



PAT McCRORY  
Governor

NICHOLAS J. TENNYSON  
Secretary

December 2, 2015

**Addendum No. 1**

RE: Contract # C203498  
WBS # 33507.2.FD1  
F. A. # BRZ-1002(13)  
**Jackson County (B-4159)**  
Bridge #108 Over Little Tuckasegee River On SR-1002

**December 15, 2015 Letting**

To Whom It May Concern:

Reference is made to the proposal form furnished to you on this project.

The following revisions have been made to the proposal:

Page No.	Revisions
Proposal Cover	Note added that reads "Includes Addendum No. 1 Dated 12-2-15"
P-1	Revised to include the note at the bottom of the page concerning the USACE modification
New P-81 thru P-85	New pages to include USACE Modification #1

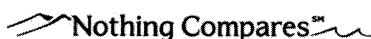
Please void the Proposal Cover and Page No. P-1 in your proposal and replace with the attached revised pages. Please add new Pages Nos. P-81 thru P-85 after existing Page No. P-80 in your proposal.

Sincerely,

R. A. Garris, PE  
Contract Officer

RAG/jag

- cc: Mr. Ron Hancock, PE
- Mr. Ed Green, PE
- Mr. Rodger Rochelle, PE
- Mr. R.E. Davenport, PE
- Project File (2)
- Mr. Ray Arnold, PE
- Ms. Theresa Canales, PE
- Ms. Marsha Sample
- Mr. Mike Gwyn
- Ms. Lori Strickland



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
RALEIGH, N.C.

PROPOSAL

**INCLUDES ADDENDUM No. 1 DATED 12-02-15**

DATE AND TIME OF BID OPENING: **DECEMBER 15, 2015 AT 2:00 PM**

CONTRACT ID      C203498  
WBS                33507.2.FD1

FEDERAL-AID NO. BRZ-1002(13)  
COUNTY           JACKSON  
T.I.P. NO.         B-4159  
MILES              0.294  
ROUTE NO.         SR 1002  
LOCATION            BRIDGE #108 OVER TUCKASEGEE RIVER ON SR-1002.

TYPE OF WORK    GRADING, DRAINAGE, PAVING, SIGNALS, AND STRUCTURE.

**NOTICE:**

ALL BIDDERS SHALL COMPLY WITH ALL APPLICABLE LAWS REGULATING THE PRACTICE OF GENERAL CONTRACTING AS CONTAINED IN CHAPTER 87 OF THE GENERAL STATUTES OF NORTH CAROLINA WHICH REQUIRES THE BIDDER TO BE LICENSED BY THE N.C. LICENSING BOARD FOR CONTRACTORS WHEN BIDDING ON ANY NON-FEDERAL AID PROJECT WHERE THE BID IS \$30,000 OR MORE, EXCEPT FOR CERTAIN SPECIALTY WORK AS DETERMINED BY THE LICENSING BOARD. BIDDERS SHALL ALSO COMPLY WITH ALL OTHER APPLICABLE LAWS REGULATING THE PRACTICES OF ELECTRICAL, PLUMBING, HEATING AND AIR CONDITIONING AND REFRIGERATION CONTRACTING AS CONTAINED IN CHAPTER 87 OF THE GENERAL STATUTES OF NORTH CAROLINA. NOTWITHSTANDING THESE LIMITATIONS ON BIDDING, THE BIDDER WHO IS AWARDED ANY FEDERAL - AID FUNDED PROJECT SHALL COMPLY WITH CHAPTER 87 OF THE GENERAL STATUTES OF NORTH CAROLINA FOR LICENSING REQUIREMENTS WITHIN 60 CALENDAR DAYS OF BID OPENING.

**BIDS WILL BE RECEIVED AS SHOWN BELOW:**

**THIS IS A ROADWAY & STRUCTURE PROPOSAL**

**5% BID BOND OR BID DEPOSIT REQUIRED**

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**PROJECT SPECIAL PROVISION**

(10-18-95) (Rev. 10-15-13)

Z-1

**PERMITS**

The Contractor's attention is directed to the following permits, which have been issued to the Department of Transportation by the authority granting the permit.

<b><u>PERMIT</u></b>	<b><u>AUTHORITY GRANTING THE PERMIT</u></b>
Dredge and Fill and/or Work in Navigable Waters (404)	U. S. Army Corps of Engineers
Water Quality (401)	Division of Environmental Management, DENR State of North Carolina
TVA	Tennessee Valley Authority

The Contractor shall comply with all applicable permit conditions during construction of this project. Those conditions marked by \* are the responsibility of the Department and the Contractor has no responsibility in accomplishing those conditions.

Agents of the permitting authority will periodically inspect the project for adherence to the permits.

The Contractor's attention is also directed to Articles 107-10 and 107-13 of the *2012 Standard Specifications* and the following:

Should the Contractor propose to utilize construction methods (such as temporary structures or fill in waters and/or wetlands for haul roads, work platforms, cofferdams, etc.) not specifically identified in the permit (individual, general, or nationwide) authorizing the project it shall be the Contractor's responsibility to coordinate with the Engineer to determine what, if any, additional permit action is required. The Contractor shall also be responsible for initiating the request for the authorization of such construction method by the permitting agency. The request shall be submitted through the Engineer. The Contractor shall not utilize the construction method until it is approved by the permitting agency. The request normally takes approximately 60 days to process; however, no extensions of time or additional compensation will be granted for delays resulting from the Contractor's request for approval of construction methods not specifically identified in the permit.

**Where construction moratoriums are contained in a permit condition which restricts the Contractor's activities to certain times of the year, those moratoriums will apply only to the portions of the work taking place in the waters or wetlands provided that activities outside those areas is done in such a manner as to not affect the waters or wetlands.**

**NOTE: Includes USACE Modification #1 - See pages 81 - 85**

**U.S. ARMY CORPS OF ENGINEERS  
WILMINGTON DISTRICT**

Action ID. 2014-02330 TIP No. B-4159 Modification #1

County: Jackson

**GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION**

Property Owner / Authorized Agent: North Carolina Department of Transportation  
Attn: Mr. Richard W. Hancock, P.E.

Address: 1598 Mail Service Center  
Raleigh, North Carolina 27699-1598

Telephone No.: 919-707-6103

Size and location of property (water body, road name/number, town, etc.): The project is located at Bridge No. 108 over the Tuckasegee River on SR 1002 in Cullowhee, Jackson County, North Carolina.

Description of project area and activity: A Nationwide Permit (NWP) verification letter was issued by this office on January 14, 2015, and authorized NCDOT to impact waters of the U.S. (temporary work pads and bank stabilization) in order to replace Bridge No. 108/TIP No. B-4159. After issuance of the NWP verification letter, it was determined that the existing water line would have to be replaced, as it is closer to the bridge bents than previously believed, and will likely be destroyed during construction. Because of this, NCDOT must provide a temporary water line until the new line on the bridge is complete. NCDOT estimates that this temporary line will be in place for one year. The summary below reflects the additional impact to waters of the U.S. for the temporary water line, as well as the previously authorized impacts.

**Summary of Authorized Impacts and Required Mitigation**

Impact ID #	NWP/ GP #	Open Water (ac)		Wetland (ac)		Stream	
		Temporary	Permanent	Temporary	Permanent	Temporary	Permanent
Site 1 (Tuckasegee River)	<u>13 and 33</u>					<b>0.19 acre*</b> <b>(temporary work pads)</b>	<b>185 lf*</b> <b>(bank stabilization)</b>
Site 2 (Tuckasegee River)	<u>12</u>					<b>125 sq ft/0.003 acre</b> <b>(temporary water line)</b>	
<b>Impact Totals</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.193 acre</b>	<b>185 lf</b>
Total Loss of Waters of the U.S. (ac)		<b>0</b>		Total Loss of Waters of the U.S. (lf)		<b>0</b>	
Required Wetland Mitigation (ac)		<b>0</b>		Required Stream Mitigation (lf)		<b>0</b>	

\*Post bridge construction, the work pad material will be removed except for the material along the banks; the material left in place will constitute the 185 lf of bank stabilization authorized above.

Applicable Law:  Section 404 (Clean Water Act, 33 USC 1344)  
 Section 10 (Rivers and Harbors Act, 33 USC 403)

Authorization: Regional General Permit Number:  
Nationwide Permit Number: 12, 13, and 33

Your work is authorized by the above referenced permit provided it is accomplished in strict accordance with the attached conditions, your submitted plans, and the following special conditions:

**Special Conditions**

1. All work must be performed in strict compliance with the description of work and plans in the application dated July 16, 2014, and the project modification received on October 7, 2015 (temporary 12" water line). Any modification to the description of work and/or the permit plans must be approved by the USACE prior to implementation.
2. All tree clearing activities shall occur between October 15<sup>th</sup> and April 15<sup>th</sup> of any year.
3. Work shall be conducted in accordance with the attached letter from the U.S. Fish and Wildlife Service dated June 27, 2014.
4. The project must be implemented and/or conducted so that all reasonable and practicable measures to ensure that equipment, structures, fill pads, and work associated with the project do not adversely affect upstream and/or downstream reaches. Adverse effects include, but are not limited to, channel instability, flooding, and/or shoreline/streambank erosion. During construction, the permittee shall routinely monitor for these effects, cease all work if/when detected, take initial corrective measures to correct actively eroding areas, and notify the USACE immediately. Permanent corrective measures may require additional authorization from the USACE.
5. All conditions of the attached North Carolina Wildlife Resources Commission letter of August 22, 2014, are hereby incorporated as special conditions of this permit.
6. The permittee shall require its contractors and/or agents to comply with the terms and conditions of this authorization letter in the construction and maintenance of this project, and shall provide each of its contractors and/or agents associated with the construction or maintenance of this project with a copy of this authorization letter, all conditions, and any authorized modifications. A copy of this authorization letter, all conditions, and any authorized modifications, shall be available at the project site during construction and maintenance of this project.
7. This permit does not authorize temporary placement or double handling of excavated or fill material within waters or wetlands outside the permitted area.
8. The permittee will report any violation of these conditions or violations of Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act in writing to the Wilmington District, U. S Army Corps of Engineers, within 24 hours of the permittee's discovery of the violation.

Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order, a Class I administrative penalty, and/or appropriate legal action.

This verification will remain valid until the expiration date identified below unless the nationwide authorization is modified, suspended or revoked. If, prior to the expiration date identified below, the nationwide permit authorization is reissued and/or modified, this verification will remain valid until the expiration date identified below, provided it complies with all requirements of the modified nationwide permit. If the nationwide permit authorization expires or is suspended, revoked, or is modified, such that the activity would no longer comply with the terms and conditions of the nationwide permit, activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon the nationwide permit, will remain authorized provided the activity is completed within twelve months of the date of the nationwide permit's expiration, modification or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend or revoke the authorization.

Activities subject to Section 404 (as indicated above) may also require an individual Section 401 Water Quality Certification. You should contact the NC Division of Water Resources (telephone 919-807-6300) to determine Section 401 requirements.

For activities occurring within the twenty coastal counties subject to regulation under the Coastal Area Management Act (CAMA), prior to beginning work you must contact the N.C. Division of Coastal Management.

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This Department of the Army verification does not relieve the permittee of the responsibility to obtain any other required Federal, State or local approvals/permits.

If there are any questions regarding this verification, any of the conditions of the Permit, or the Corps of Engineers regulatory program, please contact Lori Beckwith at 828-271-7980.

Corps Regulatory Official: Lori Beckwith

Date: November 12, 2015

Expiration Date of Verification: March 18, 2017

**Determination of Jurisdiction:**

- A.  Based on preliminary information, there appear to be waters of the US including wetlands within the above described project area. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process ( Reference 33 CFR Part 331).
- B.  There are Navigable Waters of the United States within the above described project area subject to the permit requirements of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- C.  There are waters of the US and/or wetlands within the above described project area subject to the permit requirements of Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- D.  The jurisdictional areas within the above described project area have been identified previously in a Preliminary Jurisdictional Determination issued by the USACE on January 14, 2015, under this file number.
- E. **Basis of Jurisdictional Determination:** A basis is not required for a PJD, however the stream channel in the project area is the Tuckasegee River, which is a TNW. The Tuckasegee River flows to Lake Fontana. Lake Fontana is a water of the U.S. regulated pursuant to Section 10 of the Rivers and Harbors Act of 1899. This PJD applies to the impact areas only.

**Attention USDA Program Participants**

This delineation/determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the particular site identified in this request. The delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

Corps Regulatory Official: Lori Beckwith

PJD was issued on: January 14, 2015

Expiration Date: N/A for PJD

Copies furnished by email:

USFWS – Mr. Jason Mays and Mr. Andrew Henderson

NCDOT - Mr. Michael Turchy and Ms. Carla Dagnino

# P-85

Permit Number: 2014-02330 TIP No. B-4159 Modification #1

Permit Type: NW12, 13, and 33

Name of County: Jackson

Name of Permittee: North Carolina Department of Transportation  
Attn: Richard W. Hancock, P.E.

Date of Issuance: November 11, 2015

Project Manager: Lori Beckwith

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers  
Attention: CESA W-RG-A  
151 Patton Avenue, Room 208  
Asheville, North Carolina 28801-5006

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. Failure to comply with any terms or conditions of this authorization may result in the Corps suspending, modifying or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.

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Signature of Permittee

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Date