



Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Jamey Tesler, Secretary & CEO
Jonathan L. Gulliver, Highway Administrator



December 13, 2021

Proposal No. 609162-116674

ADDENDUM NO. 2

To Prospective Bidders and Others on:

WILLIAMSTOWN
Federal Aid Project No. NHP(BR-ON)-003S(184)X
Bridge Deck Repairs and Related Work Br. No. W-37-013 (Moody Bridge)
Route 7 (Simonds Road) over the Hoosic River & the Pan-AM Railroad

BIDS TO BE OPENED AND READ: TUESDAY, DECEMBER 14, 2021 @ 2:00 P.M.

Transmitting changes to the Contract Documents as follows:

RESPONSE TO CONTRACTOR'S QUESTION

1 Page

DOCUMENT A00801

Revised page 4

Please take note of the above, substitute the revised page for the original and acknowledge Addendum No. 1 in your Expedite Proposal file before submitting your bid.

Very truly yours,

Eric M. Cardone, P.E.
Construction Contracts Engineer

jb
cc A. Bedard, Project Manager

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WILLIAMSTOWN

**Federal Aid Project No. NHP(BR-ON)-003S(184)X
Bridge Deck Repairs and Related Work Br. No. W-37-013 (Moody Bridge)
Route 7 (Simonds Road) over the Hoosic River & the Pan-AM Railroad
(609162-116674)**

RESPONSE TO CONTRACTOR'S QUESTION

Question from New England Infrastructure, Inc. Dated 12/13/2021 @ 2:43 PM

Question 2.) In subsection 8.06 – Limitations of Operations, there is a description of Access Restraint No. 01 with regards to the 60-hour weekend closures.

Further in this section, the paragraph entitled “Failure to Comply with Access Restraint” describes hourly liquidated damages associated with these closures.

I could not find or determine the amount of these hourly liquidated damages. Please provide.

Response 2.) Please see revised page A00801-4 issued via this addendum.

ADDENDUM NO. 2, DECEMBER 13, 2021

SUBSECTION 8.06 LIMITATIONS OF OPERATIONS

Add/amend the following at the end of the Section:

Access Restraint:

An Access Restraint is a restriction of physical work, of a specific area or operation in the Contract, to allow all bidders to evaluate anticipated work restrictions, equally, during the pre-bid planning stages.

This Contract contains the following Access Restraints that shall be included in the Contractor's Baseline Schedule submission, in accordance with the terms and conditions of the contract that identifies the Access Restraints noted below:

- **AR#01 & AR#02 – Access Restraint #01 and Access Restraint #02:** The Contractor shall be allowed a maximum of 60 hours for each of the two of the bridge closures over each selected weekend. The 60 hours start when the bridge is closed and the detour is put in place. The end of the closure is defined as the time the bridge is open to vehicular traffic, specifically when the first vehicular traffic crosses the bridge. It is anticipated that it will occur from 6:00 PM Friday until 6:00 AM Monday.

Failure to Comply with Access Restraints:

If Contractor fails to adhere to the requirements of Access Restraint #XX, the Department will sustain damages including but not limited to, increased construction administration costs, traffic and traffic flow regulation costs, traffic congestion and motorist delay, with its resulting cost to the travelling public, and other extra expenditures of public funds. The damages would be difficult or impossible to ascertain.

The Contractor fails to open the bridge to vehicular traffic, specifically when the first vehicular traffic crosses the bridge, the Contractor shall pay the Department \$1,000.00 (one thousand) per hour until the bridge is opened to traffic.

The sums payable under these access restraints are not a penalty, are fair and reasonable, and represent a reasonable estimate of fair compensation for the losses that may reasonably be anticipated from an unexcused delay in reopening the bridge within the allowable time. The Contractor and the Department are expressly estopped from arguing and waive any rights either party may have to argue, that the sums provided for herein are a penalty or that they are not enforceable.