



Department of Transportation

Office of Project Development

700 E Broadway Avenue

Pierre, South Dakota 57501-2586 605/773-3268

FAX: 605/773-2614

May 1, 2015

ADDENDUM NO. 1

RE: Item #1, May 20, 2015 Letting - P TAPR(01), PCN 04QH, Charles Mix County - Shared Use Path

TO WHOM IT MAY CONCERN:

The following addenda to the plans shall be inserted and made a part of your proposal for the referenced project.

SPECIAL PROVISIONS: Please remove the Special Provisions checklist and replace with attached Special Provisions checklist revised 4/28/15. "Special Provision for Subletting of Contract" dated 4/28/15 was added.

Please add the Special Provision for Subletting of Contract" dated 4/28/15 before the "Special Provision Regarding Section 404 of the Clean Water Act, dated 4/24/15.

PEN AND INK CHANGE: change the Work Type for this Project from Work Type 14 to Work Type 2 or Work Type 14 on the NOTICE TO CONTRACTORS.

BID ITEM FILE: NO CHANGE

PLANS: NO CHANGE

Sincerely,

Sam Weisgram
Engineering Supervisor

SW/cj

CC: Craig Smith, Mitchell Region Engineer
Jay Peppel, Mitchell Area Engineer

REV. 4/28/15

SPECIAL PROVISIONS

PROJECT NUMBER(S): P TAPR(01) PCN: 04QH

TYPE OF WORK: SHARED USE PATH

COUNTY: CHARLES MIX

The following clauses have been prepared subsequent to the Standard Specifications for Roads and Bridges and refer only to the above described improvement, for which the following Proposal is made. In case of any discrepancy or conflict between said specifications and these Special Provisions, the latter are to govern.

The Contractor's attention is directed to the need for securing from the Department of Environment & Natural Resources, Foss Building, Pierre, South Dakota, permission to remove water from public sources (lakes, rivers, streams, etc.). The Contractor should make his request as early as possible after receiving his contract, and insofar as possible at least 30 days prior to the date that the water is to be used.

Fred Binder is the official in charge of the Pierre Career Center for Charles Mix County.

THE FOLLOWING ITEMS ARE INCLUDED IN THIS PROPOSAL FORM:

Special Provision for Subletting of Contract, dated 4/28/15.

Special Provision Regarding Section 404 of the Clean water Act, dated 4/24/15.

Fact Sheet #23.

**Special Provision for Indian Employment and Contracting
Yankton Sioux Tribe, dated 4/15/15.**

Special Provision for Contractor Administered Preconstruction Meeting, dated 4/18/13.

Special Provision for Electronic Bidding Requirements, dated 12/18/13.

Special Provision for Fuel Cost Adjustment, dated 7/13/06.

Special Provision for Differing Site Conditions, dated 12/19/13.

Special Provision for Suspension of Work, dated 2/13/04.

Standard Title VI Assurance, dated 7/14/08.

Special Provision For Disadvantaged Business Enterprise, dated 12/19/12.

Special Provision For EEO Affirmative Action Requirements on Federal and Federal-aid Construction Contracts, dated 9/1/97.

Special Provision For Required Contract Provisions Federal-aid Construction Contracts, Form FHWA 1273 (Rev. May/1/12), dated 4/30/13.

Required Contract Provisions Federal-aid Construction Contracts, Form FHWA 1273 (Rev. 5/1/12).

Special Provision Regarding Minimum Wage on Federal-Aid Projects, dated 4/30/13.

Wage and Hour Division US Department of Labor Washington DC.

- US Dept. of Labor Decision Number SD100010, dated 8/30/13.

Supplemental Specification for Errata, dated 3/3/10.

Supplemental Specification to Standard Specifications for Roads and Bridges, dated 3/3/10.

Special Provision for Price Schedule for Miscellaneous Items, dated 9/26/13.

Special Provision Regarding Storm Water Discharge, dated 5/3/13.

General Permit for Storm Water Discharges Associated with Construction

Activities, dated 2/1/10. <http://denr.sd.gov/des/sw/IPermits/ConstructionGeneralPermit2010.pdf>

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**STATE OF SOUTH DAKOTA
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION
FOR
SUBLETTING OF CONTRACT**

**PROJECT P TAPR(01); PCN 04QH
CHARLES MIX COUNTY**

APRIL 28, 2015

Delete Section 8.1 of the specifications and replace with the following:

8.1 SUBLETTING OF CONTRACT - The Contractor shall not sublet, sell, transfer, assign, or dispose of the contract or contracts or any portion of them, without written consent of the Engineer. Each request to sublet shall be submitted on the form provided by the Engineer. The Contractor shall submit a request to sublet for any contracting firms a subcontractor proposes to use as a lower tier subcontractor. The Contractor shall obtain approval of each subcontractor before the start of the work performed by the subcontractor.

The Contractor will be permitted to sublet up to 70 percent of the contract amount, based on the contract unit prices, but shall perform work amounting to not less than 30 percent of the total contract amount with his own organization.

The Department will consider the Contractor's own organization to include only workers employed and paid directly by the Contractor, equipment owned or rented by the Contractor, and materials purchased by the Contractor for its use in performing Contract work. This does not include employees, equipment, or materials purchased by or incorporated into work of any subcontractor, assignee, or agent of the Contractor.

The Department will not consider as subcontracting the following; 1) any material produced outside the project limits including but not limited to the production of sand, gravel, crushed stone, batched concrete aggregates, ready mix concrete, off-site fabricated structural steel, other off-site fabricated items, and any materials delivered by established and recognized commercial plants; or 2) delivery of these materials to the work site from an off-site location in vehicles owned or operated by such plants or by recognized independent or commercial hauling companies. Project limits is defined as being within a 1/2 mile radius of the project proper.

Any items designated in the contract as "specialty items" may be performed by subcontract and the cost of designated specialty items performed by subcontract will be deducted from the total contract amount before computing the amount of work required to be performed by the Contractor's own organization.

The Contractor shall give assurance to the Engineer that all pertinent provisions of the prime contract including minimum wage for labor shall apply to the work sublet. Subcontract, or transfer of contract, shall not relieve the Contractor of his responsibilities and liability under the contract and bonds.

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