

**ADDENDUM NO. 2**  
**June 19, 2023**  
**225107**

**RE: ALBURGH VILLAGE WATER TANK REPLACEMENT**

**FROM: DuBOIS & KING, INC.**  
P.O. Box 339  
Randolph, Vermont 05060  
(802) 728-3376

**TO: Prospective Bidders**

This Addendum forms part of the Contract Documents and modifies the original Bidding Documents issued by the Village of Alburgh, Vermont, for the Alburgh Village Water Tank Replacement project dated May 25, 2023. **Acknowledge receipt of this Addendum in the space provided on Page 1 of the Bid Form. Failure to do so will subject the Bidder to disqualification.**

**I. Pre-Bid Meeting**

A Pre-Bid meeting was held at the Village offices on June 9, 2023 at 10:00 a.m. Attendees are listed on the attached Pre-Bid Meeting Attendance Log (**Attachment 1**). Jonathan B. Ashley, P.E., of DuBois & King, Inc. described the following substantive changes that were made to the Contract Documents and Plans from the first bid phase:

1. The Plans and Documents were updated to reflect Addenda answers and clarifications that were issued during the previous bid phase.
2. A suggested sequence of work was added to the Contract Documents that would allow the water main valve replacement work to take place on inactive water mains, eliminating the potential need for tapping valves. The sequence includes a one-week period of operating the water system off of the new tank before beginning to dismantle the existing water storage tank.
3. The water main pipe material was changed from ductile iron to C900 PVC.

The following sections of the plans and documents were noted:

1. Requirement for bid bond or certified check.
2. List of pre-qualified tank contractors.
3. The project is subject to AIS requirements and the Engineer will be submitting a Build America, Buy America Act Adjustment Period Waiver Certification Form.
4. AIS, DBE, and Wage Rate Requirements (Articles 24, 25, and 26 of the Instructions to Bidders). It was noted that the Vermont minimum wage rate exceeds some Davis Bacon and Related Acts federal wage rates.
5. Contract Time: Days (Article 4.03 of Agreement Between Owner and Contractor for Construction Contract).

## **ADDENDUM NO. 1**

June 19, 2023

Page 2 of 3

6. Exhibit C – General Wage Determinations (Supplementary Conditions of the Construction Contract). Attached is an updated wage rate determination to be used in the preparation of Bids (**Attachment 2**).

## **II. Questions & Answers**

**The following addresses questions received.**

**Question 1: Is a winter shutdown allowed to avoid using contract time when no work is taking place due to winter weather conditions?**

**Answer 1:** Yes.

**Question 2: Is demolition of the existing tank required for Substantial Completion?**

**Answer 2:** Demolition and removal of the existing tank from the site is required for Substantial Completion. The definition of Substantial Completion provided in the General Conditions is accurate and shall not be modified by the following clarification; following are some items that are not required to achieve Substantial Completion:

1. Installation of the chain link fence and gate.
2. Final grading of untraveled areas.
3. Removal of erosion control measures.
4. Full establishment of grass growth.
5. Providing equipment manuals and warranty documents.

**Question 3: Our understanding is this project is funded from the Vermont Drinking Water State Revolving Fund (DWSRF) but only the Davis Bacon wages were provided in the specifications. There is a note at the top of Exhibit D - Federal Wage and Fringe Rate Requirements that states that as of 2019 Vermont's Minimum wage exceeded the Federal minimum wage and would supersede the Federal wage. And, I believe there was also a comment made in the pre-bid meeting by someone stating that some State wages may be higher than the DB wages. No state wages were supplied with the specifications so we are unable to verify this. If the state wages are to apply to the contract, they should to be supplied in the specifications. Please confirm how the project is funded (state, federal or both) and what wage rates apply (state, DB or the higher of both). If both wage rates apply, please provide both.**

**Answer 3:** According to a press release from the Vermont Department of Labor dated November 15, 2022, beginning January 1, 2023, the State's minimum wage will become \$13.18 per hour.

**Question 4: Are there any pictures of the interior of the cone? We want to see if anyone had put spray foam on the piping or walls.**

**Answer 4:** There is no spray foam on the interior of the cone. The inlet/outlet pipe is jacketed with insulation. Photos of the cone interior are attached (**Attachment 3**).

## **ADDENDUM NO. 1**

June 19, 2023

Page 3 of 3

**Question 5: What is the list of interested DBEs that Bidders need to contact during the bid phase for compliance with the DBE requirements? If Bidders contacted the DBEs during the previous bid phase, do the Bidders need to re-contact the DBEs during this bid phase?**

**Answer 5:** A list of the interested DBEs is attached (**Attachment 4**). Yes, the interested DBEs must be contacted again during this bid phase.

**Question 6: The plans and specifications call for an elevated steel tank – will alternative tank types be accepted?**

**Answer 6:** The specified tank was selected in the development of a Preliminary Engineering Report based on a comparison of a number of economic and non-economic factors required by the funding agency. The tank alternatives analysis and selected alternative were completed in a multi-step process with the review and approval of the Owner and funding agency. Reconsideration of other tank alternatives would require amendment of the original Preliminary Engineering Report and redesign of the project. As such, alternative tank types will not be accepted.

**Question 7: Will electronic bid submissions be accepted?**

**Answer 7:** In addition to the other methods of Bid submission already included in the documents, e-mail submission of Bids will be accepted at the Bid Opening location by the required time.

E-mail Bid submissions must be transmitted in accordance with the following requirements:

1. Subject Line: "Alburgh Village Water Tank Replacement RF3-420"
2. Select "Return Receipt Requested" in your email settings
3. Address emailed Bid to all of the following emails: [jashley@dubois-king.com](mailto:jashley@dubois-king.com)  
[Roger.Bergeron@Vermont.gov](mailto:Roger.Bergeron@Vermont.gov) [villageofalburgh@gmail.com](mailto:villageofalburgh@gmail.com)
4. Assume emailed Bids have not received until a return receipt is received from at least one of the listed addressees.
5. Bidders who deliver submissions via email do so at their own risk; Owner and Engineer do not take any responsibility for any emailed submission that does not arrive on time; is rejected; or contains corrupted or illegible electronic files.
6. An email submission is deemed to have been received at the time that it arrives in the Owner's or Engineer's electronic mail system (whichever is earliest). Email submissions that arrive late will not be considered, regardless of the reason, and vendors will not have the option to resubmit after the Bid Opening date and time.
7. Assume the file size limit for transmitting Bids is 25MB.

The Owner's and Engineer's email system may sort received emails as viruses or malware – if no acknowledgement or return receipt is requested, it is the Bidder's responsibility to call the Engineer (Jonathan Ashley 802-522-9733) to verify receipt. It is advisable to submit emailed Bids sufficiently in advance of the Bid Opening time to allow for electronic transmittal and any follow-up verification needed to ensure the emailed Bid was received.

**This document constitutes Addendum 2 for this project.**

## PRE-BID MEETING

ALBURGH VILLAGE  
WATER TANK REPLACEMENT  
ALBURGH, VERMONT  
225107

JUNE 9,  
~~FEBRUARY 17~~, 2023  
10:00 AM

ATTENDANCE LOG  
(Please Print)

NAME	AFFILIATION & TITLE	PHONE #	E-MAIL ADDRESS
JUSTIN NALBAUM	STAFF ENGINEER	802-342-2851	jnalbaum@dubois-kim.com
Frank Ammirato	CHAMPLIN ASSOCIATES/Controls	802 879 7136	frank@champlinassociates.com
Cheryl Dunn	Village of Alburgh	802-999-7707	villageofalburgh@gmail.com
Jonathan Ashley	D. BOIS-KING, Inc.	802-522-9733	jashlay@dubois-king.com
Daren Rivard	Goodhue Excavation	802-760-8834	darenrivard@gmail.com
Eric Moastee	Caldwell Tanks		
Jessica Bradbury	Phoenix Tank		
Andrew Whitaker	CB&I Storage		
Jason Beaulac	Alburgh Village Water	802-782-1652	alburghwater@gmail.com
ROGER BERGERON	VT- DEC/WID	802-760-8135	ROGER.BERGERON@VERMONT.GOV

"General Decision Number: VT20230069 04/07/2023

Superseded General Decision Number: VT20220069

State: Vermont

Construction Type: Heavy

County: Grand Isle County in Vermont.

HEAVY CONSTRUCTION PROJECTS (including sewer/water construction).

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658.

Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60).

<p>If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:</p>	<p>. Executive Order 14026 generally applies to the contract.</p> <p>. The contractor must pay all covered workers at least \$16.20 per hour (or the applicable wage rate listed on this wage determination, if it is</p>
--	---

	higher) for all hours spent performing on the contract in 2023.
If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or all extended on or after January 30, 2022:	. Executive Order 13658 generally applies to the contract.
listed determination,	. The contractor must pay covered workers at least \$12.15 per hour (or the applicable wage rate on this wage if it is higher) for all hours spent performing on that contract in 2023.

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

Additional information on contractor requirements and worker protections under the Executive Orders is available at <http://www.dol.gov/whd/govcontracts>.

Modification Number	Publication Date
0	01/06/2023
1	04/07/2023

\* LABO0668-002 12/01/2022

	Rates	Fringes
LABORER (COMMON OR GENERAL).....	\$ 24.51	20.57

\* LABO0668-003 12/01/2022

	Rates	Fringes
LABORER (PIPELAYER).....	\$ 24.51	20.57

\* SUVT2017-008 08/06/2019

	Rates	Fringes
ELECTRICIAN, Includes Low Voltage Wiring.....	\$ 28.82	2.85
OPERATOR: Backhoe/Excavator/Trackhoe.....	\$ 27.45	10.33
OPERATOR: Loader.....	\$ 27.04	19.52
TRAFFIC CONTROL: Flagger.....	\$ 12.60 **	0.14
TRUCK DRIVER: Dump Truck.....	\$ 17.35	0.00

-----  
WELDERS - Receive rate prescribed for craft performing  
operation to which welding is incidental.

=====

\*\* Workers in this classification may be entitled to a  
higher minimum wage under Executive Order 14026 (\$16.20) or  
13658 (\$12.15). Please see the Note at the top of the wage  
determination for more information.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at <https://www.dol.gov/agencies/whd/government-contracts>.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

-----

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage determination. The classifications are listed in alphabetical order of "identifiers" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

#### Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other



than "SU" or "UAVG" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

#### Survey Rate Identifiers

Classifications listed under the "SU" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

#### Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those

classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

-----

#### WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- \* an existing published wage determination
- \* a survey underlying a wage determination
- \* a Wage and Hour Division letter setting forth a position on a wage determination matter
- \* a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour National Office because National Office has responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations  
Wage and Hour Division  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator

(See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

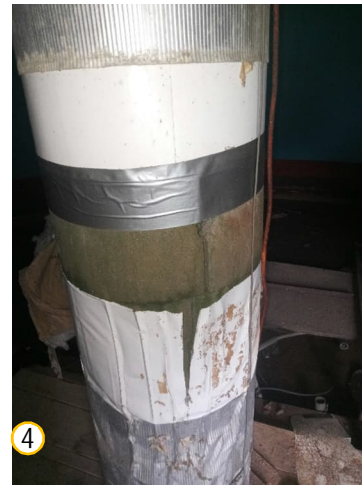
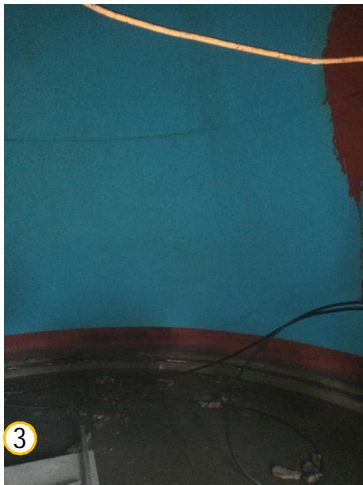
4.) All decisions by the Administrative Review Board are final.

=====

END OF GENERAL DECISION

ALBURGH WATER STORAGE TANK: TANK CONE INTERIOR  
PHOTO LOG

photos taken 06.15.2023



Alburgh Village Water Tank Replacement Project  
DBE Effort - List of interested DBEs

Deem Construction Corp.

contact name: Norm Ahmed  
email: Nomyntc@gmail.com  
address: 40 Virginia Dr.  
Elmont, NY 11003  
phone: (718) 850-0963  
work type: concrete, masonry, roofing and waterproofing work

Noel J. Brunell & Son, Inc.

contact name: Emilie Simoneau  
email: emilie@brunellasphalt.com  
address: 3997 State Route 22  
Plattsburgh, NY 12901  
phone: phone: (518) 561-1290  
work type: paving-related scope of work

Rommel Fence, LLC

contact name: Kyle Butler  
email: hrommel@rommelcompanies.com  
address: 17 Railroad Street  
Poland, NY 13431  
phone: (315) 826-3758 x105  
work type: providing and installing security fencing and related products and aggregates

Worksafe Traffic Control Ind

contact name: Debra Lee Ricker  
email: DebraR@worksafetci.com  
address: 115 Industrial Lane  
Barre, VT 05641  
phone: (800)547-0808  
fax: (802)229-1848  
work type: Construction signs and traffic control devices and equipment