



STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION  
16 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0016

Janet T. Mills  
GOVERNOR

Bruce A. Van Note  
COMMISSIONER

February 8, 2023  
Subject: On Call Arborist Services  
State WIN: PH2023118ARB  
Location: **Regions 1, 2, 3, 4 & 5**  
**Amendment No. 1**

Dear Sir/Ms.:

Please make the following changes to the Bid Documents:

In the Bid Book:

**CHANGE** on page 9, in the "NOTICE TO CONTRACTORS", the bid opening date in the first paragraph from "February 8, 2023" to read "**February 15, 2023**". Make this change in pen and ink.

The following questions have been received:

**Question:** Would DOT be open to amending the indemnification language to make negligence comparative between Asplundh and DOT rather than sole negligence?

1. Section 110.1 – Add new last sentence, "Upon settlement of such claims, suits, losses, damages, injuries or deaths, each Party shall be ultimately liable under this section for the settlement costs and claim expenses based on its pro rata share of negligence as determined by a court of competent jurisdiction, mediation, arbitration, agreement of the Parties or otherwise."

**Response:** The Department would not accept the additional sentence but is open to deleting Standard Specification Section 110.1 Indemnification, pending insurance certifications and related considerations.

**Question:** Is a pulp truck with a brush bin a suitable substitute for chipper and crew for handling brush?

**Response:** For some work, we require chippers so the material will stay where it was cut. Hauling the material to a different location is not an acceptable substitution.

Consider these changes and information prior to submitting your bid on **February 15, 2023**.

Sincerely,

For 

George M. A. Macdougall P.E.  
Contracts & Specifications Engineer