



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES. PERDUE
GOVERNOR

EUGENE A. CONTI, JR.
SECRETARY

April 8, 2009

Addendum No. 1

RE: Contract ID: C202223
WBS# 45045.3.ST1
F.A. # STM-0074(105)
Swain County (R-5145)
US-74 West In Swain County From SR-1159 To
Jackson County Line

April 21, 2009 Letting

To Whom It May Concern:

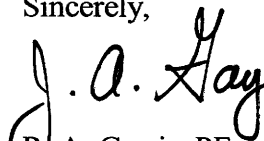
Reference is made to the proposal recently furnished to you on this project.

The following revision has been made to the Proposal:

On Page No. 17, the Project Special Provision entitled "Notice Of Economic Stimulus Project" has been deleted. Also, on Page Nos. 17 and 18 the project special provision entitled "Required Contract Provisions For ARRA" has been added. Please void Page No. 17 and 18 in your proposal and staple the revised Page No. 17 and 18 thereto.

The Table of Contents has been revised to reflect the above mentioned revision. Please void the Table of Contents in your proposal and staple the revised Table of Contents thereto.

Sincerely,

for 
R. A. Garris, PE
Contract Officer

RAG/jag
Attachments

cc: Mr. J.G Nance, PE
Mr. Ron Hancock, PE
Mr. J. B. Setzer, PE
Ms. D. M. Barbour, PE
Mr. Art McMillan, PE
Mr. J.V. Barbour, PE
Mr. Mark Staley (2)
Project File (2)

Mr. Robert Memory
Mr. R. E. Davenport, Jr., PE
Mr. Ronnie Higgins
Mr. Larry Strickland
Ms. Marsha Sample
Ms. Norma Smith
Ms. Lori Strickland

Upon execution of the contract, provide evidence of the above insurance requirements to the Engineer.

CERTIFICATION FOR FEDERAL-AID CONTRACTS:

(3-21-90)

RG 85

The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, *Disclosure Form to Report Lobbying*, in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by *Section 1352, Title 31, U.S. Code*. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

REQUIRED CONTRACT PROVISIONS FOR ARRA:

(3-17-09) (Rev 3-31-09)

RG 86

Reporting Requirements

The Contractor is hereby notified that this project will be financed with *American Recovery and Reinvestment Act of 2009 (ARRA)* Funds. The Contractor shall assure that all subcontracts, and other contracts for services for an ARRA funded project shall also have these provisions in their contracts. As such the Department may require that the Contractor provide reports and other employment information as evidence to document the number of jobs created and/or sustained by this project for the Contractor's own workforce and any sub-contractors. No direct payment will be made for providing said reports as the cost for same shall be included in the various items in the contract.

Posting with the Local Employment Security Commission

In addition to any other job postings the Contractor normally utilizes, the Contractor shall post with the local Employment Security Commission Office, all positions for which he intends to hire workers as a result of being awarded this contract.

Required Contract Provision to Implement ARRA Section 902

Section 902 of the American Recovery and Reinvestment Act (ARRA) of 2009 requires that each contract awarded using ARRA funds must include a provision that provides the U.S. Comptroller General and his representatives with the authority to:

- (1) to examine any records of the contractor or any of its subcontractors, or any State or local agency administering such contract, that directly pertain to, and involve transactions relating to, the contract or subcontract; and
- (2) to interview any officer or employee of the contractor or any of its subcontractors, or of any State or local government agency administering the contract, regarding such transactions.

Accordingly, the Comptroller General and his representatives shall have the authority and rights as provided under Section 902 of the ARRA with respect to this contract, which is funded with funds made available under the ARRA. Section 902 further states that nothing in this section shall be interpreted to limit or restrict in any way any existing authority of the Comptroller General.

Authority of the Inspector General

Section 1515(a) of the ARRA provides authority for any representatives of the Inspector General to examine any records or interview any employee or officers working on this contract. The contractor is advised that representatives of the inspector general have the authority to examine any record and interview any employee or officer of the contractor, its subcontractors or other firms working on this contract. Section 1515(b) further provides that nothing in this section shall be interpreted to limit or restrict in any way any existing authority of an inspector general.

U.S. DEPARTMENT OF TRANSPORTATION HOTLINE:

(11-22-94)

RG 100

To report bid rigging activities call: **1-800-424-9071**

The U.S. Department of Transportation (DOT) operates the above toll-free hotline Monday through Friday, 8:00 a.m. to 5:00 p.m. eastern time. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the hotline to report such activities.

The hotline is part of the DOT's continuing effort to identify and investigate highway construction contract fraud and abuse is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

TABLE OF CONTENTS

**COVER SHEET
PROPOSAL SHEETS**

<u>PROJECT SPECIAL PROVISIONS</u>	(WHITE SHEETS)	PAGE No.
Contract Time and Liquidated Damages.....		1
Intermediate Contract Time.....		1-2
Prosecution of Work.....		2
Railroad Grade Crossing.....		2
Major Contract Items.....		3
Specialty Items.....		3
Fuel Price Adjustment.....		3
Schedule of Estimated Completion Progress.....		4
Revision to FHWA 1273 Concerning Personal Information on Payroll Submission.....		4
Disadvantaged Business Enterprises.....		4-14
Progress Schedule.....		15-16
Liability Insurance.....		16-17
Certification for Federal-Aid Contracts.....		17
Required Contract Provisions For ARRA.....		17-18
U. S. Department of Transportation Hotline.....		18
Contractor Claim Submittal Form.....		19
Outsourcing Outside the USA.....		19
Act of God.....		19
Roadway.....		20-36
Traffic Control.....		37-44
Sketch Maps		

STANDARD SPECIAL PROVISIONS (YELLOW SHEETS)

Availability of Funds – Termination of Contracts.....	1
Errata.....	2-5
Plant and Pest Quarantines.....	6
Award of Contract.....	7
Minority and Female Employment Requirements.....	8-10
Required Contract Provisions Federal-Aid Construction Contracts.....	11-19
On the Job Training.....	20-22
Wage Rates.....	23-25

PROPOSAL ITEM SHEET AND SIGNATURE SHEET

- Item Sheet (s)
- Signature Sheet (Bid Acceptance by Department)