

ADDENDUM NO. 1
CITY OF PENDLETON
2023 Crack Seal Project
Issued: July 6, 2023

Bid Opening Date: July 11, 2023 @ 2:00 pm

TO ALL PLANHOLDERS:

This Addendum provides a revision to the **Invitation to Bid, Page 1** and **Special Conditions, Page 3**, referring to the applicable prevailing wage rates in effect.

BOLI Prevailing Wage Rates are now effective January 5, 2023, rather than January 1, 2023. Therefore, the attached pages should replace the pages referenced above included in the original bid documents.

All bidders shall acknowledge receipt and acceptance of this Addendum by completing the spaces, signing where indicated below and submitting it with their Proposal. Bids submitted without signing for the Addendum may be considered informal.

CITY OF PENDLETON



Timothy M. Simons
Community Development Director
500 SW Dorion Avenue
Pendleton, OR 97801

BIDDER'S ACKNOWLEDGMENT:

Company Name (please print)

Bidder's Name (please print)

Signature

Title

Address

City, State

INVITATION TO BID

Sealed bids for the **2023 Crack Seal Project** will be received by the City of Pendleton c/o Tim Simons, Community Development Director, 500 SW Dorion Avenue, Pendleton, OR 97801 until **2:00 pm local time on the 11th day of July, 2023**, plainly marked **"2023 Crack Seal Project"**.

Bid opening will be available via Zoom or at the Community Development Department Conference Room located at the same address as above at 2:00 pm local time Tuesday, July 11, 2023. **Contact the Community Development Director's office at 541 966-0203 or Jutta Haliewicz at 541 966-0240, jutta.haliewicz@ci.pendleton.or.us prior to the bid opening for the Zoom link.**

A copy of the bid documents may be obtained for a **non-refundable fee of \$25.00** from the Community Development Director's office located at the same address as above or by calling (541) 966-0203. A copy is also available online on the **City of Pendleton's website: www.pendleton.or.us/rfps** or the **OregonBuys website: <https://oregonbuys.gov/bsu/view/login/login.xhtml>**. For the nearest location of a review copy, contact the Community Development Director's office. **Bid documents will be available until 5:00 pm, Friday, July 7, 2023.**

The Oregon Standard Specifications for Construction (ODOT/APWA) latest revision, excluding Sections 00100 and 00745.95, and the City of Pendleton Standard Specifications will apply to all construction work not noted in the Special Specifications. It is the Contractor's responsibility to obtain the latest revisions made to these specifications (latest revisions to City Standard Specifications, January 2001 with minor revisions 2001, 2004, 2005, 2006 and 2012).

All bidders must be prequalified for the class of work included in this bid document in accordance with the laws of the State of Oregon, and all prequalification applications must be submitted to the City by 1:00 pm, July 10, 2023, the day before the bid opening. (See Section 2.00)

The City of Pendleton will not mail notice of Addenda, but will post notice of any Addenda on the OregonBuys website and the City's website (www.pendleton.or.us/rfps). Addenda may be downloaded off these websites and will be faxed or emailed to all bidders who have requested to be on the City's Planholders List. Contact jutta.haliewicz@ci.pendleton.or.us to be added to the list. Bidders should frequently check the websites until bid closing.

Each Bid Proposal must be submitted on the prescribed form (Section 3.00) accompanied by a certified or cashier's check drawn from an Oregon Bank in good standing, or banks doing business in Oregon in good standing, or a Bid Bond issued by a surety company authorized to issue such bonds in the State of Oregon, payable to the City of Pendleton, Oregon, in an amount not less than five percent (5%) of the total amount of the Bid submitted.

All bidders must comply with ORS Chapter 279C and pay applicable prevailing wage rates in effect on January 5, 2023, including any amendments, as stated in the [Prevailing Wage Rates for Public Works Contracts in Oregon](#) published by the Oregon Bureau of Labor and Industries, (see <https://www.oregon.gov/boli/employers/pages/prevailing-wage.aspx>).

The successful bidder will be required to furnish a bond for faithful performance of the contract in the full amount of the contract price. In addition to required performance bonds which may be used for unpaid wages, all contractors, subcontractors and non-construction companies working on public works projects, with a contract price that exceeds \$100,000, subject to the Prevailing Wage Rate law must file a \$30,000

16. Each worker in each trade or occupation employed in the performance of the Contract either by the Contractor, subcontractor or other person doing or contracting to do the work in whole or any part on the Contract, shall be paid not less than the applicable prevailing rate of wage as required by ORS Chapter 279C.838 and 279C.840. All bidders must comply and agree that the requirements and conditions of employment be observed and prevailing wage rates, as established by the Oregon Bureau of Labor and Industries be paid under this Contract.

The existing prevailing wage rates in effect on January 5, 2023, including any amendments, are as published by the Oregon Bureau of Labor and Industries. Copies of the existing prevailing wages are available online at <https://www.oregon.gov/boli/employers/pages/prevailing-wage.aspx>

17. Any and all employees of Contractor or his contractors while engaged or performing any work or services required by him under this agreement shall be considered his employees only and not employees of the City and any claims that may arise under the Workers' Compensation Act on behalf of the said employees while so engaged in any and all claims made by third parties as a consequence of any act or omission on the part of him or his employees while so engaged on any of the work or services provided to be rendered herein shall be the sole obligation responsibility of Contractor and/or his contractors. The parties to this agreement recognize that Contractor and his employees, officers, agents and subcontractors are providing professional services as independent contractors and are not providing services as employees of the City and are therefore not entitled to the benefits provided by the City to his employees, including but not limited to Workers' Compensation benefits, group health insurance, social security, pension plans, or any other benefit accruing to City's employees. Contractor hereby agrees to hold the City harmless from, and shall process and defend at his own expense, all claims, demands, or suits of whatever nature, brought against him arising from his performance under this agreement. Contractor shall advise his officers, agents, employees and subcontractors of this provision.

18. The Contractor shall keep himself informed and at all times comply with any ordinance, laws, and regulations dealing with the preservation of environmental pollution and the preservation of natural resources that may be affected in the performance of the Contract. The following are a list of agencies that may have enacted ordinances or regulations dealing with the preservation and environmental pollution and the preservation of natural resources:

Federal Agencies:

Agriculture, Department of
Forest Service
Soil Conservation Service
Defense, Department of
Army Corps of Engineers
Energy, Department of
Federal Energy Regulatory Commission
Environmental Protection Agency
Health and Human Services, Department of
Housing and Urban Development,
Department of Solar Energy and Energy
Conservation Bank
Interior, Department of
Bureau of Land Management
Bureau of Indian Affairs
Bureau of Mines
Bureau of Reclamation
Geological Survey
Mineral Management Service
U.S. Fish and Wildlife Service
Labor, Department of
Occupational Safety and Health Administration
Mine Safety and Health Administration
Transportation, Department of
Coast Guard
Water Resources Council

State Agencies:

Administrative Services, Department of
Dept of Agriculture
Department of Consumer & Business Services,
State of Oregon
Occupational Safety & Health Division
Environmental Quality, Department of
Fish and Wildlife, Department of
Forestry, Department of
Geology and Mineral Industries, Department of
Health Division
Historic Preservation Office
Human Resources, Department of
Land Conservation and Development Commission
Parks and Recreation, Department of
Soil and Water Conservation Commission
State Engineer
State Land Board (Lands, Division of State)
Transportation, Department of
Water Resources Department

Local Agencies:

City of Pendleton City Council
Umatilla County Commissioners
Board of Port of Umatilla
Fire Protection Districts
City of Pendleton Planning Commission
Umatilla County Planning Commission
Confederated Tribes of the Umatilla Indian
Reservation