

Attach To Contract Document

August 17, 2009

Amendment No. 1

**Resident Engineering Inspection Services in Connection
Reconstruction of Claremont Parkway Bridge over Metro North Rail Road
Contract No. HBX1160A
PIN: 84110BXHR431**

**Addendum #1,
August 17, 2009**

NOTICE TO ALL PROPOSERS:

**The Proposal Due Date has been extended from August 20, 2009 to
August 24, 2009.**

**New York City Department of Transportation
Division of Bridges
Office of Consultant Programs**

**Resident Engineering Inspection Services in Connection
Reconstruction of Claremont Parkway Bridge over Metro North Rail Road
Contract No. HBX1160A
PIN: 84110BXBR431**

**Addendum #1
August 17, 2009**

**Please be advised NO Further questions will be entertained on this
procurement**

This Addendum is Hereby Made Part of the Contract Documents

NOTE:

Attached please find:

- 1. Addendum No. 1**
- 2. Replace 4T1 and 4T2 Forms with revised 4T1R and 4T2R Forms**
- 3. Replace 5T Form with revised 5TR Form**
- 4. Responses to Questions raised to Agency**
- 5. Add Constructability Review EI 99-013**
- 6. Acknowledgement Receipt Of Addendum #1**

FORM 4T1R – LABOR COST PROPOSAL

PROJECT NAME: Resident Engineering Inspection Services in Connection
Reconstruction of Claremont Parkway Bridge over Metro North Rail Road

PIN: 84110BXBR431

BIN 2-24171-0

PRIME CONSULTANT: _____

CONTRACT NO.: HBX1160A

CONSULTANT ON THIS FORM: _____

PROFESSIONAL ENGINEERING/ARCHITECTURAL SERVICES
OTHER/ _____

	<u>(COLUMN 1)</u> <u>JOB TITLE</u> <u>ASCE/ NICET</u> <u>GRADE</u>	<u>(COLUMN 2)</u> <u>TOTAL HOURS</u>	<u>(COLUMN 3)</u> <u>HOURSTHIS FIRM</u>	<u>(COLUMN 4)</u> <u>AVERAGE</u> <u>HOURLY RATE</u> <u>(FY 2010)</u>	<u>(COLUMN 5)</u> <u>LABOR COST</u> <u>COL3X COL4</u>
1.	_____	_____	_____	\$	\$
2.	_____	_____	_____	\$	\$
3.	_____	_____	_____	\$	\$
4.	_____	_____	_____	\$	\$
5.	_____	_____	_____	\$	\$
6.	_____	_____	_____	\$	\$
7.	_____	_____	_____	\$	\$
8.	_____	_____	_____	\$	\$
9.	_____	_____	_____	\$	\$
	<u>TOTALS</u>	_____	_____	_____	_____ (T)

INTERIM OVERHEAD FACTOR	_____ (A)	_____ (A)	
PROFIT FACTOR	_____ (B)	_____ (B)	
INTERIM MULTIPLIER	_____ (1+A)X(1+B)	_____ (M)	
TOTAL LABOR COST (T x M)		\$ _____ (C)	
TOTAL LABOR ESCALATED TO PROJECT MIDPOINT	MAXIMUM ESCALATION FACTOR =	_____ (D)	
GRAND TOTAL COST (C X D)		_____	

INSTRUCTIONS:

1. Each consultant of the project team is to submit a separate "Labor Cost Proposal Form". For each job title, the hours proposed by each firm of the project team in Column (3) MUST SUM to the total hours provided in Column (2).
2. For Column (4), use actual average salary rates for firm for each job title at regional offices. Attach a listing of current average rates for all titles/grades/levels as approved by NYSDOT for regional offices (if available). A regional office is defined as one located within a 75 mile radius of Columbus Circle (NYC).
3. The labor costs to be included in Column (5) are obtained by multiplying the hours in Column (3) by the average hourly rate in Column (4).
4. The maximum escalation factor "D" indicated in the shaded area shall not be changed.
5. Interim Multiplier (M) shall be rounded off to three (3) decimal figures. Total Labor Cost (C) and Column 4 & Column 5 entries shall be rounded off to two (2) decimal places.
6. The agency will consider the proposed interim multiplier for establishing Total Contract Fee (including DTL, interim overhead & Maximum Profit of 10%). The interim multiplier will be based on currently available information on Consultant Company's overhead and profit. This multiplier is subject to audit and revision on an annual basis when the actual overhead information for the respective year becomes available. Suitable adjustments to the previous payments will be made accordingly upon completion of phase and when multiplier information is available.

FORM 4T2R – COST PROPOSAL SUMMARY

PROJECT Resident Engineering Inspection Services in Connection with Reconstruction of
 NAME: Claremont Parkway Bridge over Metro North Rail Road
 BIN: 2-24171-0

PIN: 84110BXBR431

PRIME CONSULTANT: _____ CONTRACT NO.: HBX1160A

	<u>(COLUMN 1)</u>	<u>(COLUMN 2)</u>	<u>(COLUMN 3)</u> <u>ESCALATED</u> <u>LABOR COST</u> <u>TO PROJECT</u> <u>MIDPOINT</u>	<u>(COLUMN 4)</u> <u>DIRECT</u> <u>NON-SALARY</u> <u>COST</u>	<u>(COLUMN 5)</u> <u>TOTAL COST</u>
	<u>CONSULTANT</u>	<u>HOURS</u> <u>ALL FIRMS</u>		\$	\$
1.	_____	_____	_____	\$	\$
2.	_____	_____	_____	\$	\$
3.	_____	_____	_____	\$	\$
4.	_____	_____	_____	\$	\$
5.	_____	_____	_____	\$	\$
6.	_____	_____	_____	\$	\$
7.	_____	_____	_____	\$	\$
8.	_____	_____	_____	\$	\$
9.	_____	_____	_____	\$	\$
TOTALS	_____	_____	_____	\$ 25,657.00	(T)
CONSTRUCTABILITY REVIEW	_____	_____	_____	_____	\$35,000.00
GRAND TOTAL	_____	_____	_____	_____	_____

INSTRUCTIONS:

- The costs entered in Column 3 are the totals shown on line (D) of Form 4T-1 "Labor Cost Proposal" for each consultant on the project team.
- The Total Direct Non-Salary Cost shown in the shaded area below Column 4 is an out of pocket expense budgeted amount allowed to all proposers and must not be changed.
- The Total Direct Non-Salary Cost provided by each consultant of the project team MUST SUM to the total shown in the shaded area at the bottom of the Column 4.

FORM 5TR NYCDOT CURRENT WORKLOAD DISCLOSURE

The purpose of this form is to provide information concerning the current workload of the firms interested in the project for which the proposal is being submitted. The information provided should be for the office(s) which would perform the work of this contract. **The values shown *should not* include fees to be paid to subconsultants and subcontractors or for rentals or purchases of equipment.**

PIN: _____ FIRM NAME: _____
 CONTRACT NO.: _____ CONTACT PERSON: _____
 PROJECT NAME: _____ PHONE NUMBER: _____
 BIN: _____ ADDRESS OF OFFICE(S) TO PERFORM WORK _____
 DATE OF RFP: _____
 IS YOUR FIRM A: DBE? (YES/NO) _____

Name of Personnel (Proposed Office(s)): Administration _____ Total Personnel _____

- I. Remaining NYC-DOT work of proposed office(s) (from back of sheet) with:
 All NYC-DOT \$ _____ Bureau of Bridges ONLY \$ _____
- II. Expected billings for next 18 months:
 - A. NYC-DOT WORK: total expected billings in next 18 months. \$ _____
 - B. WORK WITH OTHER PUBLIC AGENCIES: total expected in the next 18 months \$ _____
 - C. PRIVATE WORK: total expected billings on projects in next 18 months. \$ _____
 - TOTAL (A + B + C) \$ _____

III. Certified Disadvantaged Business Enterprise (DBE) firm(s) for Federal Aid Projects or for Non-Federal air Projects proposed for use on this project:

SUBCONSULTANT FIRM NAME	PROPOSED % OF PROJECT	# OF TECHNICAL PERSONNEL	WORKLOAD (HOURS PROPOSED)
_____	_____ %	_____	_____
_____	_____ %	_____	_____
_____	_____ %	_____	_____

IV. Other firm(s) proposed for use on this project

_____	_____ %	_____	_____
_____	_____ %	_____	_____

CERTIFICATION

I hereby certify that the above figures are actual contract amounts (when available) or my best estimate of expected billings.

DATE

SIGNATURE (OFFICER OR PARTNER)

FORM 5TR

Remaining work with NYCDOT (within Department)

List all projects on which you are currently working for the Department and those which you have been designated to perform. These shall be categorized as indicated below (Design, Construction Inspection or Miscellaneous).

Type of work – Highway, Bridge, Planning	Contract Number	Remaining \$ Value (include anticipated Supplemental Agreement for this Project (a)	Percentage of Project performed at Office(s) proposed for this Project (b)	Pro-rated Workload of proposed office(s) (a x b)
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Design Division (includes Highway Design, Bridge Design and Construction Support Services)				

Total Firmwide Design Workload \$ _____

Assigned Office(s) Miscellaneous Workload \$ _____

Construction Division (includes only Resident Engineering Inspection)				

Total Firmwide REI Workload \$ _____

Assigned Office(s) REI Workload \$ _____

Miscellaneous (includes Planning and any other agreements not covered above)				

Total Firmwide Miscellaneous Workload \$ _____

Assigned Office(s) Miscellaneous Workload \$ _____

Total Firmwide Overall
Workload with NYC-DOT \$ _____

Assigned Office(s) Overall
Workload with NYC-DOT \$ _____

YOU MAY ATTACH ADDITIONAL SHEETS OF REMAINING WORK FOLLOWING THE SAME FORMAT AS USED ABOVE.

Use the following as a ratings guide:

Calculate the Ratio of expected billable dollars per person per year vs. average billable dollars per person per year.

- If:
- EB\$PY** - expected billable dollars per person per year.
 - AB\$PY** - average billable dollars per person per year.
 - EB** - expected billing dollars for next 18 months.
 - S** - Total personnel minus administrative personnel.
 - Y** - Yearly adjustment (converts 18 months into 1 year).

Assume: **AB\$PY** = \$60,000 and **Y** = 1.5 (18 / 12 = 1.5)

Then: **EB\$PY** = **EB / S / Y** and **R** = **EB\$PY / AB\$PY X 100%**

If R is greater than or equal to 100%, a rating of 0 may be appropriate.

If R is equal to 75 %, a rating of 5 may be appropriate.

If R is less than or equal to 25%, a rating of 10 may be appropriate.

Resident Engineering Inspection Services in Connection
Reconstruction of Claremont Parkway Bridge over Metro North Rail Road
Contract No. HBX1160A
PIN: 84110BXBR431

Questions and Answers:

Q1. Does this Project have State or Federal funding?

A1. No.

Q2. Is 3rd Party Review of the Contractor's CPM schedule required? Recent NYCDOT Bridges REI agreements have included this task in the scope.

A2. The REI scope does not have a provision for separate 3rd party review. However, REI has the responsibility by virtue of the contract agreement to review and accept contractor's CPM schedule.

Q3. Is 3rd Party Review of the Contractor's Demolition plans and procedures included in the scope of work? Recent NYCDOT Bridges REI agreements have included the task.

A3. The REI scope does have a provision for separate 3rd party review of Demolition plans and procedures.

Q4. a) Is any night and/ or weekend work anticipated on this project?

A4 a) Demolition of existing bridge superstructure and erection of new superstructure will require weekend and nighttime work.

Q4. b) If so, what assumptions should be made about the extent of "off hour" work in the preparation of our staffing schedules and labor costs?

A4 b) The staffing schedule and estimated labor cost should have provisions of "off hour" work. Consultant has to make judgment based on prior experience for similar project for dealing with Metro North RR.

Q5. What is the anticipated construction start date for this project?

A5. The anticipated NTP for construction is June 9, 2010.

Q6. Regarding participation construction goals for Subcontracting Participation, 3 groups (Black American, Hispanic American and Caucasian Female) are listed and each has a goal of 10% for a total of 30% on this contract. Can the total goal of 30% be satisfied by utilizing 1 or 2 of the groups rather than all 3? I believe that this has been permitted on previous NYCDOT Bridges RFP's.

A6) All prospective consultants must comply with the Subcontractor Participation Goals established for this contract and set forth on Schedule B, Part 1.

For instructions on modification to Subcontractor Utilization Plan, please refer to Section VII (F), Notice to All Prospective Contractors, Part A. Section 11 (page 4).

Q7. Will there be a Pre-Proposal Conference?

A7. There will be no Pre-proposal conference.

Q8. Regarding the above mentioned project, we would like to know the anticipated start date for the REI team?

A8. The NTP to REI team is expected on May 10, 2010.

To:		<i>New York State Department of Transportation</i> ENGINEERING INSTRUCTION	EI 99-013
Title: CONSTRUCTABILITY REVIEW			
Distribution: <ul style="list-style-type: none"> • Manufacturers (18) • Main Office (30) • Local Govt. (31) • Regions/Agencies (32) • Surveyors (33) • Consultants (34) • Contractors (39) • _____ () 		Approved: <u>/s/ J. F. Tynan</u> James F. Tynan, Construction Division <div style="float: right; text-align: right;"> <u>04/26/99</u> Date </div>	

This Engineering Instruction (EI) supersedes EI 91-30. It is anticipated that this guidance will be contained in a future update to the administrative section of the Construction Supervision Manual

PURPOSE. This EI updates the Department's policy for conducting constructability reviews.

EFFECTIVE DATE. This EI is effective immediately.

BACKGROUND. The Department recognizes the need for contract documents that will ensure rational bids and minimize problems during construction. The Constructability Review establishes a formal as well as a routine plan review. A significant aspect of developing high-quality contract documents is to incorporate review processes in all phases of a project to assess its constructability. Constructability reviews have the potential to minimize the number and magnitude of changes, disputes, cost overruns, and delays during construction.

A successful constructability review process must follow an established methodology similar to value engineering. The process must be flexible enough to be applied to all types of projects handled by the Department. Furthermore, the process must address the critical issues impacting today's transportation construction projects such as, ease of construction, environmental factors, construction phasing and scheduling, and project safety. To obtain maximum benefit from a constructability review, it must be initiated early enough to give the Regional Construction Group and others sufficient time to review the project, and then sufficient time to allow the designers to incorporate the recommended revisions. It is recommended the constructability review be conducted not later than the Advance Detailed Plans (ADP). The ADP phase provides the reviewers nearly complete detailed plans for Constructability Review. For large projects the Region may want to consider doing reviews during earlier phases of the design.

The Constructability Review Process (CRP) must be flexible in order to adapt it to specific project characteristics and requirements. Similarly, the CRP can be modified to be consistent with the Regions' approach to project development, policies, and resource availability. A key factor in determining the scope or type of the CRP is project complexity. Typically, total project cost and total work-hour effort reflects a level of complexity. Projects located in an urban setting and those involving reconstruction or grade separation are often more complex. Projects that involve many interfaces with other government agencies, utilities, the public, local officials etc. may indicate a higher level of complexity.

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Complex projects require more formalized constructability practices. Based on project complexity, the CRP can be classified into three levels of formality:

- Informal,
- Semiformal, and
- Formal

For the simplest of projects, an informal review consists of the review by one or two staff from the Regional Construction Group. This could involve the Construction Supervisor or a staff person assigned by the Regional Construction Engineer to do the review.

For moderately complex projects, a semiformal review consists of the review by a team assigned from within the Regional Construction Group. This could involve the Construction Supervisor, Engineer-In-Charge, Safety Coordinator, etc.

For the most complex projects, a formal review will be performed by an Independent Review Team assigned by the Regional Construction Engineer. The Independent Review team is described in more detail under the section herein entitled INDEPENDENT CONSTRUCTABILITY REVIEW.

SUMMARY OF CHANGES. The primary changes to the current procedure are 1.) establishing selection criteria based on project complexity 2.) identification of the (ADP) as the specific review time during design to ensure sufficient time to make changes if necessary 3.) the development of a constructability review checklist to be used as a guideline by the reviewers, and 4.) transferring the responsibility of determining the need for an Independent Review Team from the Regional Director to the Regional Construction Engineer.

TRANSMITTED MATERIALS.

Checklist for Constructability Review

ACTIONS BY REGIONAL CONSTRUCTION GROUP. The Regional Construction Group will coordinate the CRP so that it is consistent with the review process outlined in the Design Procedure Manual.

Regional Construction Groups will review plans and will consider the “Constructability” of all projects commensurate with project cost, complexity (as outlined above) and risk. The Regional Construction Groups will use the “CHECKLIST FOR CONSTRUCTABILITY REVIEW” as the minimum standard for what to review, when conducting a Constructability review.

When utilizing the checklist the reviewer(s) should address two fundamental questions, can the project be bid rationally and can it be built without significant contract change? The Constructability review should include consideration of economics, availability of materials, site restrictions, local conditions that may affect the construction process, environmental considerations, maintenance and protection of traffic and construction safety. Each of these components is defined on the attached checklist along with some pertinent criteria that should be addressed during design development. The questions listed under each component are not intended to be mutually exclusive nor are they meant to be all inclusive.

RESPONSIBILITY FOR REVIEWS. The Regional Construction Engineer will be responsible for assuring that Regional Construction Groups have qualified construction engineers assigned to a plan review function and that the primary objective of that plan review process is the “constructability” of the proposed plans. In most cases, this function can be performed within the Regional Construction Group as a routine responsibility. Often, the Construction Supervisor (Job Manager) is assigned this responsibility. In certain other cases, a Regional Construction Engineer may determine that an Independent Constructability Review is required,

utilizing some combination of resources from within or Consultants. The Construction Division will be notified of the initiation of each Independent Review, and the Regional Director will be kept informed of the progress of the review. Should the need arise for outside assistance, consultant assistance may be obtained through the Construction Division. Consultant services could be acquired through a Design Services Agreement, new designation, or in rare instances, through the project design agreement.

INDEPENDENT CONSTRUCTABILITY REVIEW. An independent constructability review is a formal review of all project data and documents by a specially selected independent team.

The independent constructability review team will be comprised of individuals with experience in the various aspects of design and construction required for the project at hand. The size of the team will depend on the complexity, regional significance or state significance, and the number of experts from other program areas needed to conduct an effective and timely review. The team will be chaired by a staff person from the Regional Construction Group selected by the Regional Construction Engineer.

TIMING OF REVIEWS. Constructability reviews for all projects should be performed at such a time when the design details are sufficiently completed to facilitate a meaningful review. The review should be conducted no later than the ADP phase. For large projects the Region may want to conduct the review during earlier phases of project design. The Constructability review should be coordinated with the Value Engineering review conducted during design, to ensure that the alternative construction methods adopted as a result of the Value Engineering review are considered when performing the Constructability review. Additionally, the designer must be given sufficient time to incorporate the recommended changes, if they are appropriate.

SCOPE AND DOCUMENTATION OF REVIEW. The individuals selected to perform the constructability review, i.e., construction group staff or the independent review team, will receive a thorough briefing of the project by the project designer and examine the project site (if appropriate). They should receive all available pertinent reference materials, including the design approval document, advanced detail plans, any special specifications or special notes, the construction schedule, Baseline Data provided on CONR 9I, ECOPAC, utility & railroad agreements if available. A reevaluation of decisions made during design phases I-IV should not to be undertaken as part of the constructability review, unless major issues are found. The reviewer(s) will address as a minimum, each of the items listed in the "CHECKLIST FOR CONSTRUCTABILITY REVIEW" of this EI that applies to the project. Additional criteria concerning the bidding or building of the project will be identified by the reviewers on a project by project basis.

Constructability issues that are identified by the reviewer and/or review team will be documented in a memorandum to the Regional Design Engineer and the Project Manager, who will share the information with the RPPM to assess program implications. After review and consideration the Regional Design Engineer, will document the reasons for their course of action concerning each recommendation in a memorandum to the Regional Construction Group, Project Manager and the RPPM. For reviews conducted by an Independent Review team, a copy of the above transmittals will be sent to the Construction Division. .

Constructability reviews performed by independent review teams must be documented in a report prepared addressing , at a minimum the topics outlined in the checklist. The completed report will be submitted to the Regional Director, Regional Design Engineer, Project Manager and the RPPM for their consideration regarding changes to the contract documents. An informational copy must also be provided to the Main Office Construction Division and the Design Division. After review and consideration of the recommendations contained in the report, the Regional Design Engineer must document the reasons for their course of action concerning each recommendation and provide a copy to the independent review team, RPPM, Regional Director, Construction Division, and the Design Division.

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ACTIONS BY THE MAIN OFFICE. The “CHECKLIST FOR CONSTRUCTABILITY REVIEW.” will be continuously updated based on project site visits conducted by the Construction Division’s Engineering Liaisons during construction , Regional feedback, and disputed work reviews.

COST IMPACT. Constructability reviews as currently conducted should reduce the number of change orders, delays and disputes during construction, resulting in a net savings for the State. The changes introduced in this EI will have a negligible additional cost to the capital construction program.

CONTACT PERSON. Questions regarding this Engineering Instruction concerning interpretation should be directed to Lou DiLillo. Questions concerning the project related issues should be directed to John Grady. They may be reached at (518) 457-6475.

**CHECKLIST
FOR
CONSTRUCTABILITY REVIEW**

PIN # _____ Reviewer(s) _____
 D# _____
 Designer _____
 Projected Letting Date _____
 Date Review Started _____
 Date Review Completed _____

The following is a checklist of project items (if applicable to the project) that need to be reviewed during a Constructability Review :

	Description	YES	NO	NA	MORE INFO NEEDED
I.	BIDDABILITY				
	<i>The clarity of the final plan and proposal to the bidders so that they may submit a fair and accurate bid.</i>				
1	Are bidders unnecessarily restricted in their bids, or has the appropriate degree of flexibility been included in the bidding documents?				
2	Information sufficient to avoid major field changes?				
3	Coordination and agreements with appropriate agencies/parties?				
4	Permits been identified and sufficient time allowed to secure?				
5	MP&T plans adequate and complete?				
6	MP&T plans too restrictive?				
7	Items appropriate?				
8	Items omitted?				
9	Cross referencing between various contract documents consistent?				

**CHECKLIST
FOR
CONSTRUCTABILITY REVIEW**

	Description	YES	NO	NA	MORE INFO NEEDED
II.	BUILDABILITY				
	<i>The accuracy and completeness of the contract plans so that the design as shown on the final plans can be built.</i>				
A.	Site Investigation				
1	Sufficient field investigation been done to ascertain that contract work can be performed as shown on plans?				
2	Current site survey (horizontal & vertical controls)?				
3	Subsurface exploration?				
4	Utility investigation?				
5	Current traffic counts?				
6	Structural inspection?				
7	Emergency/interim structural repairs been considered?				
B.	Right of Way				
1	Sufficient R.O.W. available for all operations				
2	Equipment, material and hazardous waste storage?				
3	Staging?				
4	Field Office?				
5	Access requirements?				
6	Access to work areas?				
C.	Construction Staging				
1	Phased to provide minimum number of stages and reasonable work areas and access?				
2	Are there areas with restricted access?				
3	Are widths of work zones and travel lanes adequate?				

**CHECKLIST
FOR
CONSTRUCTABILITY REVIEW**

	Description	YES	NO	NA	MORE INFO NEEDED
4	Does staging cause special conditions (i.e., structural adequacy/stability)?				
5	Proposed adjacent contracts, restrictions, constraints identified and accounted for?				
6	Can the details as shown on the plans be constructed using standard industry practices, operations and equipment?				
D.	M&PT/Traffic Control				
1	M&PT requirements realistic for site conditions?				
2	Are lane closures reasonable for traffic volumes?				
3	Adequate provisions for access for pedestrians and abutting properties?				
4	Signing and traffic control adequate?				
5	Can construction operations be carried out safely under M&PT and staging?				
6	Design adequate for averting delays /congestion?				
7	Is a detour necessary for averting delays /congestion?				
E.	Schedule				
1	Length of time and production rates for work reasonable?				
2	Is sequence of construction reasonable?				
3	Seasonal limits on construction operations?				
4	Utility relocation schedule reasonable?				
5	Regulatory permit restrictions?				
6	Processing of shop drawings and related approvals?				
7	Materials ordering, fabrication and delivery requirements				
8	Restricted hours impact on production?				

THE CITY OF NEW YORK
DEPARTMENT OF TRANSPORTATION
DIVISION OF BRIDGES

ACKNOWLEDGEMENT RECEIPT OF ADDENDUM #1

Resident Engineering Inspection Services in Connection
Reconstruction of Claremont Parkway Bridge over Metro North Rail Road
Contract No. HBX1160A
PIN: 84110BXBR431

Addendum #1

TOGETHER WITH ALL WORK INCIDENTAL THERETO

I, _____
(NAME AND TITLE)

A duly authorized representative of
(NAME OF PROPOSERS)

Acknowledge receipt of Addendum No. 1 dated August 17, 2009 for the
Contract No. HBX1160A