



PUBLIC WORKS DEPARTMENT
Ralph A. Qualls, Jr., Director

CITY HALL
10300 TORRE AVENUE ~ CUPERTINO, CA 95014-3266
(408) 777-3354 ~ FAX (408) 777-3333

Date: May 29, 2008

File: 98,493.80

Project: 2007-01, 2007-08 STP Overlay Program

ADDENDUM NO. 1

To

CITY OF CUPERTINO'S 2007-08 STP OVERLAY PROGRAM PROJECT

City Project Number: 2007-01

Please note that the following revisions and/or clarifications are made to the above referenced project:

1. In compliance with the Federal "10-day rule," Part F, Federal Wage Rates, of the project specifications is replaced by the attached General Decision CA20080029 4/18/2008 CA29. All prior modifications of the federal wage rates that have not been superseded remain in effect.
2. Clarification on the Utilization of Disadvantaged Businesses: In compliance with the current status of the State of California's DBE program, this contract does not have a specific DBE participation goal. However, DBE participation is encouraged, and specific bid proposal and post project DBE reporting requirements are incorporated into the contract. Attention is called to the Local Agency Bidder – DBE Information Form on Page 11 of the Bid Proposal, as well as General Provisions Section E. 3., which discusses the reporting requirements. As part of project completion, the successful bidder will be required to report on any utilization of DBEs in the format of the attached *Final Report Utilization of Disadvantaged Businesses*.

This Addendum No. 1 is hereby incorporated and made part of the Bid Proposal requirements for the **2007-08 STP Overlay Program Project**. All other provisions of the Contract Documents shall remain in full force and effect.

APPROVED BY:

For Ralph A. Qualls, Jr.
Director of Public Works

Attachments



EXHIBIT 17-F FINAL REPORT UTILIZATION OF DISADVANTAGED BUSINESSES

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
**LOCAL ASSISTANCE - FEDERAL - FINAL REPORT - UTILIZATION OF
 DISADVANTAGED BUSINESS ENTERPRISES (DBE), FIRST-TIER
 SUBCONTRACTORS**
 Revised 8/04

CONTRACT ITEM NO.	DESCRIPTION OF WORK PERFORMED AND MATERIAL PROVIDED	SUBCONTRACTOR NAME AND BUSINESS ADDRESS	DBE CERT. NUMBER & EXP. DATE	CONTRACT PAYMENTS			DATE WORK COMPLETE	DATE OF FINAL PAYMENT
				NON-DBE	DBE	DBE (MINORITY)		
				\$	\$	\$		
TOTAL PAYMENTS				\$	\$	\$	DBE GOAL ATTAINMENT	
ORIGINAL DBE COMMITMENT _____ Original DBE % _____ List all First Tier Subcontractors and all Disadvantaged Business Enterprises (DBEs) regardless of tier, whether or not the firms were originally listed for goal credit. If actual DBE utilization (or item of work) was different than that approved at time of award, provide comments on the back of the form. List actual amount paid to each of the DBE even if different than originally listed for goal credit.								
CONTRACTOR/CONSULTANT REPRESENTATIVE'S SIGNATURE				BUSINESS PHONE NUMBER				
RESIDENT PROJECT ENGINEERS SIGNATURE				BUSINESS PHONE NUMBER				
AGENCY				DATE				

Distribution: (1) Original plus one copy included in the Report of Expenditures - DLAE
 (2) Copy - Local Agency files

Form CP-CEM 2402(F) (Rev. 08/04)
FINAL REPORT – UTILIZATION OF DISADVANTAGED BUSINESS
ENTERPRISES (DBE), FIRST-TIER SUBCONTRACTORS (FEDERALLY FUNDED PROJECTS)

The form requires specific information regarding the construction project: Contract Number, County, Route, Post Miles, a box to check that the project is indeed a Federal Aid Project, the Administering Agency, the Contract Completion Date and the Estimated Contract Amount. It requires the Prime Contractor's name and Business Address. The focus of the form is to describe who did what by contract item numbers and descriptions, asking for specific dollar values of item work completed broken down by subcontractors who performed the work, both DBE and non-DBE work forces. DBE prime contractors are required to show the date of work performed by their own forces along with the corresponding dollar value of work.

The form has a column to enter the Contract Item No (or Item No's) and Description of work performed or Materials provided, as well as a column for the Subcontractor's Name and Business Address. For firms who are DBE, there is a column to enter their DBE Certification No. The DBE should provide their Certification Number to the Contractor and notify the Contractor in writing with the date of the decertification if their status should change during the course of the project.

The form has five columns for the dollar value to be entered for the item work performed by the subcontractor.

The Non-DBE Column is used to enter the dollar value of work performed for firms who are not certified DBE.

The decision of which column to be used for entering the DBE dollar value is based on what Program(s) the firm is Certified. This Program status is determined by the Civil Rights Certification Unit based on ethnicity, gender, ownership and control issues at time of certification. The certified firm is issued a certificate by the Civil Rights Unit that states their program status as well as the firms Expiration Date. DBE Program status may be obtained by accessing the Civil Rights website (www.dot.ca.gov/hq/bep/) and downloading the Calcert Extract or by calling (916) 227 2207. Based on this DBE Program status, the following table depicts which column to be used:

DBE Program Status	Column to be used
If program status shows DBE only with no other programs listed	DBE
If program status shows DBE, SMBE	DBE Minority
If program status shows DBE, SMBE, SWBE	DBE (Minority Women)
If program status shows DBE, SWBE	DBE (Non-Minority Women)

If a contractor performing work as a DBE on the project becomes decertified, and still performs work after their decertification date, enter the total dollar value performed by this contractor on Form 2402(F) under the appropriate DBE Program Status (include all work performed after decertification) and complete and submit Form CEM-2403(F) as appropriate. Any comments to be made on the Form 2402(F) are to be explained on the reverse side of the Form. Indicate in the Comment section that Form CEM 2403(F) is being submitted.

If a contractor performing work as a Non-DBE on the project becomes certified as a DBE enter the dollar value of all work performed as a DBE on CEM-2402(F) and CEM-2403(F). Any comments to be made on the Form 2402(F) are to be explained on the reverse side of the Form. Indicate in the Comment section that Form CEM 2403(F) is being submitted.

There is a space provided on the CEM-2402(F) where the TOTAL is entered for these five columns.

There is a column on the CEM-2402(F) to enter the Date Work Complete as well as a column to enter the Date of Final Payment, which is an indicator of when the Prime Contractor made the "final payment" to the subcontractor for the portion of work listed as being completed.

The Original DBE Commitment area on the CEM-2402(F) is based on information at Award time of the project and is the total dollar value of those subcontractors listed at Award based on the above table.

The CEM-2402(F) has an area at the bottom where the Contractor and the Resident Engineer sign and date that the information provided is complete and correct.