

**ADDENDUM No. 1**  
**TO APPROVED PLANS AND SPECIFICATIONS**  
**August 7, 2008**

**Re: Letting of August 15, 2008**

**ADDENDUM**

<u>No.</u>	<u>CN/PROJECT No.</u>	<u>COUNTY</u>	<u>ISSUE DATE</u>
1.	3052/TPA-(NH)-285-1(37)54 D4078R/EBS-043-1(19)307 G3111/AC-GRIP-(TPM)-026-1(12)25 6100010R/HSIP-038-1(19)24	Eddy Quay Luna Sandoval	8/7/08

**CN 3052, D4078R & G3111**

**YOU ARE HEREBY ADVISED OF THE FOLLOWING:**

The Notice to Contractors for Asphalt Binder Price Adjustment Procedures (5/13/08) has been deleted and replaced with the following:

An adjustment will be made to the Contract for Asphalt Material Bid Items if the industry monthly price index of asphalt fluctuates. Adjustment is not optional.

Item subject to adjustment is: Asphalt Material

Submit applicable mix designs, including percentage of asphalt binder, for inclusion in the price adjustment for the pay item listed above in the Contract.

For **increasing prices**, the monthly adjustment shall apply on those contracts whose monthly fluctuations are above a (B / C) ratio, defined below, of 1.10 using Equation (1).

For **decreasing prices**, the monthly adjustment shall apply on those contracts whose monthly fluctuations are below a (B / C) ratio, defined below, of 0.90 to a minimum (B / C) ratio of 0.60 using Equation (2).

Only the differential percentage change beyond 10% will be used to calculate the asphalt binder price adjustment per Equations (1) or (2):

$$\text{Equation (1):} \quad A = (B - 1.1 \times C) \times D$$

$$\text{Equation (2):} \quad A = (B - 0.9 \times C) \times D$$

Where:

A – Adjustment to the Contract for asphalt material.

B – Latest average monthly price index per ton of asphalt material.

C – Base Price: Contractor's price per ton of asphalt material at the time of the Bid Opening.

D – Tons of asphalt material placed for the indexed month.

**Monthly Adjustment:** At each project monthly progress payment, the asphalt binder tonnage that has been placed since the previous project monthly progress payment will be totaled and an adjustment determined above by either Equations (1) or (2), as appropriate and when necessary, using the latest monthly average asphalt price. If the use of Equation (2) results in a (B / C) ratio less than 0.60, then the (B / C) ratio will be fixed at a value of 0.60.

For the purposes of making these calculations, the Department's State Materials Bureau will maintain a database of monthly price indexes. This index will be based on the average of the major suppliers in New Mexico. This index will be maintained by the NMDOT and published on the NMDOT Plan, Specifications & Estimates (PS&E) Bureau website. The published monthly base price index will be calculated using the following formula:

Base Price Index = Average of the reported average weekly selling prices using the last four reported weeks on or prior to the last day of a given month as published by the New Mexico price index.

A twenty-four month (24) month running summary of the published monthly price index will be sent, by Department e-mail, to each District Engineer, Assistant District Engineer, State Construction Bureau, the Albuquerque office of the Associated Contractors of New Mexico for distribution to their members, and other interested parties at the beginning of each week.

**ALL FEDERAL PROJECTS (CN 3052, D4078R, G3111 & 6100010R) - Attachments**

**YOU ARE HEREBY ADVISED OF THE FOLLOWING:**

The Notice to Contractors for Wage Rates (2/8/08) has been deleted and replaced with the Notice to Contractors for Wage Rates (7/25/08). The **attached** Notice to Contractors is for your information and inclusion into your contract assembly.

**6100010R/HSIP-038-1(19)24**

**YOU ARE HEREBY ADVISED OF THE FOLLOWING:**

Reference is made to Sheet 1-5 of the plans. General Note No. 4 has been deleted and replaced with the following:

Drainage Pipe: A 48" CMP located at approximately station 326+60 It. shall be kept functional during construction of the project. Positive drainage through this structure shall be maintained throughout the life of the project. This work shall be considered incidental to Item No. 405000 - Detour Pavement Construction and no separate measurement or payment shall be made therefore.

The following General Note has been incorporated into this contract:

Embankment material for the detour shall be considered incidental to Item No. 405000 - Detour Pavement Construction and no separate measurement or payment shall be made therefore. This shall include placing, shaping and compacting of embankment material for the detour.

**Rhonda G. Faught, Secretary**  
**New Mexico Department of Transportation**

**RGF:JM**

**NOTICE TO CONTRACTORS  
WAGE RATES**

**July 25, 2008**

You are hereby advised that wherever differences exist between the minimum wage rates shown under Wage Decisions of the Office of the New Mexico State Labor Commissioner, Santa Fe, and those shown under U.S. Department of Labor Wage Decision No. NM 08-2 dated July 25, 2008, and any modifications thereto noted in the contract assembly, the higher wage rates shall govern.

General Decision Number: NM080002 07/25/2008 NM2

Superseded General Decision Number: NM20070002

State: New Mexico

Construction Type: Highway

Counties: Catron, Chaves, Cibola, Colfax, Curry, De Baca, Eddy, Grant, Guadalupe, Harding, Hidalgo, Lea, Lincoln, Luna, McKinley, Mora, Otero, Quay, Rio Arriba, Roosevelt, San Juan, San Miguel, Sandoval, Sierra, Socorro, Taos, Torrance, Union and Valencia Counties in New Mexico.

STREETS, HIGHWAY, UTILITY AND LIGHT ENGINEERING: Construction shall include the construction, alteration, repair and demolition of roads, streets, highways, alleys, sidewalks, curbs, gutters, guard rails, fences, parkways, parking areas, airports (other than building thereon), bridle paths, athletic fields, highway bridges, median channel and grade separation involving highways; parks, golf courses, viaducts; uncovered reservoirs and uncovered sewage and water treatment facilities; canals, ditches and channels (including lining other than concrete linings); earth dams under one million (1,000,000) cubic yards; well drilling, telephone and electrical transmission lines and site preparations which are part of streets, highway, utility and light engineering projects; and shall include construction, alteration, repair, and demolition of utilities such as sanitary sewers, water lines, gas lines, including appurtenances thereto such as lift stations, inlets, manholes, sewer lagoons, septic tanks and service outlets (stubouts) providing such utility construction is outside the property line or five (5) feet from a building or heavy engineering structure, including the Navajo Indian Reservation.

Modification Number	Publication Date
0	02/08/2008
1	07/25/2008

\* SUNM1992-001 10/21/1992

	Rates	Fringes
CARPENTER.....	\$ 8.11	.44
CEMENT MASON/CONCRETE FINISHER...	\$ 8.18	.26
ELECTRICIAN.....	\$ 17.00	2.35
IRONWORKER, REINFORCING.....	\$ 7.96	.50
IRONWORKER, STRUCTURAL.....	\$ 9.36	1.29
LABORER		

GROUP 1  
 Common laborer; carpenter  
 tender; concrete buggy  
 op. (hand); concrete  
 workers.....\$ 6.55 .35

GROUP 2  
 Air & power tool man;  
 asphalt heaterman;  
 asphalt jointman; asphalt  
 raker; batching plant  
 scaleman; tenders (to  
 cement mason &  
 plasterer); chain sawman;  
 concrete power buggyman;  
 concrete touchup man;  
 concrete sawman; curbing  
 machine, asphalt or  
 cement; cutting torchman;  
 metal form setter-road;  
 grade setter; hod  
 carrier; mortar mixer &  
 mason tender; powderman  
 or blaster tender;  
 sandblaster; scaler;  
 Vibratorman (hand type);  
 vibrator compactor (hand  
 type); wagon air tract,  
 drill & diamond driller  
 (outside) & tender.....\$ 6.55 .35

GROUP 3  
 Guniting pumpcrete &  
 nozzleman; multiplate  
 setter; manhold builder;  
 pipelayer; powderman-  
 blaster-make-up.....\$ 6.55 .35

LINE CONSTRUCTION: Cable  
 Splicer

AREA A		
Zone I.....	\$ 19.47	2.70+3.75%
Zone II.....	\$ 21.06	2.70+3.75%
Zone III.....	\$ 22.13	2.70+3.75%
Zone IV.....	\$ 24.07	2.70+3.75%
AREA B		
Zone I.....	\$ 15.49	1.80+3.75%
Zone II.....	\$ 17.54	1.80+3.75%
AREA C		
Zone I.....	\$ 16.78	2.25+3.75%
Zone II.....	\$ 17.23	2.25+3.75%
Zone III.....	\$ 17.38	2.25+3.75%
Zone IV.....	\$ 17.63	2.25+3.75%

COMMERCIAL LINE WORK

LINE CONSTRUCTION: Equipment  
 Operator (includes helicopter  
 operator)

AREA A

Zone I.....	\$ 16.81	2.70+3.75%
Zone II.....	\$ 18.40	2.70+3.75%
Zone III.....	\$ 19.47	2.70+3.75%
Zone IV.....	\$ 21.41	2.70+3.75%

COMMERCIAL LINE WORK

LINE CONSTRUCTION: Groundman

AREA A

Zone I.....	\$ 12.57	2.70+3.75%
Zone II.....	\$ 14.16	2.70+3.75%
Zone III.....	\$ 15.23	2.70+3.75%
Zone IV.....	\$ 17.17	2.70+3.75%

AREA C

Zone I.....	\$ 11.68	2.25+3.75%
Zone II.....	\$ 12.13	2.25+3.75%
Zone III.....	\$ 12.28	2.25+3.75%
Zone IV.....	\$ 12.53	2.25+3.75%

COMMERCIAL LINE WORK

Line Construction: Equipment  
Mechanic (includes helicopter  
mechanic)

AREA A

Zone I.....	\$ 16.81	2.70+3.75%
Zone II.....	\$ 18.40	2.70+3.75%
Zone III.....	\$ 19.47	2.70+3.75%
Zone IV.....	\$ 21.41	2.70+3.75%

AREA B

Zone I.....	\$ 12.83	1.80+3.75%
Zone II.....	\$ 14.53	1.80+3.75%

COMMERCIAL LINE WORK

Line Construction: Equipment  
Operator and Mechanic  
(includes helicopter operator  
& mechanic)

AREA C

Zone I.....	\$ 14.31	2.25+3.75%
Zone II.....	\$ 14.76	2.25+3.75%
Zone III.....	\$ 14.91	2.25+3.75%
Zone IV.....	\$ 15.16	2.25+3.75%

COMMERCIAL LINE WORK

Line Construction:  
Groundman-Jackhammer

AREA B

Zone I.....	\$ 10.47	1.80+3.75%
Zone II.....	\$ 11.86	1.80+3.75%

COMMERCIAL LINE WORK

Line Construction:  
Lineman/Line Technician

AREA A

Zone I.....	\$ 17.70	2.70+3.75%
Zone II.....	\$ 19.29	2.70+3.75%
Zone III.....	\$ 20.36	2.70+3.75%
Zone IV.....	\$ 22.30	2.70+3.75%

AREA B		
Zone I.....	\$ 15.05	1.80+3.75%
Zone II.....	\$ 17.03	1.80+3.75%
AREA C		
Zone I.....	\$ 16.45	2.25+3.75%
Zone II.....	\$ 16.90	2.25+3.75%
Zone III.....	\$ 17.05	2.25+3.75%
Zone IV.....	\$ 17.30	2.25+3.75%

COMMERCIAL LINE WORK

Line Construction: Powderman

AREA A		
Zone I.....	\$ 15.40	2.70+3.75%
Zone II.....	\$ 16.99	2.70+3.75%
Zone III.....	\$ 18.06	2.70+3.75%
Zone IV.....	\$ 20.00	2.70+3.75%
AREA B		
Zone I.....	\$ 12.39	1.80+3.75%
Zone II.....	\$ 14.03	1.80+3.75%
AREA C		
Zone I.....	\$ 13.82	2.25+3.75%
Zone II.....	\$ 14.27	2.25+3.75%
Zone III.....	\$ 14.42	2.25+3.75%
Zone IV.....	\$ 14.67	2.25+3.75%

COMMERCIAL LINE WORK

Line Construction

UTILITY FOR ELECTRIC & TELEPHONE UTILITIES, REA CO-OPS, RAILROADS & MUNICIPALITIES		
Cable Splicer.....	\$ 18.75	2.95+3.75%
Equipment Operator & Mechanic (includes helicopter operator and mechanic).....	\$ 15.24	2.95+3.75%
Groundman - Jackhammer.....	\$ 11.91	2.95+3.75%
Lineman/Technician.....	\$ 17.52	2.95+3.75%
Powderman.....	\$ 14.72	2.95+3.75%

PAINTER

Brush.....	\$ 8.64	.91
Spray.....	\$ 9.09	.20

Plumbers and Pipefitters

All irrigation & lawn sprinkler work.....		
	\$ 7.80	3.09
AREA I.....	\$ 17.94	4.99
Specific Area.....	\$ 18.74	4.99

Power Equipment Operator

GROUP 1		
Concrete paving curing machine.....	\$ 8.06	.26
GROUP 10		
Pipemobile op., mole op....	\$ 10.51	.26
GROUP 2		

Belt type conveyors  
 (material & concrete);  
 broom (self-propelled);  
 fork lift; grease truck  
 op.; head oiler; hydro  
 life; tractor (under 50  
 drawbar HP with or  
 without attachment);  
 industrial locomotive  
 brakeman; front end  
 loader (2 CY or less);  
 fireman; oiler;  
 screedman; roller (pull  
 type); mulching machine;  
 roller (self-propelled)....\$ 8.26 .26

GROUP 3

Concrete paving form  
 grader; concrete paving  
 gang vibrator; concrete  
 paving joint or saw  
 machine; concrete paving  
 subgrader; tractor with  
 backhoe attachment;  
 subgrade or base  
 finisher; power plant  
 (electric, general or  
 welding machine).....\$ 8.84 .26

GROUP 4

Bulldozer (including self-  
 propelled roller with  
 dozer attachment; batch  
 or continuous mix plant  
 (concrete soil-cement or  
 asphalt); roller (steel  
 wheel) front end loader  
 (2 CY through 10 cy);  
 scraper; motor grader.....\$ 8.86 .26

GROUP 5

Asphalt distributor;  
 asphalt paving or laydown  
 machine; asphalt retort  
 heater; mixer, heavy  
 duty, asphalt or soil  
 cement; trenching  
 machine; clam-type  
 shaftmucker; backhoe,  
 clamshell, dragline,  
 gradall, shovel (under  
 3/4 CY); elevating grader  
 or belt loader; cranes  
 (crawler or mobile) under  
 20 ton; air compressor  
 (300 CFM 7 over);  
 crushing screening &  
 washing plants; drilling  
 machine (cable, core or  
 rotary); mixer, concrete

(1 CY & less); pump (6" intake or over); winch truck; hoist (1 drum); industrial locomotive motorman, lumber stacker; tractor (50 drawbar HP or over).....	\$ 8.86	.26
GROUP 6		
Concrete paver mixer; hoist (2 drum & over); side boom; traveling crane; piledriver; backhoe, clamshell, dragline, gradall, shovel (3/4 CY to 3 CY); cranes (crawler or mobile) 20 ton to 40 ton; front end loader (over 10 CY); mixer concrete (over 1 CY); mechanic and/or welder.....	\$ 9.01	.26
GROUP 7		
Concrete slip-form paving machine; concrete paving finishing machine; concrete paving longitudinal float; gunite machines; refrigerator; jumbo form or drilling; stage; slusher; concrete paving spreader; pumpcrete machine; grout pump op.....	\$ 9.06	.26
GROUP 8		
Mine hoist; bulldozer (multiple units); scraper (multiple units); mucking machines; backhoe, clamshell, dragline, gradall, shovel (over 3 CY); cranes (crawler or mobile).....	\$ 9.21	.26
GROUP 9		
Belt loader (CMI type) op.; derrick cableway.....	\$ 9.71	.26
TRUCK DRIVER		
Diesel-powered transport; lowboy heavy equipment.....	\$ 7.35	.26
Distributor (asphalat; transit-mix; lowboy, light equipment; off-high hauler; dump truck over 16 cubic yards; trailer semi-trailer dump.....	\$ 7.15	.26
Dump truck, 8 to 16 cubic yards; flat bed over 1 1/2		

ton.....\$	6.95	.26
Pick-up truck 3/4 ton or under; warehouseman; dump truck under 8 cubic yards; flat bed, 1 1/2 ton or under.....\$	6.75	.26

AREA AND ZONE DEFINITIONS COMMERCIAL LINE WORK (excluding work done for electric & telephone utilities, REA co-ops, railroad & municipalities);

AREA A - Also applies to switching stations & substations adjacent to power plants. Catron, Chaves, Cibola, Colfax, Curry, Debaca, Grant, Guadalupe, Harding, Lincoln, Mckinley, Mora, Quay, Rio Arriba, Roosevelt, Sandoval, San Juan, San Miguel, Sierra, Socorro, Taos, Torraine, Union, Valencia, and those portions of White Sands Missile Range and Fort Bliss in Otero County, New Mexico

ZONE 1 - Cities & Towns Basing Points & Miles from Main Post Office

- Roswell - 12 miles
- Ruidoso - 12 miles
- Las Vegas - 8 miles
- Portales - 12 miles
- Farmington - 6 miles
- Carrizozo - 12 miles
- Raton - 6 miles
- Clovis - 12 miles
- Tucumcari - 6 miles
- Gallup - 10 miles

ZONE II - Extending up to 20 miles beyond Zone I, EXCEPT ALBUQUERQUE, rates per hour shall be increased by 9% of the journeyman rate of Zone I

ZONE III - Extending up to 30 miles beyond Zone I, EXCEPT ALBUQUERQUE rates per hour shall be increased by 15% of the journeyman rate of Zone I

ZONE IV - Anything beyond 30 miles from Zone I, EXCEPT ALBUQUERQUE rates per hour shall be increased by 26% of the journeyman rate for Zone I.

For establishing the outlying free zones from the Albuquerque free zone only, Zone II shall extend up to 10 miles beyond Zone I, Zone III shall extend up to 20 miles beyond Zone I and Zone IV anything beyond 20 miles from Zone I.

AREA B - Applies to switching stations & substations adjacent to power plants in Zone I & Zone II in Luna, Dona Ana, Otero & Hidalgo Counties, exclusive of those portions of White Sands Missile Range and Fort Bliss in Dona Ana County, New Mexico.

ZONE I - that area within 25 miles radius from the downtown Office of El Paso, Texas, Fort Bliss & Biggs Field; the

area within a 5 mile radius of any city, town or municipality within which an employer establishes or maintains his place of business; the area within 10 mile radius from the Post Office in Alamogordo, New Mexico.

ZONE II - all other areas of the jurisdiction except those specified in Zone I.

AREA C - Applies to switching stations adjacent to power plants in Eddy & Lea Counties; the following zones listed shall be designated from the Main Post Office of Artesia, Carlsbad, Hobbs & Lovington:

- Zone I - 0 to 12 miles
- Zone II - 12 to 22 miles
- Zone III - 22 to 40 miles
- Zone IV - 40 miles & beyond

PLUMBERS & PIPEFITTERS AREA DEFINITIONS:

AREA I: Alamogordo, Artesia, Belen, Bernalillo, Carlsbad, Clovis, Deming, Espanola, Estancio, Farmington, Gallup, Grant, Hobbs, Las Vegas, Lordsburg, Los Lunas, Lovington, Moriarty, Portales, Raton, Rio Rancho, Ruidoso, Silver City, Santa Rosa, Santa Teressa, Socorro, Taos, Tucumcari, Truth or Consequence, Artesia, Carlsbad, Hobbs, and Lovington.

AREA I - SHALL INCLUDE A DISTANCE OF ELEVEN (11) ROAD MILES INCLUSIVE BEYOND THE CITY OR TOWN LIMITS FOR THE CITIES OR TOWNS LISTED ABOVE AS BASING POINTS.

Specific Area: Los Alamos, White Rock, South Mesa, McGregor Range, White Sands Missile Range and/or Proving Grounds

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WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.  
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Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

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In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.  
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WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can

be:

- \* an existing published wage determination
- \* a survey underlying a wage determination
- \* a Wage and Hour Division letter setting forth a position on a wage determination matter
- \* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations  
Wage and Hour Division  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION