immediately prior to application of material. When moisture is present, hot compressed air or other means, approved by the Engineer, shall be used to clean and dry the crack immediately prior to application of material.

APPLICATION

The crack sealant material shall be applied only after the cracks and adjacent asphalt concrete surfacing have been cleaned. Crack sealant material shall be spread with any type nozzle or device approved for use by the Engineer that will place the material within the specified temperature range and to the dimensions shown on the plans. All cracks shall be squeegeed when necessary after application of the crack sealant material.

The finished sealant material placed shall be flush with the existing roadway surface. Within 2 days after application of sealant, sealed cracks that reopen or in which the sealant material sags below the surrounding asphalt concrete surfacing and shoulders shall be resealed.

ADDENDUM NO. 1

San Bernardino Ave Phase 1

June 17, 2024

Page 5 of 6

The curing time shall be per manufacturer's recommendation.

Attention is directed to sections, "Earthwork", "Miscellaneous Concrete Construction" and "Asphalt Concrete Dike or Berm" elsewhere in these special provisions.

Full compensation for conforming to the requirements of this section, including any additional mobilizing or demobilizing costs, and furnishing all labor, equipment, material (includes imported materials if needed), tools and incidentals and doing all work determined by the Engineer to fall under this section shall be considered to be included in the contract lump sum price paid for **Repair Potholes, Cracks Sealing and Pavement Patching** and no separate payment will be made therefor.

3. AFTER THE SPECIAL PROVISIONS

a. Add Blue Pages as follows:

Add Attachment:

Blue Pages.pdf

4. PROPOSAL PAGES

- a. Delete Page "P-2" to be replaced with attached revised Proposal page ADDENDUM NO. 1, P-2.
The change to this sheet is the addition of CARB Certificate of Compliance for bidder and all subcontractors to Checklist #5.
- b. Add attached Proposal page ADDENDUM NO. 1, P-2A.
This is an added form for "Acknowledgement of ePro Process".
- c. Delete Page "P-3" to be replaced with attached revised Proposal page ADDENDUM NO. 1, P-3.
The change to this sheet is the addition of bid item 20 and the revision of the item description of bid item 1.
- d. Delete Page "P-5" to be replaced with attached revised Proposal page ADDENDUM NO. 1, P-5.
The change to this sheet is the addition of CARB Certificate of Compliance Number for subcontractors.
- e. Add attached Proposal page ADDENDUM NO. 1, P-19.
This is an added form for Contractor Certification for California Air Resources Board (CARB) in-use off-road diesel fueled fleet certification compliance.

Attachments:

Blue Pages.pdf

Revised Proposal Pages.pdf

ADDENDUM NO. 1

San Bernardino Ave Phase 1

June 17, 2024

Page 6 of 6

The addition of these requirements shall be considered in concert with existing documents in preparation of bids. **THE BIDDER'S CERTIFICATION FOR THIS ADDENDUM NO. 1 SHALL BE SIGNED BY THE SAME PERSON WHO SIGNS THE PROPOSAL AND SHALL BE SUBMITTED WITH THE PROPOSAL. ANY proposal not accompanied by a signed BIDDER'S CERTIFICATION (below) acknowledging receipt of this Addendum No. 1 will NOT be accepted.**

NOEL CASTILLO, Director
Department of Public Works

By: 

Andy Silao, P.E., Chief
Contracts Division

AS:mb

BIDDER'S CERTIFICATION:

By my signature hereunder, I acknowledge receipt of Addendum No. 1 and I fully understand the intent and detail of Addendum No. 1, which I have considered in my preparation of the attached proposal.

Bidder's Signature

Date

Note: The page containing the executed BIDDER'S CERTIFICATION (just this page), must be included with the proposal.