

**City of Springfield  
Engineering and Transportation Division**



Authorized by: Kenneth J. Wagnery  
Title: City Engineer  
Date: 5/11/12

**May 11, 2012**

**Addendum Number 2 to the Contract Documents for the  
Invitation to Bid for P21037; 10<sup>th</sup> and N Sewer Upgrade – Phase 1**

The City of Springfield is amending the above mentioned Invitation to Bid issued on April 23, 2012. This Addendum is hereby made a part of the original contract documents to the same extent as though it were originally included therein.

**The following questions were addressed at the Mandatory Pre-Bid Meeting on May 8, 2012:**

- 1.) **Question:** Are DEQ requirements and LRAPA requirements in the bid documents?  
**Response:** The requirements are not included in the bid book. The Contractor is expected to make themselves familiar with all regulations relating to the performance of work required to execute the contract.
- 2.) **Question:** What are the materials of the laterals?  
**Response:** Laterals will be variable. The city has not investigated the material types for laterals on this project.
- 3.) **Question:** Have you run a camera through the lines to see what condition they are in?  
**Response:** We have looked at the lines and they look pretty good from the inside, but we can only see so much from a TV camera.
- 4.) **Question:** Is the removal of asbestos pipe one of the bid items.  
**Response:** Yes
- 5.) **Question:** When does the first addenda come out?  
**Response:** Addenda #1 was handed out in the pre-bid meeting, and has been posted to our website.
- 6.) **Question:** What does D.F. on item 52 stand for?  
**Response:** Diameter foot at breast height.
- 7.) **Question:** Item 71, 600 feet of excavation/backfill for AC Pipe Removal, can you explain it?  
**Response:** Item 71 represents 600 feet of pipe that we are removing and not replacing with new pipe.
- 8.) **Question:** The CDF backfill in the top couple of feet, what do we do with the rest of the ditch up to where the finish grade of asphalt is?

**Response:** Plate it with a steel plate for 24 hours to allow it to cure.

- 9.) **Question:** It calls out for a 6' maximum trench cut, what happens if you have trench sloughing and it goes beyond that?

**Response:** It depends on your effort of the contractor, we will keep an eye on how well the contractor keeps the trench box up against the edge of the trench.

- 10.) **Question:** The property at 10<sup>th</sup> and Q, have you contacted them about obtaining more than the 55 feet?

**Response:** The property owner has a development planned which will utilize the remainder of the lot.

- 11.) **Question:** Do you have a designated stockpile area?

**Response:** You can use the 55 foot area at 10<sup>th</sup> and Q Street. Any additional area will need to be worked out between the contractor and a private property owner or business.

- 12.) **Question:** The aggregate base for the street reconstruction section, are we redoing the full base rock section?

**Response:** We are redoing the full base section in the street reconstruction area.

- 13.) **Question:** Bid item 73, excavation below grade, is that like trench stabilization?

**Response:** If you have bad subgrade below your trench or roadway section, it will allow some overexcavation as needed.

**The following questions were received after the close of the Mandatory Pre-Bid Meeting on May 8, 2012:**

- 1.) **Question:** I need a casing detail for the 24" Sanitary Sewer?

**Response:** The casing detail is located on sheet D2, detail 2.

- 2.) **Question:** Where is the drawing that shows where the jack and bore is located?

**Response:** The drawing showing the jack and bore is located on sheet 8B. Also, note Section H of the special provisions is for jack and bore.

- 3.) **Question:** Is the jack and bore going under a Road, Hwy, or Railroad?

**Response:** The jack and bore is going under a highway.

- 4.) **Question:** Regarding the siphon on Q St, the specs say to remove and replace the concrete. Would it be allowed to hand dig around the concrete so that the remaining concrete could be left in place? If I excavated on the north and south sides of the concrete structure to below invert of the siphon piping, it is possible that by hand or vacuum excavation beneath the channel floor a path could be opened for the pipe. If ductile iron pipe was used for the siphon, it could, probably, be pushed a short distance beneath the concrete channel floor if excavation is not possible the entire distance. Of course the idea is to not disturb the concrete channel and reduce the cost of the siphon installation. Optional method perhaps?

**Response:** The City would like to have a neat line removal of an entire section of channel. Bid the project as shown in the bid package. If the successful bidder would like to discuss an alternate method for installing the siphon, we may consider it in the future as a change order.

- 5.) **Question:** The 42" bore requires the use of Calpico type casing insulators and also requires that it be filled with sand. The use of sand is sometimes not required when this type of insulator is used. Is the sand really required?

**Response:** Yes, the sand is required for this project.

- 6.) **Question:** Why is all the existing transite pipe being removed? Is it possible to pipe burst the transite, or a portion of it?  
**Response:** We do not want asbestos containing material left in the ground to try to keep track of in the future. Pipe bursting of transite pipe is not allowed.
- 7.) **Question:** Will imported granular backfill be required in all private easement areas; such as, Lines B,C, and D?  
**Response:** Within the pipe zone, all new pipe will require imported granular backfill. See City of Springfield Standard Detail 4-17.
- 8.) **Question:** Where is an approved site for disposal of transite pipe? Will city of Springfield obtain disposal permit and pay for related dump fees?  
**Response:** Short Mountain will take transite pipe. The contractor is required to obtain permits and pay all fees related to dumping.
- 9.) **Question:** I'm assuming that bid proposal item 281, Traffic Rated Manhole Collar, is what is shown in plan details as, Standard Manhole Frame and Cover Adjustment? Proposal item 281. Where are the 20 each to be installed?  
**Response:** Bid item 281 is for Detail 1 on sheet D2. Bid item 281 is to be used whenever a manhole is located within concrete or asphalt traveled ways.
- 10.) **Question:** The specifications under P21037 Section B Measurement and Payment, Bid Item 066 (Lawn and Landscape Restoration) refers to replacing several landscape items including trees. What trees are being replaced? The plans call for many trees to be removed, but I do not see which are being replaced. Many of the removed trees are significant in size, so if they are to be replaced, what size tree will replace them?  
**Response:** The trees that are being removed within the easement will not be replaced. Any trees that are removed outside of easements, or trees damaged during construction will be replaced. Typically tree replacements will be done with a minimum 2" caliper tree measured breast height.
- 11.) **Question:** Is this a prevailing wage job?  
**Response:** Yes, this is a prevailing wage job.
- 12.) **Question:** Would the City entertain the idea of adding a Temporary Fence bid item. It is difficult for a Contractor to determine which property owner's want a temporary fence before bid time?  
**Response:** It is not possible to anticipate how much temporary fencing will be needed in backyards. A few property owners have responded with questions concerning dogs, and it will be the responsibility of the contractor to provide sufficient temporary fencing within the backyards of properties. The temporary fencing shall be considered incidental to Bid Items 153 and 155.
- 13.) **Question:** There are construction notes that indicate that we are to re-use the existing fence materials when replacing a fence. How will it be determined whether the existing material is suitable as replacement versus installing new?  
**Response:** The existing fence will be evaluated on site by the Engineer or Inspector.
- 14.) **Question:** The Special Provisions state that the contractor needs to start landscaping, surface restoration and fence restoration work within 72 hours following piping installation. Would the City accept starting the restoration after a "Line" of pipe was completed? Some of the pipe runs are long enough that it will take more than 3 days to complete a run and in some cases there is only one access point to the pipe run.  
**Response:** Bid it as though the 72 hour restoration rule is in effect. If the successful bidder would like to discuss an alternate schedule for restoration on a case by case basis, we will consider it in the future.

- 15.) **Question:** Who removes the sheds that are in the right-of-way for the lines that go through backyards?
- Response:** The City has made an effort to have property owners with structures and obstructions within the easements/ROW to be moved prior to construction. The Contractor will notify the Engineer prior to starting on any lines of obstruction remaining. The Engineer will contact the property owner about the structure and getting the structure moved. If the structure has not been moved prior to the Contractor reaching that point, the Contractor shall make every effort to move the structure with diligence and care without damaging the structure. Moving the shed shall be considered incidental to Bid Items 256, 257 and 263.
- 16.) **Question:** Can we access the East end of Line 'E' through the right-of-way from 12<sup>th</sup> Street?
- Response:** The easement does extend to 12<sup>th</sup> Street, however access to sewer lines will need to be worked out between the contractor and property owner.
- 17.) **Question:** The utility poles along line 'E' appear to be leaning. I wanted to confirm that the Utility Companies will be supporting their poles and they are responsible for the condition of their poles.
- Response:** The City does have SUB Electric available to hold poles as needed. See the Special Provisions, section 1.7, sheet A-3 for more information.
- 18.) **Question:** Sheet 8B has a construction Note #27 but there is not a description for the note. Can you provide one?
- Response:** Please note the construction notes are consistent between sheets. It appears note 27 was unintentionally left off of sheet 8A. The note should read, "INSTALL NEW 8" PVC ASTM D 3034 SANITARY SEWER PIPE."
- 19.) **Question:** The 24" line on the North side of 'Q' Street is directly under a gas line and there is a construction note directing the Contractor to protect the gas line. How does the City see this being possible?
- Response:** This gas line will be moved south several feet by Northwest Natural Gas prior to the installation of this portion of the 24-inch line. The final location will be approximately 1 foot north of the existing utility poles.
- 20.) **Question:** In addition to the gas line, there are power lines directly over the pipe alignment. OSHA has "safe distance" requirements that dictate how close you can be to power lines with equipment. Is the Utility Company going to be turning these lines off so that we can safely work under them?
- Response:** There is currently no plan to turn off power to these lines. All questions or concerns regarding work near these lines should be addressed to Bryan Brewster of SUB Electric at (541) 744-3784.
- 21.) **Question:** What are the lengths of pipe for the 30" EWEB waterline along Hwy 126? Will we be excavating under a joint or in between two joints? What is the backfill material of this pipe?
- Response:** The lengths of the pipe are unknown. EWEB has stated the pipe is not currently active but would like to preserve it for potential future use. The backfill material is unknown.
- 22.) **Question:** The bore pit at the intersection of 10<sup>th</sup> and Quinalt Street is in the middle of the road. Will we be able to close Quinalt Street during the boring operation?
- Response:** Yes, there is sufficient circulation in the neighborhood which will allow for a full road closure while that work is being completed. A traffic control plan will need to be in place to accommodate the neighborhood.
- 23.) **Question:** Do you have the thickness of the asphalt for each street that the sewer line is installed? This will be needed to determine the cost of sawcutting.

**Response:** The City has not specifically checked the pavement thicknesses on these streets, however, according to City records it is anticipated that the local streets are approximately 3-4 inches thick and Q Street is approximately 4-6 inches thick for AC.

- 24.) **Question:** How long will we be able to keep the resident out of their driveway at the north end of Line 'A'? The concrete driveway will need some cure time before they can use it again.

**Response:** Assuming that your question is referring to the panhandle driveway it is the Contractors responsibility to coordinate with the property owner on timing of closing the driveway, and will provide at least 1 week notice prior to starting work in the panhandle. For all other locations it is expected that residents will have access to their driveways at all times with a delay. The driveways can be plated with steel plates to allow driveway access.

- 25.) **Question:** There is a concrete saddle shown at approximately Sta 3+30 of line 'A' of the 24" sewer line. Will there be a bid item for this saddle?

**Response:** The concrete saddles shall be considered incidental to the installation of the sewer lines.

- 26.) **Question:** Is there a way to control the flow of the existing 42" line that we tie onto at the north end of the 24" pipe?

**Response:** No, it is a trunk line without the ability to reroute the flow within the system. Flow Control shall be considered incidental to Bid Items 277, 278, 279, 279a, and 280. Flow control includes plugs, bypass pumping and other methods as approved by the engineer.

- 27.) **Question:** Bid Item 288 is for boring and jacking through rock. No rock excavation bid item exists for the open cut trenching elsewhere on the Project. Is it expected that rock will be encountered in the open cut trenches? If it is, how will it be paid?

**Response:** It is not anticipated that rock will be found in the open cut trenching. Bid item 288 was included to alleviate some risk on the boring contractor in case rock was encountered, so the City could split it into a separate pay item.

- 28.) **Question:** I have only found 160 lineal feet of the 6" sewer pipe. Where can I find the rest?

**Response:** The lateral lines make up a large portion of the 6" sewer pipe, and run from main line to edge of ROW or edge of easement, depending on the location.

- 29.) **Question:** In the special provisions, page A-6, 1.19, it is stated "no native backfill shall be used". In the standard drawings in the book there is detail on drawing 4-16 showing compacted native soil for untraveled areas. Can you please clarify/confirm what we are to use for backfill in untraveled areas including if loam is required.

**Response:** Native backfill is not to be used in the pipe zone (Standard Detail 4-17 shows the pipe zone). Outside of the pipe zone, in untraveled areas, detail T – E on Standard Drawing 4-16 can be used.

- 30.) **Question:** We are required to turn in the bid book and all of its contents. Would that include the plan sheets?

**Response:** No, the plan sheets and drawings are not required for bid submittal.

- 31.) **Question:** Bid Item 103 – Asphalt Pavement Restoration; 70 ton bid qty. looks low for what will be required. Just the 24" trench, north of "Q" Str. is likely to require 80 tons of pavement restoration. At the pre-bid it was mentioned that pavement restoration was based on 6' width for 24" pipe. Is there a limit to the width of pavement restoration the City will pay for, or will payment be made on actual qty. used? Contractors are never motivated to dig any wider than necessary.

**Response:** The 6' width is a maximum, not a guaranteed pay width. The City will pay for the width needed to install the pipe, based on the actual quantity used. The inspectors will collect the load tickets and will work with the contractor to determine pay quantities.

- 32.) **Question:** In areas where asbestos pipe is to be removed; Are the services asbestos pipe as well?  
**Response:** The City has not investigated the pipe material for this project and it is therefore unknown how many services are asbestos, but it is possible that you will encounter some. Removal and replacement of any 6 inch laterals that are asbestos containing pipe will be paid under bid items 070 and 256.
- 33.) **Question:** Sec. B Item #066 Lawn & Landscape Restoration; We understand the contractor is required to replace all easement landscaping improvements in kind back to original condition. Why is the City including replacing these private improvements within public sewer easements? This is very expensive and risky for the contractor.  
**Response:** It has been the practice of the City to replace landscaping as best as practicable within easements.
- 34.) **Question:** Sec. B Item 862 – Private Property Documentation; Obtaining approvals and releases from all private property owners places the contractor at the mercy of private property owners and the City regarding private improvements within public easements and ROW. This is very expensive and problematic to obtain these approvals. Requiring the contractor to restore the sewer easement surface to a well graded condition would be much less risky and less expensive, and then the private property owner can provide improvements they desire.  
**Response:** Past practice has been for the contractor to have an initial attempt, and at least 2 additional attempts to get owner approval and release.
- 35.) **Question:** Will the existing, parallel SS Pipe on 10<sup>th</sup> Str., north of 'Q' Str. be abandoned after installation of the new 24" SS Pipe? If so, who's responsibility if this?  
**Response:** No, it will stay functional. This project is expanding sewer capacity.
- 36.) **Question:** The Special Specifications require the contractor to coordinate with SUB. If existing poles need to be supported for installation of the new SS Line, will the City pay SUB direct or is this a contractor expense?  
**Response:** The City will pay for SUB to hold the poles with equipment, as needed. See Special Provision Section 1-7, sheet A-3 for more information.
- 37.) **Question:** Referring to Std. Drawing 4-17, we interpret that Pipe Zone material can be either Pea Rock, Blend Sand or Crushed Rock. Please confirm these three materials are options.  
**Response:** For this project, pipe zone material shall be ¾" minus crushed rock.
- 38.) **Question:** In the Special Specifications, all of the Pipe items require, "Backfill classes shall be compacted granular, imported". Is Blend Sand allowed as pipe trench backfill? If so, we realize that under asphalt the top 12" needs to be crushed rock.  
**Response:** Crushed rock shall be used for pipe trench backfill.
- 39.) **Question:** In the Special Specifications (Sec. B, Item 066) it requires "No Native Material will be used as backfill".  
**Response:** Native backfill can only be used outside of the pipe zone in areas in untraveled areas (see Standard Detail 4-16).
- 40.) **Question:** Item 297 calls for 300 LF of 10" Storm. I have found approximately 140 LF between sheets ST3 and ST5. General note 11 states that damaged existing Storm pipes will not be reimbursed. The specials state that the item is for the replacement of pipe that is in conflict of the new sanitary line. Where should we anticipate installing the additional 160 lf of 10" line. Will it in 10' sections or will it be whole street crossings? Please clarify.  
**Response:** The Approximate Quantity for Bid Item number 297 10-inch ASTM D3034 Storm Sewer has been changed from 300 L.F. to 140 L.F. The Bid Item List has been revised and is

included with this Addendum labeled as Attachment B - 05/11/12. It replaces the Bid Item List labeled Attachment A included with Addendum 1 issued on 05/08/12.

In the event that it is necessary to further amend, revise or supplement any part this Invitation to Bid additional addenda will be posted on the City's website at: <http://www.springfield-or.gov/RFPPAGE.HTM> .

The City will make a reasonable effort to provide the addenda to all Bidders to whom City provided the initial Invitation to Bid. The City is not responsible for any explanation, clarification, interpretation or approval made or given in any manner except by written addenda issued by City.

All Addenda issued are considered to be part of the specifications of the Invitation to Bid and, as such, are incorporated into the Contract as specified in Section 104.02 of the Standard Construction Specifications.

By signing below, I acknowledge the receipt of the following Addendum document and certify that the specifications contained have been considered and incorporated into the bid as presented.

**ALL BIDDERS MUST ACKNOWLEDGE THIS ADDENDUM BY SIGNING AND DATING THIS DOCUMENT, LISTING IT ON THE BID ITEM LIST AND INCLUDING IT AS PART OF THEIR SUBMITTAL PACKAGE.**

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Signature

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Date



**Bid Item List**

**Project No. P21037**  
**Project Title: 10<sup>th</sup> and N St Sewer Upgrade – Phase 1**

**Bid Items:**

<b>Item No.</b>	<b>Description</b>	<b>Approx. Quantity</b>	<b>Per</b>	<b>Unit Price</b>	<b>Total Price Extension</b>
052	Remove Trees	40	D.F.		
060	Mobilization	1	L.S.		
061	Traffic Control	1	L.S.		
063	Clearing	1	L.S.		
064	Erosion Control	1	L.S.		
065	Construction Entrance	15	EACH		
066	Lawn and Landscaping Restoration	1	L.S.		
069	Remove 6-inch AC Water Pipe	40	L.F.		
070	Remove AC Sewer Pipe	6600	L.F.		
071	Excavation/backfill for AC Pipe Removal	600	L.F.		
073	Excavation Below Grade	100	C.Y.		
075	Common Excavation	900	C.Y.		
086	Aggregate Surface Restoration	70	TON		
089	Aggregate Base 1 1/2 - 0	1400	TON		
101	Geotextile Fabric	2700	S.Y.		
103	Asphalt Pavement Restoration	70	TON		
104	A.C. In Place Class C	500	TON		
120	6 inch Concrete Driveway	2500	S.F.		
121	8 inch Reinforced Concrete Driveway	570	S.F.		
132	Concrete Curb and Gutters	1800	L.F.		
137	4 inch Concrete Sidewalk	3000	S.F.		
141	Handicap Ramps	720	S.F.		
142	Truncated Domes for Handicap Ramps	12	EACH		
153	Chain Link Fence	2200	L.F.		
155	Wood Fence	1200	L.F.		
158	Replace Street Signs	4	EACH		
197	Saw-Cutting Existing Surface	18000	L.F.		
202	Remove and Replace Jersey Barrier with Fence	20	L.F.		
256	6-inch ASTM D3034 SDR 35 Sanitary Sewer	1200	L.F.		
257	8-inch ASTM D3034 SDR 35 Sanitary Sewer	5800	L.F.		
263	24-inch ASTM F679 Sanitary Sewer	2250	L.F.		
271	2-Way Lateral Cleanout 6-inch	137	EACH		
272	Traffic-Rated Cleanout Box and Cover	20	EACH		
273	Plastic Cleanout Box and Cover	117	EACH		
274	8-inch Cleanout with Traffic-Rated Cover	4	EACH		
277	New 48-inch Sanitary Sewer Manhole 0-8 ft Depth	27	EACH		
277a	Add Depth to 48-inch Manhole	40	L.F.		
278	New 60-inch Sanitary Sewer Manhole	5	EACH		

Item No.	Description	Approx. Quantity	Per	Unit Price	Total Price Extension
279	New 72-inch Sanitary Sewer Manhole	1	EACH		
279a	New 84-inch Sanitary Sewer Manhole	2	EACH		
280	New 96-inch Sanitary Sewer Manhole	2	EACH		
281	Traffic-Rated Manhole Collar	20	EACH		
283	Siphon System Complete	1	L.S.		
287	Bore and Jack for 24-inch Pipe	248	L.F.		
288	Bore and Jack for 24-inch Pipe Through Rock	10	L.F.		
297	10-inch ASTM D3034 Storm Sewer	140	L.F.		
300	15-inch ASTM D3034 Storm Sewer	30	L.F.		
331	Catch Basin	4	EACH		
332	Curb Inlet Catch Basin Type 2 1/2 A	4	EACH		
457	6-inch x 8-inch x 8-inch ASTM D3034 Tee	137	EACH		
458	8-inch x 24-inch x 24-inch ASTM F679 Tee	2	EACH		
460	10-inch x 15-inch x 15-inch ASTM D3034 Storm Tee	6	EACH		
461	Connect 10-inch PVC Storm Pipe to Manhole	2	EACH		
861	Controlled Density Fill	700	C.Y.		
862	Private Property Documentation	1	L.S.		
<b>Project Bid Item Total:</b>				<b>\$</b>	

## Terms, Declarations and Bid Submittal

### **Bidder's Understanding**

Bidders shall determine for themselves all the conditions and circumstances affecting the projected cost of the proposed work by personal examination of the site, Contract documents, and by such other means they may deem to be necessary. It is understood and agreed that in the event the City has obtained information from data at hand regarding underground or other conditions or obstructions depicted in the Contract documents, there is no expressed or implied agreement that such conditions are fully or correctly shown, and the Bidder must take into consideration the possibility that conditions affecting the cost or quantity of work may differ from those indicated.

The Bidder is familiar with and is satisfied as to all federal, state and local laws and regulations that may affect cost, progress, and performance of the work.

### **Bid**

The undersigned Bidder having examined the Specifications and Contractual Documents and having satisfied themselves as to all conditions to be encountered, hereby proposes to furnish all labor, material and equipment and perform all work necessary to complete Project No P21037 in accordance with this bid, the Contract Plans, City of Springfield Standard Construction Specifications, 1994 Edition, and all subsequent modifications, the Special Provisions, and all other Contractual Documents at the prices and on the terms herein contained.

The unit price bids are submitted with the understanding that the quantities stated are approximate and are given only as the basis of calculation for comparison of bids and determining that the unit prices are balanced and that final payment for all unit price bid items will be based on actual quantities.

It is understood that in the instance of a discrepancy between the unit price and the extension (total price extension) the unit price shall govern. The extension shall be determined by multiplying the unit price by the number of units (approximate quantity).

### **Bid Guarantee**

As required by ORS 279C.365(4) each bid shall be accompanied by a Bid Bond, cash, or a certified or cashier's check written upon a bank in good standing, payable to the Finance Director of the City of Springfield, Oregon, in an amount equal to at least 10 percent of the total amount of the Bid. Bid Bonds shall be issued by a surety company registered to issue bonds in the State of Oregon, and utilizing a bond form acceptable to the City. The City will accept AIA Document A310-2010. The Bid Bond may not be altered.

Such Bid Guarantee shall be forfeited and become the property of the City in case the Bidder shall fail or neglect to furnish a satisfactory Performance Bond and a satisfactory Payment Bond issued by a viable bond company acceptable to the City as required by ORS 279C.380 and to execute the Contract within ten (10) days (Saturday, Sunday, and holidays excepted) after receiving Contract from the City for execution, otherwise the Bid Guarantee accompanying this bid shall be returned to the Bidder. For information regarding Performance and Payment Bond requirements see City of Springfield Contract document, Section 5. City Bonding.

### **Bid Acceptance Period**

This bid will remain subject to acceptance for a period of 60 days after the bid opening, or for such longer period of time that the Bidder may agree to in writing upon request of the City.

### **Liquidated Damages**

The City of Springfield and the Contractor agree that; (a) the amounts so fixed are reasonable forecasts of just compensation for the harm that is caused by the breach; (b) the harm that is caused by the breach is one that is incapable of or very difficult of accurate estimation; and, (c) the amount so fixed is not fixed as a penalty to coerce performance of the Contract but is rather intended to be a genuine pre-estimation of injury to the City of Springfield in lieu of performance within the contract time by the Contractor.

#### **a. Delay**

It is agreed by the City of Springfield and by the Contractor that the need exists for a damage provision in the event the Contractor fails to complete the work within the Contract time specified, or any extension thereof, by the City of Springfield. The City of Springfield and the Contractor further agree that the Contractor shall be liable to the City of Springfield for fixed, agreed and liquidated damages for each and every calendar day of delay in the amount of \$1,000 per day in accordance with Subsection 108.07 of the Standard Construction Specifications.

#### **b. Failure to Report Spills**

The contractor also agrees to liquidated damages in the amount of \$500.00 per incident for failure to report sewage spills plus an amount sufficient to reimburse the City for any civil and administrative penalties paid by the City as a result of the contractor's failure to report. Failure to report sewage spills may subject the City to (1) civil penalties of up to \$32,500.00 per day of violation pursuant to Section 309(d) of the Clean Water Act, 33 U.S.C. § 1319(d); (2) administrative penalties of up to \$11,000.00 per day for each violation, pursuant to Section 309(g) of the Clean Water Act, 33 U.S.C. § 1319(g); or (3) civil action in federal court for injunctive relief pursuant to Section 309(b) of the Clean Water Act, 33 U.S.C. § 1319(b).

### **Contract Time of Completion**

The contractor shall not begin work under this bid until written Notice to Proceed has been received. The contractor shall complete the work under this bid within 120 consecutive working days from the date of actual commencement of work or the date occurring ten days after the date of the Notice to Proceed, whichever occurs first, or such other starting date as is fixed by the Notice to Proceed.

The contractor shall apply for any extensions of time as specified in Subsection 108.06 of the Standard Construction Specifications.

### **Certifications**

The undersigned Bidder hereby certifies that:

- 1.) If awarded the contract, they shall fully comply with all provisions regarding the prevailing wage rates as required by ORS 279C.800 to 279C.870 and/or 40 U.S.C. 2762 as applicable.
- 2.) They, and any subcontractors performing work on the project in question, have in place and will maintain an employee drug testing program that is in compliance with ORS 279C.505.
- 3.) They have not, and will not, discriminate against a subcontractor in the awarding of a subcontract because the subcontractor is a minority, women or emerging small business enterprise certified under ORS 200.055 as required by ORS 279A.110.
- 4.) No Contractor, Subcontractor or any firm, corporation, partnership or association in which the Contractor or Subcontractor has a financial interest who appears on the List of Contractors Ineligible to Receive Public Works Contracts, as established by the Bureau of Labor and Industries, will perform work under this Contract, as specified in ORS 279C.860.
- 5.) The Bidder shall have a current, valid certificate of registration issued by the Construction Contractor's Board as defined in ORS 701.005(2) and/or a valid landscape contractor's license as defined in ORS 671.520(2) by the State Landscape Contractor's Board, as applicable, in place at the time the bid is presented.
- 6.) All Subcontractors shall have a current, valid certificate of registration issued by the Construction Contractor's Board as defined in ORS 701.005(2) and/or a valid landscape contractors license as defined in ORS 671.520(2) by the State Landscape Contractor's Board, as applicable in place prior to performing any work under the Contract.

**Bid Addenda**

All Addenda issued are considered to be part of the specifications of the Invitation to Bid and, as such, are as incorporated into the Contract as specified in Section 104.02 of the Standard Construction Specifications. By signing below, I acknowledge the receipt of the following Addenda documents and certify that the specifications contained in each have been considered and incorporated into the bid as presented. All Addenda must be included with the bid submitted.

Addenda Number	Addenda Date

**Declarations**

The undersigned Bidder declares that the only persons or parties interested in the bid are those named herein, that this bid is, in all respects, fair and without fraud, that it is made without collusion with any official of the City, and that the bid is made without any connection or collusion with any person submitting another bid on this project.

I have read, fully understand, and agree that as Bidder I, and all Subcontractors, will comply with all of the terms and conditions of the contract for which this bid is presented. By signing below I attest that I am an officer or a duly authorized representative of the business listed below and that I possess the legal authority to submit this bid for consideration.

Bidder's Signature \_\_\_\_\_

Bidder's Name *(Please Print)* \_\_\_\_\_

Title \_\_\_\_\_

Business Name \_\_\_\_\_

Business Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone Number \_\_\_\_\_ Cell Phone \_\_\_\_\_

E-mail Address \_\_\_\_\_ Fax Number \_\_\_\_\_

Date \_\_\_\_\_

**The award of this Contract shall be made to the responsible Bidder with the lowest responsive bid.**