



# Shelby County Government

**MARK H. LUTTRELL, JR.**  
**MAYOR**

July 10, 2013

TO ALL BIDDERS:

**RE: Addendum No. 3 to Sealed Bid # I000222**  
**Fite Road and Bridge Improvements Project**

The following additions/corrections shall be made a part of the plans and contract documents for the above referenced project:

Bid Book:

1. SP1247 (Special Provision Regarding DBE Goal), Sheet 1 of 8) – Please replace sheet no. 1 of 8 in SP1247 with the attached sheet which shows the required 10% DBE goal for this project.

Plans:

1. Sheet No. 2A, Footnote No. 3 - The following language shall be added to the end of footnote no. 3: "The Contractor shall abide by the fill placement recommendations set forth in the letter from Dr. Ashraf Elsayed dated February 15, 2012 which is included in the Bid Book (bookmarked as "Fill Placement Recommendations", pgs. 552 – 554). The initial rate of embankment placement shall not exceed 1 to 2 feet per week. The embankment fill rate shall be determined based on monitoring of the settlement and dissipation of pore pressure. Settlement monitoring shall be performed using settlement plates or other appropriate surveying methods. Dissipation of excess pore pressure can be monitored by installation of vibrating wire (VW) piezometers. The Contractor shall be responsible for the installation of the appropriate means to monitor both settlement and pore pressure. The cost of these items will not be measured for payment but shall be considered incidental to Item No. 203-10, Embankment (Compacted In Place)."

Clarifications:

1. Item No. 730-05.01, Electrical Service Connection is strictly an allowance to reimburse the Contractor for the costs incurred by MLG&W to provide power to the proposed traffic signal. Work required by the Contractor (labor and materials) to between the proposed cabinet and the MLG&W point of connection shall not be measured for payment, but shall be considered incidental to other proposed traffic signal items for which this work is required.

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If you have any questions, please contact Mr. Nelson Fowler at 222-2250.

Sincerely,

A handwritten signature in blue ink that reads "James M. Crook". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

James M. Crook E.I.

Shelby County Roads, Bridges & Engineering Department

Cc: Darren Sanders, P.E.

Nelson Fowler

STATE

OF

TENNESSEE

(Rev. 12-01-06)

(Rev. 11-10-08)

(Rev. 9-17-11)

March 1, 2006

SPECIAL PROVISION

REGARDING

DBE CONTRACT GOAL

All contractors shall pursue affirmative action requirements to encourage and increase participation of disadvantaged individuals in business enterprises as set forth in this specification which is imposed pursuant to 49 CFR 26. The bidder shall arrange for 10 percent of the work to be performed by Disadvantaged Business Enterprises (DBEs) or clearly demonstrate adequate good faith efforts as described herein.

**A. Disadvantaged Business Enterprise Policy.**

The Contractor shall accept as operating policy and include in all subcontract agreements the following statement, which is designed to promote full participation of DBEs as suppliers and subcontractors through a continuous, positive result-oriented program on contracts let by the Department:

*The Contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of Department assisted contracts. Failure by the Contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the Department deems appropriate.*

**B. Counting DBE Participation Toward Meeting Goals.**

The Contractor shall count DBE participation toward goals in accordance with 49 CFR 26. The Contractor may count toward the goals only expenditures to DBEs that perform a commercially useful function of a contract, including those functions as a subcontractor. A DBE performs a commercially useful function when it is responsible for execution of the work of the contract and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. To perform a commercially useful function, the DBE must also be responsible, with respect to materials and supplies used on the contract, for negotiating price, determining quality and quantity, ordering the material, and installing (where applicable) and paying for the material itself. Work performed by a DBE firm