

Addendum No. 3

Sparks Feeder Main – Phase IV – B

Bid # 1011-170
TMWA Project No. 04-154
December 13, 2010

The following information, clarifications, changes and modifications are by reference incorporated into the bid documents for the above referenced project. Any work item or contract provision not changed or modified will remain in full force and effect. The bid date and time and construction schedule remain the same.

1. Per NDOT condition 13, “No construction access to the fence removal or fence replacement area will be made from the IR-80 roadway or ramp at any time during this active permit work.”

The NDOT approved traffic control plan shows ingress and egress to the project off of eastbound I-80. There is no other way to access the project.

2. Per NDOT condition 26, “Contractors shall NOT access work area from Interstate 80 roadway or ramps.”

The NDOT approved traffic control plan shows ingress and egress to the project off of eastbound I-80. There is no other way to access the project

3. Per NDOT condition 38, “Permittee shall not store equipment, materials or spoils within 35’ of the travel way.”

This is standard NDOT encroachment permit language. The proximity of the Work, in relation to the edge of the travelled way, will limit ability to store material, spoils and equipment in the work area.

4. This is contradictory to what was discussed at the pre-bid meeting on December 7. Please confirm that contractors will access the bore pit site to perform boring operations. If we are not to access from the roadway or ramps, where does TMWA expect the contractor to access the bore pit site from? Operations will include mobilization of boring equipment, staging of 48” casing pipe and continuous truck traffic to haul off spoils generated by boring operations. This will include parking an excavator as part of the boring procedures in this NDOT right-of-way. Barrier rail will be within the 35’ zone by default of the location of the bore pit.

Please reference the answers provided to Questions 1-3 above.

5. It looks like the insurance requirements from the railroad permit are supposed to be covered by TMWA, not the contractor. Is that correct?

Article 4 of the Pipeline Crossing Agreement states, “For the purposes of this Agreement, all references in this Agreement to the Licensee shall include the Licensee’s contractors, subcontractors, officers, agents and employees, and others acting under it’s or their authority. If a contractor is hired by the Licensee for any work performed on the Pipeline (including initial construction and subsequent relocation or maintenance and repair work), then the Licensee shall provide a copy of this Agreement to its contractor and require its contractor to comply with all the terms and provisions hereof relating

to the work to be performed. Any contractor or subcontractor shall be deemed an agent of Licensee for the purpose of this Agreement, and Licensee shall require such contractor or subcontractor to release, defend and indemnify Licensor to the same extent and under the same terms and conditions as Licensee is required to release, defend and indemnify Licensor herein." Article 5, Subsection A references Exhibit C for insurance requirements." TMWA is the "Licensee" and will be hiring a contractor to do the work. TMWA will be requiring the contractor to comply with the requirements of the encroachment permit.

Article 5, Subsection A references Exhibit C for insurance requirements."

6. The bid documents state that once the bore starts they must continue working without stopping, what is TMWA intent? Is it 24 hrs 7 days a week or do you mean 8 to 10 hours per day 5 days per week with no stopping except weekends.

The intent of the wording is to encourage the Contractor to complete the bore in a timely and efficient fashion. Hours of operation are presently constrained by the requirements of the NDOT encroachment permit.

7. Does the jack bore have any allowable tolerance on grade, I believe the special conditions only address the deflection of the casing?

The casing is to be installed to the lines and grades shown on the Drawings.

8. Will excavation within a street, other than bid items 12 & 13 only require temporary patch paving as noted in Detail 3/D2? Or will it also require permanent patch paving as noted in Detail 4/D2?

All trenching in public streets will require both a temporary and a permanent asphalt patch.

End of Addendum No. 3