



# Department of Transportation

## Aberdeen Region Office

West Highway 12

PO Box 1767

Aberdeen, South Dakota 57402-1767 605/626-2244

FAX: 605/626-7875

September 8, 2014

### **ADDENDUM NO. 1**

**Re: PH 0027(10)228, 000I-169, 000P-169 & 000N-169, PCN 051V, i3k8, i3k7 & i3dd,  
Brown, Day, Edmunds, Grant, Marshall & Roberts Counties  
Guardrail Modifications and Repair**

#### **TO WHOM IT MAY CONCERN:**

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

**Proposal:** Please remove the Special Provisions checklist and replace with attached Special Provisions checklist revised 9/8/14.

Please insert the "Special Provision for Subletting of Contract", dated 9/5/14.

**When sending in your sealed bid please state on the front of the envelope that Addendum No. 1 was received.**

Sincerely,

DEPARTMENT OF TRANSPORTATION

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Jeff Senst, P.E.  
Region Engineer

cc: P. Dwight R. Sherman J. Humphrey S. Weisgram J. Hansen J. Steen  
D. German

REV. 9/8/14

PROJECT(S): PH 0027(10)228, 000I-169, 000P-169 & 000N-169 PCN 051V, i3k8, i3k7 & i3dd

COUNTY(IES): Brown, Day, Edmunds, Grant, Marshall & Roberts

TYPE OF WORK: GUARDRAIL MODIFICATIONS AND REPAIR

THE FOLLOWING ITEMS ARE INCLUDED IN THIS PROPOSAL FORM:

**Plans for Project – Sheets 1 thru 37.**

Special Provision for prequalification of Bidders, dated 1/27/14.  
Special Provision for Differing Site Conditions, dated 12/19/13.  
Special Provision for Contractor Administered Preconstruction Meeting, dated 4/18/13.  
Special Provision for Fuel Cost Adjustment, dated 9/12/08.  
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 FHWA 1273 (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 FOR INDIAN EMPLOYMENT AND CONTRACTING SISSETON-WAHPETON OYATE, dated 7/30/14.

SPECIAL PROVISION FOR SUBLETTING OF CONTRACT, dated 9/5/14.

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**STATE OF SOUTH DAKOTA  
DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION  
FOR  
SUBLETTING OF CONTRACT**

**PROJECT PH 0027(10)228, 000I-169, 000P-169, & 000N-169;  
PCN 051V, i3k8, i3k7, & i3dd  
BROWN, DAY, EDMUNDS, GRANT, MARSHALL, & ROBERTS  
COUNTIES**

**SEPTEMBER 5, 2014**

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**Delete Section 8.1 of the Standard Specifications for Roads and Bridges 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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