

NEVADA DEPARTMENT OF TRANSPORTATION CONTRACTOR BULLETIN

Notice to Contractors

Week of October 13, 2005

Contractors desiring to bid on this work, if not already qualified under the State Law, shall file with the Department of Transportation at Carson City, Nevada, not later than five (5) days prior to the date of opening of bids, a complete application for qualification on forms furnished by the Department.

The right is reserved to reject any or all bids, or to accept the bid deemed best for the interest of the State of Nevada.

Occasionally the Department experiences a week in which there are NO CONTRACTS BEING ADVERTISED. When this occurs, no Contractor Bulletin will be published.

CONTRACTS ADVERTISED FOR BIDS

Contract #3291

Sealed proposals will be received by the Director of the Nevada Department of Transportation, Carson City Office located at 1263 South Stewart Street, Carson City, Nevada 89712, until and opened at **1:30 p.m.**, local time on **November 3, 2005**, for **Contract No. 3291**, Project Nos. SPI-080-3(027) and SPI-080-3(028), on I-80, near Winnemucca and Elko, on I-80 West of Battle Mountain, Eastbound, on I-80 West of Wells, Eastbound, East of Wells, Westbound and in West Wendover, Westbound, Humboldt, Lander and Elko Counties, Nevada.

SPECIFIC DESCRIPTION OF WORK COVERED BY THIS CONTRACT CONSISTS OF: **INSTALLING DYNAMIC MESSAGE SIGNS AND SIGN SUPPORT STRUCTURES.**

The engineer's estimate on this project is **\$2,144,985.00**. The following is a brief list of items and quantities included.

402 0748	240	PATCHING
	SQYD	
618 0528	976	GALVANIZED GUARDRAIL
	LINFT	(TRIPLE CORRUGATION)
623 0076	29	NO. 5 PULL BOX
	EACH	
623 1028	11,540	3-INCH CONDUIT
	LINFT	

Contract #D2-014-05 Readvertised

Sealed proposals will be received by the Director of the Nevada Department of Transportation, Carson City Office located at 1263 South Stewart Street, Carson City, Nevada 89712, until and opened at **2:00 p.m.**, local time on **November 3, 2005**, for **Contract No. D2-014-05 Readvertised**, for Repair Damaged Guardrail on a Site-by-Site Basis on Any Road, Statewide, Nevada.

SPECIFIC DESCRIPTION OF WORK COVERED BY THIS CONTRACT CONSISTS OF: **REMOVAL OF ALL DAMAGED GUARDRAIL, POSTS AND END SECTIONS AND THE INSTALLATION OF NEW OR SALVAGED REPLACEMENT MATERIALS. GUARDRAIL REPAIR WILL BE ON AN AS-NEEDED BASIS DUE TO DAMAGE FROM VEHICLE HITS.**

The engineer's estimate on this project is **\$977,800.00**.

As most of you are aware the Nevada Department of Transportation has a Disadvantaged Business Enterprise Program goal of six percent set for federal fiscal year 2005, which ended September 30, 2005. October 1, 2005, was the beginning of Federal Fiscal year 2006. During this federal fiscal year the Nevada Department of Transportation will be conducting a disparity study to address the questions raised in a recent ruling of the Ninth Circuit Court of Appeals. The court's ruling declared the Washington State Department of Transportation's (WSDOT) DBE program unconstitutional as applied. The ruling held, if there is no proof of discrimination in the highway construction industry in a specific geographical area, the race conscious DBE goals cannot be applied to a federally funded highway construction contract.

The 9th Circuit ruled the state program, as implemented by WSDOT was not constitutional as applied because they did not have any evidence that there was discrimination in the construction industry in Washington State. The US Department of Justice stated, during oral arguments in front of the 9th Circuit that TEA-21's race conscious measures can be constitutionally applied only in those states where the effects of discrimination are present. The 9th Circuit

agreed and stated, "Whether Washington's DBE program is narrowly tailored to further Congress's remedial objective depends upon the presence or absence of discrimination in the State's transportation contracting industry. If no such discrimination is present in Washington, then the State's DBE program does not serve a remedial purpose: it instead provides an unconstitutional windfall to minority contractors solely on the basis of their race or sex."

Like WSDOT the Nevada Department of Transportation relies on very similar information to set the DBE goal for our state. As a state in the ninth circuit we feel that we must examine our method of doing business and be sure that our DBE goal is based on the best information available to us. In order to meet the standard set by the court the Nevada Department of Transportation is going to conduct a statewide disparity study. This study will provide the best information that the department can use to set a fair and equitable DBE goal in the state, which complies with the requirements of the court decision.

Until then the Department urges you to make efforts to utilize DBE firms that bid on your projects. Our goal is intact; our methods to meet the goal have changed. DBE firms are still to be given an equal opportunity to be included on our highway construction contracts. Contractors must consider these firms when preparing your bids. The completion of all required contract documents is an important part of that process. The Contractors' efforts to use DBE firms are being tracked. An important part of that process is your awareness of DBE firms bidding to your firm as subcontractors.

In closing I wish to remind you that the DBE program in the state is still alive and viable. Fill out your bid documents completely. Failure to do so could result in the disqualification of your bid.

Gaz Ex System Keeps Mt. Rose Safe for Vehicles

What are the first signs of winter at NDOT? There are lots of possibilities, including placing snow poles, restocking sand/salt piles, and readying snow blowers, but one sure sign is moving and refilling oxygen and propane bottles from the shed above SR-431 at the Mt. Rose Summit.

Since 1992, the Mt. Rose Highway has been protected by one of a handful of remote-controlled avalanche detonation devices in the United States. Gaz Ex is the name of the French company that pioneered the technology.

Prior to the installation of the Gaz ex system, ski patrolmen or NDOT employees would have to throw explosive charges into avalanche-prone areas to safely release snow. The Gaz ex system is a permanent installation above the highway.

When snow loads build up, the Gaz ex system is activated. NDOT Supervisor Jason Marty send signals by laptop computer for oxygen and propane to be mixed in one of three long metal tubes one meter in diameter.

With highway traffic stopped above and below the slide area, two igniters within the tubes detonate the mixture. The detonation has the force of 30 sticks of dynamite, sending shock waves through the air and ground, shaking loose snow and sending it toward the highway, where NDOT plow operators are positioned to remove it. Controlled releases of snow prevent the unpredictable and dangerous snow slides that could bury vehicles and motorists on the highway.

"We shot the tubes 14 times last year," Marty said. During heavy snow years, like last year, the snow released "can be 20 feet deep all across the road."

The solar powered computer at the Gaz Ex shed provides Marty information to his laptop computer where he activates the code words to engage the firing sequence. Scales report the amount of oxygen and propane on hand and an anemometer tells the wind speed.

"We change out all 30 of the 100 lb. oxygen bottles and top off both propane bottles," Marty said. The oxygen bottles are linked together so they don't have to be changed mid-winter. It's a good thing because Mary said the shed is often completely covered with snow, with only the solar panel mounted on a pole sticking out.

Changing out the bottles of gases in October was formerly done with a helicopter, but the operation is safer now because NDOT uses small off-road utility vehicle for hauling.

DEPARTMENT OF TRANSPORTATION
STATE OF NEVADA
NOTICE TO CONTRACTORS

Contract Plans, specifications, and appertaining documents on the listed contracts may be examined or purchased at the office of the Director at 1263 South Stewart Street, Carson City, Nevada, 89712. **Contractors wishing to bid on NDOT projects as a Prime prequalified contractor must purchase the bidding documents from the Administrative Services Office at the above address. Only these bidding documents will be accepted at the time of bid. Those receiving documents from other sources for bid submittal will not be accepted.** For additional information or to receive quantity information by FAX, phone (775) 888-7070.

Following is a list of documents available for purchase. Documents are not returnable and no refund will be made:

<u>Document</u>	<u>Price</u>
Standard Specifications for Road and Bridge Construction, Current Edition	\$20.00 per copy
Plans, Special Provisions and Proposal Form	\$25.00 per copy
Standard Plans for Road and Bridge Construction, Current Edition	\$15.00 per copy
8 ½" x 11" small set	\$20.00 per copy
11" x 17" large set	\$15.00 per set
CD Version	
Standard Highway Signs, Nevada Supplement, Current Edition	\$6.00 per copy
State of Nevada Department of Transportation Construction Stakeout Manuals	\$7.00 per copy
Construction Site Best Management Practices (BMPs) Manual	\$30.00 per copy

Checks shall be made payable to the Nevada Department of Transportation.

ON STATE FUNDED PROJECTS:

On State funded projects the bidder is required to hold a valid contractor's license of a class corresponding to the work to be done prior to submitting a bid in accordance with the provisions of NRS Chapter 624.

The bidder's attention is directed to the provisions of NRS 338.147 which is summarized as follows: A responsible bidder who at the time of submitting his bid provides a copy of a certificate of eligibility to receive a preference in bidding on public works, issued to him by the State Contractor's Board, shall be deemed to have submitted a better bid than a competing bidder who has not provided a copy of such a valid certificate of eligibility if the amount of his bid is not more than 5% higher than the amount bid by the competing bidder.

ON FEDERAL AID PROJECTS:

On Federal-aid projects any Contractor, otherwise qualified by the State of Nevada to perform such work, is not required to be licensed nor to submit application for license in advance of submitting a bid or having such bid considered. However, the Contractor determined to be the successful bidder shall obtain the required license in accordance with the provisions of NRS Chapter 624 prior to executing the contract.

The Contractor agrees to ensure that disadvantaged business enterprises as defined in 49 CRF, Part 26 Amended have the maximum opportunity to participate in the performance of the contracts and subcontracts financed in whole or in part with Federal funds. The requirements for compliance are contained in subsection 102.03 and 103.02 of the Special Provisions and in the contract provisions appended to the Special Provisions.