

**ADDENDUM No. 3
TO APPROVED PLANS AND SPECIFICATIONS
June 16, 2010**



Re: Letting of June 18, 2010

ADDENDUM

<u>No.</u>	<u>CN/PROJECT No.</u>	<u>COUNTY</u>	<u>ISSUE DATE</u>
1.	G2B13/G2B1300 3862/IM-025-3(53)148 5100071/5100071 G2785/AC-GRIP-064-(201)141	Sandoval Socorro Taos Rio Arriba	6/10/10
2.	G4024/G402400 6100280/6100280 G2B13/G2B1300 3862/IM-025-3(53)148 5100071/5100071 G2785/AC-GRIP-064-(201)141	Colfax McKinley Sandoval Socorro Taos Rio Arriba	6/14/10
3.	G2B13/G2B1300 3862/IM-025-3(53)148 5100071/5100071	Sandoval Socorro Taos	6/16/10

CN's G2B13 and 3862 - Attachments

YOU ARE HEREBY ADVISED OF THE FOLLOWING:

Reference is made to Addenda No. 2. The Notice to Contractors for Disadvantaged Business Enterprise (DBE) Program Race-Conscious Measures (6/14/09) has been deleted and replaced with the Notice to Contractors for Disadvantaged Business Enterprise (DBE) Program Race-Conscious Measures (6/16/10). The **attached** Notice to Contractors is for your information and inclusion into your contract assembly.

Reference is made to Addenda No. 2. Form No. A-585A for Race Conscious Measure Project Contract Goal For Disadvantaged Business Enterprise Program in Highway Construction (Rev. 06/10) has been deleted and replaced with Form No. A-585A for Race Conscious Measure Project Contract Goal For Disadvantaged Business Enterprise Program in Highway Construction (Rev. 6/16/10). The **attached** form is for your information and inclusion into your contract assembly.

Form No. A-644 for Disadvantaged Business Enterprise (DBE) Participation (Rev. 6/09) has been deleted and replaced with Form No. A-644 for Disadvantaged Business Enterprise (DBE) Participation (Rev. 6/16/10). The **attached** form is for your information and inclusion into your contract assembly.

CN 5100071/5100071 - Attachments

YOU ARE HEREBY ADVISED OF THE FOLLOWING:

Reference is made to Addenda No. 2. The Notice to Contractors for Disadvantaged Business Enterprise (DBE) Program Race-Conscious Measures (6/14/09) has been deleted and replaced with the Notice to Contractors for Disadvantaged Business Enterprise (DBE) Program Race-Conscious Measures (6/16/10). The **attached** Notice to Contractors is for your information and inclusion into your contract assembly.

Reference is made to Addenda No. 2. Form No. A-585A for Race Conscious Measure Project Contract Goal For Disadvantaged Business Enterprise Program in Highway Construction (Rev. 06/10) has been deleted and replaced with Form No. A-585A for Race Conscious Measure Project Contract Goal For Disadvantaged Business Enterprise Program in Highway Construction (Rev. 6/16/10). The **attached** form is for your information and inclusion into your contract assembly.

Reference is made to Addenda No. 1. Form No. A-644 for Disadvantaged Business Enterprise (DBE) Participation (Rev. 6/09) has been deleted and replaced with Form No. A-644 for Disadvantaged Business Enterprise (DBE) Participation (Rev. 6/16/10). The **attached** form is for your information and inclusion into your contract assembly.

**Gary L.J. Giron, Cabinet Secretary
New Mexico Department of Transportation**

GG:JM

NOTICE TO CONTRACTORS

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM RACE-CONSCIOUS MEASURES

June 16, 2010

CN G2B13/G2B1300

This Project is subject to race-conscious measures. The established DBE Goal for this project is 7.50 %.

On the Monday following the bid opening, by 4:00 PM, **ALL BIDDERS** shall submit to the Office of Equal Opportunity Programs (OEOP) a completed DBE A-1 Pages 1 and 2, using additional sheets as necessary. In addition, within five (5) working days after the bid opening, a written confirmation from each DBE (Form No. A-644 as attached) that it is participating in the contract as provided in the bidders commitment shall be submitted to the OEOP. Each Bidder is responsible for confirming that each DBE it intends to utilize is currently certified. Bidders should confirm the DBE firm's status by accessing the DBE Directory at <http://nmdot.dbesystem.com>. Any questions about accessing the Directory or properly completing the forms can be addressed to the OEOP. The OEOP (Telephone No. 1.800.544.0936 or 505.827.1774, FAX No. 505.827.1779) is located at Aspen Plaza, 1596 Pacheco Street, Suite 107, Santa Fe NM, 87505. Office hours are from 7:45 AM to 4:30 PM, Monday thru Friday.

If the bidder cannot meet the established DBE goal, the bidder shall submit documentation evidencing its good faith efforts to obtain DBE participation. This documentation shall be submitted to the OEOP. Documentation will be accepted until 11:00 AM within five (5) working days after the bid opening. The *Selected DBE Program Provisions Disadvantaged Business Participation in USDOT Assisted Contracts* provides a detailed listing of the types of actions that the NMDOT will consider as evidence of a Bidder's good faith efforts to obtain DBE participation. At a minimum, the Bidder shall provide evidence that it: solicited through all reasonable and available means the interest of all certified DBE firms that have the capability to perform the work on the contract; and, determined with certainty whether DBE firms were interested by taking appropriate steps to follow up on initial solicitations. Evidence shall include copies of newspaper advertisements, fax logs, telephone logs, or other means utilized to solicit and follow up with the DBE firms.

If a Bidder is submitting good faith efforts documentation, this Notice to Contractors; Form No. A-585A, DBE A-1; and Form No. A-644 shall be completed and submitted in accordance with the time frames indicated above. If the OEOP determines that the apparent low bidder has failed to provide adequate evidence of good faith efforts, the Department will notify the apparent low bidder of that determination and provide the apparent low bidder with the opportunity to request administrative reconsideration of that determination pursuant to 49 CFR 26.53(b)(3)(d).

FAILURE TO COMPLY WITH THESE REQUIREMENTS SHALL RENDER A BID NON-RESPONSIVE AND THE BID SHALL BE REJECTED.

In accordance with 49 CFR Part 26, the Department's Disadvantaged Business Assistance Program, and the applicable Special Provisions, the bidder (Check box a., b. or c. as appropriate):

- a. Assures to meet or exceed the established DBE goal.
- b. Cannot meet the established DBE goal. Assures to meet or exceed a DBE goal of _____ %.
- c. Is a certified DBE contractor. Shall list itself and any other DBE subcontractor(s) on Form No. A-585A, DBE A-1.

**New Mexico Department of Transportation
 RACE CONSCIOUS MEASURE PROJECT
 CONTRACT GOAL FOR DISADVANTAGED BUSINESS ENTERPRISE PROGRAM
 IN HIGHWAY CONSTRUCTION**

For the purpose of this contract, a goal of 7.50 percent has been established for certified Disadvantaged Business Enterprise (DBE) Participation.

Type or print legibly

*Name of DBE	DBE Address	Description of Work	Proposed Amount
Total DBE Participation			\$

1. Control No. **G2B13**
2. Contractor's DBE Liaison Officer _____
3. Total Amount of the Bid \$ _____
- **4. Total DBE Participation \$ _____ Participation %age: _____ % of line 3.

*Written confirmation from the DBE that is participating in the contract is required. See Form A-644.

** If the contract goal is not met, evidence of good faith efforts must be provided. The bidder must show that it took all necessary and reasonable steps to achieve a DBE goal or other requirement by the scope, intensity and appropriateness

I will abide by the Disadvantaged Business Enterprise (DBE) goal set forth for this project and hereby submit the names of the DBE firms that will participate in this project. Substitution(s) will not be allowed without prior submission of written justification to the Project Manager for approval. I understand that failure to meet the goal may result in Liquidated Damages for the difference between the DBE goal and the actual DBE participation achieved.

This statement is my assurance that _____ agrees to comply with the requirements of
 (Name of Firm)

49 CFR Part 26, and the New Mexico Department of Transportation's Disadvantaged Business Enterprise Program, and all the requirements contained therein.

 Date

 Signature of Company Official

**New Mexico Department of Transportation
 DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION**

Control No. _____

DBE Name & Address	Line #	Item Description	Amount
Total:			

*IF ANY FIRM LISTED ABOVE IS A MATERIAL SUPPLIER, BUT NOT THE MANUFACTURER, THE CONTRACTOR MAY CREDIT ONLY 60% OF THE EXPENDITURE TO THE SUPPLIER, FOR FINAL PAYMENT. THE PRIME CONTRACTOR MAY CERTIFY THAT FINAL PAYMENT WILL BE MADE TO DBE UPON HIS RECEIPT OF PAYMENT.

I affirm that I am an authorized representative of _____, hereinafter "DBE Firm".
Name of DBE Firm

Further, I affirm my participation in the contract for _____.
Name of Contractor

 Signature of Authorized DBE Representative

 Printed Name of Authorized DBE Representative

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Seal _____
Notary Public

My Commission expires: _____

NOTICE TO CONTRACTORS

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM RACE-CONSCIOUS MEASURES

June 16, 2010

CN 3862/IM-025-3(53)148

This Project is subject to race-conscious measures. The established DBE Goal for this project is 7.50 %.

On the Monday following the bid opening, by 4:00 PM, **ALL BIDDERS** shall submit to the Office of Equal Opportunity Programs (OEOP) a completed DBE A-1 Pages 1 and 2, using additional sheets as necessary. In addition, within five (5) working days after the bid opening, a written confirmation from each DBE (Form No. A-644 as attached) that it is participating in the contract as provided in the bidders commitment shall be submitted to the OEOP. Each Bidder is responsible for confirming that each DBE it intends to utilize is currently certified. Bidders should confirm the DBE firm's status by accessing the DBE Directory at <http://nmdot.dbesystem.com>. Any questions about accessing the Directory or properly completing the forms can be addressed to the OEOP. The OEOP (Telephone No. 1.800.544.0936 or 505.827.1774, FAX No. 505.827.1779) is located at Aspen Plaza, 1596 Pacheco Street, Suite 107, Santa Fe NM, 87505. Office hours are from 7:45 AM to 4:30 PM, Monday thru Friday.

If the bidder cannot meet the established DBE goal, the bidder shall submit documentation evidencing its good faith efforts to obtain DBE participation. This documentation shall be submitted to the OEOP. Documentation will be accepted until 11:00 AM within five (5) working days after the bid opening. The *Selected DBE Program Provisions Disadvantaged Business Participation in USDOT Assisted Contracts* provides a detailed listing of the types of actions that the NMDOT will consider as evidence of a Bidder's good faith efforts to obtain DBE participation. At a minimum, the Bidder shall provide evidence that it: solicited through all reasonable and available means the interest of all certified DBE firms that have the capability to perform the work on the contract; and, determined with certainty whether DBE firms were interested by taking appropriate steps to follow up on initial solicitations. Evidence shall include copies of newspaper advertisements, fax logs, telephone logs, or other means utilized to solicit and follow up with the DBE firms.

If a Bidder is submitting good faith efforts documentation, this Notice to Contractors; Form No. A-585A, DBE A-1; and Form No. A-644 shall be completed and submitted in accordance with the time frames indicated above. If the OEOP determines that the apparent low bidder has failed to provide adequate evidence of good faith efforts, the Department will notify the apparent low bidder of that determination and provide the apparent low bidder with the opportunity to request administrative reconsideration of that determination pursuant to 49 CFR 26.53(b)(3)(d).

FAILURE TO COMPLY WITH THESE REQUIREMENTS SHALL RENDER A BID NON-RESPONSIVE AND THE BID SHALL BE REJECTED.

In accordance with 49 CFR Part 26, the Department's Disadvantaged Business Assistance Program, and the applicable Special Provisions, the bidder (Check box a., b. or c. as appropriate):

- a. Assures to meet or exceed the established DBE goal.
- b. Cannot meet the established DBE goal. Assures to meet or exceed a DBE goal of _____%.
- c. Is a certified DBE contractor. Shall list itself and any other DBE subcontractor(s) on Form No. A-585A, DBE A-1.

**New Mexico Department of Transportation
 RACE CONSCIOUS MEASURE PROJECT
 CONTRACT GOAL FOR DISADVANTAGED BUSINESS ENTERPRISE PROGRAM
 IN HIGHWAY CONSTRUCTION**

For the purpose of this contract, a goal of 7.50 percent has been established for certified Disadvantaged Business Enterprise (DBE) Participation.

Type or print legibly

*Name of DBE	DBE Address	Description of Work	Proposed Amount
Total DBE Participation			\$

1. Control No. 3862
2. Contractor's DBE Liaison Officer _____
3. Total Amount of the Bid \$ _____
- **4. Total DBE Participation \$ _____ Participation %age: _____ % of line 3.

*Written confirmation from the DBE that is participating in the contract is required. See Form A-644.

** If the contract goal is not met, evidence of good faith efforts must be provided. The bidder must show that it took all necessary and reasonable steps to achieve a DBE goal or other requirement by the scope, intensity and appropriateness

I will abide by the Disadvantaged Business Enterprise (DBE) goal set forth for this project and hereby submit the names of the DBE firms that will participate in this project. Substitution(s) will not be allowed without prior submission of written justification to the Project Manager for approval. I understand that failure to meet the goal may result in Liquidated Damages for the difference between the DBE goal and the actual DBE participation achieved.

This statement is my assurance that _____ agrees to comply with the requirements of
 (Name of Firm)
 49 CFR Part 26, and the New Mexico Department of Transportation's Disadvantaged Business Enterprise Program, and all the requirements contained therein.

 Date

 Signature of Company Official

NOTICE TO CONTRACTORS

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM RACE-CONSCIOUS MEASURES

June 16, 2010

CN 5100071/5100071

This Project is subject to race-conscious measures. The established DBE Goal for this project is 7.50 %.

On the Monday following the bid opening, by 4:00 PM, **ALL BIDDERS** shall submit to the Office of Equal Opportunity Programs (OEOP) a completed DBE A-1 Pages 1 and 2, using additional sheets as necessary. In addition, within five (5) working days after the bid opening, a written confirmation from each DBE (Form No. A-644 as attached) that it is participating in the contract as provided in the bidders commitment shall be submitted to the OEOP. Each Bidder is responsible for confirming that each DBE it intends to utilize is currently certified. Bidders should confirm the DBE firm's status by accessing the DBE Directory at <http://nmdot.dbesystem.com>. Any questions about accessing the Directory or properly completing the forms can be addressed to the OEOP. The OEOP (Telephone No. 1.800.544.0936 or 505.827.1774, FAX No. 505.827.1779) is located at Aspen Plaza, 1596 Pacheco Street, Suite 107, Santa Fe NM, 87505. Office hours are from 7:45 AM to 4:30 PM, Monday thru Friday.

If the bidder cannot meet the established DBE goal, the bidder shall submit documentation evidencing its good faith efforts to obtain DBE participation. This documentation shall be submitted to the OEOP. Documentation will be accepted until 11:00 AM within five (5) working days after the bid opening. The *Selected DBE Program Provisions Disadvantaged Business Participation in USDOT Assisted Contracts* provides a detailed listing of the types of actions that the NMDOT will consider as evidence of a Bidder's good faith efforts to obtain DBE participation. At a minimum, the Bidder shall provide evidence that it: solicited through all reasonable and available means the interest of all certified DBE firms that have the capability to perform the work on the contract; and, determined with certainty whether DBE firms were interested by taking appropriate steps to follow up on initial solicitations. Evidence shall include copies of newspaper advertisements, fax logs, telephone logs, or other means utilized to solicit and follow up with the DBE firms.

If a Bidder is submitting good faith efforts documentation, this Notice to Contractors; Form No. A-585A, DBE A-1; and Form No. A-644 shall be completed and submitted in accordance with the time frames indicated above. If the OEOP determines that the apparent low bidder has failed to provide adequate evidence of good faith efforts, the Department will notify the apparent low bidder of that determination and provide the apparent low bidder with the opportunity to request administrative reconsideration of that determination pursuant to 49 CFR 26.53(b)(3)(d).

FAILURE TO COMPLY WITH THESE REQUIREMENTS SHALL RENDER A BID NON-RESPONSIVE AND THE BID SHALL BE REJECTED.

In accordance with 49 CFR Part 26, the Department's Disadvantaged Business Assistance Program, and the applicable Special Provisions, the bidder (Check box a., b. or c. as appropriate):

- a. Assures to meet or exceed the established DBE goal.
- b. Cannot meet the established DBE goal. Assures to meet or exceed a DBE goal of _____%.
- c. Is a certified DBE contractor. Shall list itself and any other DBE subcontractor(s) on Form No. A-585A, DBE A-1.

**New Mexico Department of Transportation
 RACE CONSCIOUS MEASURE PROJECT
 CONTRACT GOAL FOR DISADVANTAGED BUSINESS ENTERPRISE PROGRAM
 IN HIGHWAY CONSTRUCTION**

For the purpose of this contract, a goal of 7.50 percent has been established for certified Disadvantaged Business Enterprise (DBE) Participation.

Type or print legibly

*Name of DBE	DBE Address	Description of Work	Proposed Amount
Total DBE Participation			\$

1. Control No. 5100071
2. Contractor's DBE Liaison Officer _____
3. Total Amount of the Bid \$ _____
- **4. Total DBE Participation \$ _____ Participation %age: _____% of line 3.

*Written confirmation from the DBE that is participating in the contract is required. See Form A-644.

** If the contract goal is not met, evidence of good faith efforts must be provided. The bidder must show that it took all necessary and reasonable steps to achieve a DBE goal or other requirement by the scope, intensity and appropriateness

I will abide by the Disadvantaged Business Enterprise (DBE) goal set forth for this project and hereby submit the names of the DBE firms that will participate in this project. Substitution(s) will not be allowed without prior submission of written justification to the Project Manager for approval. I understand that failure to meet the goal may result in Liquidated Damages for the difference between the DBE goal and the actual DBE participation achieved.

This statement is my assurance that _____ agrees to comply with the requirements of
 (Name of Firm)
 49 CFR Part 26, and the New Mexico Department of Transportation's Disadvantaged Business Enterprise Program, and all the requirements contained therein.

 Date

 Signature of Company Official

