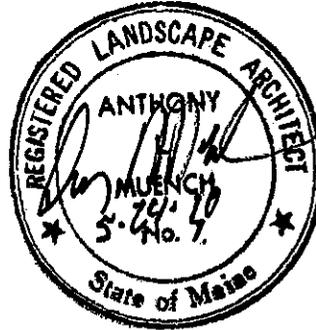


# ADDENDUM #1

May 25, 2010  
Head of Falls Gateway Plaza  
Waterville, Maine

DATE: May 25, 2010  
FROM: City of Waterville  
One Common Street  
Waterville, ME 04901  
TO: All Prospective Bidders

Questions  
Addressed to: Anthony Muench, L.A.  
94 Commercial St  
Portland, ME 04101



RE: Addendum No. 1 to the Bidding Documents for:

## HEAD OF FALLS GATEWAY PLAZA Waterville, Maine

This Addendum forms a part of the Contract Documents and modifies the original Bidding Documents dated May 14, 2010.

Acknowledge receipt of this Addendum in the space provided in the attached Bid Form that has been included in the Project Manual.

1. Delete all of the drawings and replace them with the contract drawings dated 5/25/10.
2. Attached is a revised bid form. Some items have been deleted from the scope because the City is doing that work.
3. The following is a description of the work to be done by the City.

The City of Waterville will be performing some of the work shown on the drawings using its own employees or subcontractor. In addition a separate contract will be in progress for the modification to the 2<sup>nd</sup> Bridge.

This Contractor is required to coordinate with these additional contracts including attending coordination meetings, staying within the prescribed work area, and making reasonable accommodations to allow that work to be

# **ADDENDUM #1**

**May 25, 2010**

**Head of Falls Gateway Plaza  
Waterville, Maine**

completed. No change in scope or fees will be considered by the City for this coordination.

The City of Waterville's Public Works Department will be performing site prep and electrical work for this project. Public Works will remove existing pavement to the limits of construction. The storm drain system, including the underdrain shown on the plans will be installed by Public Works. Underground power and communication conduits and conductors will be installed by Public Works. The light pole bases, complete with conduit and anchor bolts will be furnished and installed by Public Works. The General Contractor shall coordinate with Public Works to allow Public Works to install conduit and wiring in the kiosk foundation. Public Works will wire the kiosk. Public Works will perform subgrade work as defined on plan set drawing L-103, Finish Surfaces. Erosion control measures will initially be installed by Public Works and will remain in place for the entire project. Public Works will be substantially complete on all portions of their work prior to the General Contractor beginning its activities. The General Contractor will be responsible to maintain all erosion control measures for the duration of their project. The General Contractor will be responsible for removing all temporary erosion control measures at the end of the project.

4. The General Contractor is responsible for the layout of the project in the field.
5. The General Contractor shall provide the City 400 sq. ft. of extra concrete pavers above the amount used in the project. No additional payment will be made for this item.
6. The paver color, by Belgarde is:
  - Plaza & Plaza Edge – "Cognac"
  - Walkways & Crosswalks – "Fossil Beige"
7. Attached is the Payroll Form WH-347 plus instructions for completion of the form.
8. Provide and install the following lights. The City will complete the wiring.

Fixture: Cooper Generation Series Bronze Acorn Style LED Fixture, PN  
ACN050LEDEU55X14PZU4

Light Pole: Cooper 14' Bronze Chesapeake Light Pole, PN  
CPR1440RS5BZ with 317HWILLS anchor bolt and template  
set.

Payment for the lights will be at the unit price on the bid form.



Date: \_\_\_\_\_ **STATEMENT OF COMPLIANCE**

I, \_\_\_\_\_, do hereby state:  
 (Name of Signatory Party) (Title)

(1) That I pay or supervise the payment of the persons employed by \_\_\_\_\_ (Contractor or Subcontractor)  
 on the \_\_\_\_\_; that during the payroll period commencing on the \_\_\_\_\_ day  
 of \_\_\_\_\_ (Name of Project), 2000, all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be  
 made either directly or indirectly to or on behalf of said \_\_\_\_\_ (Contractor or Subcontractor)  
 from the full weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by  
 any person, other than permissible deductions as defined in Regulations, Part 3, (29 CFR Subtitle A), issued by the Secretary of Labor under the  
 Copeland Act, as amended (48 Stat. 948.63 Stat. 108, 72 Stat. 357: 40 U>S> C> 276c) and described below:

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for  
 laborers and mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into this  
 contract; that the classifications set forth therein for each laborer or mechanic conform with the work he or she performed.

(3) That any apprentices employed in the above period are duly registered in a bona fide apprenticeship program registered with a State  
 apprenticeship agency recognized by the Bureau of Apprenticeship and Training, United States Department of Labor, or if no such recognized  
 agency exists in a State, are registered with the Bureau of Apprenticeship and Training, United States Department of labor.

(4) That:

- (a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS
  - In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in Section 4(c) below.
- (b) WHERE FRINGE BENEFITS ARE PAID IN CASH
  - Each laborer or mechanic listed in the above referenced payroll has been paid as indicated on the payroll an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed on the contract, except as listed in Section 4(c) below.

(c) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION
Name and Title	Signature

THE WILFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 231 OF TITLE 31 OF THE UNITED STATES CODE.

## INSTRUCTIONS FOR COMPLETING PAYROLL FORM, WH-347

**General:** The use of WH-347, payroll form, is not mandatory. This form has been made available for the convenience of contractors and subcontractors required by their Federal or Federally aided construction type contracts and subcontracts to submit weekly payrolls. Properly filled out, this form will satisfy the requirements of regulations, Parts 3 and 5 (29 CFR, Subtitle A), as to payrolls submitted in connection with contracts subject to the Davis-Bacon and related Acts.

This form meets needs resulting from the amendment of the Davis-Bacon Act to include fringe benefits provisions. Under this amended law, the contractor is required to pay not less than fringe benefits as predetermined by the Department of Labor, in addition to payment of not less than the predetermined rates. The contractor's obligation to pay fringe benefits may be met either by payment of the fringes to the various plans, funds or programs or by making these payment to the employees as cash in lieu of fringes.

The payroll provides for the contractor's showing on the face of the payroll all monies paid to the employee, whether as basic rates or as cash in lieu of fringes and provides for the contractor's representation in the statement of compliance on the rear of the payroll that he is paying to others fringes required by the contract and not paid as cash in lieu of fringes. Detailed instructions concerning the preparation of the payroll follow;

**Contractor or Subcontractor:** Fill in your firm's name and check appropriate box.

**Address:** Fill in your firm's address.

**Column 1 – Name, Address and Social Security number of Employee:** The employee's full name must be shown on each payroll submitted. The employee's address must also be shown on the payroll covering the first week in which the employee works on the project. The address need not be shown on subsequent weekly payrolls unless his address changes. Although not required by Regulations, Parts 3 and 5, space is available in the name and address section so that Social Security numbers may be listed.

**Column 2 – Withholding Exemptions:** This column is merely inserted for the employer's convenience and is not a requirement of Regulations, Parts 3 and 5.

**Column 3 – Work Classifications:** List classifications descriptive of work actually performed by employees. Consult classifications and minimum wage schedule set forth in contract specifications. If additional classifications are deemed necessary see Contracting Officer or Agency representative. Employee may be shown as having worked in more than one classification provided accurate breakdown of hours so worked is maintained and shown on submitted payroll by use of separate line entries.

**Column 4 – Hours Worked:** On all contracts subject to the Contract Work Hours Standards Act enter as overtime all hours worked in excess of 8 hours per day and 40 hours a week.

**Column 5 – Total:** Self-explanatory

**Column 6 – Rate of Pay, Including Fringe Benefits:** In straight time box, list actual hourly rate paid the employee for straight time worked plus any cash in lieu of fringes paid the employee. When recording the straight time hourly rate, any cash in lieu of fringes may be shown separately from the basic rate thus 13.25/. 40. This is of assistance in correctly computing overtime. See "Fringe Benefits" below. In overtime box show overtime-hourly rate paid, plus any cash in lieu of fringes paid the employee. See "Fringe Benefits" below. Payment of not less than time and one-half the basic or regular rate paid is required for overtime under the Contract Work Hours Standards Act of 1962. In addition to paying not less than the predetermined rate for the classification in which the employee works, the contractor shall pay to approved plans, funds, or programs or shall pay as cash in lieu of fringes amounts predetermined as fringe benefits in the wage decision made part of the contract. See "FRINGE BENEFITS" below.

**FRINGE BENEFITS – Contractors who pay all required fringe benefits:** A contractor who pays fringe benefits to approved plans, funds, or programs in amount not less than were determined in the applicable wage decision of the Secretary of Labor, shall continue to show on the face of the payroll the basic cash hourly rate and overtime rate paid to his employees just as he has always done. Such a contractor shall check paragraph 4(a) of the statement on the reverse of the payroll to indicate that he is also paying to approved plans, funds, or programs not less than the amount predetermined as fringe benefits for each craft. Any exceptions shall be noted in Section 4(c).

Contractors who pay no fringe benefits: A contractor who pays no fringe benefits shall pay to the employees, and insert the straight time hourly rate column of the payroll, an amount not less than the predetermined rate for each classification plus the amount of fringe benefits determined for each classification in the applicable wage decision. Inasmuch as it is not necessary to pay time and a half on cash paid in lieu of fringes, the overtime rate shall be not less than the sum of the basic predetermined rate, plus the half time premium on basic or regular rate, plus the required cash in lieu of fringes at the straight time rate. In addition, the contractor shall check paragraph 4(b) of the statement on the reverse of the payroll to indicate that he is paying fringe benefits in cash directly to his employees. Any exceptions shall be noted in Section 4(c).

Use of Section 4(c) Exceptions: Any contractor who is making payment to approved plans, funds, or programs in amount less than the wage determination requires, is obligated to pay the deficiency directly to his employees as cash in lieu of fringes. Any exception to Section 4(a) or 4(b), whichever the contractor may check, shall be entered in Section 4(c). Enter in the Exception column the craft, and enter in the Exception column the hourly amount paid the employee as cash in lieu of fringes and the hourly amount paid to plans, funds, or programs as fringes. The contractor shall pay and shall show that he is paying to each such employee for all hours (unless otherwise provided by applicable determination) worked on Federally assisted project an amount not less than the predetermined rate plus cash in lieu of fringes as shown in Section 4(c). The rate paid and amount of cash paid in lieu of fringe benefits per hour should be entered in column 6 on the payroll. See paragraph on "Contractors who pay no fringe benefits" for computation of overtime rate.

Column 7 – Gross Amount Earned: Enter gross amount earned on this project. If part of the employees' weekly wage was earned on projects other than the project described on this payroll, enter in column 7 first the amount earned on the Federal or Federally assisted project and then the gross amount earned during the week on all projects, thus \$63.00/120.00.

Column 8 – Deductions: Five columns are provided for showing deductions made. If more than five deductions should be involved, use first 4 columns; show the balance of deductions under "Other" column;

show actual total under "Total Deductions" column; and in the attachment to the payroll describe the deductions contained in the "Other" column. All deductions must be in accordance with the provisions of the Copeland Act Regulations 29 CFR, Part 3. If the employee worked on other jobs in addition to this project show actual deductions from his weekly gross wage, but indicate that deductions are based on his gross wages.

Column 9 – Net Wages Paid for Week: Self-explanatory.

Totals: Space has been left at the bottom of the columns so that totals may be shown if the contractor desires.

Statement Required by Regulations, Parts 3 and 5: While this form need not be notarized, the statement of the back of the payroll is subject to the penalties provided by 18 USC 1001, namely possible imprisonment for 5 years or \$10,000.00 fine or both. Accordingly, the party signing this required statement should have knowledge of the facts represented as true.

Space has been provided between items (1) and (2) of the statement for describing any deductions made. If all deductions made are adequately described in the "Deductions" column above, state "See Deductions column in the payroll." See paragraph entitled "FRINGE BENEFITS" above for instructions concerning filling out paragraph 4 of the statement.

## **INSTRUCTIONS FOR PREPARATION OF STATEMENT OF COMPLIANCE**

This statement of compliance meets needs resulting from the amendment of the Davis-Bacon Act to include fringe benefits provisions. Under this amended law, the contractor is required to pay fringe benefits as predetermined by the Department of Labor, in addition of payment of the minimum rates. The contractor's obligation to pay fringe benefits may be met by payment of fringes to the various plans, funds or programs or by making these payments to the employees as cash in lieu of fringes.

The contractor should show on the face of his payroll all monies paid to the employees whether as basic rates or as cash in lieu of fringes. The contractor shall represent in the statement of compliance that he is paying to others fringes required by the contract and not paid as cash in lieu of fringes. Detailed instructions follow:

### Contractors who pay all required fringe benefits:

A contractor who pays fringe benefits to approved plans, funds, or programs in amounts not less than were determined in the applicable wage decision of the Secretary of Labor shall continue to show on the face of his payroll the basic cash hourly rate and overtime rate paid to his employees, just as he has always done. Such a contractor shall check paragraph 4(a) of statement to indicate that he is also paying to approved plans, funds, or programs not less than the amount predetermined as fringe benefits for each craft. Any exception shall be noted in Section 4(c).

### Contractors who pay no fringe benefits:

A contractor who pays no fringe benefits shall pay to the employee and insert in the straight time hourly rate column of his payroll an amount not less than the predetermined rate for each classification plus the amount of fringe benefits determined for each classification in the applicable wage decision. Inasmuch as it is not necessary to pay time and a half on cash paid in lieu of fringes, the overtime rate shall be not less than the sum of the basic predetermined rate, plus the half time premium on the basic or regular rate plus the required cash in lieu of fringes at the straight time rate. To simplify computation of overtime, it is suggested that the straight time basic rate and cash in lieu of fringes be separately stated in the hourly rate column, thus \$3.25/.40. In addition, the contractor shall check paragraph 4(b) of the statement to indicate that he is paying fringe benefits in cash directly to his employees. Any exceptions shall be noted in Section 4(c).

### Use of Section 4(c), Exceptions

Any contractor who is making payment to approved plans, funds, or programs in amounts less than the wage determination requires is obligated to pay the deficiency directly to the employees as cash in lieu of fringes. Any exceptions to Section 4(a) or 4(b), whichever the contractor may check, shall be entered in Section 4(c). Enter in the

Exception column the craft, and enter in the Explanation column the hourly amount paid the employees as cash in lieu of fringes, and the hourly amount paid to plans, funds, or programs as fringes.

Having carefully examined the Form of Contract, General Conditions, and Plans and Specifications prepared by Ekistics Planning & Design for construction of **HEAD OF FALLS GATEWAY PLAZA** (the project) as well as the premises and conditions affecting the work, we the undersigned propose to furnish all labor, equipment and materials necessary for and reasonably incidental to the construction and completion of this proposal at the following unit prices:

<u>Item No.</u>	<u>Description</u>	<u>Unit</u>	<u>Estimated Quantity</u>	<u>Bid Unit Price</u>	<u>Bid Price</u>
1	Granite Curb 6"x18" standard	L.F.	180	\$ _____	\$ _____
In Words: _____					
2	Granite Radii Curb	L.F.	180	\$ _____	\$ _____
In Words: _____					
3	Granite Transition Curb	L.F.	36	\$ _____	\$ _____
In Words: _____					
4	Bituminous Pavement	S.F.	2,920	\$ _____	\$ _____
In Words: _____					
5	Concrete Pavers	S.F.	6,566	\$ _____	\$ _____
In Words: _____					
6	Benches	Ea	5	\$ _____	\$ _____
In Words: _____					
7	Concrete Stairs/End Rails/Railings	L.S.	1	\$ _____	\$ _____
In Words: _____					
8A	White Ash	Ea	8	\$ _____	\$ _____
In Words: _____					
8B	Thunderchild Crab Apple	Ea	8	\$ _____	\$ _____
In Words: _____					
8C	American Elm	Ea	5	\$ _____	\$ _____
In Words: _____					
8D	Canadian Serviceberry	Ea	8	\$ _____	\$ _____
In Words: _____					
8E	Foerster's Feather Grass	Ea	12	\$ _____	\$ _____
In Words: _____					
8F	Red Twig Dogwood	Ea	8	\$ _____	\$ _____
In Words: _____					
8G	Cardinal Red Twig Dogwood	Ea	14	\$ _____	\$ _____
In Words: _____					
8H	Bearberry Cotoneaster	Ea	25	\$ _____	\$ _____
In Words: _____					
8I	Compact Burning Bush	Ea	11	\$ _____	\$ _____
In Words: _____					

CITY OF WATERVILLE

HEAD OF FALLS GATEWAY PLAZA

8J	Chicago Apache Daylily	Ea	31	\$ _____	\$ _____
In Words: _____					
8K	Abiqua Drinking Gourd Plantain Lily	Ea	17	\$ _____	\$ _____
In Words: _____					
8L	Sum & Substance Plantain Lily	Ea	43	\$ _____	\$ _____
In Words: _____					
8M	Solomon's Seal	Ea	116	\$ _____	\$ _____
In Words: _____					
8N	Henry Hudson Rose	Ea	11	\$ _____	\$ _____
In Words: _____					
8O	Simon Fraser	Ea	11	\$ _____	\$ _____
In Words: _____					
8P	Blackhaw Viburnum	Ea	8	\$ _____	\$ _____
In Words: _____					
9	New information Kiosk	L.S.	1	\$ _____	\$ _____
In Words: _____					
10	Electrical for Kiosk	L.S.	1	\$ _____	\$ _____
In Words: _____					
11	Granite & Center Granite Relief	Ea	2	\$ _____	\$ _____
In Words: _____					
12	Sod	S.F.	16,000	\$ _____	\$ _____
In Words: _____					
13	Light Pole Base	Ea	8	\$ _____	\$ _____
In Words: _____					
14	Iron Bollards	Ea	3	\$ _____	\$ _____
In Words: _____					
15	Light Fixtures & Poles	Ea	8	\$ _____	\$ _____
In Words: _____					
16	Mobilization & Cleanup	L.S.	1	\$ _____	\$ _____
In Words: _____					
Total of All Bid Prices					(\$ _____)
In Words: _____					

Bidder acknowledges that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Unit Price Bid items will be based on actual quantities, determined as provided in the Contract Documents.

List any and all deviation from the specifications. Failure to list deviations is grounds for rejection. The City of Waterville reserves the right to waive all informalities in bids, to accept any bid or any portion thereof, or to reject any or all bids, should it be deemed in its best interest to do so.

The undersigned hereby designated as the bidder's officer to which such notice of acceptance may be mailed, telegraphed or delivered:

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**UNIT PRICE BID**

This Bid may be withdrawn at any time prior to the scheduled dead line for the receiving of Bids or any authorized postponement thereof.

Signature of person, firm or corporation making the Bid:

Signed

\_\_\_\_\_  
(Corporation, Firm or Company)

By \_\_\_\_\_ Title \_\_\_\_\_  
(Officer, Authorized Individual or Owner)

Address \_\_\_\_\_  
\_\_\_\_\_

Zip Code \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Note: Bids must bear the handwritten signature of a duly authorized member or employee of the organization making the Bid.

Date \_\_\_\_\_

**PRINCIPALS OF CONTRACTOR  
(This must be filled out)**

The full names and residences of all persons interested in this Bid as principals are as follows: (In case of corporation, including and identify President, Treasure and Manager).

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**ACKNOWLEDGMENT OF ADDENDA**

Addenda No.-Date of Addenda- Receipt Acknowledged By- Date Received

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