

**DISTRICT BOARD**

Megan Clark
Russ Greenfield
Larry Loder
Craig K. Murray
Judy Schriebman

DISTRICT ADMINISTRATION

Mark R. Williams,
General Manager
Michael Cortez,
District Engineer
Janice Mandler,
Collection System/Safety Manager
Susan McGuire,
Administrative Services Manager

ADDENDUM NO. 3

Date: October 14, 2011
Project: **SEWER MAIN REHABILITATION 2011 RE-BID**
Job No.: 10200-01
To: All Planholders and Prospective Bidders

The following changes and/or clarifications are hereby made to the Contract Documents, and shall become a part of the Contract Documents dated October 2011. Relevant documents referenced herein are provided as attachments at the end of this addendum as indicated in the comments below.

1. Clarifications:

- a. County of Marin has re-issued a Permit to Enter and Construct for the Miller Creek Sewer Realignment (Line 25) portion of the project. Contractor shall, without additional expense to the District, comply with all requirements outlined in the permit shown as Exhibit A. This is in addition to Marin County Encroachment Permit #11-228A dated September 20, 2011 shown in Appendix E of the Contract Documents.
- b. Insurance requirements per Section 8.8 of the Contract Documents require higher limits than the minimums required by both Marin County and City of San Rafael. See Appendix E of the Contract Documents and the attached Exhibit A for the minimum insurance requirements by both agencies. Marin County and City of San Rafael shall be entitled to coverage for the higher limits maintained by the Contractor as required by the Contract Documents.
- c. Insurance requirements per Section 8.8 of the Contract Documents define "Entity" to include a construction manager and/or inspector to be named later. District anticipates hiring Nute Engineering for such services. All general liability and automobile liability insurance policies required by the Contract Documents shall be primary insurance and shall include, and be endorsed to include, the following, their officers, officials, employees, agents, and volunteers defined as "Entity":

- Las Gallinas Valley Sanitary District
300 Smith Ranch Road,
San Rafael, CA 94903
- County of Marin
3501 Civic Center Drive,
San Rafael, CA 94903
- City of San Rafael
1400 Fifth Avenue,
San Rafael, CA 94901-1943
- Nute Engineering
907 Mission Avenue,
San Rafael, CA 94901
- Four Points Sheraton
1010 Northgate Drive,
San Rafael, CA 94903

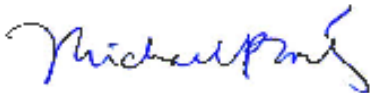
ADDENDUM ATTACHMENT: Exhibit A: County of Marin Permit to Enter and Construct

ADDENDUM 1 SIGNATURE PAGE

This addendum consists of three (3) pages including the cover page and this signature page, and Exhibit A (County of Marin - Permit to Enter and Construct) consisting of two (2) pages. Acknowledge receipt of this addendum in the space provided on page 2-5, Proposal Cover page and Bid Schedule, of the Bid Forms, and by signing in the space provided below. Submit original copy of this signed addendum signature page along with the bid. Failure to do so may disqualify the bidder.

Las Gallinas Valley Sanitary District:

Bidder: _____



Michael Cortez, PE
District Engineer
Tel. No. (415) 472-1033, ext. 18

(Authorized Signature) (Date)

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EXHIBIT A
COUNTY OF MARIN
PERMIT TO ENTER AND CONSTRUCT

Permission is hereby granted to **Las Gallinas Valley Sanitary District, its agents or contractors, (LGVSD)** to enter upon the lands of the **County of Marin, (County)** at Jeannette Prandi County Offices commonly known as Assessor Parcel Number 164-640-01, for demolition, removal, construction and installation of sewer improvements.

This permission is granted by the **County of Marin, a political subdivision of the State of California** subject to the following conditions:

1. LGVSD may only enter upon that portion of the property required for construction of the proposed project as shown on the plans entitled "Miller Creek Sewer Relocation, Sewer Main Rehabilitation 2011" on file with the County in the Capital Improvements Division and Real Estate Division and by reference made a part hereof.
2. During construction of the proposed project LGVSD, its agents and contractors shall not interfere with County's use and operation of its property.
3. At least seven (7) days prior to commencement of construction LGVSD shall provide written notice to County indicating the date that construction will commence. Notices shall be given in writing at the following addresses:

Marin County Department Public Works
Capital Improvements
P.O. Box 4186
San Rafael, CA 94903
Attn: Eric Steger

Las Gallinas Valley Sanitary District
300 Smith Ranch Road
San Rafael, CA 94903
Attn: Mark Williams, General Manager

4. The approval of this permit does not constitute a grant of any real property rights. Conveyance of real property rights will occur upon completion of construction. LGVSD will quitclaim existing rights for the existing sewer lines to be abandoned and County will grant an easement for the new sewer line. Both documents will be executed by the duly authorized officers and include specific descriptions of the rights to be conveyed.
5. It is understood and agreed by the parties hereto that upon completion of construction and at no expense to County, LGVSD shall restore the property to the state that existed prior to commencement of construction. It is further understood and agreed by the parties hereto that the County shall retain the right to inspect and approve the restoration work upon completion or require additional restoration to the reasonable satisfaction of County.
6. It is understood and agreed by the parties hereto that upon completion of construction of the project that the constructed improvements will be operated and

maintained by LGVSD under the easement rights to be conveyed per section 4 herein above.

7. LGVSD agrees to indemnify and defend the County, its authorized agents, contractors, and employees against all claims, which may result from the conveyance of this permit, by LGVSD or any third party, excepting claims caused by the sole negligence or intentional acts or omissions of the County.
8. LGSD agrees to maintain Commercial General Liability insurance in an amount not less than \$2,000,000 per occurrence with a \$4,000,000 aggregate and to name the "County of Marin" as additional insured. LGVSD also agrees to provide proof of commercial auto coverage and workers' compensation. LGVSD further agrees that any contractor or subcontractor used in this project will maintain the same insurance coverages and name the County as an additional insured on their GL policy. Prior to commencement of construction LGVSD shall provide the County with copies of evidence of insurance from its contractor's insurance carriers.
9. The Real Estate Division of the Marin County Department of Public Works will forward to LGVSD an executed copy of this permit upon approval by the Marin County Board of Supervisors.
10. This permit is to be specifically limited to the purposes stated and described herein and strictly construed and no work other than that specifically provided for herein is authorized without the express written consent of the County.
11. This permit is valid from the date the County approves the permit through December 31, 2012, or upon completion of said project by LGVSD, whichever is sooner.

COUNTY OF MARIN

Susan L. Adams, President
Board of Supervisors

Dated: _____

Approved as to form:

Attest: _____
Deputy Clerk

Deputy County Counsel

LAS GALLINAS VALLEY SANITARY DISTRICT

Craig Murray, President
Board of Directors

Dated: _____