

DEPARTMENT OF TRANSPORTATION

ESC/OE MS #43
1727 30TH Street, 2ND Floor
Sacramento, CA 95816



February 15, 2001

11-SD-76-52.9/84.2
11-241194

Addendum No. 1

Dear Contractor:

This addendum is being issued to the contract for construction on State highway in SAN DIEGO COUNTY FROM VALLEY CENTER ROAD TO ROUTE 79.

Submit bids for this work with the understanding and full consideration of this addendum. The revisions declared in this addendum are an essential part of the contract.

Bids for this work will be opened on March 1, 2001.

This addendum is being issued to revise the Notice to Contractors and Special Provisions.

In the Special Provisions, Section 2-1.07, "TRIBAL EMPLOYMENT RIGHTS OFFICE; TERO REQUIREMENTS," is revised as attached.

To Proposal and Contract book holders:

Indicate receipt of this addendum by filling in the number of this addendum in the space provided on the signature page of the proposal.

Submit bids in the Proposal and Contract book you now possess. Holders who have already mailed their book will be contacted to arrange for the return of their book.

Inform subcontractors and suppliers as necessary.

This office is sending this addendum by confirmed facsimile to all book holders to ensure that each receives it.

If you are not a Proposal and Contract book holder, but request a book to bid on this project, you must comply with the requirements of this letter before submitting your bid.

Sincerely,

ORIGINAL SIGNED BY

REBECCA D. HARNAGEL, Chief
Office of Plans, Specifications & Estimates
Division of Office Engineer

Attachment

2-1.07 TRIBAL EMPLOYMENT RIGHTS OFFICE; TERO REQUIREMENTS

A portion of this project is within the La Jolla Indian Reservation and is subject to a Tribal Employment Rights Office (TERO) Ordinance of the La Jolla Band of Indians approved on September 29, 1994 and the MOU executed on November 22, 2000.

Bidders shall be fully informed with respect to the requirements of the Ordinance; particular attention is directed to the following items:

- A. In order to provide an employment preference for Indians living near the highway project, the Contractor shall secure a completed Compliance Plan, signed by the La Jolla Tribal Employment Rights Officer, allowing the Contractor to conduct employment activities on the La Jolla Indian Reservation.
- B. The Ordinance provides for a Tribal Employment Rights Ordinance fee of one percent of the contract amount within the reservation to be paid in full within 30 days of the signing of the contract. Reimbursement to the Contractor for payment of this fee shall be included in the contract item bid prices and no additional payment will be made therefor.
- C. The Ordinance also provides for a Business Activity Permit fee of one percent of the contract amount within the reservation to be paid at the rate of one percent of each progress payment. Reimbursement to the Contractor for payment of this fee shall be included in the contract item bid prices and no additional payment will be made therefor.

When extra work within the reservation is to be paid on a force account basis, an additional mark-up of one percent will be added to the total cost of said extra work, in addition to all other mark-ups specified in Section 9-1.03 of the Standard Specifications. Said additional one percent mark-up shall constitute full compensation for the Business Activity Permit fee that the Contractor is required to pay to the La Jolla Band of Indians.

- D. The Ordinance also provides for a Construction Permit fee of one percent of the contract amount within the reservation to be paid prior to start of construction. Reimbursement to the Contractor for payment of this fee shall be included in the contract item bid prices and no additional payment will be made therefor.

Information regarding the TERO ordinance and permit is available at the Office of the District Director of Transportation, 2829 Juan Street, San Diego, California 92110,CA; or Office of TERO Director, Jack Musick, chairman of the La Jolla Band of Indians Tribal Council, 22000 Highway 76, Pauma Valley, California 92061, (Telephone (760) 742-3771) (FAX (760) 742-1704) or at the Department of Transportation, Plans and Bid Documents, Room 0200, Transportation Building, 1120 N Street, P. O. Box 942874, Sacramento, California 94274-0001, (Telephone: (916)-654-4490 or 654-4492).