



CITY OF TIGARD, OREGON

Invitation to Bid

ADDENDUM #1

TIGARD PERMIT CENTER RE-ROOF PROJECT

DATE DUE: Thursday, August 5, 2010

TIME DUE: 2:00 p.m.

Work under this ITB's resulting contract will be funded, in part or in its entirety, with federal funds from the American Recovery and Reinvestment Act through the Department of Energy through the Energy Efficiency and Conservation Block Grant (EECBG) program.

Envelopes must be sealed and marked with ITB Title. Bidders must submit one (1) original copy of their Bid.

A mandatory Pre-Bid Conference will be held at 10:00 a.m. local time, on Friday, July 30, 2010, at the project location at 13125 SW Hall Boulevard, Tigard, Oregon 97223.

Bid exceeding \$100,000 require First Tier Subcontractor Disclosure Form, provided in this packet, be submitted to the City no later than 4:00 p.m. on Thursday, August 5, 2010

PROJECT MANAGER:	ITB QUESTIONS:
Nick Nissen, Facility Services Supervisor City of Tigard, Public Works Phone: (503) 718-2605 Fax: (503) 684-7297 Email: ngn@tigard-or.gov	Joe Barrett, Sr. Management Analyst City of Tigard, Financial & Info Services Phone: (503) 718-2477 Fax: (503) 684-7297 Email: joseph@tigard-or.gov

SUBMIT BIDS TO:

Joe Barrett, Sr. Management Analyst
City of Tigard – Information Desk
13125 SW Hall Blvd.
Tigard, Oregon 97223



The following information serves as Addendum #1 to the City of Tigard's Invitation to Bid for construction services on the Tigard Permit Center Re-Roof Project:

ATTACHMENT H – PUBLIC IMPROVEMENT CONTRACT

The following terms shall be inserted into the Public Improvement Contract that the successful contractor will be expected to sign and agree to:

36. Copeland “Anti-Kickback” Act

Contractor shall comply with the Copeland "Anti-Kickback" Act (18 USC 874), as supplemented by Department of Labor regulations (29 CFR part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). Contractor and all subcontractors shall be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he is otherwise entitled.

37. Contract Work Hours and Safety Standards Act

Contractor shall comply with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act ([40 U.S.C. 327330](#)) as supplemented by Department of Labor regulations (29 CFR Part 5). In compliance with Sections 102 of the Contract Work Hours and Safety Standards Act (40 USC. 327-333), as supplemented by Department of Labor regulations (29 CFR part 5), each contractor/subcontractor shall compute the wages of every mechanic and laborer on the basis of a standard workweek of 40 hours. Work in excess of the standard workweek is permissible provided that the worker is compensated at a rate of not less than 1 ½ times the basic rate of pay for all hours worked in excess of 40 hours in the workweek. In compliance with Section 107 of the Act, no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

38. Clean Air Act

Contractor shall comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act ([42 U.S.C. 1857\(h\)](#)), section 508 of the Clean Water Act ([33 U.S.C. 1368](#)), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). This contract is subject to the requirements of the Clean Air Act, as amended, 42 USC 1857 et seq., the Federal Water Pollution Control Act, as amended, 33 USC 1857 et seq., and the regulations of the Environmental Protection Agency with respect thereto, at 40 CFR Part 15, as amended from time to time. Contractor and any of its subcontractors agree to the following requirements:

- A.** A stipulation by the contractor and subcontractors that any facility to be utilized in the performance of any nonexempt contract or subcontract is not listed on the List of Violating Facilities issued by the Environmental Protection Agency (EPA) pursuant to 40 CFR 32;
- B.** Agreement by the contractor to comply with all requirements of Section 114 of the Clean Air Act, as amended (42 USC 1857c-8) and Section 308 of the Federal Water Pollution Control Act, as amended, (33 USC 1318) relating to inspection, monitoring, entry, reports, and information, as well as all other requirements specified in said Section 114 and Section 308, and all regulations and guidelines thereunder;
- C.** A stipulation that as a condition for the award of the contract, prompt notice will be given of any notification received from the Director, Office of Federal Activities, EPA, indicating that a

facility utilized or to be utilized for the contract is under consideration to be listed on the EPA list of Violating Facilities; and

- D.** Agreement by the contractor that he will include or cause to be included the criteria and requirements in paragraph (1) through (4) of this section in every non-exempt subcontract and requiring that the contractor will take such action as the government may direct as a means of enforcing such provisions. In no event shall any amount provided under this contract be utilized with respect to a facility which has given rise to a conviction under Section 113(c)(1) of the Clean Air Act or Section 309(c) of the Federal Water Pollution Control Act.

39. Energy Policy and Conservation Act

Contractor shall comply with all mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94163, 89 Stat. 871).

LOCKED IN PREVAILING WAGE RATES

By this Addendum, the prevailing wage rates are “locked in” and the attached rates shall be used in any submitted bid. The attached are as follows and are submitted by potential bidders to use as necessary while preparing their bid to the City:

- Federal Davis-Bacon Act Wage Determination General Decision Number OR100045 dated 07/02/2010 for Building Construction; and
- July 1, 2010 Prevailing Wage Rates for Public Works contracts in Oregon subject to both State of Oregon prevailing wage law and the Federal Davis-Bacon Act manual and related amendments (also found at http://www.oregon.gov/BOLI/WHD/PWR/July_2010/PWR_July10Index2.pdf).