

DATE: July 07, 2010

CONTRACT ID: DO00043  
WBS ELEMENT: 42817.1.1  
TIP No.: B-5220

CONTRACTING AGENCY  
STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
RALEIGH, NORTH CAROLINA

Request For Proposals For: Bridge Replacement with  
Prestressed Concrete Cored Slabs  
Person County  
Bridge Number 93

Proposals subject to the conditions made a part hereof will be received until 2:00 P.M., Tuesday, August 10, 2010 and then publicly opened for furnishing the services as described herein.

Opening of proposals to be in the Conference Room (N. C. Department of Transportation, Bridge Management Unit), 4809 Beryl Road, Raleigh, North Carolina.

Send all proposals directly to the issuing agency:

N. C. DEPARTMENT OF TRANSPORTATION  
BRIDGE MANAGEMENT UNIT  
4809 BERYL ROAD  
RALEIGH, NORTH CAROLINA 27606

ATTENTION: Mr. Dan Holderman, P.E.

NOTE: Please indicate project number, bridge number and opening date on the bottom left hand corner of your envelope.

Wetherill Engineering Inc.  
559 Jones Franklin Road Suite 164  
Raleigh, NC 27606  
License No. F-0377



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## PRE-QUALIFYING TO BID

In order to qualify to bid on this contract, all prospective Bidders must attend the Pre-Bid Conference.

All prospective Bidders shall be pre-qualified with the Department of Transportation prior to submitting a bid. Contractors who are not pre-qualified may obtain information and forms for pre-qualifying from:

Contractual Services Unit  
State Contractual Services Engineer:  
Greg Keel, PE  
Tel .(919) 733-7174  
Fax (919) 715-7378

All required pre-qualification statements and documents shall be filed with the State Contractual Services Engineer at least two weeks prior to the date of opening bids.

## PRE-BID CONFERENCE

All prospective Bidders shall attend a Pre-Bid Conference at the location indicated below. This Conference will be conducted by Department personnel for the purpose of providing additional information about the project and to give Bidders an opportunity to ask any questions they may have. Only bids received from Bidders who have attended and properly registered at the Pre-Bid Conference will be considered.

No questions concerning the project will be answered by any Department personnel at any time except at the Pre-Bid Conference.

Attendance at the Pre-Bid Conference will not meet the requirements of proper registration unless the individual attending has registered at the Conference in accordance with the following:

1. The individual signs his or her name on the official roster;
2. The individual writes in the name and address of the company he or she represents; and
3. Only one company is shown as being represented by the individual attending.
4. The individual must be an officer or permanent employee of the firm they represent.

Bidders are to meet for the Pre-Bid Conference at 1:30 P.M. on Thursday, July 22, 2010 in the State Bridge Management Unit conference room in the NCDOT Maintenance office building at 4809 Beryl Road, which is directly across (south) from the NC State Fairgrounds in Raleigh, NC, Wake County. (SEE PRE-BID LOCATION MAP)

## **SPECIAL PROVISION - GENERAL**

### **AVAILABILITY OF FUNDS - TERMINATION OF CONTRACTS**

Payments made on this contract are subject to availability of funds as allocated by the General Assembly. If The General Assembly fails to allocate adequate funds, the Department reserves the right to terminate this contract.

In the event of termination, the Contractor shall be given a written notice of termination at least 60 days before completion of schedule work for which funds are available. In the event of termination, the Contractor shall be paid for the work already performed in accordance with the contract specifications.

### **PREPARATION AND SUBMISSION OF BIDS**

All bids shall be prepared and submitted in accordance with the following listed requirements.

1. The proposal form furnished by the Department shall be used and shall not be taken apart or altered.
2. All entries including signatures shall be written in ink.
3. The amount bid shall be written in figures in the proper place in the proposal form.
4. Changes in any entry shall be made by marking through the entry in ink and making the correct entry adjacent thereto in ink. A representative of the Bidder shall initial the change in ink.
5. The bid shall be properly executed. In order to constitute proper execution, the bid shall show the Contractor's name, address, and Federal Identification Number and shall be signed by an authorized representative. If a corporation, the corporate seal shall be affixed. The bid execution shall be notarized by a notary public whose commission is in effect on the date of execution.
6. The bid shall not contain any unauthorized additions, deletions, or conditional bids.
7. The Bidder shall not add any provision reserving the right to accept to reject an award, or to enter into a contract pursuant to an award.
8. The bid shall be accompanied by a bid bond on the form furnished by the Department or by a bid deposit. The bid bond shall be completely and properly executed in accordance with the requirements of "Bid Bond or Bid Deposit". The bid deposit shall be a certified check or cashiers check in accordance with "Bid Bond or Bid Deposit".

9. The bid shall be placed in a sealed envelope (complete proposal) and shall have been delivered to and received by the Department prior to the time specified in the invitation to bid.

#### REJECTION OF BIDS

Any bid submitted which fails to comply with any of the requirements contained herein shall be considered irregular and may be rejected.

#### AWARD OF CONTRACT

The award of the contract, if it be awarded, will be made to the lowest responsible Bidder. The lowest responsible Bidder will be notified that his bid has been accepted and that he has been awarded the contract.

The North Carolina Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252) and the Regulations of the Department of Transportation (49 C.F.R., Part 21), issued pursuant to such act, hereby notifies all bidders that it will affirmatively insure that the contract entered into pursuant to this advertisement will be awarded to the lowest responsible bidder without discrimination on the grounds of race, color, or national origin.

#### BID BOND OR BID DEPOSIT

Each bid shall be accompanied by a corporate bid bond or a bid deposit of a certified or cashiers check in the amount of at least 5% of the total amount bid for contract. No bid will be considered or accepted unless accompanied by one of the foregoing securities. The bid bond shall be executed by a Corporate Surety licensed to do business in North Carolina and the certified check or cashiers check shall be drawn on a bank or trust company insured by the Federal Deposit Insurance Corporation and made payable to the Department of Transportation in an amount of at least 5% of the total amount bid for the contract. The condition of the bid bond or bid deposit is: the Principal shall not withdraw its bid within 60 days after the opening of the same, and if the contract is awarded to the Principal, the Principal shall within 14 days after the prescribed contract documents are mailed to him for signature, execute such contractual documents as may be required by the terms of the bid and give payment and performance bonds with good and sufficient surety as required for the faithful performance of the contract and for the protection of all persons supplying labor and materials in the prosecution of the work; in the event of the failure of the Principal to enter into such contract and execute such documents as may be required, then the amount of the bid bond shall be immediately paid to the Department as liquidated damages or, in the case of a bid deposit, the deposit shall be forfeited to the Department.

When a bid is secured by a bid bond, the bid bond shall be on the form furnished by the Department. The bid bond shall be executed by both the Bidder and a Corporate Surety licensed under the laws of North Carolina to write such bonds.

The execution by the Bidder shall be in the same manner as required under "Preparation and Submission of Bids" for the proper execution of the bid. The execution by the Corporate

Surety shall be the same as is provided for under "Preparation and Submission of Bids" for the execution of the bid by a corporation. The seal of the Corporate Surety shall be affixed to the bid bond. The bid bond form furnished is for execution of the Corporate Surety by a General Agent or Attorney in Fact. A certified copy of the Power of Attorney shall be attached if the bid bond is executed by a General Agent or Attorney in Fact. The Power of Attorney shall contain a certification that the Power of Attorney is still in full effect as of the date of the execution of the bid bond by the General Agent or Attorney in Fact. If the bid bond is executed by the Corporate Surety by the President, Vice President, or Assistant Vice President, and attested to by the Secretary or Assistant Secretary, then the bid bond form furnished shall be modified for such execution, instead of execution by the Attorney in Fact or the General Agent.

When a bid is secured by a bid deposit (certified check or cashiers check), the execution of a bid bond will not be required.

All bid bonds will be retained by the Department until the contract is executed by the successful Bidder, after which all such bid bonds will be returned to the Bidder or the Surety.

#### PERFORMANCE BOND AND PAYMENT BOND REQUIREMENTS

(This provision is not applicable if the contract amount is less than \$300,000.)

- (A) The successful Bidder, at the time of the execution of the contract, shall provide a contract performance bond in the amount of one hundred percent (100%) of the contract amount, conditioned upon the faithful performance of the contract in accordance with the plans, specifications and conditions of the contract. Such bond shall be solely for the protection of the contracting body which awarded the contract.
- (B) The successful Bidder, at the time of the execution of the contract, shall provide a contract payment bond in the amount of one hundred percent (100%) of the contract amount, conditioned upon the prompt payment for all labor or materials for which a contractor or sub-contractor is liable. The payment bond shall be solely for the protection of the persons furnishing materials or performing labor for which a contractor or subcontractor is liable.

The performance bond and the payment bond shall be executed by one or more surety companies legally authorized to do business in the State of North Carolina and shall become effective upon the awarding of the construction contract.

Before an award is made, the apparent low bidder will be notified in writing to submit to the Purchasing Section, a performance bond and payment bond each in the amount of 100% of the contract.

**DELIVERY OF BIDS**

All bids (complete proposal) shall be placed in a sealed envelope having the name and address of the Bidder, and the Statement:

“Bid for State Highway Project B-5220 for Bridge No. 93 in Person County”,  
on the outside of the envelope. If delivered by mail, the sealed envelope shall be placed in another sealed envelope and the outer envelope addressed to:

N. C. DEPARTMENT OF TRANSPORTATION  
BRIDGE MANAGEMENT UNIT  
4809 BERYL ROAD  
RALEIGH, N. C. 27606

ATTENTION: Dan Holderman, PE

The outer envelope shall also bear the statement:

“Bid for State Highway Project B-5220 for Bridge No. 93 in Person County.”

If delivered in person, the sealed envelope shall be delivered to the office of North Carolina Department of Transportation, Bridge Management Unit, 4809 Beryl Road, Raleigh, NC (South of the NC State Fairgrounds, directly south from Dorton Arena). All bids shall be delivered prior to the time specified in the invitation to bid. Bids received after 2:00 P.M., Tuesday, August 10, 2010 will not be accepted.

## **PROJECT SPECIAL PROVISIONS**

### **I. GENERAL REQUIREMENTS**

#### **A. SCOPE OF WORK**

This work shall consist of furnishing and installing a prestressed concrete cored slab bridge; removal of the existing structure; clearing and grubbing; excavation and embankment; installation of guardrail; installing roadway base course and surface pavement; construction of substructure and superstructure; grading within limits of the project; placement of rip rap; temporary erosion control; seeding and mulching; drainage; and all other incidental items necessary to complete the project as specified and shown on the plans. The Department will be responsible for placement of final pavement markings.

Only the construction centerline, control points with a reference station and benchmark location shall be furnished by the Bridge Management Unit on an initial one time basis. All other engineering, surveying, layout and measurements shall be the responsibility of the contractor.

#### **B. LOCATION AND DESCRIPTION**

The existing 20' clear roadway width bridge consists of one span, for a total bridge length of 20'-6". It has a timber deck on steel I-beams, on timber abutments. It is located on SR-1536 (Depot Street) across Tar River, and is east of SR-1574 and west of SR-1587. This bridge shall be removed and replaced with a prestressed concrete cored slab bridge with approach slabs, and consisting of three spans, 1 @ 45'-1 1/2" and 2 @ 36'-2 1/4" each, on a 90 degree skew and a having a 29'-10" clear roadway width. (SEE BRIDGE LOCATION MAP)

#### **C. CONTRACT TIME AND LIQUIDATED DAMAGES**

The date of availability for this contract is the date the Contractor begins work but not before the issuance of the purchase order and not before September 17, 2010.

The completion date for this contract is One Hundred and Twenty (120) consecutive calendar days after and including the date of availability.

The liquidated damages for this contract are Three Hundred and Fifty Dollars (\$350.00) per calendar day. At the preconstruction conference the Contractor shall declare his expected date for beginning work. Should the Contractor desire to revise this date after the preconstruction conference, the

Contractor shall notify the Engineer in writing at least thirty (30) days prior to the revised date.

D. CONSTRUCTION METHODS

The contractor shall perform all construction activities in accordance with the applicable requirements of the NCDOT Standard Specifications for Roads and Structures dated July 2006, except as otherwise specified herein.

Wherever reference is made in the Specifications to information shown in the plans, such information will be furnished by the Engineer.

E. SITE INVESTIGATION AND REPRESENTATION

The Contractor acknowledges that he has satisfied himself as to the nature of the work, and general and local conditions; particularly those bearing on transportation, availability of labor, State Regulations for safety and security of property, roads, and facilities required for the prosecution of the work and all matters which can in any way affect the work or cost thereof under this contract. Any failure by the Contractor to acquaint himself with all the available information concerning these conditions will not relieve him from the responsibility for estimating properly the difficulty of cost of successfully performing the work.

F. CONTROL OF EROSION, SILT AND POLLUTION

Control of erosion, siltation and pollution shall meet the requirements of section 107-13 of the Standard Specifications for Roads and Structures dated July 2006, and as shown on the plans.

The Contractor may, at his option, submit an alternate plan and sequence by submitting 3 copies of the proposed alternate to the Engineer for approval. Approval must be obtained before construction is started on the alternate plan.

In the event the erosion and sedimentation control plan is not followed or properly maintained, all other work shall be suspended until corrections are made.

G. WETLAND BUFFER FENCING

The outside buffer, wetland or water boundary located within the construction corridor shall be clearly marked by highly visible fencing prior to any land activities. Construction shall not exceed these areas.

#### H. MATERIALS AND TESTING

The Engineer reserves the right to perform all sampling and testing in Accordance with Section 106 of the Standard Specifications and the Department's "Material and Tests Manual". However, the Engineer may reduce the frequency of sampling and testing where he deems it appropriate for the project under construction. All material must be approved by the Engineer prior to being used.

#### I. TRAFFIC CONTROL

The Contractor will be required to give the Engineer a minimum of two (2) weeks written notice before starting work. The Department will be responsible for erection and maintenance of all traffic control devices except for the traffic barricades at the immediate site, which shall be erected by the Department and maintained by the Contractor. The Department will be responsible for striping and all pavement markings.

#### J. INDEMNIFICATION

The Contractor shall indemnify, defend and save harmless, the State, the Department, and all of its officers, agents and employees from all damages, suits, actions or claims brought of any injuries or damages sustained by any person or property on account of the Contractor's operations in connection with the contract. It is specifically understood and agreed that this indemnification agreement does not cover or indemnify the Department for its own negligence, breach of contract, equipment failure or other circumstance of operation beyond the control of the Contractor. The Contractor shall be responsible for and indemnify and save the Department harmless for any and all damages to its property caused by the negligence of the Contractor, its employees or agents in carrying out this contract.

#### K. PROOF OF COVERAGE

Pursuant to N.C.G.S. § 97-19, all contractor/subcontractors of the Department Of Transportation are required to show proof of coverage issued by a workers' compensation insurance carrier, or a certificate of compliance issued by the Department of Insurance for self-insured contractor/subcontractors stating that it has complied with N.C.G.S. § 97-93 irrespective of whether contractor/subcontractors have regularly in service fewer than three employees in the same business within the State of North Carolina, and contractor/subcontractors shall be hereinafter liable under the Workers' Compensation Act for payment of compensation and other benefits to its employees for any injury or death due to an occupational disease or injury-by-accident arising out of and in the course and scope of performance of the work insured by the contractor or subcontractor. Proof is to be obtained prior to services beginning.

L. COMPENSATION

The Department agrees to pay the Contractor the total project bid cost including any bid item overruns, minus any liquidated damages, when he has satisfactorily completed the scheduled work described herein.

M. ADDITIONAL COMPENSATION and/or EXTENSION OF COMPLETION DATE

Any claims for additional compensation and/or extensions of the completion date shall be submitted to the Engineer with detailed justification within thirty (30) days after receipt of final invoice payment. The failure on the part of the Contractor to submit the claim(s) within thirty (30) days shall be a bar to recovery.

N. BASIS OF PAYMENT

Monthly partial payments will be made in accordance with Section 109-4 of the NCDOT Standard Specifications dated July 2006.

O. WORK PROCEDURES AND ASSIGNMENTS

1. ENGINEER

The Engineer for this project through issuance of a purchase order shall be the State Bridge Management Engineer, Division of Highways, North Carolina Department of Transportation, acting directly or through his duly authorized representatives.

After a purchase order is issued, the Engineer for this project shall be the Resident Engineer, Division of Highways, North Carolina Department of Transportation, acting directly or through his duly authorized representatives.

2. AUTHORITY OF THE ENGINEER

The Engineer will decide all questions which may arise as to the quality and acceptability of work performed and as to the rate of progress of the work; all questions which may arise as to the interpretation of the contract; and all questions as to the acceptable fulfillment of the contract on the part of the Contractor. His decision shall be final and he shall have executive authority to enforce and make effective such decisions and orders as the Contractor fails to carry out promptly.

3. CONTRACTOR SUPERVISION

The Contractor shall have a responsible Supervisor for the purpose of supervising, scheduling and coordinating this contract with the Engineer.

4. AVAILABILITY

Provisions shall be made so that a Supervisor can be contacted at any time during the work day during the length of the contract.

P. COMPETITIVE PROPOSALS

Pursuant to the provisions of G.S. 143-54 under penalty of perjury, the signer of this proposal certifies this proposal has not been arrived at collusively nor otherwise in violation of Federal or North Carolina Anti-Trust Laws. All proposals must be signed by the owner or an officer of the firm.

Q. ACCEPTANCE AND REJECTION

The right is reserved by the Contracting Agency to accept or reject all proposals or to waive any informality in the proposals.

R. REMOVAL OF EXISTING STRUCTURE

The Contractor shall be responsible for complete removal of any remaining portion of the existing structures. The Contractor's attention is directed to Article 402-2 of the Standard Specifications.

S. UTILITY CONFLICTS

The Department will be responsible for the adjustment of any utility at the bridge site prior to the date of availability.

T. ASPHALT CONCRETE TYPE(S) B25.0B, I19.0B AND S9.5B

The quantity of Asphalt Concrete Type(s) B25.0B, I19.0B and S9.5B measured as provided in Sections 610 of the Standard Specification, including furnishing all materials and placement, shall be paid for at the contract unit price per ton for "Asphalt Concrete Base Course, Type B25.0B", "Asphalt Concrete Intermediate Course, Type I19.0B" and "Asphalt Concrete Surface Course Type S9.5B".

Asphalt Binder for Plant Mix shall be measured and paid for as provided in Section 620 of the Standard Specifications. Payment for Asphalt Binder for Plant Mix shall be paid for at the contract unit price per ton for "Asphalt Binder for Plant Mix, Type PG 64-22."

The above price and payment shall be full compensation for completing the item in place. No other separate measurement of payment will be made.

U. CLASS II RIP RAP, & CLASS B RIP RAP

Placement of all rip rap shall be in accordance with the Specifications. Filter fabric used in conjunction with rip rap will be paid separately from the Contract unit price for Class II and Class B Rip Rap.

V. STEEL BM GUARDRAIL

Furnish all labor, equipment, materials and incidentals necessary to install guardrail as indicated on the plans, the Roadway Standard Drawings dated July 2006 and the Standard Specifications.

All work covered by this special provision shall be paid for at the unit bid price for "Steel BM Guardrail".

The cost of guardrail delineators and the concrete barrier rails delineators shall be included in the unit bid price for "Steel BM Guardrail."

W. MINIMIZE REMOVAL OF VEGETATION

The Contractor shall minimize removal of vegetation at stream banks and disturbed areas within the project limits as directed.

X. STOCKPILE AREAS

The Contractor shall install and maintain erosion control devices sufficient to contain sediment around any erodible material stockpile areas as directed.

Y. ACCESS AND HAUL ROADS

At the end of each working day, the Contractor shall install or re-establish temporary diversions or earth berms across access/haul roads to direct runoff into sediment devices. Silt fence sections that are temporarily removed shall be reinstalled across access/haul roads at the end of each working day.

Z. WASTE AND BORROW SOURCES

Payment for temporary erosion control measures, except those made necessary by the Contractor's own negligence or for his own convenience, will be paid for in accordance with the related individual contract bid item; with any remaining unlisted erosion items, as may be shown on project plans,

included within and paid by Lump Sum for - “*Generic Grading Item (Excavation and Embankment)*”.

No additional payment will be made for erosion control devices or permanent seeding and mulching in any commercial borrow or waste pit. All erosion and sediment control practices that may be required on a commercial borrow or waste site will be done at the Contractor’s expense.

## II. EXCAVATION AND EMBANKMENT

### Description:

Furnish all labor, equipment, materials, and incidentals necessary to complete applicable items of work defined in Division 2, Division 5, Section 410, Section 412, Section 414, and Section 416 of the July 2006 Standard Specifications for Roads and Structures.

### Materials:

All material shall conform to the Specifications or any applicable contract special provision.

### Construction Methods:

All work shall be performed in accordance with the Specifications or any applicable contract special provision.

### Basis of Payment:

All work covered by this section will be paid for at the contract lump sum bid price for “*Generic Grading Item – (Excavation and Embankment)*”. This price shall be full compensation for all materials, tools, equipment, labor, and for all incidentals necessary to complete the work.

### EMBANKMENTS:

(5-16-06) (Rev 7-21-09)

SP2R18

Revise the *Standard Specifications* as follows:

**Page 2-22, Article 235-3 Materials**, add the following as the second sentence of the second paragraph:

Aerate and dry material containing moisture content in excess of what is required to achieve embankment stability and specified density.

**Page 2-22, Subarticle 235-4(B) Embankment Formation**, add the following:

(16) Do not place rock or broken pavement in embankment areas where piles or drilled shaft foundations are to be constructed. This shall include but not be limited to piles and foundations for structures, metal signal poles, overhead sign structures, and high mount lighting.

### **III. CLEARING AND GRUBBING**

Clearing and grubbing at the site shall have been performed in accordance with Article 200-3, 200-4 and 200-5 of the Standard Specifications. Perform clearing on this project to the limits established by Method "II" shown on Standard No. 200.02 of the *Roadway Standard Drawings*.

Payment for clearing and grubbing will be included at the lump sum bid price for "*Generic Grading Item - (Excavation and Embankment)*". This price shall be full compensation for all materials, tools, equipment, labor, and for all incidentals necessary to complete the work.

### **IV. SHOULDER AND FILL SLOPE MATERIAL:**

(5-21-02)

SP2 R45 A

#### **Description**

Perform the required shoulder and slope construction for this project in accordance with the applicable requirements of Section 226 of the *2006 Standard Specifications* except as follows:

Construct the top 6 inches of shoulder and fill slopes with soils capable of supporting vegetation.

Provide soil with a P.I. greater than 6 and less than 25 and with a pH ranging from 5.5 to 6.8. Remove stones and other foreign material 2 inches or larger in diameter. All soil is subject to test and acceptance or rejection by the Engineer.

Obtain material from within the project limits or approved borrow source.

#### **Measurement and Payment**

No direct payment will be made for this work, as the cost of this work will be considered to be a part of the work being paid for at the contract lump sum price for "*Generic Grading Item - (Excavation and Embankment)*".

### **V. BRIDGE APPROACH FILL – SUB REGIONAL TIER:**

(9-16-08)

SP4R02

#### **Description**

This work consists of all work necessary to construct bridge approach fills in accordance with these provisions and the plans, and as directed by the Engineer.

## **Materials**

### **(A) Fabric**

Refer to Section 1056 for Type 1 Engineering Fabric and the following:

Use a non-woven fabric consisting of strong rot-proof synthetic fibers such as polypropylene, polyethylene, or polyester formed into a stable network such that the filaments or yarns retain their relative positions to each other.

Lamination of fabric sheets to produce the physical requirements of a fabric layer will not be accepted. Furnish letters of certification from the manufacturer with each shipment of the fabric attesting that the material meets the requirements of this provision; however, the material is subject to inspection, test, or rejection by the Engineer at any time.

During all periods of shipment and storage, wrap the fabric in a heavy-duty protective covering to protect the material from ultraviolet rays. After the protective wrapping has been removed, do not leave the material uncovered under any circumstances for longer than 4 days.

### **(B) Stone Backfill**

Provide # 78M aggregate material meeting the requirements of Section 1005 of the *Standard Specifications*.

### **(C) 4 inch Diameter Corrugated Drainage Pipe and Fittings**

Provide pipe and fittings that meet all the applicable requirements of Section 815 or 816 of the *Standard Specifications*.

## **Construction Methods**

Place the fabric as shown on the plans or as directed by the Engineer. Perform the excavation for the fabric fill to the limits shown on the plans. Provide an excavated surface free of obstructions, debris, pockets, stumps, and cleared of all vegetation. The fabric will be rejected if it has defects, rips, holes, flaws, deterioration or damage incurred during manufacture, transportation, handling or storage. Lay the fabric smooth, and free from tension, stress, folds, wrinkles or creases.

Deposit and spread stone material in successive, uniform, approximately horizontal layers of not more than 10 inches in depth, loose measurement, for the full width of the cross section, and keep each layer approximately level. Place and compact each layer of select material fill no more than 10 inches thick with low ground pressure equipment. Use hand operated equipment to compact the fill material within three feet of the backwall and wingwalls as directed by the Engineer. Compact stone material to the satisfaction of the Engineer. No equipment will be allowed to operate

on the drainage pipe or any fabric layer until it is covered with at least six inches of fill material. Compaction shall not damage the drainage pipe or fabric under the fill. Cover the fabric with a layer of fill material within four days after placement of the fabric. Fabric that is damaged as a result of installation will be replaced as directed by the Department at no additional cost.

Place the fabric on the ground, and attach and secure it tightly to the vertical face of the backwall and wingwalls with adhesives, duct-tape, nails or any other method approved by the Engineer.

Place four inch diameter perforated drainage pipe along the base of the backwall and sloped to drain as shown on the plans. Install a pipe sleeve through the bottom of or under the wing wall prior to placing concrete for the wing wall. The pipe sleeve shall be of adequate strength to withstand the wingwall load. Place the pipe sleeve in position to allow the drainage pipe to go through the wing wall with a proper slope. Connect four-inch diameter nonperforated (plain) drainage pipe with a coupling to the perforated pipe near the inside face of the wingwall. Place the nonperforated drainage pipe through the pipe sleeve, extend down to the toe of the slope and connect, to a ditch or other drainage systems as directed by the Engineer. For bridge approaches in cut sections where no side slope is available, direct the drainage pipe outlet to the end slope down to the toe using elbows as directed by the Engineer.

### **Measurement and Payment**

*Bridge Approach Fill – Sub Regional Tier, Station 15+74.26 –L-* will be paid for at the contract lump sum price. Such price and payment will be full compensation for both approach fills at each bridge installation, including but not limited to furnishing, placing and compacting stone material, furnishing and placing fabric, furnishing and placing pipe sleeve and drainage pipe, furnishing and installing concrete pads at the end of outlet pipes, excavation and all material, labor, tools and equipment necessary to complete the work.

Payment will be made under:

<b>Pay Item</b>	<b>Pay Unit</b>
Bridge Approach Fill – Sub Regional Tier, Station 15+74.26 –L-	Lump Sum

## **VI. FINE GRADING SUBGRADE, SHOULDERS AND DITCHES:**

(7-21-09)

SP5R01

Revise the *Standard Specifications* as follows:

**Page 5-1, Article 500-1 Description**, replace the first sentence with the following:

Perform the work covered by this section including but not limited to preparing, grading, shaping, manipulating moisture content, and compacting either an unstabilized or stabilized roadbed to a condition suitable for placement of base course, pavement, and shoulders.

**VII. ASPHALT PAVEMENTS - SUPERPAVE:**

(7-18-06) (Rev 4-20-10)

SP6 R01

Revise the *2006 Standard Specifications* as follows:

**Page 6-2, Article 600-9 Measurement and Payment, delete the second paragraph.**

**Page 6-12, Subarticle 609-5(C)2, Required Sampling and Testing Frequencies, first partial paragraph at the top of the page, delete last sentence and add the following:**

If the Engineer allows the mix to remain in place, payment will be made in accordance with Article 105-3.

**Page 6-12, Subarticle 609-5(C)2, QUALITY CONTROL MINIMUM SAMPLING AND TESTING SCHEDULE**

**First paragraph, delete and replace with the following.**

Sample and test the completed mixture from each mix design per plant per year at the following minimum frequency during mix production:

**Second paragraph, delete the fourth sentence, and replace with the following**

When daily production of each mix design exceeds 100 tons and a regularly scheduled full test series random sample location for that mix design does not occur during that day's production, perform at least one partial test series consisting of Items A and B in the schedule below.

**Page 6-12, Subarticle 609-5(C)2(c) Maximum Specific Gravity, add after (AASHTO T 209):**

*or ASTM D 2041*

**Page 6-13, last line and on page and Page 6-14, Subarticle 609-5(C)(2)(e) Tensile Strength Ratio (TSR), add a heading before the first paragraph as follows:**

- (i) Option 1

**Insert the following immediately after the first paragraph:**

## (ii) Option 2

Mix sampled from truck at plant with one set of specimens prepared by the Contractor and then tested jointly by QA and QC at a mutually agreed upon lab site within the first 7 calendar days after beginning production of each new mix design.

**Second paragraph, delete and replace with the following:**

Test all TSR specimens required by either option noted above on either a recording test press or a test press that maintains the peak load reading after the specimen has broken.

**Subarticle 609-5(C)(3) Control Charts, delete the second sentence of the first paragraph and replace with the following:**

For mix incorporated into the project, record full test series data from all regularly scheduled random samples or directed samples that replace regularly scheduled random samples, on control charts the same day the test results are obtained.

**Page 6-15, Subarticle 609-5(C)(3) Control Charts, first paragraph on this page, delete the last sentence and substitute the following:**

Denote the moving average control limits with a dash green line and the individual test limits with a dash red line.

**Subarticle 609-5(C)(3)(a), (b) and (c), replace (a) (b) and (c) with the following:**

- (a) A change in the binder percentage, aggregate blend, or  $G_{mm}$  is made on the JMF, or,
- (b) When the Contractor elects to stop or is required to stop production after one or two moving average values, respectively, fall outside the moving average limits as outlined in subarticle 609-5(C)6 or,
- (c) If failure to stop production after two consecutive moving averages exceed the moving average limits occurs, but production does stop at a subsequent time, re-establish a new moving average beginning at the actual production stop point.

**Subarticle 609-5(C)(4) Control Limits, replace the first paragraph and the CONTROL LIMITS Table on page 6-16 with the following.**

The following are established as control limits for mix production. Apply the individual limits to the individual test results. Control limits for the moving average limits are based on a moving average of the last 4 data points. Apply all control limits to the applicable target source.

**CONTROL LIMITS**

Mix Control Criteria	Target Source	Moving Average Limit	Individual Limit
2.36 mm Sieve	JMF	±4.0 %	±8.0 %
0.075mm Sieve	JMF	±1.5 %	±2.5 %
Binder Content	JMF	±0.3 %	±0.7 %
VTM @ N <sub>des</sub>	JMF	±1.0 %	±2.0 %
VMA @ N <sub>des</sub>	Min. Spec. Limit	Min Spec. Limit	-1.0%
P <sub>0.075</sub> / P <sub>be</sub> Ratio	1.0	±0.4	±0.8
%G <sub>mm</sub> @ N <sub>ini</sub>	Max. Spec. Limit	N/A	+2.0%
TSR	Min. Spec. Limit	N/A	- 15%

**Page 6-16, Subarticle 609-5(C)(5) Warning Bands, delete this subarticle in its entirety.**

**Pages 6-16 through 6-19, Subarticle 609-5(C)(6), delete the word "warning" and substitute the words "moving average".**

**Page 6-16, Subarticle 609-5(C)(6) Corrective Actions, first paragraph, first sentence, delete and replace with the following:**

Immediately notify the Engineer when moving averages exceed the moving average limits.

**Page 6-17, third full paragraph, delete and replace with the following:**

Failure to stop production when required due to an individual mix test not meeting the specified requirements will subject all mix from the stop point tonnage to the point when the next individual test is back on or within the moving average limits, or to the tonnage point when production is actually stopped, whichever occurs first, to being considered unacceptable.

**Sixth full paragraph, delete the first, second, and third sentence and replace with the following:**

Immediately notify the Engineer when any moving average value exceeds the moving average limit. If two consecutive moving average values for any one of the mix control criteria fall outside the moving average limits, cease production of that mix, immediately notify the Engineer of the stoppage, and make adjustments. The

Contractor may elect to stop production after only one moving average value falls outside the moving average limits.

**Page 6-18, Subarticle 609-5(C)(6) Corrective Actions second full paragraph, delete and replace with the following:**

If the process adjustment improves the property in question such that the moving average after four additional tests is on or within the moving average limits, the Contractor may continue production with no reduction in payment

**Page 6-18, delete the third and fourth full paragraphs, including the Table for Payment for Mix Produced in the Warning Bands and substitute the following:**

If the adjustment does not improve the property in question such that the moving average after four additional individual tests is outside the moving average limits, the mix will be evaluated for acceptance in accordance with Article 105-3. Reduced payment for or removal of the mix in question will be applied starting from the plant sample tonnage at the stop point to the sample tonnage when the moving average is on or within the moving average limits. In addition, any mix that is obviously unacceptable will be rejected for use in the work.

**Page 6-19, First paragraph, delete and replace with the following:**

Failure to stop production and make adjustments when required due to two consecutive moving average values falling outside the moving average limits will subject all mix produced from the stop point tonnage to the tonnage point when the moving average is back on or within the moving average limits or to the tonnage point when production is actually stopped, whichever occurs first, to being considered unacceptable. Remove this material and replaced with materials that comply with the Specifications at no additional costs to the Department, unless otherwise approved. Payment will be made for the actual quantities of materials required to replace the removed quantities, not to exceed the original amounts.

**Page 6-20, Subarticle 609-5(D)(1) General, delete the third full paragraph, and replace with the following:**

Perform the sampling and testing at the minimum test frequencies as specified above. Should the density testing frequency fail to meet the minimum frequency as specified above, all mix without the required density test representation will be considered unsatisfactory. If the Engineer allows the mix to remain in place, payment will be made in accordance with Article 105-3.

**Page 6-22, Subarticle 609-5(D)(4) Nuclear Gauge Density Procedures, third paragraph, insert the following as the second sentence:**

Determine the Daily Standard Count in the presence of the QA Roadway Technician or QA Nuclear Gauge Technician on days when a control strip is being placed.

**Page 6-23, Subarticle 609-5(D)(5) Limited Production Procedure, delete the first paragraph including (a), (b), (c) and substitute the following:**

Proceed on limited production when, for the same mix type and on the same contract, one of the following conditions occur (except as noted in the first paragraph below).

- (a) Two consecutive failing lots, except on resurfacing\*
- (b) Three consecutive failing lots on resurfacing\*
- (c) Two consecutive failing nuclear control strips.

\* Resurfacing is defined as the first new uniform layer placed on an existing pavement.

**Page 6-25, Article 609-6 Quality Assurance, Density Quality Assurance, insert the following items after item (E):**

- (F) By retesting Quality Control core samples from control strips (either core or nuclear) at a frequency of 100% of the frequency required of the Contractor;
- (G) By observing the Contractor perform all standard counts of the Quality Control nuclear gauge prior to usage each nuclear density testing day; or
- (H) By any combination of the above

**Page 6-28, Subarticle 610-3(A) Mix Design-General, delete the fourth and fifth paragraphs and replace with the following:**

Reclaimed Asphalt Pavement (RAP) or Reclaimed Asphalt Shingles (RAS) may be incorporated into asphalt plant mixes in accordance with Article 1012-1 and the following applicable requirements.

Reclaimed asphalt pavement (RAP) may constitute up to 50% of the total material used in recycled mixtures, except for mix Type S 12.5D, Type S 9.5D, and mixtures containing reclaimed asphalt shingle material (RAS). Reclaimed asphalt shingle (RAS) material may constitute up to 6% by weight of total mixture for any mix. When both RAP and RAS are used, do not use a combined percentage of RAS and RAP greater than 20% by weight of total mixture, unless otherwise approved. When the percent of binder contributed from RAS or a combination of RAS and RAP exceeds 20% but not more than 30% of the total binder in the completed mix, the virgin binder PG grade shall be one grade below (both high and low temperature grade) the binder grade specified in Table 610-2 for the mix type, unless otherwise approved. When the percent of binder contributed from RAS or a combination of RAS and RAP exceeds 30% of the total binder in the completed mix, the Engineer will establish and approve the virgin binder PG grade. Use approved methods to determine if any binder grade adjustments are necessary to achieve the performance grade for the specified mix type.

For Type S 12.5D and Type S 9.5D mixes, the maximum percentage of reclaimed asphalt material is limited to 20% and shall be produced using virgin asphalt binder grade PG 76-22. For all other recycled mix types, the virgin binder PG grade shall be as specified in Table 610-2A for the specified mix type.



- Notes:
- (a) Based on 20 year design traffic.
  - (b) When Recycled Mixes are used, select the binder grade to be added in accordance with Subarticle 610-3(A).
  - (c) Volumetric Properties based on specimens compacted to  $N_{des}$  as modified by the Department.
  - (d) AASHTO T 283 Modified (No Freeze-Thaw cycle required). TSR for Type S 4.75A, Type B 25.0B, and Type B 25.0C mixes is 80% minimum.
  - (e) Mix Design Criteria for Type S 4.75A may be modified subject to the approval of the Engineer.

**Page 6-34, Insert the following immediately after Table 610-2:**

**TABLE 610-2A**

**SUPERPAVE MIX DESIGN CRITERIA**

Mix Type	Percentage of RAP in Mix		
	Category 1 % RAP $\leq$ 20%	Category 2 $20.1\% \leq$ %RAP $\leq$ 30.0%	Category 3 %RAP $>$ 30.0%
All A and B Level Mixes, I19.0C, B25.0C	PG 64 -22	PG 64 -22	TBD
S9.5C, S12.5C, I19.0D	PG 70 -22	PG 64-22	TBD
S 9.5D and S12.5D	PG 76-22	N/A	N/A

- Note:
- (1) Category 1 RAP has been processed to a maximum size of 2 inches.
  - (2) Category 2 RAP has been processed to a maximum size of 1 inch by either crushing and or screening to reduce variability in the gradations.
  - (3) Category 3 RAP has been processed to a maximum size of 1 inch, fractionating the RAP into 2 or more sized stockpiles

**Page 6-35, Table 610-3 delete and replace with the following:**

**TABLE 610-3**

**ASPHALT PLACEMENT- MINIMUM TEMPERATURE REQUIREMENTS**

Asphalt Concrete Mix Type	Minimum Air Temperature	Minimum Surface Temperature
ACBC, Type B 25.0B, C, B 37.5C	35°F	35°F
ACIC, Type I 19.0B, C, D	35°F	35°F
ACSC, Type S 4.75A, SF 9.5A, S 9.5B	40°F	50°F*
ACSC, Type S 9.5C, S 12.5C	45°F	50°F
ACSC, Type S 9.5D, S 12.5D	50°F	50°F

\* 35°F if surface is soil or aggregate base for secondary road construction.

**Page 6-44, Article 610-8 Spreading and Finishing, third full paragraph, replace the first sentence with the following:**

Use the 30 foot minimum length mobile grade reference system or the non-contacting laser or sonar type ski *with at least four referencing stations mounted on the paver at a minimum length of 24 feet* to control the longitudinal profile when placing the initial lanes and all adjacent lanes of all layers, including resurfacing and asphalt in-lays, unless otherwise specified or approved.

**Page 6-50, Article 610-13 Density Acceptance, delete the second paragraph and replace with the following:**

As an exception, when the first layer of mix is a surface course and is being placed directly on an unprimed aggregate or soil base, the layer will be included in the "Other" construction category.

**Page 6-50, Article 610-13 Density Acceptance, delete the formula and description in the middle of the page and replace with the following:**

$$PF = 100 - 10(D)^{1.465}$$

where: PF = Pay Factor (computed to 0.1%)  
 D = the deficiency of the lot average density, not to exceed 2.0%

**Page 6-53, Article 620-4 Measurement and Payment:**

**Sixth paragraph, delete the last sentence.**

**Seventh paragraph, delete the paragraph and replace with the following:**

The adjusted contract unit price will then be applied to the theoretical quantity of asphalt binder authorized for use in the plant mix placed during the partial payment period involved, except that where recycled plant mix is used, the adjusted unit price will be applied only to the theoretical number of tons of additional asphalt binder materials required by the job mix formula.

**Page 6-69, Table 660-1 Material Application Rates and Temperatures, add the following:**

Type of Coat	Grade of Asphalt	Asphalt Rate gal/yd <sup>2</sup>	Application Temperature °F	Aggregate Size	Aggregate Rate lb./sq. yd. Total
Sand Seal	CRS-2 or CRS-2P	0.22-0.30	150-175	Blotting Sand	12-15

**Page 6-75, Subarticle 660-9(B), add the following as sub-item (5)**

(5) Sand Seal

Place the fully required amount of asphalt material in one application and immediately cover with the seal coat aggregate. Uniformly spread the fully required amount of aggregate in one application and correct all non-uniform areas prior to rolling.

Immediately after the aggregate has been uniformly spread, perform rolling.

When directed, broom excess aggregate material from the surface of the seal coat.

When the sand seal is to be constructed for temporary sealing purposes only and will not be used by traffic, other grades of asphalt material meeting the requirements of Articles 1020-6 and 1020-7 may be used in lieu of the grade of asphalt required by Table 660-1 when approved.

**Page 6-76, Article 661-1 Description, add the following as the 2nd paragraph:**

Provide and conduct the quality control and required testing for acceptance of the UBWC in accordance with *Quality Management System for Asphalt Pavements (OGAFC, PADL, and Ultra-Thin HMA Version)*, included in the contract.

**Page 6-76, Article 661-2 Materials, add the following after Asphalt Binder, Grade 70-28:**

Item	Section
Asphalt Binder, Grade 76-22	1020
Reclaimed Asphalt Shingles	1012

**Page 6-78, Subarticle 661-2(E), Asphalt Binder For Plant Mix, Grade PG 70-28, rename as ASPHALT BINDER FOR PLANT MIX and add the following as the first paragraph:**

Use either PG 70-28 or PG 76-22 binder in the mix design. Where PG 76-22 is being used in the production of Ultra-thin, the grade of asphalt binder to be paid for will be PG 70-28, unless otherwise approved.

**Page 6-79, Subarticle 661-2(G), Composition of Mix, add the following as the third sentence of the first paragraph.**

The percent of asphalt binder contributed from the RAS shall not exceed 20% of the total binder in the completed mix.

**Page 6-80, Article 661-2(G) Composition of Mix, replace Table 661-4 and associated notes with the following:**

<b>TABLE 661-4 – MIXTURE DESIGN CRITERIA</b>					
<b>Gradation Design Criteria (% Passing by Weight)</b>					
<b>Standard Sieves</b>		<b>1/2 in. Type A</b>	<b>3/8 in. Type B</b>	<b>1/4 in. Type C</b>	
<b>ASTM</b>	<b>mm</b>	<b>(% Passing by Weight)</b>			
¾ inch	19.0	100			
½ inch	12.5	85 - 100	100		
3/8 inch	9.5	60 - 80	85 - 100	100	
#4	4.75	28 - 38	28 - 44	40 - 55	
#8	2.36	19 - 32	17 - 34	22 - 32	
#16	1.18	15 - 23	13 - 23	15 - 25	
#30	0.600	10 - 18	8 - 18	10 - 18	
#50	0.300	8 - 13	6 - 13	8 - 13	
#100	0.150	6 - 10	4 - 10	6 - 10	
#200	0.075	4.0 - 7.0	3.0 - 7.0	4.0 - 7.0	

<b>Mix Design Criteria</b>			
	<b>1/2 in. Type A</b>	<b>3/8 in. Type B</b>	<b>1/4 in. Type C</b>
Asphalt Content, %	4.6 - 5.6	4.6 - 5.8	5.0 - 5.8
Draindown Test, AASHTO T 305	0.1% max.		
Moisture Sensitivity, AASHTO T 283*	80% min.		
Application Rate, lb/ yd <sup>2</sup>	90	70	50
Approximate Application Depth, in.	¾	5/8	1/2
Asphalt PG Grade, AASHTO M 320	PG 70-28 or PG 76-22	PG 70-28 or PG 76-22	PG 70-28 or PG 76-22

NOTE: \*Specimens for T-283 testing are to be compacted using the SUPERPAVE gyratory compactor. The mixtures shall be compacted using 100 gyrations to achieve specimens approximately 95 mm in height. Use mixture and compaction temperatures recommended by the binder supplier.

**Page 6-80, Subarticle 661-3(A) Equipment, add the following as the first paragraph:**

Use asphalt mixing plants in accordance with Article 610-5 of the *Standard Specifications*.

**Page 6-82, Subarticle 661-3(C), Application of Ultra-thin Bonded Wearing Course, delete the first paragraph and add the following as the first and second paragraphs.**

Use only one asphalt binder PG grade for the entire project, unless the Engineer gives written approval.

Do not place Ultra-thin Bonded Wearing Course between October 31 and April 1, when the pavement surface temperature is less than 50°F or on a wet pavement. In addition, when PG 76-22 binder is used in the JMF, place the wearing course only when the road pavement surface temperature is 60°F or higher and the air temperature in the shade away from artificial heat is 60°F or higher.

**Page 10-40, Subarticle 1012-1(A)**, add the following at the end of the last paragraph, last sentence:

or ultra-thin bonded wearing course.

**Page 10-41, Table 1012-1**, delete the entries for OGAFc and add new entries for OGAFc and a row for UBWC with entries:

Mix Type	Coarse Aggregate Angularity <sup>(b)</sup> ASTM D5821	Fine Aggregate Angularity % Minimum AASHTO T304 Method A	Sand Equivalent % Minimum AASHTO T176	Flat & Elongated 5:1 Ratio % Maximum ASTM D4791 Section 8.4
S 9.5 D	100/100	45	50	10
OGAFc	100/100	N/A	N/A	10
UBWC	100/85	40	45	10

**Delete Note (c) under the Table 1012-1 and replace with the following:**

(c) Does not apply to Mix Types SF 9.5A and S 9.5B.

**Page 10-42, Subarticle 1012-1(B)(6)**, add as the last sentence:

The percentage loss for aggregate used in UBWC shall be no more than 35%.

**Page 10-43, Subarticle 1012-1(F): Reclaimed Asphalt Shingle Material (RAS)**, insert the following immediately following the first paragraph:

(1) Mix Design RAS

Incorporate RAS from stockpiles that have been tested for uniformity of gradation and binder content prior to use in an asphalt mix design.

(2) Mix Production RAS

New Source RAS is defined as acceptable material which was not included in the stockpile when samples were taken for mix design purposes. Process new source RAS so that all materials will pass a 1/2" sieve prior to introduction into the plant mixer unit.

After a stockpile of processed RAS has been sampled and mix designs made from these samples, do not add new source RAS to the original stockpile without prior

field testing to insure gradation and binder uniformity. Sample and test new source RAS before blending with the existing stockpile.

Store new source RAS in a separate stockpile until the material can be sampled and tested for comparison with the original recycled mix design data. New source RAS may also be placed against the existing stockpile in a linear manner provided it is sampled for mix design conformity prior to its use in the recycled mix.

RAS contamination including but not limited to excessive dirt, debris, clean stone, concrete will not be allowed.

Field approval of new source RAS will be based on the table below and volumetric mix properties on the mix with the new source RAS included. Provided these tolerances are met, volumetric properties of the new mix will then be performed. If all volumetric mix properties meet the mix design criteria for that mix type, the new source RAS may continue to be used.

If the gradation, binder content, or any of the volumetric mix properties are not within the allowable tolerances of the table below, do not use the new source RAS unless approved by the Engineer. The Contractor may elect to either not use the stockpile, to request an adjustment to the JMF, or to redesign the mix.

**NEW SOURCE RAS GRADATION and BINDER TOLERANCES  
(Apply Tolerances to Mix Design Data)**

0-6% RAS	
P <sub>b</sub> %	±1.6%
Sieve Size (mm)	Tolerance
9.5	±1
4.75	±5
2.36	±4
1.18	±4
0.300	±4
0.150	±4
0.075	±2.0

**Page 10-43 through 10-45, Subarticle 1012-1(G), delete this in its entirety and replace with the following:**

**(G) Reclaimed Asphalt Pavement (RAP)**

**(1) Mix Design RAP**

Incorporate RAP from stockpiles or other sources that have been tested for uniformity of gradation and binder content prior to use in an asphalt mix design. Use reclaimed asphalt pavement that meets all requirements specified for *one of* the following *two* classifications.

**(a) Millings**

Existing reclaimed asphalt pavement (RAP) that is removed from its original location by a milling process as specified in Section 607. Millings should be such that it has a uniform gradation and binder content and all materials will pass a 2" sieve prior to introduction into the plant mixer unit.

**(b) Processed RAP**

RAP that is processed in some manner (possibly by crushing and/or use of a blending method) to produce a uniform gradation and binder content in the RAP prior to use in a recycled mix. Process RAP so that all materials have a uniform gradation and binder content and will pass a 1" sieve prior to introduction into the plant mixer unit.

**(c) Fractionated RAP**

Fractionated RAP is defined as having two or more RAP stockpiles, where the RAP is divided into coarse and fine fractions. Grade RAP so that all materials will pass a 1" sieve. The coarse RAP stockpile shall only contain material retained on a 3/8" screen, unless otherwise approved. The fine RAP stockpile shall only contain material passing the 3/8" screen, unless otherwise approved. The Engineer may allow the Contractor to use an alternate to the 3/8" screen to fractionate the RAP. The maximum percentages of fractionated RAP may be comprised of coarse, fine, or the combination of both. Utilize a separate cold feed bin for each stockpile of fractionated RAP used.

**(d) Approved Stockpiled RAP**

Approved Stockpiled RAP is defined as fractionated RAP which has been isolated and tested for asphalt content, gradation, and asphalt binder characteristics with the intent to be used in mix designs with greater than 30% RAP materials. Fractionate the

RAP in accordance with Section 1012-1(G)(c). Utilize a separate cold feed bin for each approved stockpile of RAP used.

Perform extraction tests at a rate of 1 per 1000 tons of RAP, with a minimum of 5 tests per stockpile to determine the asphalt content and gradation. Separate stockpiles of RAP material by fine and coarse fractions. Erect and maintain a sign satisfactory to the Engineer on each stockpile to identify the material. Assure that no deleterious material is allowed in any stockpile. The Engineer may reject by visual inspection any stockpiles that are not kept clean, separated, and free of foreign materials.

Submit requests for RAP stockpile approval to the Engineer with the following information at the time of the request:

- (1) Approximate tons of materials in stockpile
- (2) Name or Identification number for the stockpile
- (3) Asphalt binder content and gradation test results
- (4) Asphalt characteristics of the Stockpile.

For the Stockpiled RAP to be considered for approval, the gradation and asphalt content shall be uniform. Individual test results, when compared to the target, will be accepted if within the tolerances listed below:

**APPROVED STOCKPILED RAP GRADATION and BINDER TOLERANCES**

**(Apply Tolerances to Mix Design Data)**

P <sub>b</sub> %	±0.3%
Sieve Size (mm)	Percent Passing
25.0	±5%
19.0	±5%
12.5	±5%
9.5	±5%
4.75	±5%
2.36	±4%
1.18	±4%
0.300	±4%
0.150	±4%
0.075	±1.5%

Note: If more than 20% of the individual sieves are out of the gradation tolerances, or if more than 20% of the asphalt binder content test results fall outside the appropriate tolerances, the RAP shall not be used in HMA unless the RAP representing the failing tests is removed from the stockpile.

Do not add additional material to any approved RAP stockpile, unless otherwise approved by the Engineer.

Maintain at the plant site a record system for all approved RAP stockpiles. Include at a minimum the following: Stockpile identification and a sketch of all stockpile areas at the plant site; all RAP test results (including asphalt content, gradation, and asphalt binder characteristics).

**(2) Mix Production RAP**

During mix production, use RAP that meets the criteria for one of the following categories:

**(a) Mix Design RAP**

RAP contained in the mix design stockpiles as described above may be used in all applicable JMFs. These stockpiles have been pretested; however, they are subject to required QC/QA testing in accordance with Subarticle 609-5(C)(2).

**(b) New Source RAP**

New Source RAP is defined as any acceptable material that was not included in the stockpile or other source when samples were taken for mix design purposes. Process new source RAP so that all materials have a uniform gradation and binder content and will pass a 2" sieve prior to introduction into the plant mixer unit.

After a stockpile of millings, processed RAP, or fractionated RAP has been sampled and mix designs made from these samples, do not add new source RAP to the original stockpile without prior field testing to insure gradation and binder uniformity. Sample and test new source RAP before blending with the existing stockpile.

Store new source RAP in a separate stockpile until the material can be sampled and tested for comparison with the original recycled mix design data. New source RAP may also be placed against the existing stockpile in a linear manner provided it is sampled for mix design conformity prior to its use in the recycled mix.

Unprocessed RAP is asphalt material that was not milled and/or has not been processed to obtain a uniform gradation and binder content and is not representative of the RAP used during the applicable mix design. Unprocessed RAP shall not be incorporated into any JMFs prior to processing. Different sources of unprocessed RAP may be stockpiled together provided it is generally free of contamination and will be processed prior to use in a recycled mix. RAP contamination in the form of excessive dirt, debris, clean stone, concrete, etc. will not be allowed. Incidental amounts of dirt, concrete, and clean stone may be

acceptable. Unprocessed RAP may be processed and then classified as a new source RAP as described above.

Field approval of new source RAP will be based on Table 1012-2 below and volumetric mix properties on the mix with the new source RAP included. Provided the Table 1012-2 tolerances are met, volumetric properties of the new mix will then be performed. If all volumetric mix properties meet the mix design criteria for that mix type, the new source RAP may continue to be used.

If the gradation, binder content, or any of the volumetric mix properties are not within the allowable tolerances of Table 1012-2, do not use the new source RAP unless approved by the Engineer. The Contractor may elect to either not use the stockpile, to request an adjustment to the JMF, or to redesign the mix.

<b>TABLE 1012-2</b>									
<b>NEW SOURCE RAP GRADATION and BINDER TOLERANCES</b>									
(Apply Tolerances to Mix Design Data)									
Mix Type	0-20% RAP			20 <sup>+</sup> -30 % RAP			30 <sup>+</sup> % RAP		
Sieve (mm)	Base	Inter.	Surf.	Base	Inter.	Surf.	Base	Inter.	Surf.
P <sub>b</sub> %	± 0.7%			± 0.4%			± 0.3%		
25.0	±10	-	-	±7	-	-	±5	-	-
19.0	±10	±10	-	±7	±7	-	±5	±5	-
12.5	-	±10	±10	-	±7	±7	-	±5	±5
9.5	-	-	±10	-	-	±7	-	-	±5
4.75	±10	-	±10	±7	-	±7	±5	-	±5
2.36	±8	±8	±8	±5	±5	±5	±4	±4	±4
1.18	±8	±8	±8	±5	±5	±5	±4	±4	±4
0.300	±8	±8	±8	±5	±5	±5	±4	±4	±4
0.150	-	-	±8	-	-	±5	-	-	±4
0.075	±4	±4	±4	±2	±2	±2	±1.5	±1.5	±1.5

**VIII. ASPHALT BINDER CONTENT OF ASPHALT PLANT MIXES:**  
(11-21-00)

SP6 R15

The approximate asphalt binder content of the asphalt concrete plant mixtures used on this project will be as follows:

Asphalt Concrete Base Course	Type B 25.0	4.3%
Asphalt Concrete Intermediate Course	Type I 19.0	4.7%
Asphalt Concrete Surface Course	Type S 4.75A	7.0%
Asphalt Concrete Surface Course	Type SF 9.5A	6.5%

Asphalt Concrete Surface Course	Type S 9.5__	6.0%
Asphalt Concrete Surface Course	Type S 12.5__	5.5%

The actual asphalt binder content will be established during construction by the Engineer within the limits established in the *Standard Specifications*.

**IX. PRICE ADJUSTMENT - ASPHALT BINDER FOR PLANT MIX:**

(11-21-00)

SP6 R25

Price adjustments for asphalt binder for plant mix will be made in accordance with Section 620 of the *Standard Specifications*.

The base price index for asphalt binder for plant mix is \$478.33 per ton.

This base price index represents an average of F.O.B. selling prices of asphalt binder at supplier's terminals on 07-01-2010.

**X. BORROW EXCAVATION AND SHPO DOCUMENTATION FOR BORROW/WASTE SITES:**

(12-18-07) (4-15-08)

SP8 R02

Revise the 2006 *Standard Specifications* as follows:

**Division 2 Earthwork**

**Page 2-16, Subarticle 230-1(D)**, add the words: *The Contractor specifically waives* as the first words of the sentence.

**Page 2-17, Article 230-4(B) Contractor Furnished Sources, first paragraph, first sentence replace with the following:**

Prior to the approval of any borrow sources developed for use on any project, obtain certification from the State Historic Preservation Officer of the State Department of Cultural Resources certifying that the removal of the borrow material from the borrow sources(s) will have no effect on any known district, site building, structure, or object, architectural and/or archaeological that is included or eligible for inclusion in the National Register of Historic Places.

**Division 8 Incidentals**

**Page 8-9, Article 802-2 General Requirements, add the following as the 1st paragraph:**

Prior to the removal of any waste from any project, obtain certification from the State Historic Preservation Officer of the State Department of Cultural Resources certifying that the deposition of the waste material to the proposed waste area will have no effect on any known district, site building, structure, or object, architectural and/or

archaeological that is included or eligible for inclusion in the National Register of Historic Places. Furnish a copy of this certification to the Engineer prior to performing any work in the proposed waste site.

**Page 8-10, Article 802-2, General Requirements, 4th paragraph, add the following as the 2nd sentence:**

The Department's borrow and waste site reclamation procedures for contracted projects is available on the NCDOT website and shall be used for all borrow and waste sites on this project.

**XI. GUARDRAIL ANCHOR UNITS, TYPE 350:**  
(4-20-04)

SP8 R65

**Description**

Furnish and install guardrail anchor units in accordance with the details in the plans, the applicable requirements of Section 862 of the *Standard Specifications*, and at locations shown in the plans.

**Materials**

The Contractor may at his option, furnish any one of the guardrail anchor units.

Guardrail anchor unit (ET-2000) as manufactured by:

Trinity Industries, Inc.  
2525 N. Stemmons Freeway  
Dallas, Texas 75207  
Telephone: 800-644-7976

The guardrail anchor unit (SKT 350) as manufactured by:

Road Systems, Inc.  
3616 Old Howard County Airport  
Big Spring, Texas 79720  
Telephone: 915-263-2435

Prior to installation the Contractor shall submit to the Engineer:

(A) FHWA acceptance letter for each guardrail anchor unit certifying it meets the requirements of NCHRP Report 350, Test Level 3, in accordance with Section 106-2 of the *Standard Specifications*.

(B) Certified working drawings and assembling instructions from the manufacturer for each guardrail anchor unit in accordance with Section 105-2 of the *Specifications*.

No modifications shall be made to the guardrail anchor unit without the express written permission from the manufacturer. Perform installation in accordance with the details in the plans, and details and assembling instructions furnished by the manufacturer.

### **Construction Methods**

Guardrail end delineation is required on all approach and trailing end sections for both temporary and permanent installations. Guardrail end delineation consists of yellow reflective sheeting applied to the entire end section of the guardrail in accordance with Section 1088-3 of the *Standard Specifications* and is incidental to the cost of the guardrail anchor unit.

### **Measurement and Payment**

Measurement and payment will be made in accordance with Articles 862-6 of the *Standard Specifications*.

Payment will be made under:

<b>Pay Item</b>	<b>Pay Unit</b>
Guardrail Anchor Units, Type 350	Each

## **XII. GALVANIZED HIGH STRENGTH BOLTS, NUTS AND WASHERS:**

(2-17-09)

SP10 R02

Revise the *Standard Specifications* as follows:

**Page 10-126, Subarticle 1072-7(F)(3)** Change the AASHTO reference to B 695 Class 55

**Page 10-247, Table 1092-2, Steel Sign Materials,** Change High Strength Bolts, Nuts & Washers ASTM Specifications for Galvanizing to B695 Class 55.

**Page 10-259, Subarticle 1094-1(A) Breakaway or Simple Steel Beam Sign Supports,** replace the third paragraph with the following:

Fabricate high strength bolts, nuts, and washers required for breakaway supports from steel in accordance with ASTM A325 and galvanize in accordance with AASHTO B 695 Class 55.

**Page 10-261, Article 1096-2 Steel Overhead Sign Structures,** replace the last sentence with the following:

The galvanizing shall meet the requirement of AASHTO B 695 Class 55 for fasteners and of ASTM A123 for other structural steel.

**XIII. AGGREGATE PRODUCTION:**

(11-20-01)

SP10 R05

Provide aggregate from a producer who uses the current Aggregate Quality Control/Quality Assurance Program that is in effect at the time of shipment.

No price adjustment is allowed to contractors or producers who use the program. Participation in the program does not relieve the producer of the responsibility of complying with all requirements of the *Standard Specifications*. Copies of this procedure are available upon request from the Materials and Test Unit.

**XIV. AGGREGATES FOR ASPHALT PAVEMENTS AND SURFACE TREATMENTS****(Ultra-Thin):**

(7-18-06)

SP10 R15

Revise the *2006 Standard Specifications* as follows:

**Page 10-40, Subarticle 1012-1(A)**, add the following at the end of the last paragraph, last sentence:

or ultra-thin bonded wearing course.

Page 10-41, Table 1012-1, add the following as the last row of the Table:

<i>UBWC</i>	<i>100/85</i>	<i>40</i>	<i>45</i>	<i>10</i>
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**Page 10-42, Subarticle 1012-1(B)(6)**, add as the last sentence:

The percentage loss for aggregate used in UBWC shall be no more than 35%.

**XV. PORTLAND CEMENT CONCRETE (Alkali-Silica Reaction):**

2-20-07

SP10 R16

Revise the *2006 Standard Specifications* as follows:

Article 1024-1(A), replace the 2nd paragraph with the following:

Certain combinations of cement and aggregate exhibit an adverse alkali-silica reaction. The alkalinity of any cement, expressed as sodium-oxide equivalent, shall not exceed 1.0 percent. For mix designs that contain non-reactive aggregates and cement with an alkali content less than 0.6%, straight cement or a combination of cement and fly ash, cement and ground granulated blast furnace slag or cement and microsilica may be used. The pozzolan quantity shall not exceed the amount shown in Table 1024-1. For mixes that contain cement with an alkali content between 0.6%

and 1.0%, and for mixes that contain a reactive aggregate documented by the Department, regardless of the alkali content of the cement, use a pozzolan in the amount shown in Table 1024-1.

Obtain the list of reactive aggregates documented by the Department at: <http://www.ncdot.org/doh/operations/materials/pdf/quarrysrprob.pdf>

<b>Table 1024-1</b>	
<b>Pozzolans for Use in Portland Cement Concrete</b>	
<i>Pozzolan</i>	<i>Rate</i>
Class F Fly Ash	20% by weight of required cement content, with 1.2 lbs Class F fly ash per lb of cement replaced
Ground Granulated Blast Furnace Slag	35%-50% by weight of required cement content with 1 lb slag per lb of cement replaced
Microsilica	4%-8% by weight of required cement content, with 1 lb microsilica per lb of cement replaced

#### **XVI. ENGINEERING FABRICS TABLE 1056-1:**

(7-18-06)

SP10 R40

Revise the *Standard Specifications* as follows:

**Page 10-100, Table 1056-1**, replace the values for Trapezoidal Tear Strength with the following:

Physical Property	ASTM Test Method	Type 1	Type 2	Type 3		Type 4
				Class A	Class B	
Typical Applications		Shoulder Drain	Under Riprap	Temporary Silt Fence		Soil Stabilization
Trapezoidal Tear Strength	D4533	45 lb	75 lb	--	--	75 lb

#### **XVII. GRAVEL CONSTRUCTION ENTRANCE:**

##### **Description**

This work consists of furnishing, installing, and maintaining and removing any and all material required for the construction of a *Gravel Construction Entrance*.

##### **Materials**

Refer to Division 10

<b>Item</b>	<b>Section</b>
Filter Fabric for Drainage, Type 2	1056
Stone for Erosion Control, Class A	1042

### **Construction Methods**

The Contractor shall install a Gravel Construction Entrance in accordance with Standard Drawing No. 1607.01 and at locations as directed.

### **Measurement and Payment**

Payment for all labor and materials necessary to complete the work of *Gravel Construction Entrance*, including construction, maintenance, and removal of the gravel construction entrance, will be included in the contract bid price for Lump Sum - *Generic Grading Item (Excavation and Embankment)*.

## **XVIII. SAFETY FENCE:**

### **Description**

*Safety Fence* shall consist of furnishing materials, installing and maintaining polyethylene or polypropylene fence along the outside riparian buffer, wetland, or water boundary located within the construction corridor to mark the areas that have been approved to infringe within the buffer, wetland or water. The fence shall be installed prior to any land disturbing activities.

### **Materials**

Polyethylene or polypropylene fence shall be a highly visible preconstructed safety fence approved by the Engineer. The fence material shall have an ultraviolet coating.

Either wood posts or steel posts may be used. Wood posts shall be hardwood with a wedge or pencil tip at one end, and shall be at least 5 ft. in length with a minimum nominal 2" x 2" cross section. Steel posts shall be at least 5 ft. in length, and have a minimum weight of 0.85 lb./ft. of length.

### **Construction Methods**

No additional clearing and grubbing is anticipated for the installation of this fence; however, if any clearing and grubbing is required, it will be the minimum required for the installation of the safety fence. Such clearing shall include satisfactory removal and disposal of all trees, brush, stumps and other objectionable material.

The fence shall be erected to conform to the general contour of the ground. When determined necessary, minor grading along the fence line shall be performed to meet this requirement provided no obstructions to proper drainage are created.

Posts shall be set and maintained in a vertical position and may be hand set or set with a post driver. If hand set, all backfill material shall be thoroughly tamped. Wood posts may be sharpened to a dull point if power driven. Posts damaged by power driving shall be removed and replaced prior to final acceptance. The tops of all wood posts shall be cut at a 30-degree angle. The wood posts may, at the option of the Contractor, be cut at this angle either before or after the posts are erected.

The fence fabric shall be attached to the wood posts with one 2" galvanized wire staple across each cable or to the steel posts with wire or other acceptable means.

The Contractor shall be required to maintain the safety fence in a satisfactory condition for the duration of the project as determined by the Engineer.

### **Measurement and Payment**

Payment for *Safety Fence* will be included in the contract bid price for Lump Sum - *Generic Grading Item (Excavation and Embankment)*. Such payment will be full compensation including but not limited to clearing and grading, furnishing and installing fence fabric with necessary posts and post bracing, staples, tie wires, tools, equipment and incidentals necessary to complete this work.

## **XIX. FLOATING TURBIDITY CURTAIN:**

### **Description**

This work consists of the installation of a *Floating Turbidity Curtain* to deter silt suspension and movement of silt particles during construction. The floating turbidity curtain shall be constructed at locations as directed.

### **Materials**

The curtain material shall be made of a tightly woven nylon, plastic or other non-deteriorating material meeting the following specifications:

<b>Property</b>	<b>Value</b>
Grab tensile strength	*md-370 lbs *cd-250 lbs
Mullen burst strength	480 psi
Trapezoid tear strength	*md-100 lbs *cd-60 lbs
Apparent opening size	70 US standard sieve
Percent open area	4% permittivity 0.28 sec-1

\*md - machine direction

\*cd - cross machine direction

In the event that more than one width of fabric is required, a 6" overlap of the material shall also be required.

The curtain material shall be supported by a flotation material having over 29 lbs/ft buoyancy. The floating curtain shall have a 5/16" galvanized chain as ballast and dual 5/16" galvanized wire ropes with a heavy vinyl coating as load lines.

### **Construction Methods**

The Contractor shall maintain the *Floating Turbidity Curtain* in a satisfactory condition until its removal is requested by the Engineer.

### **Measurement and Payment**

*Floating Turbidity Curtain* will be measured and paid for as the actual number of square yards of curtain installed as specified and accepted. Such price and payment will be full compensation for the work as described in this section including but not limited to furnishing all materials, tools, equipment, and all incidentals necessary to complete the work.

Payment will be made under:

<b>Pay Item</b>	<b>Pay Unit</b>
Floating Turbidity Curtain	Square Yard

## **XX. SPECIAL SEDIMENT CONTROL FENCE:**

### **Description**

This work consists of the construction, maintenance, and removal of *Special Sediment Control Fence*. Place special sediment control fence as shown on the plans or as directed.

### **Materials**

#### (A) Posts

Steel posts shall be at least 5 ft. in length, approximately 1 3/8" wide measured parallel to the fence, and have a minimum weight of 1.25 lb/ft of length. The post shall be equipped with an anchor plate having a minimum area of 14.0 square inches, and shall have a means of retaining wire in the desired position without displacement.

#### (B) 1/4" Hardware Cloth

Hardware cloth shall have 1/4" openings constructed from #24 gauge wire. Install hardware cloth in accordance with Standard Drawing No. 1606.01.

#### (C) Sediment Control Stone

Sediment Control Stone shall meet the requirements of Section 1005 of the *Standard Specifications*. Install stone in accordance with Standard Drawing No. 1606.01.

### Construction Methods

The Contractor shall maintain the special sediment control fence until the project is accepted or until the fence is removed, and shall remove and dispose of silt accumulations at the fence when so directed in accordance with the requirements of Section 1630 of the *Standard Specifications*.

### Measurement and Payment

*1/4" Hardware Cloth* will be included in the lump sum bid price for "*Generic Erosion Control Item.*"

*Sediment Control Stone* will be included in the lump sum bid price for "*Generic Erosion Control Item.*"

## XXI.

### SEEDING AND MULCHING

#### Seed Mixes for Bridge Maintenance P.O. and NCMA Contracts ONLY

#### Seed Mix East

<u>Divisions:</u>	<u>Counties:</u>
1	Currituck, Dare, Hyde, Bertie, Camden, Chowan, Gates, Hertford, Martin, Northampton, Pasquotank, Perquimans, Tyrell, Washington
2	Beaufort, Carteret, Craven, Pamlico, Greene, Jones, Lenoir, Pitt
3	Brunswick, New Hanover, Onslow, Pender, Duplin, Sampson
4	Edgecombe, Halifax, Johnston, Nash, Wayne, Wilson
5	Durham, Franklin, Granville, Person, Vance, Wake, Warren
6	Bladen, Columbus, Cumberland, Harnett, Robeson
7	<b>Alamance</b> , Guilford, Orange
8	Chatham, Hoke, Lee, Montgomery, Moore, Randolph, Richmond, Scotland
10	Anson

Seed Mix West

Divisions:

Counties:

- 7 Caswell, Rockingham
- 9 Davidson, Davie, Forsyth, Rowan, Stokes
- 10 Cabarrus, Mecklenburg, Stanly, Union
- 11 Alleghany, Ashe, Avery, Caldwell, Surry, Watauga, Wilkes, Yadkin
- 12 Alexander, Catawba, Cleveland, Gaston, Iredell, Lincoln
- 13 Burke, McDowell, Rutherford, Buncombe, Madison, Mitchell, Yancey
- 14 Polk, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon Swain, Transylvania

Seed Mix East

SEEDING AND MULCHING:

The kinds of seed and fertilizer, and the rates of application of seed, fertilizer, and limestone, shall be as stated below. During periods of overlapping dates, the kind of seed to be used shall be determined. All rates are in pounds per acre.

All Roadway Areas

**March 1 - August 31**

- 50# Tall Fescue
- 10# Centipede
- 25# Bermudagrass (hulled)
- 500# Fertilizer
- 4000# Limestone

**September 1 - February 28**

- 50# Tall Fescue
- 10# Centipede
- 35# Bermudagrass (unhulled)
- 500# Fertilizer
- 4000# Limestone

Waste and Borrow Locations

**March 1 - August 31**

- 75# Tall Fescue
- 25# Bermudagrass (hulled)
- 500# Fertilizer
- 4000# Limestone

**September 1 - February 28**

- 75# Tall Fescue
- 35# Bermudagrass (unhulled)
- 500# Fertilizer
- 4000# Limestone

Note: 50# of Bahiagrass may be substituted for either Centipede or Bermudagrass only upon Engineer's request.

## Approved Tall Fescue Cultivars

2 <sup>nd</sup> Millennium	Duster	Magellan	Rendition
Avenger	Endeavor	Masterpiece	Scorpion
Barlexas	Escalade	Matador	Shelby
Barlexas II	Falcon II, III, IV & V	Matador GT	Signia
Barrera	Fidelity	Millennium	Silverstar
Barrington	Finesse II	Montauk	Southern Choice II
Biltmore	Firebird	Mustang 3	Stetson
Bingo	Focus	Olympic Gold	Tarheel
Bravo	Grande II	Padre	Titan Ltd
Cayenne	Greenkeeper	Paraiso	Titanium
Chapel Hill	Greystone	Picasso	Tomahawk
Chesapeake	Inferno	Piedmont	Tacer
Constitution	Justice	Pure Gold	Trooper
Chipper	Jaguar 3	Prospect	Turbo
Coronado	Kalahari	Quest	Ultimate
Coyote	Kentucky 31	Rebel Exeda	Watchdog
Davinci	Kitty Hawk	Rebel Sentry	Wolfpack
Dynasty	Kitty Hawk 2000	Regiment II	
Dominion	Lexington	Rembrandt	

On cut and fill slopes 2:1 or steeper Centipede shall be applied at the rate of 5 pounds per acre and add 20# of Sericea Lespedeza from January 1 - December 31.

Fertilizer shall be 10-20-20 analysis. A different analysis of fertilizer may be used provided the 1-2-2 ratio is maintained and the rate of application adjusted to provide the same amount of plant food as a 10-20-20 analysis and as directed.

TEMPORARY SEEDING:

Fertilizer shall be the same analysis as specified for *Seeding and Mulching* and applied at the rate of 400 pounds and seeded at the rate of 50 pounds per acre. Sweet Sudan Grass, German Millet or Browntop Millet shall be used in summer months and Rye Grain during the remainder of the year. The Engineer will determine the exact dates for using each kind of seed.

Payment for Temporary Seeding will be included in the lump sum bid price for “*Generic Erosion Control Item.*”

FERTILIZER TOPDRESSING:

Fertilizer used for topdressing on all roadway areas except slopes 2:1 and steeper shall be 10-20-20 grade and shall be applied at the rate of 500 pounds per acre. A different analysis of fertilizer may be used provided the 1-2-2 ratio is maintained and the rate of application adjusted to provide the same amount of plant food as 10-20-20 analysis and as directed.

Fertilizer used for topdressing on slopes 2:1 and steeper and waste and borrow areas shall be 16-8-8 grade and shall be applied at the rate of 500 pounds per acre. A different analysis of fertilizer may be used provided the 2-1-1 ratio is maintained and the rate of application adjusted to provide the same amount of plant food as 16-8-8 analysis and as directed.

Payment for Fertilizer Topdressing will be included in the lump sum bid price for “*Generic Erosion Control Item.*”

SUPPLEMENTAL SEEDING:

The kinds of seed and proportions shall be the same as specified for *Seeding and Mulching*, with the exception that no centipede seed will be used in the seed mix for supplemental seeding. The rate of application for supplemental seeding may vary from 25# to 75# per acre. The actual rate per acre will be determined prior to the time of topdressing and the Contractor will be notified in writing of the rate per acre, total quantity needed, and areas on which to apply the supplemental seed. Minimum tillage equipment, consisting of a sod seeder shall be used for incorporating seed into the soil as to prevent disturbance of existing vegetation. A clodbuster (ball and chain) may be used where degree of slope prevents the use of a sod seeder.

Payment for Supplemental Seeding will be included in the lump sum bid price for “*Generic Erosion Control Item.*”

Seed Mix West

SEEDING AND MULCHING:

The kinds of seed and fertilizer, and the rates of application of seed, fertilizer, and limestone, shall be as stated below. During periods of overlapping dates, the kind of seed to be used shall be determined. All rates are in pounds per acre.

Shoulder and Median Areas

**August 1 - June 1**

20#	Kentucky Bluegrass
75#	Hard Fescue
25#	Rye Grain
500#	Fertilizer
4000#	Limestone

**May 1 - September 1**

20#	Kentucky Bluegrass
75#	Hard Fescue
10#	German or Browntop Millet
500#	Fertilizer
4000#	Limestone

Areas Beyond the Mowing Pattern, Waste and Borrow Areas:

**August 1 - June 1**

100#	Tall Fescue
15#	Kentucky Bluegrass
30#	Hard Fescue
25#	Rye Grain
500#	Fertilizer
4000#	Limestone

**May 1 - September 1**

100#	Tall Fescue
15#	Kentucky Bluegrass
30#	Hard Fescue
10#	German or Browntop Millet
500#	Fertilizer
4000#	Limestone

## Approved Tall Fescue Cultivars

2 <sup>nd</sup> Millennium	Duster	Magellan	Rendition
Avenger	Endeavor	Masterpiece	Scorpion
Barlexas	Escalade	Matador	Shelby
Barlexas II	Falcon II, III, IV & V	Matador GT	Signia
Barrera	Fidelity	Millennium	Silverstar
Barrington	Finesse II	Montauk	Southern Choice II
Biltmore	Firebird	Mustang 3	Stetson
Bingo	Focus	Olympic Gold	Tarheel
Bravo	Grande II	Padre	Titan Ltd
Cayenne	Greenkeeper	Paraiso	Titanium
Chapel Hill	Greystone	Picasso	Tomahawk
Chesapeake	Inferno	Piedmont	Tacer
Constitution	Justice	Pure Gold	Trooper
Chipper	Jaguar 3	Prospect	Turbo
Coronado	Kalahari	Quest	Ultimate
Coyote	Kentucky 31	Rebel Exeda	Watchdog
Davinci	Kitty Hawk	Rebel Sentry	Wolfpack
Dynasty	Kitty Hawk 2000	Regiment II	
Dominion	Lexington	Rembrandt	

## Approved Kentucky Bluegrass Cultivars:

Alpine	Bariris	Envicta	Rugby II
Apollo	Bedazzled	Impact	Showcase
Arcadia	Bordeaux	Midnight	Sonoma
Arrow	Champagne	Midnight II	
Award	Chicago II	Rugby	

## Approved Hard Fescue Cultivars:

Chariot	Minotaur	Reliant IV	Stonehenge
Firefly	Nordic	Rhino	Warwick
Heron	Oxford	Scaldis II	
Kenblue	Reliant II	Spartan II	

On cut and fill slopes 2:1 or steeper add 20# Sericea Lespedeza January 1 - December 31.

Fertilizer shall be 10-20-20 analysis. A different analysis of fertilizer may be used provided the 1-2-2 ratio is maintained and the rate of application adjusted to provide the same amount of plant food as a 10-20-20 analysis and as directed.

TEMPORARY SEEDING:

Fertilizer shall be the same analysis as specified for *Seeding and Mulching* and applied at the rate of 400 pounds and seeded at the rate of 50 pounds per acre. German Millet, or Browntop

Millet shall be used in summer months and rye grain during the remainder of the year. The Engineer will determine the exact dates for using each kind of seed.

Payment for Temporary Seeding will be included in the lump sum bid price for “*Generic Erosion Control Item.*”

#### FERTILIZER TOPDRESSING:

Fertilizer used for topdressing shall be 16-8-8 grade and shall be applied at the rate of 500 pounds per acre. A different analysis of fertilizer may be used provided the 2-1-1 ratio is maintained and the rate of application adjusted to provide the same amount of plant food as 16-8-8 analysis and as directed.

Payment for Fertilizer Topdressing will be included in the lump sum bid price for “*Generic Erosion Control Item.*”

#### SUPPLEMENTAL SEEDING:

The kinds of seed and proportions shall be the same as specified for *Seeding and Mulching*, and the rate of application may vary from 25# to 75# per acre. The actual rate per acre will be determined prior to the time of topdressing and the Contractor will be notified in writing of the rate per acre, total quantity needed, and areas on which to apply the supplemental seed. Minimum tillage equipment, consisting of a sod seeder shall be used for incorporating seed into the soil as to prevent disturbance of existing vegetation. A clodbuster (ball and chain) may be used where degree of slope prevents the use of a sod seeder.

Payment for Supplemental Seeding will be included in the lump sum bid price for “*Generic Erosion Control Item.*”

#### BASIS OF PAYMENT FOR SEEDING & MULCHING:

Payment for “Seeding and Mulching” will be included in the lump sum bid price for “*Generic Grading Item – (Excavation & Embankment)*”. This price shall be full compensation for all materials, tools, equipment, labor, and for all incidentals necessary to complete the work.

#### **Native Grass Seeding and Mulching**

##### ***Bermuda***

Native Grass Seeding and Mulching shall be performed on the disturbed areas of wetlands and riparian areas, and adjacent to Stream Relocation construction within a 50 foot zone on both sides of the stream or depression, measured from top of stream bank or center of depression. The stream bank of the stream relocation shall be seeded by a method that does not alter the typical cross section of the stream bank. Native Grass Seeding and Mulching shall also be performed in the permanent soil reinforcement mat section of preformed scour holes, and in other areas as directed.

The kinds of seed and fertilizer, and the rates of application of seed, fertilizer, and limestone, shall be as stated below. During periods of overlapping dates, the kind of seed to be used shall be determined. All rates are in pounds per acre.

**March 1 - August 31**

25# Bermudagrass (hulled)  
 6# Indiangrass  
 8# Little Bluestem  
 4# Switchgrass  
 25# Browntop Millet  
 500# Fertilizer  
 4000# Limestone

**September 1 - February 28**

35# Bermudagrass (unhulled)  
 6# Indiangrass  
 8# Little Bluestem  
 4# Switchgrass  
 35# Rye Grain  
 500# Fertilizer  
 4000# Limestone

Fertilizer shall be 10-20-20 analysis. A different analysis of fertilizer may be used provided the 1-2-2 ratio is maintained and the rate of application adjusted to provide the same amount of plant food as a 10-20-20 analysis and as directed.

Native Grass Seeding and Mulching shall be performed in accordance with Section 1660 of the *Standard Specifications* and vegetative cover sufficient to restrain erosion shall be installed immediately following grade establishment.

**Measurement and Payment**

Payment for Native Grass Seeding and Mulching will be included in the lump sum bid price for "*Generic Grading Item – (Excavation and Embankment)*". This price shall be full compensation for all materials, tools, equipment, labor, and for all incidentals necessary to complete the work.

**REFORESTATION:**

**Description**

*Reforestation* will be planted as directed. *Reforestation* is not shown on the plan sheets. See the Reforestation Detail Sheet.

All non-maintained riparian buffers impacted by the placement of temporary fill or clearing activities shall be restored to the preconstruction contours and revegetated with native woody species.

The entire *Reforestation* operation shall comply with the requirements of Section 1670 of the *Standard Specifications*.

**Materials**

*Reforestation* shall be bare root seedlings 12"-18" tall.

## **Construction Methods**

*Reforestation* shall be planted as soon as practical following permanent *Seeding and Mulching*. The seedlings shall be planted in a 16-foot wide swath adjacent to mowing pattern line, or as directed.

Root dip: The roots of reforestation seedlings shall be coated with a slurry of water, and either a fine clay (kaolin) or a superabsorbent that is designated as a bare root dip. The type, mixture ratio, method of application, and the time of application shall be submitted to the Engineer for approval.

With the approval of the Engineer, seedlings may be coated before delivery to the job or at the time of planting, but at no time shall the roots of the seedlings be allowed to dry out. The roots shall be moistened immediately prior to planting.

Seasonal Limitations: *Reforestation* shall be planted from November 15 through March 15.

## **Measurement and Payment**

Payment for *Reforestation* will be included in the lump sum bid price for “*Generic Erosion Control Item.*”

## **RESPONSE FOR EROSION CONTROL:**

### **Description**

Furnish the labor, materials, tools and equipment necessary to move personnel, equipment, and supplies to the project necessary for the pursuit of any or all of the following work as shown herein, by an approved subcontractor.

- (A) Seeding and Mulching
- (B) Temporary Seeding and Mulching
- (C) Temporary Mulching
- (D) Fertilizer Topdressing
- (E) Repair Seeding
- (F) Supplemental Seeding
- (G) Silt Fence Installation or Repair
- (H) Installation of Matting for Erosion Control

## **Construction Methods**

Provide an approved subcontractor who performs an erosion control action as described in Form 1675. Each erosion control action may include one or more of the above work items.

## Measurement and Payment

Payment for *Response for Erosion Control* will be included in the lump sum bid price for “*Generic Erosion Control Item.*” The provisions of Article 104-5 of the *Standard Specifications* will not apply to this item of work.

Payment will be made under:

<b>Pay Item</b>	<b>Pay Unit</b>
Generic Erosion Control Item	Lump Sum

## XXII.

### STRUCTURE

#### SUBMITTAL OF WORKING DRAWINGS

(1-27-2010)

##### **A. General**

Submit working drawings in accordance with Article 105-2 of the *Standard Specifications* and this provision. For this provision, “submittals” refers to only those listed in this provision. The list of submittals contained herein does not represent a list of required submittals for the project. Submittals are only necessary for those items as required by the contract. Make submittals that are not specifically noted in this provision directly to the Resident Engineer. Either the Structure Design Unit or the Geotechnical Engineering Unit or both units will jointly review submittals.

If a submittal contains variations from plan details or specifications or significantly affects project cost, field construction or operations, discuss the submittal with and submit all copies to the Resident Engineer. State the reason for the proposed variation in the submittal. To minimize review time, make sure all submittals are complete when initially submitted. Provide a contact name and information with each submittal.

Direct any questions regarding submittal requirements to the Resident Engineer, Structure Design Unit contacts or the Geotechnical Engineering Unit contacts noted below.

In order to facilitate in-plant inspection by NCDOT and approval of working drawings, provide the name, address and telephone number of the facility where fabrication will actually be done if different than shown on the title block of the submitted working drawings. This includes, but is not limited to, precast concrete items, prestressed concrete items and fabricated steel or aluminum items.

## 1.0 Addresses and Contacts

For submittals to the Structure Design Unit, use the following addresses:

Via US mail:

Mr. G. R. Perfetti, P. E.  
State Bridge Design Engineer  
North Carolina Department  
of Transportation  
Structure Design Unit  
1581 Mail Service Center  
Raleigh, NC 27699-1581

Attention: Mr. P. D. Lambert, P. E.

Via other delivery service:

Mr. G. R. Perfetti, P. E.  
State Bridge Design Engineer  
North Carolina Department  
of Transportation  
Structure Design Unit  
1000 Birch Ridge Drive  
Raleigh, NC 27610

Attention: Mr. P. D. Lambert, P. E.

Submittals may also be made via  
email.

Send submittals to:

[plambert@ncdot.gov](mailto:plambert@ncdot.gov) (Paul Lambert)

Send an additional e-copy of the submittal to the following address:

[jgaither@ncdot.gov](mailto:jgaither@ncdot.gov) (James Gaither)

For submittals to the Geotechnical Engineering Unit, use the following addresses:

For projects in Divisions 1-7, use the following Eastern Regional Office address:

Via US mail:

Mr. K. J. Kim, Ph. D., P. E.  
Eastern Regional Geotechnical  
Manager  
North Carolina Department  
of Transportation  
Geotechnical Engineering Unit  
Eastern Regional Office  
1570 Mail Service Center  
100  
Raleigh, NC 27699-1570

Via other delivery service:

Mr. K. J. Kim, Ph. D., P. E.  
Eastern Regional Geotechnical  
Manager  
North Carolina Department  
of Transportation  
Geotechnical Engineering Unit  
Eastern Regional Office  
3301 Jones Sausage Road, Suite  
Garner, NC 27529

For projects in Divisions 8-14, use the following Western Regional Office address:

Via US mail:

Mr. John Pilipchuk, L. G., P. E.  
Western Regional Geotechnical  
Manager  
North Carolina Department  
of Transportation  
Geotechnical Engineering Unit  
Western Regional Office  
5253 Z Max Boulevard  
Harrisburg, NC 28075

Via other delivery service:

Mr. John Pilipchuk, L. G., P. E.  
Western Region Geotechnical  
Manager  
North Carolina Department  
of Transportation  
Geotechnical Engineering Unit  
Western Regional Office  
5253 Z Max Boulevard  
Harrisburg, NC 28075

The status of the review of structure-related submittals sent to the Structure Design Unit can be viewed from the Unit's web site, via the "Contractor Submittal" link.

Direct any questions concerning submittal review status, review comments or drawing markups to the following contacts:

Primary Structures Contact: Paul  
Lambert

(919) 250 – 4041

(919) 250 – 4082 facsimile

[plambert@ncdot.gov](mailto:plambert@ncdot.gov)

Secondary Structures Contacts: James Gaither  
(919) 250 – 4042  
David Stark  
(919) 250 – 4044

Eastern Regional Geotechnical Contact (Divisions 1-7):  
K. J. Kim  
(919) 662 – 4710  
(919) 662 – 3095 facsimile  
[kkim@ncdot.gov](mailto:kkim@ncdot.gov)

Western Regional Geotechnical Contact (Divisions 8-14):  
John Pilipchuk  
(704) 455 – 8902  
(704) 455 – 8912 facsimile  
[jpilipchuk@ncdot.gov](mailto:jpilipchuk@ncdot.gov)

## 2.0 Submittal Copies

Furnish one complete copy of each submittal, including all attachments, to the Resident Engineer. At the same time, submit the number of hard copies shown below of the same complete submittal directly to the Structure Design Unit and/or the Geotechnical Engineering Unit.

The first table below covers “Structure Submittals”. The Resident Engineer will receive review comments and drawing markups for these submittals from the Structure Design Unit. The second table in this section covers “Geotechnical Submittals”. The Resident Engineer will receive review comments and drawing markups for these submittals from the Geotechnical Engineering Unit.

Unless otherwise required, submit one set of supporting calculations to either the Structure Design Unit or the Geotechnical Engineering Unit unless both units require submittal copies in which case submit a set of supporting calculations to each unit. Provide additional copies of any submittal as directed by the Engineer.

**STRUCTURE SUBMITTALS**

Submittal	Copies Required by Structure Design Unit	Copies Required by Geotechnical Engineering Unit	Contract Reference Requiring Submittal <sup>1</sup>
Arch Culvert Falsework	5	0	Plan Note, SN Sheet & “Falsework and Formwork”
Box Culvert Falsework <sup>7</sup>	5	0	Plan Note, SN Sheet & “Falsework and Formwork”
Cofferdams	6	2	Article 410-4
Evazote Joint Seals <sup>6</sup>	9	0	“Evazote Joint Seals”
Expansion Joint Seals (hold down plate type with base angle)	9	0	“Expansion Joint Seals”
Expansion Joint Seals (modular)	2, then 9	0	“Modular Expansion Joint Seals”
Expansion Joint Seals (strip seals)	9	0	“Strip Seals”
Falsework & Forms <sup>2</sup> (substructure)	8	0	Article 420-3 & “Falsework and Formwork”
Falsework & Forms (superstructure)	8	0	Article 420-3 & “Falsework and Formwork”
Girder Erection over Railroad	5	0	Railroad Provisions
Maintenance and Protection of Traffic Beneath Proposed Structure	8	0	“Maintenance and Protection of Traffic Beneath Proposed Structure at Station ____”
Metal Bridge Railing	8	0	Plan Note
Metal Stay-in-Place Forms	8	0	Article 420-3
Metalwork for Elastomeric Bearings <sup>4,5</sup>	7	0	Article 1072-10
Miscellaneous Metalwork <sup>4,5</sup>	7	0	Article 1072-10
Optional Disc Bearings <sup>4</sup>	8	0	“Optional Disc Bearings”
Overhead Signs	13	0	Article 903-3(C) & Applicable Provisions
Pile Splicers	7	2	Subarticle 450-7(C) & “Piles”
Pile Points	7	2	Subarticle 450-7(D) & “Piles”
Placement of Equipment on Structures (cranes, etc.)	7	0	Article 420-20
Pot Bearings <sup>4</sup>	8	0	“Pot Bearings”
Precast Concrete Box Culverts	2, then 1 reproducible	0	“Optional Precast Reinforced Concrete Box Culvert at Station ____”
Precast Retaining Wall Panels	10	1	Article 1077-2

Prestressed Concrete Cored Slab (detensioning sequences) <sup>3</sup>	6	0	Article 1078-11
Prestressed Concrete Deck Panels	6 and 1 reproducible	0	Article 420-3
Prestressed Concrete Girder (strand elongation and detensioning sequences)	6	0	Articles 1078-8 and 1078-11
Removal of Existing Structure over Railroad	5	0	Railroad Provisions
Revised Bridge Deck Plans (adaptation to prestressed deck panels)	2, then 1 reproducible	0	Article 420-3
Revised Bridge Deck Plans (adaptation to modular expansion joint seals)	2, then 1 reproducible	0	“Modular Expansion Joint Seals”
Sound Barrier Wall Casting Plans	10	0	Article 1077-2 & “Sound Barrier Wall”
Sound Barrier Wall Steel Fabrication Plans <sup>5</sup>	7	0	Article 1072-10 & “Sound Barrier Wall”
Structural Steel <sup>4</sup>	2, then 7	0	Article 1072-10
Temporary Detour Structures	10	2	Article 400-3 & “Construction, Maintenance and Removal of Temporary Structure at Station ”
TFE Expansion Bearings <sup>4</sup>	8	0	Article 1072-10

**FOOTNOTES**

- References are provided to help locate the part of the contract where the submittals are required. References in quotes refer to the provision by that name. Articles and subarticles refer to the *Standard Specifications*.
- Submittals for these items are necessary only when required by a note on plans.
- Submittals for these items may not be required. A list of pre-approved sequences is available from the producer or the Materials & Tests Unit.
- The fabricator may submit these items directly to the Structure Design Unit.
- The two sets of preliminary submittals required by Article 1072-10 of the *Standard Specifications* are not required for these items.
- Submittals for Fabrication Drawings are not required. Submittals for Catalogue Cuts of Proposed Material are required. See Section 5.A of the referenced provision.
- Submittals are necessary only when the top slab thickness is 18” or greater.

**GEOTECHNICAL SUBMITTALS**

<b>Submittal<sup>1</sup></b>	<b>Copies Required by Geotechnical Engineering Unit</b>	<b>Copies Required by Structure Design Unit</b>	<b>Contract Reference Requiring Submittal<sup>2</sup></b>
Crosshole Sonic Logging (CSL) Reports	1	0	“Crosshole Sonic Logging”
Drilled Pier Construction Sequence Plans	1	0	“Drilled Piers”
Pile Driving Analyzer (PDA) Reports	2	0	“Pile Driving Analyzer”
Pile Driving Equipment Data <sup>3</sup>	1	0	Article 450-5 & “Piles”
Retaining Walls	8	2	Applicable Provisions
Contractor Designed Shoring	7	2	“Temporary Shoring”, “Anchored Temporary Shoring” & “Temporary Soil Nail Walls”

**FOOTNOTES**

1. With the exception of “Pile Driving Equipment Data”, electronic copies of geotechnical submittals are required. See referenced provision.
2. References are provided to help locate the part of the contract where the submittals are required. References in quotes refer to the provision by that name. Articles refer to the *Standard Specifications*.
3. Download Pile Driving Equipment Data Form from following link:  
<http://www.ncdot.org/doh/preconstruct/highway/geotech/formdet/>  
Submit one hard copy of the completed form to the Resident Engineer. Submit a second copy of the completed form electronically, by facsimile or via US Mail or other delivery service to the Geotechnical Engineering Unit. Electronic submission is preferred. See second page of form for submittal instructions.

**FALSEWORK AND FORMWORK**

(8-4-09)

**1.0 Description**

Use this Special Provision as a guide to develop temporary works submittals required by the Standard Specifications or other provisions; no additional submittals are required herein. Such temporary works include, but are not limited to, falsework and formwork. Falsework is any temporary construction used to support the permanent structure until it becomes self-supporting. Formwork is the temporary structure or mold used to retain plastic or fluid concrete in its designated shape until it hardens. Access scaffolding is a temporary structure that functions as a work platform that supports construction personnel, materials, and tools, but is not intended to support the structure. Scaffolding systems that are used to temporarily support permanent structures (as opposed to functioning as work platforms) are considered to be falsework under the definitions given. Shoring is a component of falsework such as horizontal, vertical, or inclined support members. Where the term “temporary works” is used, it includes all of the temporary facilities used in bridge construction that do not become part of the permanent structure.

Design and construct safe and adequate temporary works that will support all loads imposed and provide the necessary rigidity to achieve the lines and grades shown on the plans in the final structure.

## 2.0 Materials

Select materials suitable for temporary works; however, select materials that also ensure the safety and quality required by the design assumptions. The Engineer has authority to reject material on the basis of its condition, inappropriate use, safety, or nonconformance with the plans. Clearly identify allowable loads or stresses for all materials or manufactured devices on the plans. Revise the plan and notify the Engineer if any change to materials or material strengths is required.

## 3.0 Design Requirements

### A. Working Drawings

Provide working drawings for items as specified in the contract, or as required by the Engineer, with design calculations and supporting data in sufficient detail to permit a structural and safety review of the proposed design of the temporary work.

When concrete placement is involved, include data such as the drawings of proposed sequence, rate of placement, direction of placement, and location of all construction joints. Submit the number of copies as called for by the contract.

When required, have the drawings and calculations prepared under the guidance of, and sealed by, a North Carolina Registered Professional Engineer who is knowledgeable in temporary works design.

Design falsework and formwork requiring submittals in accordance with the 1995 AASHTO *Guide Design Specifications for Bridge Temporary Works* except as noted herein.

### 1. Wind Loads

Table 2.2 of Article 2.2.5.1 is modified to include wind velocities up to 110 mph (177 km/hr). In addition, Table 2.2A is included to provide the maximum wind speeds by county in North Carolina.

**Table 2.2 - Wind Pressure Values**

Height Zone feet (m) above ground	Pressure, lb/ft <sup>2</sup> (kPa) for Indicated Wind Velocity, mph (km/hr)				
	70 (112.7)	80 (128.7)	90 (144.8)	100 (160.9)	110 (177.0)
0 to 30 (0 to 9.1)	15 (0.72)	20 (0.96)	25 (1.20)	30 (1.44)	35 (1.68)
30 to 50 (9.1 to 15.2)	20 (0.96)	25 (1.20)	30 (1.44)	35 (1.68)	40 (1.92)

50 to 100 (15.2 to 30.5)	25 (1.20)	30 (1.44)	35 (1.68)	40 (1.92)	45 (2.15)
over 100 (30.5)	30 (1.44)	35 (1.68)	40 (1.92)	45 (2.15)	50 (2.39)

## 2. Time of Removal

The following requirements replace those of Article 3.4.8.2.

Do not remove forms until the concrete has attained strengths required in Article 420-16 of the Standard Specifications and these Special Provisions.

Do not remove forms until the concrete has sufficient strength to prevent damage to the surface.

**Table 2.2A - Steady State Maximum Wind Speeds by Counties in North Carolina**

COUNTY	25 YR (mph) (km/hr)	COUNTY	25 YR (mph) (km/hr)	COUNTY	25 YR (mph) (km/hr)
Alamance	70 (112.7)	Franklin	70 (112.7)	Pamlico	100 (160.9)
Alexander	70 (112.7)	Gaston	70 (112.7)	Pasquotank	100 (160.9)
Alleghany	70 (112.7)	Gates	90 (144.8)	Pender	100 (160.9)
Anson	70 (112.7)	Graham	80 (128.7)	Perquimans	100 (160.9)
Ashe	70 (112.7)	Granville	70 (112.7)	Person	70 (112.7)
Avery	70 (112.7)	Greene	80 (128.7)	Pitt	90 (144.8)
Beaufort	100 (160.9)	Guilford	70 (112.7)	Polk	80 (128.7)
Bertie	90 (144.8)	Halifax	80 (128.7)	Randolph	70 (112.7)
Bladen	90 (144.8)	Harnett	70 (112.7)	Richmond	70 (112.7)
Brunswick	100 (160.9)	Haywood	80 (128.7)	Robeson	80 (128.7)
Buncombe	80 (128.7)	Henderson	80 (128.7)	Rockingham	70 (112.7)
Burke	70 (112.7)	Hertford	90 (144.8)	Rowan	70 (112.7)
Cabarrus	70 (112.7)	Hoke	70 (112.7)	Rutherford	70 (112.7)
Caldwell	70 (112.7)	Hyde	110 (177.0)	Sampson	90 (144.8)
Camden	100 (160.9)	Iredell	70 (112.7)	Scotland	70 (112.7)
Carteret	110 (177.0)	Jackson	80 (128.7)	Stanley	70 (112.7)
Caswell	70 (112.7)	Johnston	80 (128.7)	Stokes	70 (112.7)
Catawba	70 (112.7)	Jones	100 (160.9)	Surry	70 (112.7)
Cherokee	80 (128.7)	Lee	70 (112.7)	Swain	80 (128.7)
Chatham	70 (112.7)	Lenoir	90 (144.8)	Transylvania	80 (128.7)
Chowan	90 (144.8)	Lincoln	70 (112.7)	Tyrell	100 (160.9)
Clay	80 (128.7)	Macon	80 (128.7)	Union	70 (112.7)

Cleveland	70 (112.7)	Madison	80 (128.7)	Vance	70 (112.7)
Columbus	90 (144.8)	Martin	90 (144.8)	Wake	70 (112.7)
Craven	100 (160.9)	McDowell	70 (112.7)	Warren	70 (112.7)
Cumberland	80 (128.7)	Mecklenburg	70 (112.7)	Washington	100 (160.9)
Currituck	100 (160.9)	Mitchell	70 (112.7)	Watauga	70 (112.7)
Dare	110 (177.0)	Montgomery	70(112.7)	Wayne	80 (128.7)
Davidson	70 (112.7)	Moore	70 (112.7)	Wilkes	70 (112.7)
Davie	70 (112.7)	Nash	80 (128.7)	Wilson	80 (128.7)
Duplin	90 (144.8)	New Hanover	100 (160.9)	Yadkin	70 (112.7)
Durham	70 (112.7)	Northampton	80 (128.7)	Yancey	70 (112.7)
Edgecombe	80 (128.7)	Onslow	100 (160.9)		
Forsyth	70 (112.7)	Orange	70 (112.7)		

Note on the working drawings any anchorages, connectors, inserts, steel sleeves or other such devices used as part of the falsework or formwork that remains in the permanent structure. If the plan notes indicate that the structure contains the necessary corrosion protection required for a Corrosive Site, epoxy coat, galvanize, metallize or otherwise protect these devices. Electroplating will not be allowed. Any coating required by the Engineer will be considered incidental to the various pay items requiring temporary works.

#### B. Review and Approval

The Engineer is responsible for the review and approval of temporary works' drawings.

Submit the working drawings sufficiently in advance of proposed use to allow for their review, revision (if needed), and approval without delay to the work.

Do not start construction of any temporary work for which working drawings are required until the drawings have been approved. Such approval does not relieve the Contractor of the responsibility for the accuracy and adequacy of the working drawings.

The time period for review of the working drawings does not begin until complete drawings and design calculations, when required, are received by the Engineer.

On the drawings, show all information necessary to allow the design of any component to be checked independently as determined by the Engineer.

If requested by the Engineer, submit with the working drawings manufacturer's catalog data listing the weight of all construction equipment that will be supported on the temporary work. Show anticipated total settlements and/or deflections of falsework and forms on the working drawings. Include falsework footing settlements, joint take-up, and deflection of beams or girders. Falsework hangers that support concentrated loads and are installed at the edge of thin top flange concrete girders (such as bulb tee girders) shall be spaced so as not to exceed 75%

of the manufacturer's stated safe working load. Use of dual leg hangers (such as Meadow Burke HF-42 and HF-43) are not allowed. Design the falsework and forms supporting deck slabs and overhangs on girder bridges so that there will be no differential settlement between the girders and the deck forms during placement of deck concrete.

#### **4.0 Construction Requirements**

All requirements of Section 420 of the Standard Specifications apply.

Construct temporary works in conformance with the approved working drawings. Ensure that the quality of materials and workmanship employed is consistent with that assumed in the design of the temporary works. Do not weld falsework members to any

portion of the permanent structure unless approved. Show any welding to the permanent structure on the approved construction drawings.

Provide tell-tales attached to the forms and extending to the ground, or other means, for accurate measurement of falsework settlement. Make sure that the anticipated compressive settlement and/or deflection of falsework does not exceed 1 inch (25 mm). For cast-in-place concrete structures, make sure that the calculated deflection of falsework flexural members does not exceed 1/240 of their span regardless of whether or not the deflection is compensated by camber strips.

##### **A. Maintenance and Inspection**

Inspect and maintain the temporary work in an acceptable condition throughout the period of its use. Certify that the manufactured devices have been maintained in a condition to allow them to safely carry their rated loads. Clearly mark each piece so that its capacity can be readily determined at the job site.

Perform an in-depth inspection of an applicable portion(s) of the temporary works, in the presence of the Engineer, not more than 24 hours prior to the beginning of each concrete placement. Inspect other temporary works at least once a month to ensure that they are functioning properly. Have a North Carolina Registered Professional Engineer inspect the cofferdams, shoring, sheathing, support of excavation structures, and support systems for load tests prior to loading.

##### **B. Foundations**

Determine the safe bearing capacity of the foundation material on which the supports for temporary works rest. If required by the Engineer, conduct load tests to verify proposed bearing capacity values that are marginal or in other high-risk situations.

The use of the foundation support values shown on the contract plans of the permanent structure is permitted if the foundations are on the same level and on the same soil as those of the permanent structure.

Allow for adequate site drainage or soil protection to prevent soil saturation and washout of the soil supporting the temporary works supports.

If piles are used, the estimation of capacities and later confirmation during construction using standard procedures based on the driving characteristics of the pile is permitted. If preferred, use load tests to confirm the estimated capacities; or, if required by the Engineer conduct load tests to verify bearing capacity values that are marginal or in other high risk situations.

The Engineer reviews and approves the proposed pile and soil bearing capacities.

## **5.0 Removal**

Unless otherwise permitted, remove and keep all temporary works upon completion of the work. Do not disturb or otherwise damage the finished work.

Remove temporary works in conformance with the contract documents. Remove them in such a manner as to permit the structure to uniformly and gradually take the stresses due to its own weight.

## **6.0 Method of Measurement**

Unless otherwise specified, temporary works will not be directly measured.

## **7.0 Basis of Payment**

Payment at the contract unit prices for the various pay items requiring temporary works will be full compensation for the above falsework and formwork.

## **XXIII. CONSTRUCTION OF SUPERSTRUCTURE**

Furnish and erect elastomeric bearings, precast prestressed concrete cored slabs, applicable grouting, and cast-in-place concrete barrier rails upon the bridge.

Complete all work in accordance with the contract plans and the Standard Specifications except that payment for these items will be as described below.

No measurement will be made for these items. The price and payment below will be full compensation for all work covered by this provision including but not limited to furnishing all materials, labor, tools, equipment and all incidentals necessary to complete the work.

Payment will be made under:

Construction of Superstructure.....Lump Sum

**XXIV. CONSTRUCTION OF SUBSTRUCTURE****Description:**

The work covered by this special provision consists of furnishing all labor, equipment, materials, and incidentals necessary to complete the construction of the substructure as is defined in Article 101-3 of the July 2006 Standard Specifications for Roads and Structures.

**Materials:**

All material shall conform to the Specifications or any applicable contract special provision.

**Construction Methods:**

All work shall be performed in accordance with the contract plans and the Standard Specifications or any applicable contract special provision.

**Basis of Payment:**

All work covered by this section will be paid for at the contract lump sum price for "*Construction of Substructure*" except as noted below.

"HP 12 x 53 Galvanized Steel Piles"; "Pile Excavation in Soil"; Pile Excavation Not in Soil"; "Permanent Steel Casing"; "36" Diameter Drilled Pier in Soil", and "36" Diameter Drilled Pier Not in Soil" will be paid for in accordance with other provisions in this Contract.

**XXV. CRANE SAFETY**

(8-15-05)

Comply with the manufacturer specifications and limitations applicable to the operation of any and all cranes and derricks. Prime contractors, sub-contractors, and fully operated rental companies shall comply with the current Occupational Safety and Health Administration regulations (OSHA).

Submit all items listed below to the Engineer prior to beginning crane operations involving critical lifts. A critical lift is defined as any lift that exceeds 75 percent of the manufacturer's crane chart capacity for the radius at which the load will be lifted or requires the use of more than one crane. Changes in personnel or equipment must be reported to the Engineer and all applicable items listed below must be updated and submitted prior to continuing with crane operations.

**Crane Safety Submittal List**

**A. Competent Person:** Provide the name and qualifications of the "Competent

Person” responsible for crane safety and lifting operations. The named competent person will have the responsibility and authority to stop any work activity due to safety concerns.

- B. Riggers:** Provide the qualifications and experience of the persons responsible for rigging operations. Qualifications and experience should include, but not be limited to, weight calculations, center of gravity determinations, selection and inspection of sling and rigging equipment, and safe rigging practices.
- C. Crane Inspections:** Inspection records for all cranes shall be current and readily accessible for review upon request.
- D. Certifications:** **By July 1, 2006**, crane operators performing critical lifts shall be certified by NC CCO (National Commission for the Certification of Crane Operators), or satisfactorily complete the Carolinas AGC’s Professional Crane Operator's Proficiency Program. Other approved nationally accredited programs will be considered upon request. All crane operators shall also have a current CDL medical card. Submit a list of anticipated critical lifts and corresponding crane operator(s). Include current certification for the type of crane operated (small hydraulic, large hydraulic, small lattice, large lattice) and medical evaluations for each operator.

## **XXVI. STEEL PILES**

Refer to Section 450 of the *Standard Specifications*.

(8-4-09)

### **GALVANIZING STEEL PILES**

#### Description

This work consists of surface preparation and galvanizing of steel piles in accordance with Section 1076 of the Standard Specifications. For steel piles, prepare the surface and provide materials in accordance with the applicable parts of the Standard Specifications.

#### Basis of Payment

The work covered by this provision will be included in the contract bid price per linear foot for “*HP 12x53 Galvanized Steel Piles*”. This compensation includes the galvanizing of pile bracing when required. The above prices and payments will be full compensation for all work covered by this provision including but not limited to furnishing all materials, labor, tools, equipment and all incidentals necessary to complete the work.

**XXVII. PILE EXCAVATION**

(7-18-06)

**General**

This special provision governs installing piles using pile excavation in accordance with the plans and as directed by the Engineer. Pile excavation is necessary when piles can not be installed to the required bearing capacity and tip elevation with conventional driving equipment due to vibration concerns or the presence of rock, boulders, debris or very dense soils. Install piles in accordance with Section 450 of the Standard Specifications and this provision.

**Pile Excavation**

Perform pile excavation to the required elevation shown on the plans or otherwise required by the Engineer. Excavate a hole with a diameter that will result in at least 3 in (75 mm) of clearance around the entire pile. Use equipment of adequate capacity and capable of drilling through soil and non-soil including rock, boulders, debris, man-made objects and any other materials encountered. Blasting is not permitted to advance the excavation. Blasting for core removal is only permitted when approved by the Engineer. Dispose of drilling spoils in accordance with Section 802 of the Standard Specifications and as directed by the Engineer. Drilling spoils consist of all excavated material including water removed from the excavation either by pumping or drilling tools.

If unstable, caving or sloughing soils are anticipated or encountered, the Engineer may require the Contractor to stabilize the excavation with steel casing. Steel casing may be either the sectional type or one continuous corrugated or non-corrugated piece. Steel casings should consist of clean watertight steel of ample strength to withstand handling and driving stresses and the pressures imposed by concrete, earth or backfill. Use steel casings with an outside diameter equal to the hole size and a minimum wall thickness of 1/4 in (7 mm).

**Concrete Placement**

Before placing concrete, center the pile in the excavation and drive to the required bearing capacity and specified tip elevation, if applicable, as shown on the plans or as directed by the Engineer. Check the water inflow rate in the excavation after any pumps have been removed. If the inflow rate is less than 6 in (150 mm) per half hour, remove any water and free fall the concrete into the excavation. Ensure that concrete flows completely around the pile. If the water inflow rate is greater than 6 in (150 mm) per half hour, propose a concrete placement procedure to the Engineer. The Engineer shall approve the concrete placement procedure before placing concrete. Fill the excavation with Class A concrete in accordance with Section 1000 of the Standard Specifications except as modified herein. Provide concrete with a slump of 6 to 8 in (150 to 200 mm). Use an approved high-range water reducer to achieve this slump. Place concrete in a continuous manner and remove all casings.

***Measurement and Payment*****Method of Measurement****Pile Excavation in Soil**

The quantity of "*Pile Excavation in Soil*" to be paid for will be the linear feet (meters) of pile excavation exclusive of the linear feet (meters) of "*Pile*

*Excavation Not in Soil*” computed from elevations and dimensions as shown on the plans or from revised dimensions authorized by the Engineer.

#### **Pile Excavation Not in Soil**

The quantity of “*Pile Excavation Not in Soil*” to be paid for will be the linear feet (meters) of pile excavation in non-soil as determined by the Engineer. Non-soil is defined as material that can not be cut with a rock auger and requires excavation by coring, air tools, hand removal or other acceptable methods. Top of non-soil elevation is that elevation where the rock auger penetration rate is less than 2 in (50 mm) per 5 minutes of drilling at full crowd force and coring, air tools, etc. are used to advance the excavation. For pay purposes, after non-soil is encountered, earth seams, rock fragments and voids in the excavation less than 3 ft (0.9 m) in total length will be considered “*Pile Excavation Not in Soil*”. If the non-soil is discontinuous, payment will revert to “*Pile Excavation in Soil*” at the elevation where non-soil is no longer encountered.

#### **Basis of Payment**

##### **Pile Excavation in Soil**

Payment will be made at the contract unit price per linear foot (meter) for “*Pile Excavation in Soil*”. Such payment will include, but is not limited to, furnishing all labor, tools, equipment, materials including concrete complete and in place and all incidentals necessary to excavate and complete the work as described in this provision. The cost for the pile will be paid for separately in accordance with the Standard Specifications and will not be part of the unit bid price for “*Pile Excavation in Soil*”.

##### **Pile Excavation Not in Soil**

Payment will be made at the contract unit price per linear foot (meter) for “*Pile Excavation Not in Soil*”. Such payment will include, but is not limited to, furnishing all labor, tools, equipment, materials including concrete complete and in place and all incidentals necessary to excavate and complete the work as described in this provision. The cost for the pile will be paid for separately in accordance with the Standard Specifications and will not be part of the unit bid price for “*Pile Excavation Not in Soil*”.

## **XXVIII. DRILLED PIERS**

(11/17/06)

### *General*

#### A. Description

This special provision governs the construction of Drilled Piers, also known as "Drilled Shafts" and "Caissons". Drilled piers are a reinforced concrete section, cast-in-place against in situ material or permanent steel casing. Drilled piers are a straight shaft type and vertical. Construct drilled piers in accordance with the details and dimensions shown on the plans and this provision.

## B. Prequalification and Experience Requirements

Use a Drilled Pier Contractor prequalified by the Contractual Services Unit of the Department for drilled pier work (work code 3090).

Submit documentation that the Drilled Pier Contractor has successfully completed at least 5 drilled pier projects within the last 3 years with diameters, lengths and subsurface conditions similar to those anticipated for this project. Documentation should include the General Contractor and Owner's name and current contact information with descriptions of each past project. Also, submit documentation of experience with dry and wet placement of concrete and the use of temporary casing or slurry.

Provide a list of the Drilling Superintendent, Drill Rig Operators and Project Manager that will be assigned to this project. Submit documentation for these personnel verifying employment with the Drilled Pier Contractor and a minimum of 5 years experience in drilled pier construction with past projects of scope and complexity similar to that anticipated for this project. Documentation should include resumes, references, certifications, project lists, experience descriptions and details, etc. Perform work with the personnel submitted and accepted. If personnel changes are required during construction, suspend drilled pier construction until replacement personnel are submitted and accepted.

## C. Construction Sequence Plan

Submit two hard copies and an electronic copy (pdf or jpeg format on CD or DVD) of a drilled pier construction sequence plan for all the drilled piers 30 days before beginning drilled pier construction. Provide detailed project specific information in this plan including:

1. Experience documentation in accordance with Section 1.0, Item B
2. List and size of equipment including: cranes, kelly bars, drill rigs, vibratory hammers, augers, core barrels, cleanout buckets, airlifts and/or submersible pumps, tremies and/or concrete pumps, casing (diameters, thicknesses and lengths), desanding equipment (for slurry construction), etc.
3. Order of drilled pier construction
4. Casing installation and temporary casing removal methods including the order of telescoped casing removal
5. Drilled pier excavation and bottom cleaning methods
6. Reinforcement placement methods including how the cage will be supported and centered in the excavation
7. Concrete placement procedures including how the tremie or pump will be controlled and what type of discharge control will be used to prevent concrete contamination when the tremie or pump is initially placed in the excavation

8. Concrete mix design in accordance with Section 1000 of the Standard Specifications
9. Slurry details (if applicable) including intended purpose, product information, manufacturer's recommendations for use, slurry equipment information and written approval from the slurry supplier that the mixing water is acceptable
10. Procedures for handling drilling spoils and slurry overflow including environmental controls to prevent the loss of concrete, slurry and spoils
11. Methods of how the slurry level will be maintained above the highest piezometric head (if applicable)
12. Crosshole sonic logging (CSL) submittals (if applicable) in accordance with the Crosshole Sonic Logging Special Provision
13. Other information shown on the plans or requested by the Engineer

Do not begin drilled pier construction until the construction sequence plan is accepted. If alternate drilled pier construction procedures are proposed or necessary, a revised submittal may be required. If the work deviates from the accepted submittal without prior approval, the Engineer may suspend drilled pier construction until a revised drilled pier construction sequence plan is submitted and accepted.

#### D. Preconstruction Meeting

Conduct a drilled pier preconstruction meeting with the Project Manager, Drilling Superintendent, the Resident or Bridge Maintenance Engineer and/or his or her representatives, the Bridge Construction Engineer and the Geotechnical Operations Engineer to discuss construction and inspection of the drilled piers. This meeting should occur after the Drilled Pier Contractor has mobilized to the site and the construction sequence plan has been reviewed and accepted.

#### E. Definition of Rock

For the purposes of this provision, "Rock" is defined as a continuous intact natural material in which the penetration rate with a rock auger is less than 2 in (50 mm) per 5 minutes of drilling at full crowd force. This definition excludes discontinuous loose natural materials such as boulders and man-made materials such as concrete, steel, timber, etc. This definition of rock is not for pay purposes; see Section 8.0 for method of measurement of "Drilled Piers Not in Soil".

#### F. Rock Socket

When required by a note on plans, provide a minimum penetration into rock as directed by the Engineer.

## 2.0 *Excavation*

Perform the excavations required for the drilled piers to the dimensions and elevations shown on the plans or otherwise required by the Engineer, including any miscellaneous grading or excavation to install the pier.

Excavate with a drill rig of adequate capacity. Use a rig that is capable of drilling through soil and non-soil including rock, boulders, timbers, man-made objects and any other materials encountered. Blasting is not permitted to advance the excavation. Blasting for core removal is only permitted when approved by the Engineer.

Use a drill rig capable of drilling a minimum of 25% deeper than the deepest drilled pier shown on the plans. Use drilling tools equipped with vents designed to stabilize the hydrostatic pressure above and below the tool during extraction from the excavation. For drilled piers constructed with slurry, monitor the rate at which the drilling tools are inserted and extracted so as to minimize sidewall suction action in the excavation. Drilling below the tip elevations shown on the plans may be required to achieve adequate bearing.

A drilling log signed by the Drilled Pier Contractor that includes material descriptions and depths and drilling times and tools used for each material is required for each pier.

Dispose of drilling spoils in accordance with Section 802 of the Standard Specifications and as directed by the Engineer. Drilling spoils consist of all excavated material including water removed from the excavation either by pumping or drilling tools. Construct drilled piers at the locations shown on the plans and within the tolerances specified herein. If tolerances are exceeded, the Engineer may require corrective measures to meet the tolerances specified. Construct the drilled piers such that the axis at the top of the piers is no more than 3 in (75 mm) in any direction from the position shown in the plans. Build drilled piers within 2% of the plumb deviation for the total length of the piers. Verify the plumbness of the drilled pier excavations by an accurate procedure, such as an inclinometer on the kelly bar or other approved techniques. Unless a plan note requires the construction joint to be moved below the ground line, construct the finished top of pier elevation between 1 in (25 mm) above and 3 in (75 mm) below the top of pier elevation shown on the plans.

When drilling from a barge, use a fixed template that maintains pier position and alignment during all excavation and concrete placement operations. Floating templates (attached to a barge) are not allowed.

Stabilize all drilled pier excavations with steel casing and/or slurry except, as approved by the Engineer, the portions of the excavations in rock as defined by Section 1.0, Item E. Stabilize excavations at all times from the beginning of drilling through concrete placement. When using multiple casings in a telescoped arrangement, overlap subsequent casings a minimum of 2 ft (600 mm). Provide casing or slurry in rock if unstable material is anticipated or encountered during drilling. When slurry is used, a partially excavated pier is subject to the time

requirements in Section 2.0, Item C, Number 1. When slurry is not used, do not leave a drilled pier excavation open overnight unless it is cased to rock.

If a note on plans does not prohibit dewatering and the tip of the drilled excavation is in rock as defined by Section 1.0, Item E, dewater the excavation to the satisfaction of the Engineer. The minimum diameter of a drilled pier excavation in rock or an excavation constructed with slurry may be 2 in (50 mm) less than the design drilled pier diameter shown on the plans. In order to remove a casing and substitute a larger diameter or longer casing through unstable or caving material, either backfill the excavation, stabilize the excavation with slurry before removing the casing to be replaced or insert the larger casing around the casing to be replaced before removal.

#### A. Permanent Steel Casing

Use permanent steel casings as directed by the Engineer and/or as required by a note on plans. Use permanent casings that are clean smooth non-corrugated watertight steel of ample strength to withstand handling and driving stresses and the pressures imposed by concrete, earth or backfill. Provide permanent steel casings conforming to ASTM A252, Grade 2 and the following minimum wall thickness requirements.

##### CASING WALL THICKNESS

Casing Diameter	Minimum Wall Thickness
Less than or equal to 48 in (1220 mm)	3/8 in (9 mm)
Greater than 48 in (1220 mm) and less than or equal to 78 in (1982 mm)	1/2 in (12 mm)
Greater than 78 in (1982 mm)	5/8 in (16 mm)

Provide permanent casings with an outside diameter not less than the specified size of the drilled pier. If approved by the Engineer, a permanent casing larger in diameter than the drilled pier design diameter is permitted. However, no payment will be made for any costs associated with larger permanent casings. Extend the permanent casings from the top of pier elevation or top of permanent casing elevation, if shown on the plans, to a depth no deeper than the permanent casing tip elevation shown on the plans or the revised permanent casing tip elevation approved by the Engineer. Do not extend permanent casings below the permanent casing tip elevation shown on the plans without prior approval from the Engineer. Additional drilled pier length and reinforcement may be required if permanent casings are extended below the permanent casing tip elevation shown on the plans. No payment will be made for the resulting additional drilled pier length, reinforcement and permanent casing unless the Engineer approves the revised permanent casing tip elevation. Install permanent casings in one continuous unit. If splices are necessary for the casing, use an approved method of splicing. Splices are considered incidental and no additional compensation will be made.

Remove any portion of the permanent steel casing that extends above the top of the drilled pier after the Drilled Pier Concrete has achieved a compressive strength of

4500 psi (31.0 MPa). The cost of casing removal will be considered incidental to the cost of the permanent steel casing.

### B. Temporary Steel Casing

Provide temporary steel casing to stabilize drilled pier excavations, protect personnel and prevent caving or sloughing, that is clean smooth non-corrugated watertight steel of ample strength to withstand handling and driving stresses and the pressures imposed by concrete, earth or backfill. Use temporary steel casings with a minimum wall thickness of 3/8 in (9 mm) and an outside diameter not less than the specified size of the drilled pier.

Temporary steel casings that become bound or fouled during construction and cannot be practically removed may constitute a defect in the drilled pier. Improve defective piers to the satisfaction of the Engineer by removing the concrete and extending the pier deeper, providing a replacement drilled pier or other acceptable means. Complete all corrective measures including any additional design work to the satisfaction of the Engineer without additional compensation or an extension of the completion date of the project.

### C. Slurry **-NOT ALLOWED for this Project-**

When slurry use is not noted on the plans, slurry construction is an option. If slurry use is required or an option, polymer slurry use may either be required or prohibited as noted on the plans. If slurry use is required or an option and polymer slurry use is not noted on the plans, polymer slurry use is an option.

If polymer slurry is required or an option, use one of the following polymers listed in the table below:

PRODUCT	MANUFACTURER
SlurryPro CDP	KB Technologies Ltd. 3648 FM 1960 West, Suite 107 Houston, TX 77068 (800) 525-5237
Super Mud	PDS Company 105 West Sharp Street El Dorado, AR 71730 (800) 243-7455
Shore Pac GCV	CETCO Drilling Products Group 1500 West Shure Drive Arlington Heights, IL 60004 (800) 527-9948
Novagel Polymer	Geo-Tech Drilling Fluids 220 North Zapata Hwy, Suite 11A Laredo, TX 78043 (210) 587-4758

Use polymer slurry and associated additives in accordance with the manufacturer's guidelines and recommendations unless otherwise approved by the Engineer. The Drilled Pier Contractor should be aware that polymer slurry might not be appropriate for a given site. Polymer slurry should not be used for excavations in soft or loose soils as determined by the Engineer. When using polymer slurry, a representative of the manufacturer must be on-site to assist and guide the Contractor during the construction of the first three drilled piers unless otherwise approved by the Engineer. This representative must also be available for on-site assistance to the Contractor if problems are encountered during the construction of the remaining drilled piers as requested by the Engineer. The cost of all on-site assistance and representation will be considered incidental to the cost of the drilled piers.

If mineral slurry is required or an option, use mineral slurry composed of bentonite having a mineral grain size that remains in suspension and sufficient viscosity and gel characteristics to transport excavated material to a suitable screening system to minimize bottom sedimentation. Provide bentonite slurry to maintain the stability of the excavation and allow for proper concrete placement. The Drilled Pier Contractor should be aware that salt water with salt concentrations in excess of 500 ppm may adversely affect bentonite slurry.

When slurry is used and permanent steel casing is not required, use temporary casing a minimum of 10 ft (3 m) long at the top of the excavation. Maintain the top of the temporary casing a minimum of 1 ft (300 mm) above the ground surface surrounding the casing.

Maintain the slurry in the pier excavation at a level not less than 5 ft (1.5 m) or the drilled pier diameter (whichever is greater) above the highest piezometric head along the depth of the pier. It is anticipated that the highest piezometric head is the static water or groundwater elevation (elevation head). However, the Drilled Pier Contractor is responsible for determining the highest piezometric head. The use of steel casing to maintain the required slurry level is permitted; however, no payment will be made for casing that is used for this purpose. If the slurry level in the excavation suddenly changes or cannot be practically maintained, or the slurry construction method does not produce the desired result, stop the pier construction until an alternate construction procedure is accepted by the Engineer.

Thoroughly premix the slurry with water in tanks before introducing the slurry into the excavation. Submit written approval from the slurry supplier that the mixing water is acceptable. Allow bentonite slurry to hydrate 24 hours in tanks before use. Slurry tanks of adequate capacity are required for slurry circulation, storage and treatment. Excavated slurry pits are not allowed in lieu of slurry tanks without prior approval from the Engineer. Take all steps necessary to prevent the slurry from "setting up" in the excavation. Such methods include, but are not limited to agitation, circulation and/or adjusting the properties of the slurry. Perform desanding operations as necessary to achieve the acceptable sand contents before placing reinforcing steel.

#### 1. Time

Adjust the excavation operations so that the maximum time the slurry is in contact with the sidewalls of the uncased portions of the drilled

pier excavation (from time of drilling to concrete placement) does not exceed 36 hours. Do not work on more than two drilled piers per drill rig below the steel casing at any time.

Agitate bentonite slurry in the drilled pier excavations a minimum of every 4 hours. If the bentonite slurry is not agitated a minimum of every 4 hours or the 36 hour time limit is exceeded, the Engineer may require the excavation to be overreamed beneath the steel casing a minimum of 1 in (25 mm) and a maximum of 3 in (75 mm) before performing any other operations in the excavation. Overream with a grooving tool, overreaming bucket or other approved equipment at a minimum spacing of 12 in (300 mm). All costs associated with both overreaming and the resulting additional concrete placement will be considered incidental to the cost of the drilled piers.

If concrete placement is not completed within three days of beginning drilling, enlarge the design drilled pier diameter by a minimum of 6 in (150 mm), or as required by the Engineer, the entire length of the pier at no additional cost to the Department. Enlarging the drilled pier includes replacing the steel casing with steel casing the same size to which the drilled pier is enlarged at no additional cost to the Department.

## 2. Sampling

Collect all slurry samples using an approved sampling tool. Test slurry samples to determine density, viscosity, pH and sand content to establish an acceptable working pattern during slurry use. Test a minimum of 4 samples during each 8 hours of slurry use for each drilled pier. Take the first sample for the first 8 hours from the slurry tank before introducing slurry into the excavation. Collect the remaining samples from the bottom of the pier excavation. When the test results are acceptable and consistent, a decrease in the testing frequency to one sample per 4 hours of slurry use is permitted. Before placing reinforcing steel in the drilled pier excavation, extract slurry samples from the bottom of each excavation and at intervals not exceeding 10 ft (3 m) up the excavation, until two consecutive samples produce acceptable values for density, viscosity, pH and sand content.

## 3. Testing

Have qualified personnel conduct slurry tests to determine density, viscosity, pH and sand content. The following tables show the acceptable range of values for the slurry properties:

<b>BENTONITE SLURRY</b> Sodium Montmorillonite (Commercial Bentonite) Acceptable Range of Values			
<b>Property (units)</b>	<b>At Time of Slurry Introduction</b>	<b>In Excavation Immediately Before Concrete Placement</b>	<b>Test Method</b>
Density, pcf (kg/m <sup>3</sup> )	64.3 – 69.1 (1030- 1107)	64.3 – 75.0 (1030- 1201)	Mud Weight (Density) API 13B-1 Section 1

Viscosity, sec./quart (sec./0.95 liters)	28 – 45	28 – 45	Marsh Funnel and Cup API 13B-1 Section 2.2
Ph	8 – 11	8 – 11	pH Paper or Glass Electrode pH Meter
Sand Content (percent)	Less than or equal to 4	Less than or equal to 2	Sand API 13B-1 Section 5
Notes:			
1. Perform tests when the slurry temperature is above 40°F (4.4°C).			
2. Increase density by 2 pcf (32 kg/m <sup>3</sup> ) in saltwater.			

<b>SLURRYPRO CDP</b> KB Technologies Ltd. Acceptable Range of Values			
Property (units)	At Time of Slurry Introduction	In Excavation Immediately Before Concrete Placement	Test Method
Density, pcf (kg/m <sup>3</sup> )	Less than or equal to 67 (1073)	Less than or equal to 64 (1025)	Mud Weight (Density) API 13B-1 Section 1
Viscosity, sec./quart (sec./0.95 liters)	50 – 120	Less than or equal to 70	Marsh Funnel and Cup API 13B-1 Section 2.2
pH	6 – 11.5	6 – 11.5	pH Paper or Glass Electrode pH Meter
Sand Content (percent)	Less than or equal to 0.5	Less than or equal to 0.5	Sand API 13B-1 Section 5
Notes:			
1. Perform tests when the slurry temperature is above 40°F (4.4°C).			
2. Increase density by 2 pcf (32 kg/m <sup>3</sup> ) in saltwater.			

<b>SUPER MUD</b> PDS Company Acceptable Range of Values			
Property (units)	At Time of Slurry Introduction	In Excavation Immediately Before Concrete Placement	Test Method
Density, pcf (kg/m <sup>3</sup> )	Less than or equal to 64 (1025)	Less than or equal to 64 (1025)	Mud Weight (Density) API 13B-1 Section 1
Viscosity, sec./quart (sec./0.95 liters)	32 – 60	Less than or equal to 60	Marsh Funnel and Cup API 13B-1 Section 2.2
pH	8 – 10	8 – 10	pH Paper or Glass Electrode pH Meter

Sand Content (percent)	Less than or equal to 0.5	Less than or equal to 0.5	Sand API 13B-1 Section 5
Notes:			
1. Perform tests when the slurry temperature is above 40°F (4.4°C).			
2. Increase density by 2 pcf (32 kg/m <sup>3</sup> ) in saltwater.			

<b>SHORE PAC GCV</b> CETCO Drilling Products Group Acceptable Range of Values			
Property (units)	At Time of Slurry Introduction	In Excavation Immediately Before Concrete Placement	Test Method
Density, pcf (kg/m <sup>3</sup> )	Less than or equal to 64 (1025)	Less than or equal to 64 (1025)	Mud Weight (Density) API 13B-1 Section 1
Viscosity, sec./quart (sec./0.95 liters)	33 – 74	Less than or equal to 57	Marsh Funnel and Cup API 13B-1 Section 2.2
pH	8 – 11	8 – 11	pH Paper or Glass Electrode pH Meter
Sand Content (percent)	Less than or equal to 0.5	Less than or equal to 0.5	Sand API 13B-1 Section 5
Notes:			
1. Perform tests when the slurry temperature is above 40°F (4.4°C).			
2. Increase density by 2 pcf (32 kg/m <sup>3</sup> ) in saltwater.			

<b>NOVAGEL POLYMER</b> Geo-Tech Drilling Fluids Acceptable Range of Values			
Property (units)	At Time of Slurry Introduction	In Excavation Immediately Before Concrete Placement	Test Method
Density, pcf (kg/m <sup>3</sup> )	Less than or equal to 67 (1073)	Less than or equal to 64 (1025)	Mud Weight (Density) API 13B-1 Section 1
Viscosity, sec./quart (sec./0.95 liters)	45 – 104	Less than or equal to 104	Marsh Funnel and Cup API 13B-1 Section 2.2
pH	6.5 – 11.5	6.5 – 11.5	pH Paper or Glass Electrode pH Meter
Sand Content (percent)	Less than or equal to 0.5	Less than or equal to 0.5	Sand API 13B-1 Section 5

**Notes:**

1. Perform tests when the slurry temperature is above 40°F (4.4°C).
2. Increase density by 2 pcf (32 kg/m<sup>3</sup>) in saltwater.

When any slurry samples are found to be unacceptable, take whatever action is necessary to bring the slurry within specification requirements. Do not place reinforcement steel until resampling and testing produce acceptable results.

Sign and submit reports of all slurry tests required above to the Engineer upon completion of each drilled pier. The Department reserves the right to perform comparison slurry tests at any time.

#### 4. Slurry Disposal

Comply with all applicable local, state and federal regulations, as well as with the environmental permits of the project when disposing of excavated materials contaminated with slurry. Keep all excavated materials, spoils from the desanding unit and slurry out of the water and contain them at all times. The cost of the containment, removal and disposal of excavated materials contaminated with slurry, as well as the slurry itself, is incidental to the cost of the drilled piers.

### 3.0 *Cleaning*

Excavate the bottom of the drilled pier to a level plane or stepped with a maximum step height of 12 in (300 mm). Clean the bottom of the excavation of loose material using a technique accepted in the construction sequence plan. When the drilled pier excavation is not hand cleaned, clean the bottom of the excavation with a cleanout bucket and an airlift or submersible pump.

### 4.0 *Inspection Methods and Requirements*

After the drilled pier excavation is completed, and immediately before placing reinforcing steel and concrete, demonstrate the proper condition of the drilled pier excavation to the Engineer. Provide bosun chairs, gas meters, safety equipment, lights, mirrors, weighted tape measures, steel probes, personnel and all assistance required for the Engineer to inspect the drilled pier excavations.

#### A. Bearing Capacity

If the required end bearing capacity is not satisfied, increase the drilled pier length as directed by the Engineer. Payment for the additional drilled pier length to achieve adequate bearing will be made per the drilled pier pay items.

One or more of the following tests may be used to verify the conditions and continuity of the bearing material before placing reinforcing steel.

##### 1. Visual Inspection

The end bearing of the drilled pier excavation may be inspected either by entering the excavation or visually from the top of the excavation.

## 2. Test Hole

If the tip of the drilled pier excavation is in rock as defined by Section 1.0, Item E, drill a 1-1/2 in (38 mm) diameter test hole in each drilled pier to a depth at least 6 ft (1.8 m) below the tip elevation.

## 3. Standard Penetration Test (SPT) –**NOT REQUIRED**–

When noted on the plans that a SPT is required, drive a split barrel sampler a minimum of 18 in (450 mm) below the drilled pier tip elevation or to refusal in accordance with ASTM D1586, “Penetration Test and Split-Barrel Sampling of Soils”. Complete the SPT using NW rods through casing or another stabilizing method as approved by the Engineer. Extend the SPT rods from the top of the drilled pier excavation to the drilled pier tip elevation. Firmly support the SPT casing at the top of the drilled pier excavation and rest it on the bottom of the excavation. Conduct the SPT a minimum of 12 in (300 mm) away from the sidewalls of the excavation and be sure not to scrape the sidewalls of the excavation while inserting or withdrawing the SPT equipment. Have the SPT device on-site before reaching the drilled pier tip elevation. Report the number of blows for each 6 in (150 mm) increment driven and a description of the recovered soil sample to the Engineer. The Engineer determines the number of blows required for bearing.

## B. Bottom Cleanliness

The pier excavation bottom is considered clean if a minimum of 50% of the bottom area has less than 1/2 in (13 mm) of sediment and no portion of the bottom area has more than 1-1/2 in (38 mm) of sediment as determined by the Engineer.

One or more of the following inspection procedures may be used to inspect the cleanliness of the pier excavation bottom before placing the reinforcing steel and concrete.

### 1. Visual Inspection

The cleanliness of the drilled pier excavation bottom may be observed either by entering the excavation or from the top of the excavation.

### 2. Steel Probe

If the excavation is not dewatered or if the Engineer requires it, lower a steel probe to the bottom of the drilled pier excavation to ensure that cleaning has been satisfactorily completed. Supply a steel probe that is 2 ft (0.6 m) long with a flat tip on the sounding end, weighs approximately 9 lbs, #10 rebar (4 kg, #32 rebar), and is suspended from the opposite end with a non-stretch cable.

### 3. Shaft Inspection Device (SID) –**MAY BE REQUIRED**–

The Department may use the SID to take sediment measurements and observe the bottom conditions of the drilled pier excavation at a minimum of five locations selected by the Engineer. The SID is a remotely operated camera capable of observing bottom conditions and

measuring sediment underwater and slurry. Each SID inspection (including all 5 locations) takes approximately 1 hour after the equipment has been set up. The Engineer provides the SID and the personnel to operate the device. Notify the Engineer a minimum of 2 days before beginning the drilled pier excavation so the Engineer can arrange for the transportation of the SID to the site and the personnel to perform the inspections. SID inspections are required until the cleanliness of the drilled pier excavation bottom is acceptable in accordance with Section 4.0, Item B of this provision. Do not conduct operations that interfere with the SID inspections. Remove all cleaning and drilling equipment from the drilled pier excavation during any SID inspection. Provide a working area large enough for the SID equipment and within reach of the cabling supplied and clear sight distance of the drilled pier excavation. Assist the Engineer in the transportation and handling of the SID and all the associated equipment and in supporting the electric hoist and/or hoisting tripod for the SID. If required, provide a safe and secure location to park the trailer for the SID while it is unattended on the project site. If any of the SID equipment is damaged due to the Contractor's negligence, then replace the equipment at no additional cost to the Department. Provide replacement equipment that exactly matches the damaged equipment as directed by the Engineer. All costs involved with the initial SID inspection of each drilled pier excavation will be made per the SID pay item. No additional payment will be made for subsequent or repeated SID inspections of the same drilled pier excavation. No claims for either lost time or actual expense of any SID inspections that do not find the cleanliness of the drilled pier excavation bottom in compliance with this provision will be paid.

## *5.0 Reinforcing Steel*

Reinforcing steel shall conform to Section 1070 of the Standard Specifications. Completely assemble a cage of reinforcing steel, consisting of longitudinal and spiral bars and place it in the drilled pier excavation as a unit immediately after the proper condition of the excavation is demonstrated to the Engineer. When concrete placement does not follow immediately after cage placement, remove the steel from the pier excavation unless the Engineer directs otherwise. If the cage is removed, recheck pier excavation cleanliness in accordance with this provision before reinstalling the cage.

If the drilled pier excavation is cased down to rock, immediate placement of the reinforcing steel and the concrete is not required. If electing to delay placement of the reinforcing steel and concrete due to the presence of rock, recheck the excavation for proper cleanliness immediately before placing reinforcing steel.

### **A. Construction, Placement, Support and Alignment**

If it is determined in the field that the drilled pier must be longer, adequate reinforcement may be required in the extended length as directed by the Engineer.

Lift the cage so racking and cage distortion does not occur. Keep the cage plumb during concrete operations and casing extraction. Check the position of the cage before and after placing the concrete. Position the splice length of the drilled pier cage so that the column or footing has the minimum concrete cover shown on the plans.

Securely cross-tie the vertical and spiral reinforcement at each intersection with double wire. Support or hold down the cage so that the vertical displacement during concrete placement and casing extraction does not exceed 6 in (150 mm).

## B. Bolsters and Spacers

Set the rebar cage directly on the bottom of the drilled pier excavation with plastic bolsters under each vertical reinforcing bar. Ensure that spacers are tall enough to raise the rebar cage off the bottom of the drilled pier excavation a minimum of 3 in (75 mm). If approved by the Engineer, the rebar cage may be hung in the excavation provided the mechanisms supporting the cage are left in place until the Drilled Pier Concrete strength has achieved 3000 psi (20.7 MPa).

In order to ensure the minimum required concrete cover and achieve concentric spacing of the cage within the pier, attach plastic spacer wheels at five points around the cage perimeter. Use spacer wheels that provide a minimum of 4 in (100 mm) "blocking" from the outside face of the spiral bars to the outermost surface of the drilled pier except in rock as defined by Section 1.0, Item E and when using slurry construction. Use spacer wheels for slurry construction or in rock that provide a minimum of 2 in (50 mm) "blocking". Tie spacer wheels that snap together with wire and allow them to rotate. Use spacer wheels that span at least two adjacent vertical bars. Start placing spacer wheels at the bottom of the cage and continue up along its length at maximum 10 ft (3 m) intervals.

## 6.0 Concrete

Drilled Pier Concrete shall conform to Section 1000 of the Standard Specifications. Begin concrete placement immediately after inserting reinforcing steel into the drilled pier excavation.

### A. Concrete Mix

As an option, use Type IP blended cement with a minimum cement content of 665 lbs/yd<sup>3</sup> (395 kg/m<sup>3</sup>) and a maximum cement content of 833 lbs/yd<sup>3</sup> (494 kg/m<sup>3</sup>). Use No. 78M coarse aggregate in the mix.

Use an approved water-reducer, water-reducing retarder, high-range water-reducer or high-range water-reducing retarder to facilitate placement of the concrete if necessary. Do not use a stabilizing admixture as a retarder in Drilled Pier Concrete without approval of the Engineer. Use admixtures that satisfy AASHTO M194 and add them at the concrete plant when the mixing water is introduced into the concrete. Redosing of admixtures is not permitted.

## B. Concrete Placement

Place concrete such that the drilled pier is a monolithic structure. Vibration is only permitted, if needed, in the top 10 ft (3 m) of the drilled pier. Remove any contaminated concrete from the top of the drilled pier at the time of concrete placement. Contain and remove all wasted concrete that spills over the casing.

Do not twist, move or otherwise disturb temporary casings until the concrete depth in the casing is in excess of 10 ft (3 m) above the bottom of the casing being disturbed. If the head is greater than 30 ft (9 m), the Engineer may require a concrete depth greater than 10 ft (3 m). The head is defined as the difference between the highest piezometric head along the depth of the pier and the static water elevation inside the excavation. If the Engineer requires a concrete depth greater than 10 ft (3 m), the Drilled Pier Contractor may choose to either place concrete with this required concrete depth or place concrete with the wet method and a minimum concrete depth of 10 ft (3 m).

Maintain the required concrete depth above the bottom of the innermost casing during casing removal, except when the concrete level is at or above the top of drilled pier elevation. Sustain a sufficient concrete depth above the bottom of casing to overcome outside soil and water pressure. As the casing is withdrawn, exercise care in maintaining an adequate concrete depth within the casing so that fluid trapped behind the casing is displaced upward and discharged at the ground surface without contaminating or displacing the Drilled Pier Concrete. Exerting downward pressure, hammering and/or vibrating the temporary casing is permitted to facilitate removal.

Use the water inflow rate to determine the concrete placement procedure after any pumps have been removed from the excavation. If the inflow rate is less than 6 in (150 mm) per half hour, the concrete placement is considered dry. If the water inflow rate is greater than 6 in (150 mm) per half hour, the concrete placement is considered wet.

Keep a record of the volume of concrete placed in each drilled pier excavation and make it available to the Engineer. For drilled piers constructed with slurry or as directed by the Engineer, record a graphical plot of the depth versus theoretical concrete volume and actual measured concrete volume for each drilled pier and provide it to the Engineer when finished placing concrete.

### 1. Dry Placement

Before concrete placement, make certain the drilled pier excavation is dry so the flow of concrete around the reinforcing steel can be verified by visual inspection. If the concrete free fall does not exceed 60 ft (18.3 m), placing the concrete by a central drop method where the concrete is chuted directly down the center of the excavation is permitted.

For drilled piers exceeding 60 ft (18.3 m) in length, use a tremie or a pump to place concrete unless otherwise approved by the Engineer. Support the tremie or pump pipe so that the concrete free fall is less than 60 ft (18.3 m) at all times.

## 2. Wet Placement

Maintain a static water or slurry level in the excavation before placing concrete underwater. When temporary casing is used as the method to stabilize the excavation, place concrete with a sectional tremie or pump (no continuous tremie).

Once the concrete in the excavation reaches the same elevation as the static water level, placing concrete with the dry method is permitted. Before changing to the dry method of concrete placement, remove the water above the concrete and clean the concrete surface of all scum and sediment to expose clean, uncontaminated concrete.

## 3. Pump and Tremie

Pump concrete in accordance with Article 420-5 of the Standard Specifications. Use a steel tremie with watertight joints and a minimum diameter of 10 in (250 mm). Use a discharge control to prevent concrete contamination when the tremie tube or pump pipe is initially placed in the excavation. Extend the tremie tube or pump pipe into the concrete a minimum of 5 ft (1.5 m) at all times except when the concrete is initially introduced into the pier excavation. If the tremie tube or pump pipe pulls out of the concrete for any reason after the initial concrete is placed, restart concrete placement with a steel capped tremie tube or pump pipe.

## 4. Placement Time

Place concrete within the time frames specified in Table 1000-2 of the Standard Specifications for Class AA concrete. Do not place concrete so fast as to trap air, slurry, water, fluids, soil or any other deleterious materials in the vicinity of the reinforcing steel and the annular zone between the rebar cage and the excavation walls.

### *7.0 Scheduling and Restrictions*

If caving or sloughing occurs, compensation will not be provided for additional concrete to fill the resulting voids.

For the first 16 hours after a drilled pier has achieved its initial concrete set (as determined by the Engineer), do not drill adjacent piers, do not install adjacent piles, and do not allow any equipment wheel loads or "excessive" vibrations within 20 ft (6 m) of the drilled pier.

In the event that the procedures described herein are performed unsatisfactorily, the Engineer may suspend drilled pier construction in accordance with Article 108-7 of the Standard Specifications. If the integrity of the drilled pier is in question, the Engineer reserves the right to reject the drilled piers and require remediation. Remedial measures are proposed by the Contractor and require approval of the Engineer. No compensation will be paid for losses or damage due to remedial work or any investigation of drilled piers found defective or not in accordance with this provision or the plans.

## 8.0 Measurement and Payment

### A. Method of Measurement

#### 1. Drilled Piers in Soil

The quantity of “*Drilled Piers in Soil*” to be paid for will be the linear feet (meters) of the drilled piers exclusive of the linear feet (meters) of “*Drilled Piers Not in Soil*” computed from elevations and dimensions as shown on the plans or from revised dimensions authorized by the Engineer. Drilled piers through air or water will be paid for as “*Drilled Piers in Soil*”.

#### 2. Drilled Piers Not in Soil

The quantity of “*Drilled Piers Not in Soil*” to be paid for will be the linear feet (meters) of drilled piers excavated in non-soil as determined by the Engineer. Non-soil is defined as material that can not be cut with a rock auger and requires excavation by coring, air tools, hand removal or other acceptable methods. Top of non-soil elevation is that elevation where the rock auger penetration rate is less than 2 in (50 mm) per 5 minutes of drilling at full crowd force and coring, air tools, etc. are used to advance the excavation. For pay purposes, after non-soil is encountered, earth seams, rock fragments and voids in the excavation less than 3 ft (0.9 m) in total length will be considered “*Drilled Piers Not in Soil*”. If the non-soil is discontinuous, payment will revert to “*Drilled Piers in Soil*” at the elevation where non-soil is no longer encountered.

#### 3. Permanent Steel Casing

The quantity of “*Permanent Steel Casing*” to be paid for will be the linear feet (meters) of permanent steel casing as directed or required to be used. The length to be paid for will be measured along the permanent casing from the top of the casing elevation or top of the pier elevation, whichever is lower, to the permanent casing tip elevation. The Department will also pay for up to an additional 3 ft (1 m) of permanent casing cut off if the casing can not be installed to the permanent casing tip elevation shown on the plans. Permanent casing will be paid for only when permanent casing is authorized or when the Engineer directs the Contractor to leave a casing in place such that it becomes a permanent part of the pier. No payment will be made for temporary steel casings that become bound or fouled during pier construction and cannot be practically removed.

#### 4. Shaft Inspection Device (SID) –MAY BE REQUIRED-

The quantity of “SID Inspection” to be paid for will be “per drilled pier” as noted on the plans and/or directed by the Engineer. SID inspections are performed until the bottom cleanliness of the drilled pier excavation is acceptable by this provision; however, payment will only be made for the initial SID inspection of each drilled pier excavation.

5. Standard Penetration Test (SPT) –NOT REQUIRED-

The quantity of “SPT Testing” to be paid for will be the actual number of SPT tests performed as noted on the plans and/or directed by the Engineer.

B. Basis of Payment

1. Drilled Piers in Soil

Payment will be made at the contract unit price per linear foot (meter) for “36” Dia. Drilled Pier in Soil”. Such payment will include, but is not limited to, furnishing all labor, tools, equipment, materials including concrete complete and in place and all incidentals necessary to excavate the drilled piers and complete the work as described in this provision. No additional payment will be made for slurry use. No additional payment will be made for any miscellaneous grading or excavation to install the drilled pier. “Reinforcing Steel” and “Spiral Column Reinforcing Steel” will be paid for separately and will not be part of the unit bid price for “*Drilled Piers in Soil*”.

2. Drilled Piers Not in Soil

Payment will be made at the contract unit price per linear foot (meter) for “36” Dia. Drilled Pier Not in Soil”. Such payment will include, but is not limited to, furnishing all labor, tools, equipment, materials including concrete complete and in place and all incidentals necessary to excavate the drilled piers and complete the work as described in this provision. No additional payment will be made for slurry use. No additional payment will be made for any miscellaneous grading or excavation to install the drilled pier. “Reinforcing Steel” and “Spiral Column Reinforcing Steel” will be paid for separately and will not be part of the unit bid price for “*Drilled Piers Not in Soil*”.

3. Permanent Steel Casing

Payment will be made at the contract unit price per linear foot (meter) for “*Permanent Steel Casing for 36*” Dia. Drilled Pier”. Such payment will include, but is not limited to, furnishing all material, labor, tools, equipment and all incidentals necessary to install the casing in the pier excavation.

4. Shaft Inspection Device (SID) –MAY BE REQUIRED-

Payment for SID will be at the contract unit price per each for “SID Inspection”. Such payment will include, but is not limited to, furnishing all materials, labor, tools, equipment and all incidentals necessary to complete the SID inspection as described in this provision.

5. Standard Penetration Test (SPT) –NOT REQUIRED-

Payment for SPT will be at the contract unit price per each for “SPT Testing”. Such payment will include, but is not limited to, furnishing all materials, labor, tools, equipment and all incidentals necessary to complete the SPT at each test location.

**XXIX. CROSSHOLE SONIC LOGGING**

(11-17-06)

**1.0 General**

Use the non-destructive testing method crosshole sonic logging (CSL) to verify the integrity of the drilled pier and quality of concrete. The CSL test method is described in ASTM D6760, "Integrity Testing of Concrete Deep Foundations by Ultrasonic Crosshole Testing". The Engineer will determine the number of CSL tests and which drilled piers will be CSL tested. Drilled piers are referred to as piers in this special provision.

The CSL test measures the time for an ultrasonic pulse to travel from a signal source in one tube to a receiver in another tube. In uniform, good quality concrete, the travel time between equidistant tubes should yield relatively consistent arrival times and correspond to a reasonable pulse velocity, signal amplitude and energy from the bottom to the top of the pier. Longer travel times, decrease in pulse velocity and lower amplitude/energy signals indicate the presence of irregularities such as poor quality concrete, voids, honeycombing, cracking and soil intrusions. The signal may be completely lost by the receiver and CSL recording system for severe defects such as voids. Retain a CSL Consultant to perform CSL testing on the selected drilled piers. The CSL Consultant shall supply the Contractor with technical assistance and guidance during preparation and testing. Provide suitable access to the site and to the top of piers to be tested. Follow instructions from the CSL Consultant unless directed otherwise by the Engineer.

Place CSL tubes in all drilled piers. Perform CSL testing after concrete achieves a minimum compressive strength of 3000 psi (20.7 MPa) and within 7 to 30 days after concrete placement. After CSL test results have been reviewed and the Engineer has accepted the drilled pier, dewater the tubes and core holes, if any, and fill with an approved grout. If the Engineer elects not to CSL test a pier, obtain approval from the Engineer to dewater the tubes and fill them with an approved grout. Provide, mix and place grout in accordance with the Grout for Structures Special Provision.

**2.0 Prequalification and Experience Requirements**

Use a CSL Consultant prequalified by the Contractual Services Unit of the Department for Non-Destructive Foundation Testing work (work code 3070). Submit documentation that the CSL Consultant has successfully completed at least 5 CSL testing projects within the last 3 years of a scope and complexity similar to that anticipated for this project. Documentation should include the General Contractor and Owner's name and current contact information with descriptions of each past project.

Provide the name of the Project Engineer that will be assigned to this project. Submit documentation for the Project Engineer verifying employment with the CSL Consultant, registration as professional engineer in North Carolina and a minimum of 5 years experience in CSL testing with past projects of scope and complexity similar to that anticipated for this project. Documentation should

include resumes, references, certifications, project lists, experience descriptions and details, etc.

### *3.0 Preparation for CSL*

Submit grout mix design or packaged grout type, CSL Consultant experience documentation, CSL tube size and Type 7 Contractor's Certification, cap details, couplings or joint details and the method for attaching the tubes. Provide this information with the drilled pier construction sequence plan.

Install 4 tubes in each drilled pier with a diameter of 5 ft (1524 mm) or less and 6 tubes in each pier with a diameter of greater than 5 ft (1524 mm). Provide 2 in (50 mm) inside diameter Schedule 40 steel pipe conforming to ASTM A53, Grade A or B, Type E, F or S. The tubes shall have a round, regular internal diameter free of defects or obstructions, including any at tube joints, in order to permit the free, unobstructed passage of source and receiver probes. The tubes shall provide a good bond with the concrete and be watertight.

Fit the tubes with a watertight threaded cap on the bottom and a removable threaded cap on the top. Securely attach the tubes to the interior of the reinforcing cage. Install the tubes in each drilled pier in a regular, symmetric pattern such that each tube is equally spaced from the others around the perimeter of the cage. Place tubes such that large vertical reinforcing bars do not block the direct line between adjacent tubes. The tubes are typically wire-tied to the reinforcing cage every 3 ft (1 m) or otherwise secured such that the tubes remain in position during placement of the cage and concrete. Install tubes as near to vertical and as parallel as possible, **as non-vertical tubes can adversely affect data analysis**. Extend the tubes from 6 in (150 mm) above the pier tip to at least 3 ft (1 m) above the top of the pier. If the pier top elevation is below ground elevation, extend tubes at least 2 ft (610 mm) above ground surface. If the drilled pier tip elevation is excavated more than 1 ft (305 mm) below the tip elevation shown on the plans, extend the tubes using proper threaded mechanical couplings to within 6 in (150 mm) of the revised pier tip elevation.

Before placing the reinforcing cage, record the tube lengths and positions along the length of the cage. After concrete placement, measure the stickup of the tubes above the top of the drilled piers and verify tube spacing.

After placing reinforcement and before placing concrete, fill the CSL tubes with clean water and cap them to keep out debris. CSL tubes that are not filled with water and capped will be rejected. When removing the caps, use care not to apply excess torque, force or stress, which could break the bond between the tubes and the concrete.

### *4.0 CSL Equipment*

The minimum requirements of the CSL equipment are as follows:

- A microprocessor based CSL system for display of individual CSL records, analog-digital conversion and recording of CSL data, analysis of receiver responses and printing of report quality CSL logs
- Ultrasonic source and receiver probes which can travel through 2 in (50 mm) I.D. steel pipe

- An ultrasonic voltage pulser to excite the source with a synchronized triggering system to start the recording system
- A depth measurement device to electronically measure and record the source and receiver depths associated with each CSL signal
- Appropriate filter/amplification and cable systems for CSL testing
- An acquisition system that stores each log in digital format, with drilled pier identification, date, time and test details, including the source and receiver gain and displays arrival time data graphically during data acquisition
- 3D tomographic imaging software or source for completing the work

### *5.0 CSL Test Procedure*

Perform CSL testing between each adjacent perimeter CSL tube pair and opposite tube pairs along the cross section diameter. Maintain the source and receiver probes in the same horizontal plane unless test results indicate defects or poor concrete zones, in which case, further evaluate the defect zones with angle tests (source and receiver vertically offset at greater than 1.5 ft (460 mm) in the tubes). Report any defects indicated by decreased signal velocity and lower amplitude/energy signals at the time of testing and conduct angle tests in the zones of the defects as defined by the Concrete Condition Rating Criteria (CCRC) in Section 6.0 of this provision. Make CSL measurements at depth intervals of 2.5 in (65 mm) or less from the bottom of the tubes to the top of each pier. Pull the probes simultaneously, starting from the bottom of the tubes, using a depth-measuring device to electronically measure and record the depths associated with each CSL signal. Remove any slack from the cables before pulling to provide for accurate depth measurements of the CSL records. In the event defects are detected, conduct additional logs at no additional cost to the Department. If CSL probes will not pass through the entire length of the CSL tubes, core a 2 in (50 mm) diameter hole through the concrete the full length of the drilled pier for each inaccessible tube. If the CSL tubes debond from the concrete, core a 2 in (50 mm) diameter hole through the concrete to the depth of the debonding for each debonded tube. Locate core holes approximately 9 in (230 mm) inside the reinforcement as directed by the Engineer. Fill core holes with clean water and cover to keep out debris. No additional payment will be made for coring due to inaccessible or debonded tubes.

### *6.0 CSL Results and Reporting*

Submit two hard copies and an electronic copy (pdf or jpeg format on CD or DVD) of a CSL report sealed by the Project Engineer within 5 calendar days after field testing is complete. The CSL report should include but not limited to the following:

#### **Title Sheet**

- NCDOT TIP number and WBS element number
- Project description
- County
- Bridge station number

- Pier location
- Personnel
- Report date

#### Introduction

#### Site and Subsurface Conditions (including water table elevation)

#### Pier Details

- Pier and casing diameters, lengths and elevations
- Concrete compressive strength
- Installation methods and details including use of casing, slurry, pump, tremie, dry or wet placement of concrete, etc.

#### CSL Logs

#### Results/Conclusions

#### Attachments

- Boring log(s)
- Field Drilled Pier Inspection Forms, Drilling Logs, SID Inspection Forms and Concrete Curves (from Engineer)
- CSL tube locations, elevations, lengths and identifications
- CSL hardware model

Electronic copy of all CSL raw data Include CSL logs for each tube pair tested with analysis of the initial pulse arrival time, velocity, relative pulse energy/amplitude and stacked waveform plotted versus depth. List all zones defined by the CCRC in a tabular format including the percent velocity reduction and the velocity values used from the nearby zone of good quality concrete. Discuss each zone defined by the CCRC in the CSL report as appropriate. Base the results on the percent reduction in velocity value from a nearby zone of good quality concrete with good signal amplitude and energy as correlated to the following:

<b>Concrete Condition Rating Criteria (CCRC)</b>			
<b>CCRC</b>	<b>Rating Symbol</b>	<b>Velocity Reduction</b>	<b>Indicative Results</b>
Good	G	≤ 10 %	Good quality concrete
Questionable Defect	Q	>10 % & < 20 %	Minor concrete contamination or intrusion and questionable quality concrete
Poor	P/D	≥ 20 %	Defects exist, possible water/slurry contamination, soil intrusion and/or poor quality concrete
No Signal	NS	No Signal received	Soil intrusion or other severe defect absorbed the signal (assumes good bond of the tube-concrete interface)
Water	W	V = 4750 fps (1450 mps) to 5000 fps (1525 mps)	Water intrusion or water filled gravel intrusion with few or no fines present

The following are a few examples of types and causes of defects:

- Necking or arching of the concrete on withdrawal of the temporary casing.
- Necking or contamination of the concrete due to collapse of the side walls.
- Soft toe due to incomplete cleaning or collapse of the side walls.
- Horizontal lenses of silt\mud\slurry due to the tremie pipe rising above the concrete.
- Voids due to the use of low-slump concrete.
- Honeycombing due to washout of fines.
- Trapping of contaminants due to pumping concrete too fast.

The Engineer will require 5 working days to evaluate the CSL test results and determine whether or not the drilled pier is acceptable. Evaluation of CSL test results, with ratings other than good (G) per the CCRC may require further investigation and additional time for review and analysis of the data. Do not grout the CSL tubes or perform any further work on the CSL tested drilled pier until the Engineer determines whether the drilled pier is acceptable.

Perform tomography in order to further investigate and delineate the boundaries of any defective/unconsolidated zones with 20% or more reduction in velocity value as correlated to the CCRC. Process CSL data to construct easy to understand 2D/3D (2D cross-sections between tubes and 3D volumetric images for the entire pier) *color-coded* tomographic images indicating velocity variations along the pier. Identify the location and geometry of defective/unconsolidated zones in 3D color images with detailed discussion in the CSL report. Any further tests deemed necessary by the Engineer in order to determine the acceptability of the drilled pier will be determined after

reviewing the CSL report. Additional test or analysis options include 3D tomographic imaging, single-hole sonic testing, sonic echo or impact response tests and concrete coring.

The Engineer determines the depth, location, diameter (PQ or NQ size) and number of core holes when concrete coring is required. If the Engineer is concerned about concrete strength or requires the use of a borehole camera for inspection, large diameter cores (PQ size) are required. Drill a minimum of 2 core holes to intercept the suspected defect zones. Use a coring method that provides maximum core recovery and minimizes abrasion and erosion. Provide concrete cores properly marked in a wooden crate labeled with the drilled pier depth at each interval of core recovery to the NCDOT Materials and Test Unit for evaluation and testing. Submit coring records, signed by the Contractor that include NCDOT project number, name of the Drilling Contractor, date cored and percent core recovery. Allow 5 working days after submitting the core records for the Department's review.

### *7.0 Correction of Unacceptable Drilled Pier*

When the Engineer determines a drilled pier is unacceptable, submit remedial measures to the Department for approval. No compensation will be made for remedial work or losses or damage due to remedial work of drilled piers found defective or not in accordance with the Drilled Piers Special Provision or the plans. Modifications to the drilled pier design or any load transfer mechanisms required by the remedial action shall be designed by a Registered North Carolina Professional Engineer. Include supporting calculations and drawings sealed by a Registered North Carolina Professional Engineer for all foundation elements affected. Do not begin remedial action work until the Department has reviewed and accepted the remedial action plan. Allow 5 working days after submitting the remedial work plan for the Department's review and acceptance. Furnish all materials and work necessary to correct defective drilled piers.

### *8.0 Measurement and Payment*

The complete and accepted CSL will be paid for at the unit bid price for "*Crosshole Sonic Logging*" per each. The Department will only pay for the initial CSL test on a drilled pier; no additional payment will be made for subsequent CSL tests performed on the same drilled pier. Include in this unit bid price all costs incurred for procurements, conducting the CSL testing, reporting of results and incidentals necessary to complete the work including any other test required to determine the acceptability of the drilled pier.

Include the cost of the crosshole sonic logging tubes in the unit bid price for drilled piers. No separate payment will be made for the CSL tubes. The unit bid price for the drilled piers will include full compensation for furnishing, installing, extending tubes, dewatering and grouting of all CSL tubes and core holes, if applicable, and all materials, labor, tools, equipment and incidentals necessary to complete the work.

**XXX. GROUT FOR STRUCTURE**

7-12-07

**1.0 DESCRIPTION**

This special provision addresses grout for use in structures, including continuous flight auger (CFA) piles, micropiles, soil nail and anchored retaining walls and backfilling crosshole sonic logging (CSL) tubes or grout pockets, shear keys, dowel holes and recesses for cored slabs and box beams. This provision does not apply to grout placed in post-tensioning ducts for bridge beams, girders, or decks. Provide grout composed of portland cement, water and at the Contractor's option, fine aggregate and/or pozzolan. If necessary, use set controlling admixtures. Proportion, mix and place grout in accordance with the plans, the applicable section of the *Standard Specifications* or special provision for the application and this provision.

**2.0 MATERIALS**

Refer to Division 10 of the *Standard Specifications*:

<b>Item</b>	<b>Article</b>
Portland Cement	1024-1
Water	1024-4
Fine Aggregate	1014-1
Fly Ash	1024-5
Ground Granulated Blast Furnace Slag	1024-6
Admixtures	1024-3

At the Contractor's option, use an approved packaged grout in lieu of the materials above with the exception of the water. Contact the Materials and Tests (M&T) Unit for a list of approved packaged grouts. Consult the manufacturer to determine if the packaged grout selected is suitable for the application and meets the compressive strength and shrinkage requirements.

**3.0 REQUIREMENTS**

Unless required elsewhere in the Contract, provide non-metallic grout with minimum compressive strengths as follows:

<b>Property</b>	<b>Requirement</b>
Compressive Strength @ 3 days	2500 psi (17.2 MPa)
Compressive Strength @ 28 days	4500 psi (31.0 MPa)

For applications other than micropiles, soil nails and ground anchors, use non-shrink grout with shrinkage of less than 0.15%.

When using approved packaged grout, a grout mix design submittal is not required. Submit grout mix designs in terms of saturated surface dry weights on M&T Form 312U in accordance with the applicable section of the *Standard Specifications* or special

provision for the structure. Use an approved testing laboratory to determine the grout mix proportions. Adjust proportions to compensate for surface moisture contained in the aggregates at the time of mixing. Changes in the saturated surface dry mix proportions will not be permitted unless a revised grout mix design submittal is accepted.

For each grout mix design, provide laboratory test results for compressive strength, density, flow and if applicable, aggregate gradation and shrinkage. Submit compressive strength for at least 3 cube and 2 cylinder specimens at the age of 3, 7, 14 and 28 days for a total of at least 20 specimens tested. Perform laboratory tests in accordance with the following:

<b>Property</b>	<b>Test Method</b>
Compressive Strength	AASHTO T106 and T22
Density	AASHTO T133
Flow for Sand Cement Grout	ASTM C939 (as modified below)
Flow for Neat Cement Grout (no fine aggregate)	Marsh Funnel and Cup API RP 13B-1, Section 2.2
Aggregate Gradation for Sand Cement Grout	AASHTO T27
Shrinkage for Non-shrink Grout	ASTM C1090

When testing grout for flow in accordance with ASTM C939, modify the flow cone outlet diameter from ½ to ¾ inch (13 to 19 mm).

When grout mix designs are submitted, the Engineer will review the mix designs and notify the Contractor as to their acceptability. Do not use grout mix designs until written acceptance has been received. Acceptance of grout mix designs or use of approved packaged grouts does not relieve the Contractor of responsibility to furnish a product that meets the Contract requirements.

Upon written request from the Contractor, a grout mix design accepted and used satisfactorily on a Department project may be accepted for use on other projects.

#### 4.0 SAMPLING AND PLACEMENT

The Engineer will determine the locations to sample grout and the number and type of samples collected for field and laboratory testing. Use API RP 13B-1 for field testing grout flow and density of neat cement grout. The compressive strength of the grout will be considered the average compressive strength test results of 3 cube or 2 cylinder specimens at 28 days.

Do not place grout if the grout temperature is less than 50°F (10°C) or more than 90°F (32°C) or if the air temperature measured at the location of the grouting operation in the shade away from artificial heat is below 40°F (4°C).

Provide grout at a rate that permits proper handling, placing and finishing in accordance with the manufacturer's recommendations unless directed otherwise by the Engineer.

Use grout free of any lumps and undispersed cement. Agitate grout continuously before placement.

Control grout delivery so the interval between placing batches in the same component does not exceed 20 minutes. Place grout before the time between adding the mixing water and placing the grout exceeds that in the table below.

<b>ELAPSED TIME FOR PLACING GROUT (with continuous agitation)</b>		
<b>Air or Grout Temperature Whichever is Higher</b>	<b>Maximum Elapsed Time</b>	
	<b>No Set Retarding Admixture Used</b>	<b>Set Retarding Admixture Used</b>
90°F (32°C) or above	30 min.	1 hr. 15 min.
80°F (27°C) through 89°F (31°C)	45 min.	1 hr. 30 min.
79°F (26°C) or below	60 min.	1 hr. 45 min.

5.0 MISCELLANEOUS

Comply with Articles 1000-9 through 1000-12 of the *Standard Specifications* to the extent applicable for grout in lieu of concrete.

**XXXI. HIGH STRENGTH BOLTS**

**(11-17-06)**

In Section 440-8(A) of the Standard Specifications, revise the third paragraph and insert a new paragraph four, respectively, as follows:

“Make sure that plain bolts and washers have a thin coat of lubricant at the time of installation.”

“Use nuts that are pre-waxed by the producer/supplier prior to shipping to the project.”

**XXXII. ADHESIVELY ANCHORED ANCHOR BOLTS OR DOWELS**

**(6-11-07)**

1.0 GENERAL

Installation and Testing of Adhesively anchored anchor bolts and dowels shall be in accordance with Section 420-13, 420-21 and 1081-1 of the Standard Specifications except as modified in this provision.

2.0 INSTALLATION

Installation of the adhesive anchors shall be in accordance with manufacturer’s recommendations and shall occur when the concrete is above 40 degrees Fahrenheit and has reached its 28 day strength.

The anchors shall be installed before the adhesive's initial set ('gel time').

### 3.0 FIELD TESTING

Replace the third paragraph of Section 420-13 (C) with the following:

“In the presence of the Engineer, field test the anchor bolt or dowel in accordance with the test level shown on the plans and the following:  
Level One Field testing: Test a minimum of 1 anchor but not less than 10% of all anchors to 50% of the yield load shown on the plans. If less than 60 anchors are to be installed, install and test the required number of anchors prior to installing the remaining anchors. If more than 60 anchors are to be installed, test the first 6 anchors prior to installing the remaining anchors, then test 10% of the number in excess of 60 anchors.  
Level Two Field testing: Test a minimum of 2 anchors but not less than 10% of the all anchors to 80% of the yield load shown on the plans. If less than 60

anchors are to be installed, install and test the required number of anchors prior to installing the remaining anchors. If more than 60 anchors are to be installed, test the first 6 anchors prior to installing the remaining anchors, then test 10% of the number in excess of 60 anchors.

Testing should begin only after the Manufacturer's recommended cure time has been reached. For testing, apply and hold the test load for three minutes. If the jack experiences any drop in gage reading, the test must be restarted. For the anchor to be deemed satisfactory, the test load must be held for three minutes with no movement or drop in gage reading.”

### 4.0 REMOVAL AND REPLACEMENT OF FAILED TEST SPECIMENS

Remove all anchors and dowels that fail the field test without damage to the surrounding concrete. Redrill holes to remove adhesive bonding material residue and clean the hole in accordance with specifications. For reinstalling replacement anchors or dowels, follow the same procedures as new installations. Do not reuse failed anchors or dowels unless approved by the Engineer.

### 5.0 USAGE

The use of adhesive anchors for overhead installments is not permitted without written permission from the Engineer.

### 6.0 BASIS OF PAYMENT

No separate measurement or payment will be made for furnishing, installing, and testing anchor bolts/dowels. Payment at the contract unit prices for the various pay items will be full compensation for all materials, equipment, tools, labor, and incidentals necessary to complete the work.

## **XXXIII. PRESTRESSED CONCRETE MEMBERS**

(4-02-07)

The 2006 Standard Specifications shall be revised as follows:

In Section 1078-1 "General" of the Standard Specifications, add the following after the second paragraph:

(A) Producer Qualification

Producers of precast, prestressed concrete members are required to establish proof of their competency and responsibility in accordance with the Precast/Prestressed Concrete Institute's (PCI) Plant Certification Program in order to perform work for the project. Certification of the manufacturing plant under the PCI program and submission of proof of certification to the State Materials Engineer is required prior to beginning fabrication. Maintain certification

at all times while work is being performed for the Department. Submit proof of certification following each PCI audit to the State Materials Engineer for continued qualification. These same requirements apply to producers subcontracting work from the producer directly employed by the Contractor.

Employ producers PCI certified in Product Group B, Bridge Products, and in one of the appropriate categories as listed below:

- B2 Prestressed Miscellaneous Bridge Products: Includes solid piles, sheet piles and bent caps.
- B3 Prestressed Straight-Strand Bridge Members: Includes all box beams, cored slabs, straight-strand girders and bulb-tees, bridge deck panels, hollow piles, prestressed culverts and straight strand segmental components.
- B4 Prestressed Deflected-Strand Bridge Members: Includes deflected strand girders and bulb-tees, haunched girders, deflected strand segmental superstructure components and other post-tensioned elements.

Categories for other elements will be as required by the project special provision or plans.

**XXXIV. PROGRESS SCHEDULE:**

(12-18-07)

SP1 G70

Revise the *2006 Specifications* as follows:

**Page 1-72, Article 108-2 Progress Schedule, delete in its entirety and replace with the following:**

The Contractor shall prepare and submit for review and approval a schedule of proposed working progress. This schedule shall be submitted on forms supplied by the Engineer or in a format that is approved by the Engineer. A detailed Critical Path Method (CPM) schedule shall not be submitted to replace the progress schedule details required below.

The proposed progress schedule shall be submitted no later than 7 days prior to the date of the project preconstruction conference and shall be approved before any payments will be processed for the project.

When the Engineer has extended the completion date or if the project overrun is anticipated to exceed 5%, the Contractor may submit a revised progress schedule to the Engineer for review and approval. If plan revisions are anticipated to change the sequence of operations in such a manner as will effect the progress but not the completion date, then the Contractor may submit a revised progress schedule for review and approval but the completion date shall remain unchanged.

The proposed progress schedule shall contain the following items:

- (A) A time scale diagram with major work activities and milestone dates clearly labeled.
- (B) A cash curve corresponding to the milestones and work activities established above.
- (C) A written narrative that explains the sequence of work, the controlling operation(s), intermediate completion dates, milestones, project phasing, anticipated work schedule, and estimated resources. In addition, explain how permit requirements, submittal tracking, and coordination with subcontractors, utility companies and other entities will be performed.

Major work activities are defined as components comprising more than 5% of the total project cost or occupying more than 10% of total contract time and shall include, if applicable, the following:

- Clearing and grubbing
- Grading
- Drainage
- Soil stabilization
- Aggregate base course
- Pavement
- Culverts
- Bridges (including removal)
- Signals, ITS, and lighting
- Overhead signs

Major Milestones are derived from the project construction phasing and shall include, if applicable, the following:

- Start of construction
- Intermediate completion dates or times
- Seasonal limitation/observation periods/moratoriums
- Traffic shifts
- Beginning and end of each traffic control phase or work area
- Road openings
- Completion date

**XXXV. LIABILITY INSURANCE:**

(11-18-08)

SP1 G80

**Page 1-68, Article 107-16 is amended to include the following as the first, second, third and fourth paragraphs:**

The Contractor shall be liable for any losses resulting from a breach of the terms of this contract. The Contractor shall be liable for any losses due to the negligence or willful misconduct of its agents, assigns and employees including any sub-contractors which causes damage to others for which the Department is found liable under the Torts Claims Act, or in the General Courts of Justice, provided the Department provides prompt notice to the Contractor and that the Contractor has an opportunity to defend against such claims. The Contractor shall not be responsible for punitive damages.

The Contractor shall at its sole cost and expense obtain and furnish to the Department an original standard ACORD form certificate of insurance evidencing commercial general liability with a limit for bodily injury and property damage in the amount of \$5,000,000.00 per occurrence and general aggregate, covering the Contractor from claims or damages for bodily injury, personal injury, or for property damages which may arise from operating under the contract by the employees and agents of the Contractor. The required limit of insurance may be obtained by a single general liability policy or the combination of a general liability and excess liability or umbrella policy. The State of North Carolina shall be named as an additional insured on this commercial general liability policy. The policy may contain the

following language as relates to the State as an additional insured: "This insurance with respect to the additional insured applies only to the extent that the additional insured is held liable for your or your agent's acts or omissions arising out of and in the course of operations performed for the additional insured."

The Contractor shall maintain all legally required insurance coverage, including without limitation, worker's compensation and vehicle liability, in the amounts required by law. Providing and maintaining adequate insurance coverage is a material obligation of the contractor and is of the essence of this contract. All such insurance shall meet all laws of the State of North Carolina. Such insurance coverage shall be obtained from companies that are authorized to provide such coverage and that are authorized by the Commissioner of Insurance to do business in North Carolina. The Contractor shall at all times comply with the terms of such insurance policies.

Upon execution of the contract, provide evidence of the above insurance requirements to the Engineer.

**XXXVI. CERTIFICATION FOR FEDERAL-AID CONTRACTS:**

(3-21-90)

SP1 G85

The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, *Disclosure Form to Report Lobbying*, in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by *Section 1352, Title 31, U.S. Code*. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

**XXXVII. GIFTS FROM VENDORS AND CONTRACTORS:**

(12-15-09)	SP1 G152
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By Executive Order 24, issued by Governor Perdue, and *N.C. G.S. § 133-32*, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor’s Cabinet Agencies (i.e. Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor). This prohibition covers those vendors and contractors who:

(1) have a contract with a governmental agency; or

- (2) have performed under such a contract within the past year; or
- (3) anticipate bidding on such a contract in the future.

For additional information regarding the specific requirements and exemptions, vendors and contractors are encouraged to review Executive Order 24 and *G.S. § 133-32*.

Executive Order 24 also encouraged and invited other State Agencies to implement the requirements and prohibitions of the Executive Order to their agencies. Vendors and contractors should contact other State Agencies to determine if those agencies have adopted Executive Order 24.

### **XXXVIII. SUBMISSION OF BIDS - ALTERNATES:**

(7-15-08)

SP1 G91

The *2006 Standard Specifications* are revised as follows:

**Page 1-19, Subarticle 102-8(B)(2) is revised to delete the word “not”.**

**Page 1-27, Subarticle 103-2(B)(4) Electronic Bids, delete and replace with the following:**

Do not enter zero (0) in any unit price field unless zero is the intended bid for that item. Zero will be considered a valid bid. However, where zeros are entered for items that are authorized alternates to those items for which a non-zero bid price has been submitted, zeros will be deemed invalid.

**Page 1-27, Subarticle 103-2(B)(5) Electronic Bids, delete and replace with the following:**

- (5) When the proposal allows alternate bids, the bidder shall submit a unit or lump sum price for every item in the proposal other than items that are authorized alternates to those items for which a bid price has been submitted. Where the bidder submits a unit price other than zero for all items of an authorized alternate, the Department will determine the lowest total price based on the alternates(s) bid.

### **XXXIX. SUBMISSION OF RECORDS - FEDERAL-AID PROJECTS:**

(7-17-07)

SP1 G103

The Contractor's attention is directed to the Standard Special Provision entitled *Required Contract Provisions-Federal-Aid Construction Contracts* contained elsewhere in this proposal.

This project is located on a roadway classified as a local road or rural minor collector, therefore the requirements of Paragraph IV - Payment of Predetermined Minimum Wage and Paragraph V - Statements and Payrolls are exempt from this contract.

**XL. U.S. DEPARTMENT OF TRANSPORTATION HOTLINE:**

(11-22-94)

SP1 G100

To report bid rigging activities call: **1-800-424-9071**

The U.S. Department of Transportation (DOT) operates the above toll-free *hotline* Monday through Friday, 8:00 a.m. to 5:00 p.m. eastern time. Anyone with knowledge of possible bid rigging, bidder collusion, or other fraudulent activities should use the *hotline* to report such activities.

The *hotline* is part of the DOT's continuing effort to identify and investigate highway construction contract fraud and abuse is operated under the direction of the DOT Inspector General. All information will be treated confidentially and caller anonymity will be respected.

**XLI. TWELVE MONTH GUARANTEE:**

(7-15-03)

SP1 G145

(A) The Contractor shall guarantee materials and workmanship against latent and patent defects arising from faulty materials, faulty workmanship or negligence for a period of twelve months following the date of final acceptance of the work for maintenance and shall replace such defective materials and workmanship without cost to the Department. The Contractor will not be responsible for damage due to faulty design, normal wear and tear, for negligence on the part of the Department, and/or for use in excess of the design.

(B) Where items of equipment or material carry a manufacturer's guarantee for any period in excess of twelve months, then the manufacturer's guarantee shall apply for that particular piece of equipment or material. The Department's first remedy shall be through the manufacturer although the Contractor is responsible for invoking the warranted repair work with the manufacturer. The Contractor's responsibility shall be limited to the term of the manufacturer's guarantee. NCDOT would be afforded the same warranty as provided by the Manufacturer.

This guarantee provision shall be invoked only for major components of work in which the Contractor would be wholly responsible for under the terms of the contract. Examples would include pavement structures, bridge components, and sign structures. This provision will not be used as a mechanism to force the Contractor to return to the project to make repairs or perform additional work that the Department would normally compensate the Contractor for. In addition, routine maintenance activities (i.e. mowing grass, debris removal, ruts in earth shoulders,) are not parts of this guarantee.

Appropriate provisions of the payment and/or performance bonds shall cover this guarantee for the project.

To ensure uniform application statewide the Division Engineer will forward details regarding the circumstances surrounding any proposed guarantee repairs to the Chief Engineer for review and approval prior to the work being performed.

## **XLII. LEGAL RELATIONS AND RESPONSIBILITY TO PUBLIC:**

(12-19-06)(Rev. 3-16-10)

SP 1 G151

Revise the 2006 Standard Specifications as follows:

**Page 1-60, 107-2 Assignment of Claims Void**, replace the reference from *G.S. 143-3.3* to *G.S. 143B-426.40A*.

**Page 1-69, 107-18 Contractor's Responsibility for Work**, in the first paragraph, last sentence, replace the word *legally* with the word *contractually*.

## **XLIII. EROSION & SEDIMENT CONTROL/STORMWATER CERTIFICATION:**

1-16-07 (Rev 1-15-08)

SP1 G180

### **General**

Schedule and conduct construction activities in a manner that will minimize soil erosion and the resulting sedimentation and turbidity of surface waters. Comply with the requirements herein regardless of whether or not a National Pollutant Discharge Elimination System (NPDES) permit for the work is required.

Establish a chain of responsibility for operations and subcontractors' operations to ensure that the *Erosion and Sediment Control/Stormwater Pollution Prevention Plan* is implemented and maintained over the life of the contract.

(A) *Certified Supervisor* – Provide a certified Erosion & Sediment Control Stormwater Supervisor to manage the Contractor and subcontractor(s) operations, insure compliance with Federal, State and Local ordinances and regulations, and to manage the Quality Control Program.

(B) *Certified Foreman* – Provide a certified, trained foreman for each construction operation that increases the potential for soil erosion or the possible sedimentation and turbidity of surface waters.

(C) *Certified Installer* – Provide a certified installer to install or direct the installation for erosion or sediment/stormwater control practices.

(D) *Certified Designer* – Provide a certified designer for the design of the erosion and sediment control stormwater component of reclamation plans and, if applicable, for the design of the project erosion and sediment control stormwater plan.

## Roles and Responsibilities

(A) *Certified Erosion & Sediment Control Stormwater Supervisor* - The Certified Supervisor shall be responsible for ensuring erosion and sediment/stormwater control is adequately implemented and maintained on the project and conducting the quality control program. The Certified Supervisor shall be on the project within 24 hours from initial exposure of an erodible surface to the project's final acceptance when

questions or concerns arise with Erosion and Sedimentation Control/Stormwater issues. Perform the following duties:

- (1) **Manage Operations** - Coordinate and schedule the work of subcontractors so that erosion and sediment/stormwater control measures are fully executed for each operation and in a timely manner over the duration of the contract.
  - (a) Oversee the work of subcontractors so that appropriate erosion and sediment/stormwater control preventive measures are conformed to at each stage of the work.
  - (b) Prepare the required weekly erosion control punchlist and submit to the Engineer.
  - (c) Attend all weekly or monthly construction meetings to discuss the findings of the NPDES inspection and other related issues.
  - (d) Implement the erosion and sediment/stormwater control site plans requested.
  - (e) Provide for erosion and sediment/stormwater control methods for the Contractor's temporary work not shown on the plans, such as, but not limited to work platforms, temporary construction, pumping operations, plant and storage yards, and cofferdams.
  - (f) Acquire applicable permits and comply with requirements for borrow pits, dewatering, and any temporary work conducted by the Contractor in jurisdictional areas.
  - (g) Conduct all erosion and sediment/stormwater control work in a timely and workmanlike manner.
  - (h) Fully install erosion and sediment/stormwater control work prior to suspension of the work.
  - (i) Coordinate with Department, Federal, State and Local Regulatory agencies on resolution of erosion and sediment/stormwater control issues due to the Contractor's operations.
  - (j) Ensure that proper cleanup occurs from vehicle tracking on paved surfaces and/or any location where sediment leaves the Right-of-Way.
  - (k) Have available a set of erosion control plans that has been properly updated to reflect necessary plan and field changes for use and review by Department personnel as well as regulatory agencies.
- (2) **Requirements set forth under the NPDES Permit** - The Department's NPDES permit outlines certain objectives and management measures pertaining to construction activities. The permit references *NCG010000, General Permit to Discharge Stormwater* under the NPDES, and states that the Department shall

incorporate the applicable requirements into its delegated E&SC Program. Some of the requirements are, but are not limited to:

- (a) Control project site waste to prevent contamination of surface or ground waters of the state (i.e. construction materials, concrete washout, chemicals, litter, fuels, lubricants, coolants, hydraulic fluids, any other petroleum products, and sanitary waste).
  - (b) Inspect E&SC/Stormwater devices at least once every 7 calendar days, twice weekly for 303(d) impaired streams, and within 24 hours after a significant rainfall event of 0.5 inches within 24 hours.
  - (c) Maintain an onsite rain gauge and a record of rainfall amounts and dates.
  - (d) Maintain E&SC/Stormwater inspection records for review by Department and Regulatory personnel upon request.
  - (e) Implement approved reclamation plans on all borrow pits and waste sites.
  - (f) Maintain a log of turbidity test results as outlined in the Department's Procedure for Monitoring Borrow Pit Discharge.
  - (g) Provide secondary containment for bulk storage of liquid materials.
  - (h) Provide training for employees concerning general E&SC/Stormwater awareness, the NPDES Permit requirements, and the requirements of the *General Permit, NCG010000*.
  - (i) Report violations of the NPDES permit to the Engineer who will notify the DWQ Regional Office within 24 hours.
- (3) Quality Control Program - Maintain a quality control program to control erosion, prevent sedimentation and follow provisions of permits. The quality control program shall:
- (a) Follow permit requirements related to the Contractor and subcontractors' construction activities.
  - (b) Ensure that all operators and/or subcontractor(s) on site have the proper erosion and sediment/stormwater control certification.
  - (c) Notify the Engineer when the required certified erosion and sediment/stormwater control personnel are not available on the job site when needed.
  - (d) Conduct the inspections required by the NPDES permit.
  - (e) Take corrective actions in the proper timeframe as required by the NPDES permit for problem areas identified during the NPDES inspections.
  - (f) Incorporate erosion control into the work in a timely manner and stabilize disturbed areas with mulch/seed or vegetative cover on a section-by-section basis.
  - (g) Maintain temporary erosion and sediment control devices.
  - (h) Remove temporary erosion or sediment control devices when they are no longer necessary as agreed upon by the Engineer.
  - (i) The Contractor's quality control and inspection procedures shall be subject to review by the Engineer. Maintain NPDES inspection

records and make records available at all times for verification by the Engineer.

- (B) *Certified Foreman* - At least one Certified Foreman shall be onsite for each type of work listed herein during the respective construction activities to control erosion, prevent sedimentation and follow permit provisions:
- (1) Foreman in charge of grading activities
  - (2) Foreman in charge of bridge or culvert construction over jurisdictional areas
  - (3) Foreman in charge of utility activities

The Contractor may request to use the same person as the Level II Supervisor and Level II Foreman. This person shall be onsite whenever construction activities as described above are taking place. This request shall be approved by the Engineer prior to work beginning.

The Contractor may request to name a single Level II Foreman to oversee multiple construction activities on small bridge or culvert replacement projects. This request shall be approved by the Engineer prior to work beginning.

- (C) *Certified Installers* - Provide at least one onsite, Level I Certified Installer for each of the following erosion or sediment/stormwater control crew:

- (1) Seeding and Mulching
- (2) Temporary Seeding
- (3) Temporary Mulching
- (4) Sodding
- (5) Silt fence or other perimeter erosion/sediment control device installations
- (6) Erosion control blanket installation
- (7) Hydraulic tackifier installation
- (8) Turbidity curtain installation
- (9) Rock ditch check/sediment dam installation
- (10) Ditch liner/matting installation
- (11) Inlet protection
- (12) Riprap placement
- (13) Stormwater BMP installations (such as but not limited to level spreaders, retention/detention devices)
- (14) Pipe installations within jurisdictional areas

If a *Certified Installer* is not onsite, the Contractor may substitute a Level I Installer with a Level II Foreman, provided the Level II Foreman is not tasked to another crew requiring Level II Foreman oversight.

- (D) *Certified Designer* – Include the certification number of the Level III-B Certified Designer on the erosion and sediment control stormwater component of all reclamation plans and if applicable, the certification number of the Level III-A

Certified Designer on the design of the project erosion and sediment control stormwater plan.

### **Preconstruction Meeting**

Furnish the names of the *Certified Erosion & Sediment Control Stormwater Supervisor, Certified Foremen, Certified Installers* and *Certified Designer* and notify the Engineer of changes in certified personnel over the life of the contract within 2 days of change.

### **Ethical Responsibility**

Any company performing work for the North Carolina Department of Transportation has the ethical responsibility to fully disclose any reprimand or dismissal of an employee resulting from improper testing or falsification of records.

### **Revocation or Suspension of Certification**

Upon recommendation of the Chief Engineer - Operations to the certification entity, certification for *Supervisor, Certified Foremen, Certified Installers* and *Certified Designer* may be revoked or suspended with the issuance of a *Continuing Immediate Corrective Action (Continuing ICA), Notice of Violation, or Cease and Desist Order* for erosion and sediment control/stormwater related issues.

Should any of the following circumstances occur, the Chief Engineer may suspend or permanently revoke such certification.

- (A) Failure to adequately perform the duties as defined within the certification program
- (B) Issuance of a continuing ICA, NOV, or Cease and Desist Order
- (C) Failure to fully perform environmental commitments as detailed within the permit conditions and specifications
- (D) Demonstration of erroneous documentation or reporting techniques
- (E) Cheating or copying another candidate's work on an examination
- (F) Intentional falsification of records
- (G) Directing a subordinate under direct or indirect supervision to perform any of the above actions
- (H) Dismissal from a company for any of the above reasons
- (I) Suspension or revocation of one's certification within another state

Suspension or revocation of a certification will be sent by certified mail to the registrant and the Corporate Head of the company that employs the registrant.

A registrant has the right to appeal any adverse action which results in suspension or permanent revocation of certification by responding, in writing, to the Chief Engineer within 10 calendar days after receiving notice of the proposed adverse action.

Chief Engineer - Operations  
1537 Mail Service Center  
Raleigh, NC 27699-1537

Failure to appeal within 10 calendar days will result in the proposed adverse action becoming effective on the date specified on the certified notice. Failure to appeal within the time specified will result in a waiver of all future appeal rights regarding the adverse action taken. The registrant will not be allowed to perform duties associated with the certification during the appeal process.

The Chief Engineer will hear the appeal and make a decision within 7 days of hearing the appeal. Decision of the Chief Engineer will be final and will be made in writing to the registrant.

If a certification is temporarily suspended, the registrant shall pass any applicable written examination and any proficiency examination, at the conclusion of the specified suspension period, prior to having the certification reinstated.

### **Measurement and Payment**

*Certified Erosion & Sediment Control Stormwater Supervisor, Certified Foremen, Certified Installers and Certified Designer* will be incidental to the project for which no direct compensation will be made.

## **XLIV. DRAINAGE PIPE:**

(7-18-06) (Rev 3-16-10)

SP 3 R37

### **Description**

Where shown in the plans the Contractor may use Reinforced Concrete Pipe, Aluminum Alloy Pipe, Aluminized Corrugated Steel Pipe, HDPE Pipe, or PVC pipe in accordance with the following requirements.

### **Material**

<b>Item</b>	<b>Section</b>
Corrugated Aluminum Alloy Pipe	1032-2(A)
Aluminized Corrugated Steel Pipe	1032-3(A)(7)
Corrugated Polyethylene Pipe (HDPE)	1032-10
Reinforced Concrete Pipe – Class II or III	1032-9(C)
Polyvinyl-Chloride (PVC)	1032-11
Elbows	1032

Corrugated Steel Pipe will not be permitted in counties listed in the contract documents.

Only pipe with smooth inside walls will be allowed for storm drain systems. Storm drain systems are defined as pipe under curb and gutter, expressway gutter, and shoulder berm gutter that connects drainage structures and is not open ended.

**Construction Methods**

Pipe Culverts shall be installed in accordance with the contract documents.

Where allowed by the plans, use any of the several alternate pipes shown herein, but only one type of pipe and elbow will be permitted between drainage structures or for the entire length of a cross line pipe.

**Measurement and Payment**

\_\_\_ " *Drainage Pipe* will be paid for as the actual number of linear feet installed and accepted. Measurement will be in accordance with the contract documents.

\_\_\_ " *Drainage Pipe Elbow* will be measured and paid for in units of each.

Payment will be made under:

<b>Pay Item</b>	<b>Pay Unit</b>
___ " Drainage Pipe	Linear Foot
___ " Drainage Pipe Elbow	Each

PIPE INSTALLATION AND PIPE CULVERTS:

<b>(1-19-10)</b>	<b>SP3R40 B</b>
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**Revise the *Standard Specifications* as follows:**

**Replace Section 300 and Section 310 with the following:**

**SECTION 300**

**PIPE INSTALLATION**

**300-1            DESCRIPTION**

Excavate, undercut, provide material, condition foundation, lay pipe, joint and couple pipe sections, and furnish and place all backfill material as necessary to install the various types of pipe culverts and fittings required to complete the project.

Install pipe in accordance with the detail in the plans.

Do not waste excavation unless permitted. Use suitable excavated material as backfill; or in the formation of embankments, subgrades, and shoulders; or as otherwise directed. Furnish disposal areas for the unsuitable material. The Engineer will identify excavated materials that are unsuitable.

Where traffic is to be maintained, install pipe in sections so that half the width of the roadway is available to traffic.

**300-2 MATERIALS**

Refer to Division 10:

<b>Item</b>	<b>Section</b>
Flowable Fill	1000
Select Materials	1016
Joint Materials	1032-9(G)
Engineering Fabric	1056-1

Provide foundation conditioning material meeting the requirements of Article 1016-3 for Class V or VI as shown in the contract documents.

Provide bedding material meeting the requirements of Article 1016-3 for Class II (Type 1 only) or Class III as shown in contract documents.

Provide backfill material meeting the requirements of Article 1016-3 for Class II (Type 1 only) or Class III material as shown in the contract documents.

Do not use corrugated steel pipe in the following counties:

Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chowan, Columbus, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Martin, New Hanover, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Tyrrell, and Washington.

**300-3 UNLOADING AND HANDLING**

Unload and handle pipe with reasonable care. Do not roll or drag metal pipe or plates over gravel or rock during handling. Take necessary precautions to ensure the method used in lifting or placing the pipe does not induce stress fatigue in the pipe. Use a lifting device that uniformly distributes the weight of the pipe along its axis or circumference. Repair minor damage to pipe when permitted. Remove pipe from the project that is severely damaged or is rejected as being unfit for use. Undamaged portions of a joint or section may be used where partial lengths are required.

**300-4 PREPARATION OF PIPE FOUNDATION**

Prepare the pipe foundation in accordance with the applicable method as shown in the contract documents, true to line and grade, and uniformly firm.

Camber invert grade an amount sufficient to prevent the development of sag or back slope in the flow line. The Contractor shall determine the amount of camber required and submit to the Engineer for approval.

Where material is found to be of poor supporting value or of rock and when the Engineer cannot make adjustment in the location of the pipe, undercut existing foundation material within the limits established on the plans. Backfill the undercut with foundation conditioning material, Class V or VI select material. Encapsulate the foundation conditioning material

with Type 4 engineering fabric prior to placing bedding material. Overlap all transverse and longitudinal joints in the fabric at least 18 inches.

Maintain the pipe foundation in a dry condition.

### **300-5            INVERT ELEVATIONS**

The proposed pipe culvert invert elevations shown on the Drainage Summary Sheets are based upon information available when the plans were prepared. If proposed invert elevations are adjusted during construction based upon actual conditions encountered, no claim for an extension of time for any reason resulting from this information will be allowed.

When a pipe culvert is to be installed in a trench and the average actual elevation of the pipe between drainage structures deviates from the average proposed elevation shown on the Drainage Summary Sheets by more than one foot a pay adjustment will be made as follows:

$$\text{Pay Adjustment (per linear foot)} = [(APE - AAE) \pm 1 \text{ foot}] (0.15 \times \text{CUP})$$

Where: CUP = Contract Unit Price of Pipe Culvert

$$AAE = \text{Average Actual Elevation} \quad \left( \frac{\text{Actual Inlet elev.} + \text{Actual Outlet elev.}}{2} \right)$$

$$APE = \text{Average Plan Elevation} \quad \left( \frac{\text{Plan Inlet elev.} + \text{Plan Outlet elev.}}{2} \right)$$

When the actual location of a pipe culvert is changed from the location shown on the plans, the Engineer will make a pay adjustment deemed warranted based upon the relation of the pipe culvert as shown on the plans to the finished roadway and the relation of the pipe culvert as constructed to the finished roadway.

The top elevation column on the drainage summary sheet indicates the flow elevation at the top of structures intended to collect surface water.

The top elevation column on drainage structures not intended to collect surface water indicates the elevation at the top of the cover.

### **300 -6            LAYING PIPE**

The Department reserves the right to perform forensic testing on any installed pipe.

#### **(A)    Rigid Pipe**

Concrete and welded steel pipe will be considered rigid pipe. Lay pipe on prepared foundation, bell or groove end upgrade with the spigot or tongue fully inserted. Check each joint for alignment and grade as the work proceeds.

Use flexible plastic joint material except when material of another type is specified in the contract documents. Joint material of another type may be used when permitted.

Repair lift holes in concrete pipe, if present. Thoroughly clean and soak the lift hole and completely fill the void with an approved non-shrink gout. Submit alternate details for repairing lift holes to the engineer for review and approval.

For all pipes 42 inches in diameter and larger, wrap filter fabric around all pipe joints. Use Type 2 Class B fabric. Extend fabric at least 12 inches beyond each side of the joint. Secure the filter fabric against the outside of the pipe by methods approved by the Engineer.

**(B) Flexible Pipe (Except Structural Plate Pipe)**

Corrugated steel, corrugated aluminum, corrugated polyethylene (HDPE), and polyvinylchloride (PVC) pipe will be considered flexible pipe. Place flexible pipe carefully on the prepared foundation starting at the downstream end with the inside circumferential laps pointing downstream and with the longitudinal laps at the side or quarter points.

Handle coated corrugated steel pipe with special care to avoid damage to coatings.

Join pipe sections with coupling band, fully bolted and properly sealed. Provide coupling bands for annular and helical corrugated metal pipe with circumferential and longitudinal strength sufficient to preserve the alignment, prevent separation of the sections, and prevent backfill infiltration. Match-mark all pipe 60 inches or larger in diameter at the plant for proper installation on the project.

At locations indicated in the plans, corrugated steel pipe sections shall be jointed together with rod and lug coupling bands, fully bolted. Sleeve gaskets shall be used in conjunction with rod and lug couplings and the joints properly sealed. Coupling bands shall provide circumferential and longitudinal strength sufficient to preserve the alignment, prevent separation of the sections and prevent infiltration of backfill material.

**300-7 BEDDING AND BACKFILLING**

Loosely place bedding material, in a uniform layer, a depth equal to the inside diameter of the pipe divided by 6 or 6 inches, whichever is greater. Leave bedding material directly beneath the pipe uncompacted and allow pipe seating and backfill to accomplish compaction. Excavate recesses to receive the bells where bells and spigot type pipe is used.

Place fill around the pipe in accordance with the applicable method shown on the plans in layers not to exceed 6 inches loose unless otherwise permitted. Compact to the density required by Subarticle 235-4(C). Approval of the backfill material is required prior to its use. Use select material as shown in the contract documents.

Take care during backfill and compaction operations to maintain alignment and prevent damage to the joints. Keep backfill free from stones, frozen lumps, chunks of highly plastic clay, or other objectionable material.

Grade and maintain all pipe backfill areas in such a condition that erosion or saturation will not damage the pipe foundation or backfill.

Excavatable flowable fill may be used for backfill when approved by the Engineer. When using excavatable flowable fill, ensure that the pipe is not displaced and does not float during backfill. Submit methods for supporting the pipe and material placement to the Engineer for review and approval.

Do not operate heavy equipment over any pipe until it has been properly backfilled with a minimum 3 feet of cover. Place, maintain, and finally remove the required cover that is above the proposed finished grade at no cost to the Department. Remove and replace, at no cost to the Department, pipe that becomes misaligned, shows excessive settlement, or has been otherwise damaged by the Contractor's operations.

### **300-8 INSPECTION AND MAINTENANCE**

Prior to final acceptance, the Engineer will perform random video camera and or mandrel inspections to ensure proper jointing and that deformations do not exceed allowable limits. Replace pipes having cracks greater than 0.1 inches or deflections greater than 7.5 percent. Repair or replace pipes with cracks greater than 0.01 inches, exhibiting displacement across a crack, exhibiting bulges, creases, tears, spalls, or delamination. Maintain all pipe installations in a condition such that they will function continuously from the time the pipe is installed until the project is accepted.

### **300-9 MEASUREMENT AND PAYMENT**

#### **General**

No measurement will be made of any work covered by this section except as listed below. Removal and disposal of existing pavement is a part of the excavation for the new pipe culvert installation. Repair of the pavement will be made in accordance with Section 654.

#### **Foundation Conditioning**

##### **Using Local Material**

Undercut excavation is all excavation removed by undercutting below the bottom of the trench as staked. *Undercut Excavation* will be measured as the actual number of cubic yards of undercut excavation, measured in its original position and computed by the average end area method, that has been removed as called for in the contract and will be paid for at double the contract unit price for *Unclassified Excavation* as provided in Article 225-7.

Local material used for conditioning the foundation will be measured and paid for in accordance with Article 225-7 for *Unclassified Excavation* or in accordance with Article 230-5 for *Borrow Excavation* depending on the source of the material.

Local material used to replace pipe undercut excavation will be measured and paid for in accordance with Article 225-7 or Article 230-5.

**Using Other Than Local Material**

No measurement and payment will be made for *Undercut Excavation*. The material used to replace pipe undercut excavation will be classified as foundation conditioning material.

*Foundation Conditioning Material, Minor Structures* will be measured and paid for as the actual number of tons of this material weighed in trucks on certified platform scales or other certified weighing devices.

No direct payment will be paid for undercut excavation. Payment at the contract unit price for *Foundation Conditioning Material, Minor Structures* will be full compensation for all work of pipe undercut excavation.

**Foundation Conditioning Fabric**

*Foundation Conditioning Fabric* will be measured and paid for in square yards. The measurement will be based on the theoretical calculation using length of pipe installed and two times the standard trench width. No separate measurement will be made for overlapping fabric or the vertical fabric dimensions required to encapsulate the foundation conditioning material.

**Bedding and Backfill - Select Material**

No measurement will be made for select bedding and backfill material required in the contract documents. The select bedding and backfill material will be included in the cost of the installed pipe.

Where unclassified excavation or borrow material meets the requirements for select bedding and backfill and is approved for use by the Engineer, no deductions will be made to these pay items to account for use in the pipe installation.

Payment will be made under:

<b>Pay Item</b>	<b>Pay Unit</b>
Foundation Conditioning Material, Minor Structures	Ton
Foundation Conditioning Fabric	Square Yard

**SECTION 310**

**PIPE CULVERTS**

**310-1 DESCRIPTION**

Furnish and install drainage pipe at locations and size called for in the contract documents. The work includes construction of joints and connections to other pipes, endwalls, and drainage structures.

**310-2 MATERIALS**

Refer to Division 10:

<b>Item</b>	<b>Section</b>
Plain Concrete Pipe Culvert	1032-9(B)
Reinforced Concrete Pipe Culvert	1032-9(C)
Precast Concrete Pipe End Sections	1032-9(D)
Concrete Pipe Tees and Elbows	1032-9(E)
Corrugated Aluminum Alloy Pipe Culvert	1032-2(A)
Corrugated Aluminum Alloy Pipe Tees and Elbows	1032-2(B)
Corrugated Steel Culvert Pipe and Pipe Arch	1032-3(A)
Prefabricated Corrugated Steel Pipe End Sections	1032-3(B)
Corrugated Steel Pipe Tees and Elbows	1032-3(C)
Corrugated Steel Eccentric Reducers	1032-3(D)
HDPE Smooth Lined Corrugated Plastic Pipe	1032-10B
Polyvinylchloride (PVC) Pipe	1032-11(B)

Suppliers that provide metal pipe culverts, fittings, and all other accessories covered by this section shall meet the requirements of the Department's Brand Certification program for metal pipe culverts, and be listed on the Department's pre-approved list for suppliers of metal pipe culvert.

Do not use corrugated steel pipe in the following counties:

Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chowan, Columbus, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Martin, New Hanover, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Tyrell, and Washington.

**310-3 PIPE INSTALLATION**

Install pipe, pipe tees, and elbows in accordance with Section 300.

**310-4 SIDE DRAIN PIPE**

Side drain pipe is defined as storm drain pipe running parallel to the roadway to include pipe in medians, outside ditches, driveways, and under shoulder berm gutter along outside shoulders greater than 4 feet wide.

Where shown in the plans, side drain pipe may be class II reinforced concrete pipe, aluminized corrugated steel pipe, corrugated aluminum alloy pipe, HDPE pipe, or PVC pipe. Corrugated steel pipe is restricted in the counties listed in Article 310-2. Install side drain pipe in accordance to Section 300. Cover for side drain pipe shall be at least one foot.

**310-5 PIPE END SECTIONS**

Choose which material to use for the required end sections. Both corrugated steel and concrete pipe end sections will work on concrete pipe, corrugated steel pipe, and HDPE smooth lined corrugated plastic pipe.

**310-6 MEASUREMENT AND PAYMENT**

*Pipe* will be measured and paid for as the actual number of linear feet of pipe that has been incorporated into the completed and accepted work. Measurement of pipe will be made by counting the number of joints used and multiplying by the length of the joint to obtain the number of linear feet of pipe installed and accepted. Measurements of partial joints will be made along the longest length of the partial joint to the nearest 0.1 of a foot. Select bedding and backfill material will be included in the cost of the installed pipe.

*Pipe end sections, tees, elbows, and eccentric reducers* will be measured and paid for as the actual number of each of these items that have been incorporated into the completed and accepted work.

Payment will be made under:

<i>Pay Item</i>	<b>Pay Unit</b>
___" R.C. Pipe Culverts, Class ____.	Linear Feet
___" x ___" x ___" R.C. Pipe Tees, Class ____	Each
___" R.C. Pipe Elbows, Class ____.	Each
___" C.A.A. Pipe Culvert, ___" Thick	Linear Feet
___" x ___" x ___" C.A.A. Pipe Tees, ___" Thick	Each
___" C.A.A. Pipe Elbows, ___" Thick	Each
___" C.S. Pipe Culverts, ___" Thick	Linear Feet
___" x ___" C.S. Pipe Arch Culverts, ___" Thick	Linear Feet
___" x ___" x ___" C.S. Pipe Tees, ___" Thick	Each
___" C.S. Pipe Elbows, ___" Thick	Each
___" x ___" C.S. Eccentric Reducers, ___" Thick	Each
___" HDPE Pipe	Linear Feet
___" PVC Pipe	Linear Feet
___" Side Drain Pipe	Linear Foot
___" Pipe End Section	Each

**XLV. PREFORMED SCOUR HOLE:****Description**

Construct and maintain preformed scour holes at the locations shown on the plans and in accordance with the details in the plans. Work includes excavation, shaping and maintaining the hole, furnishing and placing filter fabric, rip rap (class as specified in the plans) and permanent soil reinforcement matting.

**Materials**

<b>Item</b>	<b>Section</b>
Plain Rip Rap	1042
Filter Fabric	1056

The permanent soil reinforcement matting shall be permanent erosion control reinforcement mat and shall be constructed of synthetic or a combination of coconut and synthetic fibers evenly distributed throughout the mat between a bottom UV stabilized netting and a heavy duty UV stabilized top net. The matting shall be stitched together with UV stabilized polypropylene thread to form a permanent three dimensional structure. The mat shall have the following minimum physical properties:

<i>Property</i>	<i>Test Method</i>	<i>Value Unit</i>
Light Penetration	ASTM D6567	9 %
Thickness	ASTM D6525	0.40 in
Mass Per Unit Area	ASTM D6566	0.55 lb/sy
Tensile Strength	ASTM D6818	385 lb/ft
Elongation ( Maximum)	ASTM D6818	49 %
Resiliency	ASTM D1777	>70 %
UV Stability *	ASTM 4355	≥80 %
Porosity (Permanent Net)	ECTC Guidelines	≥85 %
Maximum Permissible Shear Stress (Vegetated)	Performance Bench Test	≥8.0 lb/ft <sup>2</sup>
Maximum Allowable Velocity (Vegetated)	Performance Bench Test	≥16.0 ft/s

\*ASTM D1682 Tensile Strength and % strength retention of material after 1000 hours of exposure.

Submit a certification (Type 1, 2, or 3) from the manufacturer showing:

- (A) the chemical and physical properties of the mat used, and
- (B) conformance of the mat with this specification.

### **Construction Methods**

All areas to be protected with the mat shall be brought to final grade and seeded in accordance with Section 1660 of the *Standard Specifications*. The surface of the soil shall be smooth, firm, stable and free of rocks, clods, roots or other obstructions that would prevent the mat from lying in direct contact with the soil surface. Areas where the mat is to be placed will not need to be mulched.

### **Measurement and Payment**

Payment for *Preformed Scour Holes* will be included in the lump sum bid price for “*Generic Erosion Control Item*.”. Such price and payment will be full compensation for all work covered by this provision.

Payment will be made under:

#### **Pay Item**

Generic Erosion Control Item - Preformed Scour Hole

#### **Pay Unit**

Lump  
Sum

**XLVI. UTILITIES BY OTHERS:****General**

The following utility companies have facilities that will be in conflict with the construction of this project.

**A) Progress Energy Carolinas, Inc. (Power/Distribution)**  
**Linda Young (366) 599-2197**

**B) CenturyLink (Fiber Optic/Copper Telephone)**  
**Patrick Galliger (366) 599-1444**

The conflicting facilities of these concerns will be adjusted prior to the date of availability, unless otherwise noted and are therefore listed in these special provisions for the benefit of the Contractor. All utility work listed herein will be done by the utility owner. All utilities are shown on the plans from the best available information.

The Contractor's attention is directed to Article 105-8 of the NCDOT "Standard Specifications for Roads and Structures" dated January 2006.

**Utilities Requiring Adjustments:**

A) Progress Energy Carolinas, Inc. (Power/Distribution)

1. Existing power poles will not be in conflict. New aerial fiber optic and copper telephone lines will be attached to existing power poles. See Utilities By Others Plans for details.

B) CenturyLink (Fiber Optic/Copper Telephone)

1. New aerial fiber optic and copper telephone lines will be installed on a new telephone pole located left of Line -L- at Sta. 12+30+/- and crossing Line -L- aerially at Sta. 12+87+/- then attaching to existing power poles located between Sta. 14+00+/- and Sta. 19+90+/-.  
New buried fiber optic and copper telephone lines will be directionally bored crossing Line -L- at Sta. 11+44+/- and Sta. 19+90+/- . New lines will be buried left of Line -L- between Sta. 11+44+/- and Sta. 12+30+/- and between Sta. 14+00 +/- and Sta. 19+90 +/-.

The Contractor shall give CenturyLink 4 (four) weeks notice and 2 (two) weeks to complete their work. See Utilities By Others for details.

**STANDARD SPECIAL PROVISION****ERRATA**

(7-21-09)

Z-4

Revise the *Standard Specifications for Roads and Structures July 2006* on all projects as follows:

**Division 1**

Page 1-1, replace AREA - American Railway Engineering Association with ***American Railway Engineering and Maintenance of Way Association***.

Page 1-7, remove **-L-** in middle of page after INVITATION TO BID and before LABORATORY.

Page 1-25, 102-16(R), move 2nd paragraph to left margin. It is not a part of this subarticle, but part of the entire article.

**Division 2**

Page 2-9, Subarticle 225-1(C), 1<sup>st</sup> paragraph, 2<sup>nd</sup> line, last word, add a “d” to make the word grade become ***graded***.

Page 2-15, Subarticle 226-3, 5th paragraph, first line, replace the word *in* with the word ***is***.

Page 2-23, Subarticle 235-4(B)(9), at the end of the sentence, replace finished greater with finished ***grade***.

Page 2-28, Article 260-3, First paragraph, second line, remove the word *foot*.

**Division 3**

Page 3-13, Article 340-4, Second paragraph, change Flowable Backfill to Flowable ***Fill***

**Division 4**

Page 4-29, Article 420-13(A) Description, change reference from Section 1082 to ***Article 1081-6***.

Page 4-40 Subarticle 420-17(F) first line, change Subarticle 420-17(B) to ***(B) herein***.

Page 4-70, Article 442-13(B) Second sentence, change SSPC Guide 6I to SSPC Guide ***6***.

Pages 4-72, 4-74, 4-76, at the top of the page, substitute the heading Section 452 with Section ***450***.

Page 4-79, at the top of the page, substitute the heading Section 450 with Section ***452***

Page 4-80, change 452-7 to 452-***6*** at the top of the page.

Page 4-80, change Pay Item \_\_\_Steel Pile Retaining Walls, to ***Sheet*** Pile Retaining Walls.

Page 4-88, 462-4, Title, Replace last word Measurement with the word ***PAYMENT***

**Division 5**

Page 5-8, Article 501-15 Measurement and Payment, delete the 4th paragraph that begins The quantity of lime, measured as provided ...

Page 5-14, Article 520-11 Measurement and Payment, first paragraph, second line, delete *will be*.

### Division 6

Page 6-3, Article 600-9, 2nd Paragraph on this page, replace 818-5 with 818-4.

Pages 6-30 and 31, Subarticle 610-3(A)(13) Move 2 paragraphs from the margin to the right under the number (13).

Page 6-43, Article 610-8, 4th paragraph, remove the first *the*

Page 6-44, 2nd full paragraph, 1<sup>st</sup> sentence, delete the first *and* and add *transverse* just before cross-slope control.

Page 6-51, at the top of the page, add **610-14** on the same line, and just before the heading MAINTENANCE.

Page 6-53, Article 620-4 sixth paragraph, second line; the word that should be *which*.

Page 6-66, title, Replace EXISTNG with **EXISTING**

Page 6-66, Article 657-1, Description, first sentence, replace PS/AR (hot-poured rubber asphalt with *hot applied joint sealer*.

Page 6-66, Article 657-2, replace PS/AR (Hot-Poured Rubber Asphalt with the following:

Item	Section
<i>Hot Applied Joint Sealer</i>	<b>1028-2</b>

Page 6-67, at the top of the page, substitute the heading Section 654 with Section **657**.

Page 6-67, Article 657-3 Construction Methods, 2nd paragraph, replace PS/AR sealant with *hot applied joint sealer*.

Page 6-71, 660-9(B)(1), Replace the first sentence of the first paragraph with the following:

**Using the quantities shown in Table 660-1, apply asphalt material to the existing surface followed by an application of No. 78 M or lightweight aggregate.**

Page 6-89; Add a period at the end of the last sentence at the bottom of the page.

Page 6-90, Article 663-5, first paragraph, first sentence, change 50oF to **50°F**; third paragraph, fourth sentence change 325oF to **325°F**.

### Division 7

Page 7-12, at the top of the page, substitute the heading Section 710 with Section **700**.

Page 7-15, Article 710-9, 4th paragraph, last line, change 710-11(B) to 710-10(B).

### Division 8

Page 8-13, Article 808-3, 4th Paragraph, third line, replace Eexcavation with **Excavation**

Page 8-35, Article 848-2, Item: Replace Cncrete with **Concrete**

**Division 9**

Page 9-2, add **901-3** just before CONSTRUCTION METHODS

**Division 10**

Page 10-12, near bottom of page add **(C)** before Proportioning and Mixing of Modified Compositions, which should be bold type.

Page 10-28, at the top of the page, substitute Section 100**6** for 1005.

Page 10-54, Subarticle 1018-2A), First line, substitute **(B)** for II, third line, substitute **(B)(2)** for II-b.

Pages 10-56, 10-58, 10-60 at the top of the page, substitute Section 1018 with Section **1020**.

Page 10-84, Table 1042-1, Class 2, Maximum, change from 23r to **23**.

Page 10-84, Article 1042-2 Testing, last sentence, replace the word alterations with the word **cycles**.

Page 10-100, Table 1056-1, replace on the line for Trapezoidal Tear Strength:

Type 1	Type 2	Type 3		Type 4
		Class A	Class B	Soil Stabilization
<b>45 lb</b>	<b>75 lb</b>	--	--	<b>75 lb</b>

Page 10-116, Subarticle 1070-10, first paragraph, second sentence, add **or** just before cold-forged sleeve.

Pages 10-136 through 10-147, at the top of the page, substitute Section 1074 with Section **1072**.

Page 10-157, Article 1077-11, first paragraph, change the reference from Subarticle 420-18(B) to Subarticle 420-**17**(B).

Page 10-200, Subarticle 1080-14(B), change reference to ASTM D33**59**

Page 10-211, at the top of the page, substitute Section 1081 with Section **1082**.

Page 10-229, add **1088-6 BLANK** on the line above 1088-7 TUBULAR MARKERS.

Page 10-244, add **1089-10 BLANK** and **1089-11 BLANK** on the lines just above 1089-12 FLAGGER.

Page 10-272, delete Article 1098-6 in its entirety. Renumber Articles 1098-7 through 1098-17 as Articles 1098-6 through 1098-16 consecutively.

**Division 12**

Page 12-21 Add **1266-2** just before the heading MATERIALS.

**Division 14**

Page 14-33, Article 1413-6, first paragraph, first sentence, first line, replace made with **paid for**.

**Division 15**

- Page 15-2 add **1500-4** just before the heading WEEKEND, NIGHT AND HOLIDAY WORK.
- Page 15-4, Subarticle 1505-3(A)(2), replace the 2nd line with the following: ***Provide shielding or shoring as required under Section 150 or as required elsewhere in the contract.***
- Page 15-5, add **1505-6** on the same line and just before the heading MEASUREMENT AND PAYMENT. (Remove the period after PAYMENT.)
- Page 15-6, Article 1505-6(3), delete *in Section 1175* and replace it with *elsewhere in the contract.*
- Page 15-8, add **1510-4** on the same line and just before the heading MEASUREMENT AND PAYMENT.
- Page 15-10, substitute **BLANK** for CONSTRUCTION REQUIREMENTS on the same line and just before 1515-4.
- Page 15-10, substitute **CONSTRUCTION REQUIREMENTS** for General Requirements
- Page 15-10, Article 1515-4, add **(D)** just before the bolded Fire Hydrants.
- Page 15-13, Article 1520-3, 8th paragraph, add ***pipe*** after diameter.
- Page 15-22, add **1540-3** on the same line and just before the heading CONSTRUCTION REQUIREMENTS.
- Page 15-28, Replace 1550-6 METHOD OF MEASUREMENT with ***MEASUREMENT AND PAYMENT.***

**Division 16**

- Page 16-12, Subarticle 1632-1(C) ¼ Inch hardware cloth, change the minimum width from 24 inches to 48 inches.

**Division 17**

- Page 17-19, Subarticle 1725-2 Material, Second paragraph, change Article 1098-7 to 1098-8
- Page 17-20, Subarticle 1726-2 Material, Second paragraph, change Article 1098-8 to 1098-9

**END**

**STANDARD SPECIAL PROVISION****PLANT AND PEST QUARANTINES****(Imported Fire Ant, Gypsy Moth, Witchweed, And Other Noxious Weeds)**

(3-18-03)

Z-04a

**Within quarantined area**

This project may be within a county regulated for plant and/or pests. If the project or any part of the Contractor's operations is located within a quarantined area, thoroughly clean all equipment prior to moving out of the quarantined area. Comply with federal/state regulations by obtaining a certificate or limited permit for any regulated article moving from the quarantined area.

**Originating in a quarantined county**

Obtain a certificate or limited permit issued by the N.C. Department of Agriculture/United States Department of Agriculture. Have the certificate or limited permit accompany the article when it arrives at the project site.

**Contact**

Contact the N.C. Department of Agriculture/United States Department of Agriculture at 1-800-206-9333, 919-733-6932, or <http://www.ncagr.com/plantind/> to determine those specific project sites located in the quarantined area or for any regulated article used on this project originating in a quarantined county.

**Regulated Articles Include**

1. Soil, sand, gravel, compost, peat, humus, muck, and decomposed manure, separately or with other articles. This includes movement of articles listed above that may be associated with cut/waste, ditch pulling, and shoulder cutting.
2. Plants with roots including grass sod.
3. Plant crowns and roots.
4. Bulbs, corms, rhizomes, and tubers of ornamental plants.
5. Hay, straw, fodder, and plant litter of any kind.
6. Clearing and grubbing debris.
7. Used agricultural cultivating and harvesting equipment.
8. Used earth-moving equipment.
9. Any other products, articles, or means of conveyance, of any character, if determined by an inspector to present a hazard of spreading imported fire ant, gypsy moth, witchweed or other noxious weeds.

**MINORITY BUSINESS ENTERPRISE AND WOMEN BUSINESS ENTERPRISE:**

(10-16-07) (Rev 10-20-09)

SP1 G67

**Policy**

It is the policy of the North Carolina Department of Transportation that Minority Business Enterprises (MBEs) and Women Business Enterprise (WBEs) as defined in *GS 136-28.4* shall have the equal opportunity to compete fairly for and to participate in the performance of contracts financed in whole or in part by State Funds.

**Obligation**

The Contractor, subcontractor, and sub-recipient shall not discriminate on the basis of race, religion, color, creed, national origin, sex, handicapping condition or age in the performance of this contract. The Contractor shall comply with applicable requirements of *GS 136-28.4* in the award and administration of state funded contracts. Failure by the Contractor to comply with these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the Department deems necessary.

**Definitions**

*Commitment* - The approved MBE/WBE participation submitted by the prime contractor during the bidding process.

*Committed MBE/WBE* - Any MBE/WBE listed on the MBE/WBE commitment list approved by the Department at the time of bid submission or any MBE/WBE utilized as a replacement for a MBE/WBE firm listed on the commitment list.

*Department* - North Carolina Department of Transportation

*Minority Business Enterprise (MBE)* – A firm certified as a Disadvantaged Minority-Owned Business Enterprise through the North Carolina Unified Certification Program.

*Women Business Enterprise (WBE)* – A firm certified as a Disadvantaged Women-Owned Business Enterprise through the North Carolina Unified Certification Program.

*MBE/WBE* – This term is used for convenience only. Minority Business Enterprise and Women Business Enterprise are not interchangeable terms and the goals for either or both are not interchangeable.

*Goal* - The MBE/WBE participation specified herein

*Letter of Intent* – Written documentation of the bidder/offeror's commitment to use a MBE/WBE subcontractor and confirmation from the MBE/WBE that it is participating in the contract.

*Manufacturer* - A firm that operates or maintains a factory or establishment that produces on the premises the materials or supplies obtained by the Contractor.

*Regular Dealer* - A firm that owns, operates, or maintains a store, warehouse, or other establishment in which the materials or supplies required for the performance of the contract are bought, kept in stock, and regularly sold to the public in the usual course of business. A regular dealer engages in, as its principal business and in its own name, the purchase and sale or lease of the products in question. A regular dealer in such bulk items as steel, cement, gravel, stone, and petroleum products need not keep such products in stock, if it owns or operates distribution equipment. Brokers and packagers are not regarded as manufacturers or regular dealers within the meaning of this section.

*Form RS-1-D* - Form for subcontracts involving MBE/WBE subcontractors attesting to the agreed upon unit prices and extensions for the affected contract items.

*North Carolina Unified Certification Program* - A program that provides comprehensive information to applicants for certification, such that an applicant is required to apply only once for a MBE/WBE certification that will be honored by all recipients of USDOT funds in the state and not limited to the Department of Transportation only. The Certification Program is in accordance with *49 CFR Part 26*.

### **Contract Goal**

The following goals for participation by Minority Business Enterprises and Women Business Enterprises are established for this contract:

**(A)** Minority Business Enterprises = 2 %

- (1) *If the goal is more than zero*, the Contractor shall exercise all necessary and reasonable steps to ensure that Minority Business Enterprises participate in at least the percent of the contract as set forth above as the goal.
- (2) *If the goal is zero*, the Contractor shall continue to recruit the MBEs and report the use of MBEs during the construction of the project. A good faith effort will not be required with a zero goal.

**(B)** Women Business Enterprises = 4%

- (1) If the goal is more than zero, the Contractor shall exercise all necessary and reasonable steps to ensure that Women Business Enterprises participate in at least the percent of the contract as set forth above as the goal.
- (2) *If the goal is zero*, the Contractor shall continue to recruit the WBEs and report the use of WBEs during the construction of the project. A good faith effort will not be required with a zero goal.

## Contract Requirement

The approved MBE/WBE participation submitted by the Contractor shall be the **Contract Requirement**.

## Certified Transportation Firms Directory

Real-time information about firms doing business with the Department and firms that are certified through North Carolina's Unified Certification Program is available in the Directory of Transportation Firms. The Directory can be accessed by the link on the Department's homepage or by entering <https://apps.dot.state.nc.us/vendor/directory/> in the address bar of your web browser. Only firms identified as MBE/WBE certified in the Directory can be utilized to meet the contract goals.

The listing of an individual firm in the Department's directory shall not be construed as an endorsement of the firm's capability to perform certain work.

## Listing of MBE/WBE Subcontractors in Contract

Only those MBE/WBE firms with current certification are acceptable for listing in the bidder's submittal of MBE/WBE participation. The Contractor shall indicate the following required information:

### (A) Electronic Bids

Bidders shall submit a listing of MBE/WBE participation in the appropriate section of Expedite, the bidding software of Bid Express<sup>®</sup>.

- (1) The names and addresses of MBE/WBE firms committed to participate in the contract. If the bidder uses the updated listing of MBE/WBE firms shown in Expedite, the bidder may use the dropdown menu to access the name and address of the MBE/WBE firm.
- (2) The contract line numbers and agreed upon unit prices of work to be performed by each MBE/WBE firm. When no figures or firms are entered, the bidder will be considered to have no MBE/WBE participation.

### (B) Paper Bids

- (1) *If the goal is more than zero* bidders, at the time the bid proposal is submitted, shall submit a listing of MBE/WBE participation on the appropriate form (or facsimile thereof) contained elsewhere in the contract documents in order for the bid to be considered responsive. Bidders shall indicate the total dollar value of the MBE/WBE participation for the contract. If the bidder has no MBE/WBE participation, he shall indicate this on the form "Listing of MBE/WBE Subcontractors" by entering the word or number zero. This form shall be completed in its entirety. **Blank forms will not be deemed to represent zero participation.** Bids submitted that do not have MBE/WBE participation indicated on the appropriate form will not be read publicly

during the opening of bids. The Department will not consider these bids for award and the proposal will be returned to the bidder.

- (2) *If the goal is zero*, bidders at the time the bid proposal is submitted, shall enter the word “zero” or number “0” or if there is participation, add the value on the “Listing of MBE/WBE Subcontractors” (or facsimile thereof) contained elsewhere in the contract documents.

### **Written Documentation – Letter of Intent**

The bidder shall submit written documentation of the bidder/offeror’s commitment to use MBE/WBE subcontractors whose participation it submits to meet a contract goal and written confirmation from each MBE/WBE, listed in the proposal, indicating their participation in the contract. This documentation shall be submitted on the Department’s form titled “Letter of Intent to Perform as a Subcontractor”. This letter of intent form is available at: <http://www.ncdot.org/doh/preconstruct/ps/contracts/letterofintent.pdf>. It shall be received in the office of the State Contractor Utilization Engineer no later than 12:00 noon of the sixth calendar day following opening of bids.

If the bidder fails to submit the letter of intent from each committed MBE/WBE listed in the proposal indicating their participation in the contract, the MBE/WBE participation will not count toward meeting the goal.

### **Counting MBE/WBE Participation Toward Meeting MBE/WBE Goal of Zero or More**

- (A) If a firm is determined to be an eligible MBE/WBE firm, the total dollar value of the participation by the MBE/WBE will be counted toward the contract requirement. The total dollar value of participation by a certified MBE/WBE will be based upon the value of work actually performed by the MBE/WBE and the actual payments to MBE/WBE firms by the Contractor.
- (B) When a MBE/WBE performs as a participant in a joint venture, the Contractor may count toward its MBE/WBE goal a portion of the total value of participation with the MBE/WBE in the joint venture, that portion of the total dollar value being a distinct clearly defined portion of work that the MBE/WBE performs with its forces.
- (C) (1) The Contractor may count toward its MBE/WBE goal only expenditures to MBE/WBEs that perform a commercially useful function in the work of a contract. A MBE/WBE performs a commercially useful function when it is responsible for execution of the work of the contract and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. To perform a commercially useful function, the MBE/WBE shall also be responsible with respect to materials and supplies used on the contract, for negotiating price, determining quality and quantity, ordering the material and installing (where applicable) and paying for the material itself. To determine whether a MBE/WBE is performing a commercially useful function, the Department will evaluate the amount of work subcontracted, industry practices, whether the amount the firm is to be paid under the contract is commensurate with the work it is actually performing and the

MBE/WBE credit claimed for its performance of the work, and other relevant factors.

- (2) A MBE/WBE may enter into subcontracts. Work that a MBE/WBE subcontracts to another MBE/WBE firm may be counted toward the contract goal. Work that a MBE/WBE subcontracts to a non-MBE/WBE firm does not count toward the contract goal. If a MBE/WBE contractor or subcontractor subcontracts a significantly greater portion of the work of the contract than would be expected on the basis of standard industry practices, the MBE/WBE shall be presumed not to be performing a commercially useful function. The MBE/WBE may present evidence to rebut this presumption to the Department for commercially useful functions. The Department's decision on the rebuttal of this presumption will be final.
- (3) The following factors will be used to determine if a MBE/WBE trucking firm is performing a commercially useful function.
  - (a) The MBE/WBE shall be responsible for the management and supervision of the entire trucking operation for which it is responsible on a particular contract, and there shall not be a contrived arrangement for the purpose of meeting MBE/WBE goals.
  - (b) The MBE/WBE shall itself own and operate at least one fully licensed, insured, and operational truck used on the contract.
  - (c) The MBE/WBE receives credit for the total value of the transportation services it provides on the contract using trucks it owns, insures, and operates using drivers it employs.
  - (d) The MBE/WBE may lease trucks from another MBE/WBE firm, including an owner-operator who is certified as a MBE/WBE. The MBE/WBE who leases trucks from another MBE/WBE receives credit for the total value of the transportation services the lessee MBE/WBE provides on the contract.
  - (e) The MBE/WBE may also lease trucks from a non-MBE/WBE firm, including from an owner-operator. The MBE/WBE who leases trucks from a non-MBE/WBE is entitled to credit for the total value of transportation services provided by non-MBE/WBE lessees not to exceed the value of transportation services provided by MBE/WBE-owned trucks on the contract. Additional participation by non-MBE/WBE lessees receives credit only for the fee or commission it receives as a result of the lease arrangement. The value of services performed under lease agreements between the MBE/WBE and Contractor will not count towards the contract requirement.
  - (f) For purposes of this paragraph, a lease shall indicate that the MBE/WBE has exclusive use of and control over the truck. This does not preclude the leased truck from working for others during the term

of the lease with the consent of the MBE/WBE, so long as the lease gives the MBE/WBE absolute priority for use of the leased truck. Leased trucks shall display the name and identification number of the MBE/WBE.

- (D) A contractor may count toward its MBE/WBE goals 60 percent of its expenditures for materials and supplies required to complete the contract and obtained from MBE/WBE regular dealer and 100 percent of such expenditures to a MBE/WBE manufacturer.
- (E) A contractor may count toward its MBE/WBE goals the following expenditures to MBE/WBE firms that are not manufacturers or regular dealers:
  - (1) The fees or commissions charged by a MBE/WBE firm for providing a bona fide service, such as professional, technical, consultant, or managerial services, or for providing bonds or insurance specifically required for the performance of a DOT-assisted contract, provided the fees or commissions are determined to be reasonable and not excessive as compared with fees and commissions customarily allowed for similar services.
  - (2) The fees or commissions charged for assistance in the procurement of the materials and supplies, or for transportation charges for the delivery of materials or supplies required on a job site (but not the cost of the materials and supplies themselves), provided the fees are not from a manufacturer or regular dealer and provided the fees are determined to be reasonable and not excessive as compared with fees customarily allowed for similar services.

### **Good Faith Effort for Projects with Goals more than Zero**

If the MBE/WBE participation submitted in the bid by the apparent lowest responsive bidder does not meet or exceed the MBE/WBE contract goals, the apparent lowest responsive bidder shall submit to the Department documentation of its good faith efforts made to reach each contract goal. One complete set and 9 copies of this information shall be received in the office of the State Contractor Utilization Engineer no later than 12:00 noon of the sixth calendar day following opening of bids. Where the information submitted includes repetitious solicitation letters it will be acceptable to submit a representative letter along with a distribution list of the firms that were solicited. Documentation of MBE/WBE quotations shall be a part of the good faith effort submittal as necessary to demonstrate compliance with the factors listed below which the Department considers in judging good faith efforts. This documentation may include written subcontractor quotations, telephone log notations of verbal quotations, or other types of quotation documentation.

The following factors will be used to determine if the bidder has made adequate good faith effort:

- (A) Whether the bidder attended any pre-bid meetings that were scheduled by the Department to inform MBE/WBEs of subcontracting opportunities.

- (B)** Whether the bidder provided solicitations through all reasonable and available means (e.g. advertising in newspapers owned and targeted to the MBE/WBEs at least 10 calendar days prior to bid opening. Whether the bidder provided written notice to all MBE/WBEs listed in the NCDOT Directory of Transportation Firms, within the Divisions and surrounding Divisions where the project is located, that specialize in the areas of work (as noted in the MBE/WBE Directory) that the bidder will be subletting.
- (C)** Whether the bidder followed up initial solicitations of interests by contacting MBE/WBEs to determine with certainty whether they were interested. If a reasonable amount of MBE/WBEs within the targeted Divisions do not provide an intent to quote or no MBE/WBEs specialize in the subcontracted areas, the bidder shall notify MBE/WBEs outside of the targeted Divisions that specialize in the subcontracted areas, and call the Director of Business and Opportunity Workforce Development to give notification of the bidder's inability to get MBE/WBE quotes.
- (D)** Whether the bidder selected portions of the work to be performed by MBE/WBEs in order to increase the likelihood of meeting the contract goals. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate MBE/WBE participation, even when the bidder might otherwise perform these work items with its own forces.
- (E)** Whether the bidder provided interested MBE/WBEs with adequate and timely information about the plans, specifications and requirements of the contract.
- (F)** Whether the bidder negotiated in good faith with interested MBE/WBEs without rejecting them as unqualified without sound reasons based on a thorough investigation of their capabilities. Any rejection should be noted in writing with a description as to why an agreement could not be reached.
- (G)** Whether quotations were received from interested MBE/WBE firms but rejected as unacceptable without sound reasons why the quotations were considered unacceptable.
- (H)** Whether the bidder specifically negotiated with subcontractors to assume part of the responsibility to meet the contract MBE/WBE goals when the work to be sublet includes potential for MBE/WBE participation.
- (I)** Whether the bidder made any efforts and/or offered assistance to interested MBE/WBEs in obtaining the necessary equipment, supplies, materials, insurance, and/or bonding to satisfy the work requirements in the bid proposal.
- (J)** Any other evidence that the bidder submits which show that the bidder has made reasonable good faith efforts to meet the contract goals.

If a bidder is the apparent lowest responsive bidder on more than one project within the same letting located in the same geographic area of the state, as a part of the good faith effort the Department will consider allowing the bidder to combine the MBE participation as long as the overall MBE goal value of the combined projects is achieved.

If a bidder is the apparent lowest responsive bidder on more than one project within the same letting located in the same geographic area of the state, as a part of the good faith effort the Department will consider allowing the bidder to combine the WBE participation as long as the overall WBE goal value of the combined projects is achieved.

If the Department does not award the contract to the apparent lowest responsive bidder, the Department reserves the right to award the contract to the next lowest responsive bidder that can satisfy the Department that the contract goal can be met or that adequate good faith efforts have been made to meet the goal.

### **Banking MBE/WBE Credit**

If the bid of the lowest responsive bidder exceeds \$500,000 and if the MBE/WBE participation submitted exceeds the algebraic sum of the MBE/WBE goals by \$1000 or more, the excess will be placed on deposit by the Department for future use by the bidder. Separate accounts will be maintained for MBE and WBE participation and these may accumulate for a period not to exceed 24 months.

When the apparent lowest responsive bidder fails to submit sufficient participation by MBE firms to meet the contract goal, as part of the good faith effort, the Department will consider allowing the bidder to withdraw funds to meet the MBE goal so long as there are adequate funds available from the bidder's MBE bank account.

When the apparent lowest responsive bidder fails to submit sufficient participation by WBE firms to meet the contract goal, as part of the good faith effort, the Department will consider allowing the bidder to withdraw funds to meet the WBE goal so long as there are adequate funds available from the bidder's WBE bank account.

### **MBE/WBE Replacement**

The Contractor shall not terminate a committed MBE/WBE subcontractor for convenience or perform the work with its own forces or those of an affiliate. If the Contractor fails to demonstrate reasonable efforts to replace a committed MBE/WBE firm that does not perform as intended with another committed MBE/WBE firm or completes the work with its own forces without the Engineer's approval, the Contractor may be disqualified from further bidding for a period of up to 6 months.

The Contractor shall comply with the following for replacement of committed MBE/WBE.

#### **(A) Performance Related Replacement**

When a MBE/WBE is terminated or fails to complete its work on the contract for any reason, the Contractor shall take all necessary, reasonable steps to replace the MBE/WBE subcontractor with another MBE/WBE subcontractor to perform at least the same amount of work as the MBE/WBE that was terminated. The Contractor is encouraged to first attempt to find another MBE/WBE firm to do the same work as the MBE/WBE that was being terminated.

To demonstrate necessary, reasonable good faith efforts, the Contractor shall document the steps they have taken to replace any MBE/WBE subcontractor who is unable to perform successfully with another MBE/WBE subcontractor. Such documentation shall include but not be limited to the following:

- (1) Copies of written notification to MBE/WBEs that their interest is solicited in subcontracting the work defaulted by the previous MBE/WBE subcontractor or in subcontracting other items of work in the contract.
- (2) Efforts to negotiate with MBE/WBEs for specific subbids including, at a minimum:
  - (a) The names, addresses, and telephone numbers of MBE/WBEs who were contacted.
  - (b) A description of the information provided to MBE/WBEs regarding the plans and specifications for portions of the work to be performed.
- (3) For each MBE/WBE contacted but rejected as unqualified, the reasons for the Contractor's conclusion.
- (4) Efforts made to assist the MBE/WBEs contacted, if needed, in obtaining bonding or insurance required by the Contractor.

**(B) Decertification Replacement**

- (1) When a committed MBE/WBE is decertified by the Department after a Request for Subcontract has been received by the Department, the Department will not require the Prime Contractor to solicit replacement MBE/WBE participation equal to the remaining work to be performed by the decertified firm. The participation equal to the remaining work performed by the decertified firm will count toward the contract requirement.
- (2) When a committed MBE/WBE is decertified prior to the Department receiving a Request for Subcontract for the named MBE/WBE firm, the Prime Contractor shall take all necessary and reasonable steps to replace the MBE/WBE subcontractor with another MBE/WBE subcontractor to perform at least the same amount of work to meet the contract goal or demonstrate that it has made a good faith effort to do so.

**Changes in the Work**

When the Engineer makes changes that result in the reduction or elimination of work to be performed by a committed MBE/WBE, the Contractor will not be required to seek additional participation. When the Engineer makes changes that result in additional work to be performed by a MBE/WBE based upon the Contractor's commitment, the MBE/WBE shall participate in additional work to the same extent as the MBE/WBE participated in the original contract work.

When the Engineer makes changes that result in extra work, which has more than a minimal impact on the contract amount, the Contractor shall seek additional participation by MBE/WBEs unless otherwise approved by the Engineer.

When the Engineer makes changes that result in an alteration of plans or details of construction and a portion or all of work had been expected to be performed by a committed MBE/WBE, the Contractor shall seek participation by MBE/WBEs unless otherwise approved by the Engineer.

When the Contractor requests changes in the work that result in the reduction or elimination of work that the Contractor committed to be performed by a MBE/WBE, the Contractor shall seek additional participation by MBE/WBEs equal to the reduced MBE/WBE participation caused by the changes.

## **Reports**

All requests for subcontracts involving MBE/WBE subcontractors shall be accompanied by a certification executed by both the Prime Contractor and the MBE/WBE subcontractor attesting to the agreed upon unit prices and extensions for the affected contract items. This information shall be submitted on the Department Form RS-1-D, located at: <http://www.ncdot.org/doh/forms/files/FORMRS-1-D.doc> unless otherwise approved by the Engineer. The Department reserves the right to require copies of actual subcontract agreements involving MBE/WBE subcontractors.

Within 30 calendar days of entering an agreement with a MBE/WBE for materials, supplies or services, not otherwise documented by a Request for Subcontract as specified above, the Contractor shall furnish the Engineer a copy of the agreement. The documentation should also indicate the percentage (60% or 100%) of expenditures claimed for MBE/WBE credit.

All certifications will be considered a part of the project records, and consequently will be subject to penalties under State Law associated with falsifications of records related to projects.

## **Reporting MBE/WBE Participation**

- (A) The Contractor shall provide the Engineer with an accounting of payments made to MBE/WBE firms, including material suppliers, contractors at all levels (prime, subcontractor, or second tier subcontractor). This accounting shall be furnished to the Engineer for any given month by the end of the following month. Failure to submit this information accordingly may result in the following action:
- (1) Withholding of money due in the next partial pay estimate; or
  - (2) Removal of an approved contractor from the prequalified bidders list or the removal of other entities from the approved subcontractors list.

**(B) Electronic Bids Reporting:**

The Contractor shall report the accounting of payments through the Department's Payment Tracking System, which is located at: <https://apps.dot.state.nc.us/Vendor/PaymentTracking/>. The Contractor shall also provide the Engineer an affidavit attesting the accuracy of the information submitted in the Payment Tracking System. This too shall be submitted for any given month by the end of the following month.

**(C) Paper Bids Reporting:**

The Contractor shall report the accounting of payments on the Department's MBE/WBE Subcontractor Payment Information Form MBE/WBE-IS, which is available at <http://www.ncdot.org/doh/forms/files/MBE/WBE-IS.xls>.

**(D) Contractors reporting transportation services provided by non-MBE/WBE lessees shall evaluate the value of services provided during the month of the reporting period only.**

Prior to payment of the final estimate, the Contractor shall furnish an accounting of total payment to each MBE/WBE. A responsible fiscal officer of the payee contractor, subcontractor, or second tier subcontractor who can attest to the date and amounts of the payments shall certify that the accounting is correct.

While each contractor (prime, subcontractor, 2nd tier subcontractor) is responsible for accurate accounting of payments to MBE/WBEs, it shall be the prime contractor's responsibility to report all monthly and final payment information in the correct reporting manner.

Failure on the part of the Contractor to submit the required information in the time frame specified may result in the disqualification of that contractor and any affiliate companies from further bidding until the required information is submitted.

Failure on the part of any subcontractor to submit the required information in the time frame specified may result in the disqualification of that contractor and any affiliate companies from working on any DOT project until the required information is submitted.

**Failure to Meet Contract Requirements**

Failure to meet contract requirements in accordance with Article 102-16(J) of the *Standard Specifications* may be cause to disqualify the Contractor.

**MINIMUM WAGES**

(7-21-09)

Z-5

**FEDERAL:** The Fair Labor Standards Act provides that with certain exceptions every employer shall pay wages at the rate of not less than SEVEN DOLLARS AND TWENTY FIVE CENTS (\$7.25) per hour.

**STATE:** The North Carolina Minimum Wage Act provides that every employer shall pay to each of his employees, wages at a rate of not less than SEVEN DOLLARS AND TWENTY FIVE CENTS (\$7.25) per hour.

The minimum wage paid to all skilled labor employed on this contract shall be SEVEN DOLLARS AND TWENTY FIVE CENTS (\$7.25) per hour.

The minimum wage paid to all intermediate labor employed on this contract shall be SEVEN DOLLARS AND TWENTY FIVE CENTS (\$7.25) per hour.

The minimum wage paid to all unskilled labor on this contract shall be SEVEN DOLLARS AND TWENTY FIVE CENTS (\$7.25) per hour.

This determination of the intent of the application of this act to the contract on this project is the responsibility of the Contractor.

The Contractor shall have no claim against the Department of Transportation for any changes in the minimum wage laws, Federal or State. It is the responsibility of the Contractor to keep fully informed of all Federal and State Laws affecting his contract.

**AWARD OF CONTRACT**

(6-28-77)

Z-6

“The North Carolina Department of Transportation, in accordance with the provisions of *Title VI of the Civil Rights Act of 1964* (78 Stat. 252) and the Regulations of the Department of Transportation (*49 C.F.R., Part 21*), issued pursuant to such act, hereby notifies all bidders that it will affirmatively insure that the contract entered into pursuant to this advertisement will be awarded to the lowest responsible bidder without discrimination on the ground of race, color, or national origin”.

**ATTACHMENT 'A'**

**LISTING OF MB & WB SUBCONTRACTORS**



## LISTING OF MB & WB SUBCONTRACTORS

ADDRESS FIRM NAME ABD	MB or WB	ITEM NO.	ITEM DESCRIPTION	(*) AGREED UPON UNIT PRICE	DOLLAR VOLUME OF ITEM

Dollar Volume of MB Subcontractor      \$ \_\_\_\_\_

(\*) The Dollar Volume Shown in this Column Shall  
Be Actual Price Agreed Upon by the Prime

Contractor

MB Percentage of Total Contract Bid Price \_\_\_\_\_ %  
Prices

And the MB and/or WB Subcontractor, and These

Will Be Used to Determine The Percentage of the

MB

Dollar Volume of WB Subcontractor      \$ \_\_\_\_\_  
WB Percentage of Total Contract Bid Price \_\_\_\_\_ %

and/or WB Participation in the Contract.

PROJECT NO. \_\_\_\_\_ COUNTY \_\_\_\_\_ FIRM \_\_\_\_\_

## **GEOTECHNICAL ATTACHMENT 'B'**

**The following Geotechnical Bore Holes Sections are for information only and are not a part of this contract. These information are for investigation only and no accuracy is implied or guaranteed. No claim will be allowed as a result of the use of this information.**

**NC DOT GEOTECHNICAL ENGINEERING UNIT**  
**BORELOG REPORT**

PROJECT NO. MA050139		ID. B-5220		COUNTY Person		GEOLOGIST M. Skeet							
SITE DESCRIPTION Bridge # 93 on SR 1528 (Denny Stone Road) over Tar River							GROUND WTR (ft)						
BORING NO. EB1-A		STATION 15+18		OFFSET 611LT		ALIGNMENT J-							
COLLAR ELEV. 563.5 ft		TOTAL DEPTH 13.7 ft		NORTHING 990,445		EASTING 2,046,771							
DRILL MACHINE Dietrich D-50		DRILL METHOD 2-1/4 HSA		HAMMER TYPE Automatic		SURFACE WATER DEPTH N/A							
DRILLER W. T. Noggles		START DATE 01/04/10		COMP. DATE 01/04/10		SURFACE WATER DEPTH N/A							
ELEV (ft)	CRMF. ELEV (ft)	DEPTH (ft)	FLOW COUNT			BLOWS PER FOOT				SAMP. NO.	L O G	SOIL AND ROCK DESCRIPTION	DEPTH (ft)
			0.5ft	1.0ft	1.5ft	0	25	50	75				
660	660.0	1.5	2	3	3								660
561	555.0	4.5	2	4	7								561
557	550.0	13.5											557
645													
640													
635													
630													
625													
620													
615													
610													
605													
600													
595													
590													
585													

NC DOT BORE LOGS ONLINE: 08-05-2009 14:56 DOT GBT 2010

GROUND SURFACE 660  
 ROADWAY EMBANKMENT  
 Orange and brown medium silty clay (A-7-5)  
 ALLUVIAL  
 Grey silt clay (A-7-6) with trace organics  
 WEATHERED ROCK  
 (Gray Metasediments)  
 Boring terminated by AUGER REFUSAL at  
 Elevation 548.8 ft on Non-Conglomerate Rock  
 Gray Metasediments  
 1) Advanced 2-1/4 HSA to 13.5 feet



**NCDOT GEOTECHNICAL ENGINEERING UNIT**  
**BORELOG REPORT**

PROJECT NO. MA05D133		ID. 19-6220		COUNTY Person		GEOLOGIST M. Skeen								
SITE DESCRIPTION Bridge # 93 on BR 1635 (Danny Store Road) over Tar River														
BORING NO. H1-A		STATION 15+51		OFFSET 5 R/LT		ALIGNMENT -L-								
COLLAR ELEV. 563.1 ft.		TOTAL DEPTH 88.3 ft.		NORTHING 960,463		EASTING 2,045,726								
DRILL MACHINE Dedrich 13-60		DRILL METHOD 2-7/8 triaxial with rotary wash				HAMMER TYPE Automatic								
DRILLER W. T. Duggins		START DATE 01/06/10		COMP. DATE 01/03/10		SURFACE WATER DEPTH N/A								
ELEV. (ft)	DRIVE ELEV. (ft)	DEPTH (ft)	BLOW COUNT			BLOWS PER FOOT					SAMP. NO.	LOG MDT	SOIL AND ROCK DESCRIPTION	
			0-3"	3-6"	6-9"	0	25	50	75	100				
565														GROUND SURFACE
560	558.0	3.0	1	0	4									ROADWAY EMBANKMENT Orange silt loess medium to silty CLAY (A-7-6)
555	554.8	4.5	5	11	8									ALLIUMAL Gray silt silty CLAY (A-7-8) with trace organics
550	547.8	12.3	6	10	8									WEATHERED ROCK (Gray Metasediments) NON-CRYSTALLINE ROCK Hard to very hard, fresh to slightly weathered, very close to moderately close fractured specimen, GRAY METAVOLCANIC ROCK
545														
540														
535														
530														
525														
520														
515														
510														
505														
500														
495														
490														
485														

PROJECT BORELOG FILE # 19-0070807-5410

Boring Terminated at Elevation 528.8 ft. in Non-Crystalline Rock: Gray Metasediments

- 1) Advanced 2-7/8 triaxial bit to 12.3 feet.
- 2) Advanced NDWL core barrel between 12.3 to 38.5 feet.
- 3) Used water as drilling fluid.



**NCDOT GEOTECHNICAL ENGINEERING UNIT**  
**BORELOG REPORT**

PROJECT NO. MAC5013B		ID. B-5220		COUNTY Person		GEOLOGIST M. Skene									
SITE DESCRIPTION Bridge # 93 on SR 1535 (Denny Store Road) over Tar River							GROUND WTR (ft)								
BORING NO. B-1-B		STATION 15+51		OFFSET 8 R RT		ALIGNMENT -L-									
COLLAR ELEV. 593.1 ft		TOTAL DEPTH 12.6 ft		NORTHING 860,461		EASTING 2,046,727									
DRILL MACHINE Dietrich D-80		DRILL METHOD 2-1/4 HGA		HAMMER TYPE Automatic											
DRILLER W. T. Duggins		START DATE 01/04/10		COMP. DATE 01/04/10		SURFACE WATER DEPTH N/A									
ELEV (ft)	DRIVE ELEV (ft)	DEPTH (ft)	BLOW COUNT			BLOWS PER FOOT				SAMP. NO.	LOG	SOIL AND ROCK DESCRIPTION			
			0-30	30-60	60-90	0	25	50	75			100	ELEV. (ft)	DEPTH (ft)	
585													585.0	0.0	GROUND SURFACE Asphalt
590	592.5	2.5	3	4	3	1	1	1	1			D	592.5	2.5	ROADWAY EMBANKMENT Orange and brown medium silty clay (A-7-5)
595	591.8	0.8										M	591.8	0.8	ALLURIAL Gray silty clay (A-7-6) with trace organic
600	590.6	12.6										No Rec	590.6	12.6	WEATHERED ROCK (Gray Melonkian G) During Test near BY AUGER HULL-UP at Elevation 590.6 ft on Non-Crystalline Rock Gray Melonkian G 1) Advanced 2-1/4 HGA to 12.4 feet.

M&E(1) BUREAU OF PUBLIC WORKS, NCDOT, 3300

**NCDOT GEOTECHNICAL ENGINEERING UNIT**  
**BORELOG REPORT**

PROJECT NO. MADS013D		ID. B-5220		COUNTY Person		GEOLOGIST M. Skusek					
SITE DESCRIPTION Bridge # 93 on SR 1536 (Dartley Stone Road) over Tar River							GROUND WTR (ft)				
BORING NO. B2-A		STATION 15+36		OFFSET 0 ft LT		ALIGNMENT -L-	0 HR. 15.3				
COLLAR ELEV. 563.0 ft		TOTAL DEPTH 26.0 ft		NORTHING 950,457		EASTING 2,045,587	24 HR. FIAD				
DRILL MACHINE Deedeh D-50		DRILL METHOD 2-1/4 HSA				HAMMER TYPE Automatic					
DRILLER W. F. Duggins		START DATE 01/28/10		COMP. DATE 01/05/10		SURFACE WATER DEPTH N/A					
ELEV (ft)	CRIME ELEV (ft)	DEPTH (ft)	BLOW COUNT			BLOWS PER FOOT		RAMP NO.	LOG NO.	SOIL AND ROCK DESCRIPTION	DEPTH (ft)
			0-2H	0-5H	5-10H	0	25				
685										GROUND SURFACE	0.0
650	568.5	0.6	2	1	2					ROADWAY EMBANKMENT Orange and brown medium silty clay (A-7-6)	0.6
555	564.5	0.6	2	5	9					ALLUVIAL Gray silty clay (A-7-8) with trace organics	0.6
550	548.5	12.4	20	30	6					WEATHERED ROCK (Dry Microscopic)	12.4
546	546.2	12.6	17	25	100.2						
540	546.2	23.6			100.2						
536										Boring Terminated BY AUGER REFUEL at Elevation 536.1 ft on Non-Crystalline Resid Gray Microscopic	26.0
530										1) Advance 2-1/4 HSA to 26.0 feet.	
526											
520											
516											
510											
505											
500											
495											
490											
485											
480											

NCDOT BORE LOG REPORT: 2010-01-28 10:00 AM



**NCDOT GEOTECHNICAL ENGINEERING UNIT**  
**CORE BORING REPORT**

PROJECT NO. MA05013B		ID. B-3220		COUNTY Person		GEOLOGIST M. Skær					
SITE DESCRIPTION Bridge # 93 on SR 1556 (Darryl Sistrup Road) over Tar River							GROUND WTR (ft)				
BORING NO. B2-B		STATION 15+87		OFFSET 5 ft RT		ALIGNMENT L-					
COLLAR ELEV. 563.0 ft		TOTAL DEPTH 44.6 ft		NORTHING 860,466		EASTING 2,046,892					
DRILL MACHINE Dietrich D-5D		DRILL METHOD 2-7/8" pipe with rotary wash				HAMMER TYPE Autoclog					
DRILLER W. T. Duggins		START DATE 01/07/10		COMP. DATE 01/07/10		SURFACE WATER DEPTH N/A					
CORE SIZE NO		TOTAL RUN 13.4 ft									
ELEV (ft)	RUN ELEV (ft)	DEPTH (ft)	RUN (ft)	DRILL RATE (ft/min)	RUN		STRATA		L D C	DESCRIPTION AND REMARKS	DEPTH
					REC. (%)	RD (%)	REC. (%)	RD (%)			
512.6	527.4	30.2	4.4	0.514 0	10.0	14.0	14.0	10.5	32.0	Begin Coring @ 30.2 ft NON-CRYSTALLINE ROCK Very hard, freshly weathered, very close to moderately close fractured approx. GRAY METAVOLCANIC ROCK  Joints at an angle of 10° - 20° 1. at an angle of 10° - 20° 2. at an angle of 10° - 20°  Vertical joint between 30.4 to 44.6	30.2
517	524.4	34.8	5.0	3.951 6	114%	114%	37%	73%			
525	523.4	35.8	4.0	5.023 0	5.0	4.6					
620	518.4	43.6	4.0	4.101 0	100%	96%					
310				4.281 0	100%	8%			44.6	Boring Terminated @ Elevation 518.4 ft in Non-Crystalline Rock Gray Metavolcanic  1) Advanced 2-7/8" tricone bit to 30.2 feet. 2) Advanced NCM on a barrel between 30.2 to 44.6 feet 3) Used water as drilling fluid.	

NCDOT TECH MANUAL DS-2006-011 REV. 02/01/01, 02/01/02, 02/01/03, 02/01/04, 02/01/05, 02/01/06, 02/01/07, 02/01/08, 02/01/09, 02/01/10, 02/01/11, 02/01/12, 02/01/13, 02/01/14, 02/01/15, 02/01/16, 02/01/17, 02/01/18, 02/01/19, 02/01/20, 02/01/21, 02/01/22, 02/01/23, 02/01/24, 02/01/25, 02/01/26, 02/01/27, 02/01/28, 02/01/29, 02/01/30, 02/01/31, 02/01/32, 02/01/33, 02/01/34, 02/01/35, 02/01/36, 02/01/37, 02/01/38, 02/01/39, 02/01/40, 02/01/41, 02/01/42, 02/01/43, 02/01/44, 02/01/45, 02/01/46, 02/01/47, 02/01/48, 02/01/49, 02/01/50, 02/01/51, 02/01/52, 02/01/53, 02/01/54, 02/01/55, 02/01/56, 02/01/57, 02/01/58, 02/01/59, 02/01/60, 02/01/61, 02/01/62, 02/01/63, 02/01/64, 02/01/65, 02/01/66, 02/01/67, 02/01/68, 02/01/69, 02/01/70, 02/01/71, 02/01/72, 02/01/73, 02/01/74, 02/01/75, 02/01/76, 02/01/77, 02/01/78, 02/01/79, 02/01/80, 02/01/81, 02/01/82, 02/01/83, 02/01/84, 02/01/85, 02/01/86, 02/01/87, 02/01/88, 02/01/89, 02/01/90, 02/01/91, 02/01/92, 02/01/93, 02/01/94, 02/01/95, 02/01/96, 02/01/97, 02/01/98, 02/01/99, 02/01/100

**NCDOT GEOTECHNICAL ENGINEERING UNIT**  
**BORELOG REPORT**

PROJECT NO. MAD5:13B	ID. D-5220	COUNTY Person	GEOLOGIST M. Steen
SITE DESCRIPTION Bridge # 93 on BR 1536 (Denny Stone Road) over Tar River			GROUND WTR (ft)
BOREING NO. EB2-A	STATION 16+31	OFFSET S # LT	ALIGNMENT -L-
COLLAR ELEV. 552.7 ft	TOTAL DEPTH 12.2 ft	NORTHING 563,463	EASTING 2,015,858
DRILL MACHINE Dwydrich D-53	DRILL METHOD 2-1/4 HSA	HAMMER TYPE Automatic	
DRILLER W. T. Caggins	START DATE 01/04/10	COMP. DATE 01/04/10	SURFACE WATER DEPTH N/A

ELEV (ft)	DRIVE ELEV (ft)	DEPTH (ft)	BLOW COUNT			BLOWS PER FOOT				SAMP NO.	LOG	SOIL AND ROCK DESCRIPTION
			0-5ft	5-10ft	10-15ft	5	25	50	75			
555												
550	552.7	3.6	2	3	4							GROUND SURFACE 552.7 Asphlt
545	551.2	8.6	2	2	3							ROADWAY EMBANKMENT Orange and brown medium all clay CLAY (A-7-5)
540	551.5	12.2	0.50									ALLUVIAL Gray stiff clay (A-7-E) with trace organics
535												WEATHERED ROCK (Gray Metavolcanic)
530												Being terminated BY ALIQUOT REPEVAL at Elevation 550.6 ft on Non-Crystalline Rock Gray Metavolcanic
525												1) Advance 2-1/4 HSA to 12.2 feet.
520												
515												
510												
505												
500												
495												
490												
485												

NCDOT SPEC DOUBLE 38-030.082 NO. DOT.GEY 22970



**ATTACHMENT 'C'**

**Environmental Permit**



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE  
GOVERNOR

EUGENE A. CONTI, JR.  
SECRETARY

March 3, 2010

Attention: Mike Summers  
NCDOT Bridge Unit Project Manager

Subject: Proposed replacement of Bridge No. 93 over Tar River on SR 1536 (Depot Street) in Person County. TIP No. B-5220; WBS Element No. 42817.1.1

Reference: 1. NCDOT permit application to USACE and NCDENR-DWQ on February 8, 2010  
2. USACE Section 404 Nationwide Permits Authorization (February 19, 2010)  
3. NCDENR-DWQ 401 Water Quality Certificate and Tar-Pamlico Buffer Authorization (February 22, 2010)

The North Carolina Department of Transportation (NCDOT) proposes to replace Bridge No. 93 over Tar River on SR 1536 in Person County. A permit application for this project was forwarded to the United States Army Corps of Engineers (USACE) and North Carolina Department of Environment and Natural Resources-Division of Water Quality (NCDENR-DWQ) on January 3, 2008. Application was made for a Department of the Army Section 404 Nationwide Permits (NWP) 3 and 13 NCDENR-DWQ Section 401 Water Quality Certifications (WQCs) No. 3687, 3689 and Tar-Pamlico Buffer Authorization.

The USACE authorized this project under Section 404 Nationwide Permits on February 19, 2010. The NCDENR-DWQ issued a Section 401 Water Quality Certificate and Tar-Pamlico Buffer Authorization on February 22, 2010. By copy of this letter, I am informing you that you can proceed with construction. Please be advised that construction of the project must comply with all applicable NWP and WQC, which are attached to this letter. **A copy of the permit application, permit drawings and the attached permit conditions must be included as part of the bid information to the contractor.** Please inform me of the time and location of the pre-bid meeting for this project. I can discuss the permit application and permit conditions to the prospective bidders. If you have any questions or need additional information, please contact me at (919) 220-4633.

Sincerely,

A handwritten signature in black ink, appearing to read "Ch. A. Murray".

Christopher A. Murray, P.W.S.  
Division 5 Environmental Supervisor  
c: Division File



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE  
GOVERNOR

EUGENE A. CONTI, JR.  
SECRETARY

February 8, 2010

NCDENR-DWQ  
Transportation Permitting Unit  
2321 Crabtree Boulevard, Suite 250  
Raleigh, NC 27604

Attention: Rob Ridings  
NCDOT Coordinator

Subject: Replacement of Bridge No. 93 over Tar River on SR 1536 (Depot Street) in Person  
County. TIP No. B-5220; WBS Element No. 42817.1.1

\*Note: \$240.00 Debit to WBS Element No. 42817.1.1

Dear Sir:

The North Carolina Department of Transportation (NCDOT) proposes to replace Bridge No. 93 over Tar River on SR 1536 (Depot Street) in Person County. The existing one-span bridge contains the Tar River within the timber vertical abutment. This structure will be replaced with a much longer three-span bridge that significantly increases the spill through under the bridge deck.

There will be 85 linear feet of permanent stream impact associated with rip rap streambank stabilization. Additionally, there will be 0.01 acre permanent fill in wetlands and 0.03 acre temporary fill in wetlands. These wetland impacts are associated with slight widening of the fill slope near the end bent and for installation of temporary erosion control devices. The Tar River at the project site is subject to the Tar-Pam Riparian Buffer Rule. Buffer impacts here include 947 square feet in Zone 1 and 898 square feet in Zone 2. Written authorization from the USACE is not required per NWP 3 and 13 guidelines.

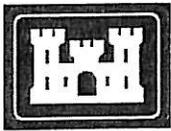
A pre-construction notification (PCN) form is attached to this letter. A minimum criteria determination checklist will be completed for this project. If you have any questions or need additional information, please contact Mr. Chris Murray at (919) 220-4633.

Sincerely,

Handwritten signature of J. W. Bowman, with the initials "JWB" written below it.

J. W. Bowman, P.E.  
Division Engineer

c: Division 5 file, NCDOT  
Eric Alsmeyer, USACE



Office Use Only:  
 Corps action ID no. \_\_\_\_\_  
 DWQ project no. \_\_\_\_\_  
 Form Version 1.3 Dec 10 2008

## Pre-Construction Notification (PCN) Form

### A. Applicant Information

<b>1. Processing</b>		
1a. Type(s) of approval sought from the Corps:	<input checked="" type="checkbox"/> Section 404 Permit <input type="checkbox"/> Section 10 Permit	
1b. Specify Nationwide Permit (NWP) number: 3 and 13                      or General Permit (GP) number:		
1c. Has the NWP or GP number been verified by the Corps?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1d. Type(s) of approval sought from the DWQ (check all that apply):		
<input checked="" type="checkbox"/> 401 Water Quality Certification – Regular <input type="checkbox"/> Non-404 Jurisdictional General Permit <input type="checkbox"/> 401 Water Quality Certification – Express <input type="checkbox"/> Riparian Buffer Authorization		
1e. Is this notification solely for the record because written approval is not required?	For the record only for DWQ 401 Certification: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	For the record only for Corps Permit: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1f. Is payment into a mitigation bank or in-lieu fee program proposed for mitigation of impacts? If so, attach the acceptance letter from mitigation bank or in-lieu fee program.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1g. Is the project located in any of NC's twenty coastal counties. If yes, answer 1h below.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1h. Is the project located within a NC DCM Area of Environmental Concern (AEC)?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>2. Project Information</b>		
2a. Name of project:	B-5220 Replacement of Bridge No. 93 over Tar River on SR 1536 (Depot Street)	
2b. County:	Person	
2c. Nearest municipality / town:	Denny Store	
2d. Subdivision name:		
2e. NCDOT only, T.I.P. or state project no:	B-5220	
<b>3. Owner Information</b>		
3a. Name(s) on Recorded Deed:	NCDOT	
3b. Deed Book and Page No.		
3c. Responsible Party (for LLC if applicable):		
3d. Street address:		
3e. City, state, zip:		
3f. Telephone no.:		
3g. Fax no.:		
3h. Email address:		

<b>4. Applicant Information (if different from owner)</b>	
4a. Applicant is:	<input type="checkbox"/> Agent <input type="checkbox"/> Other, specify:
4b. Name:	
4c. Business name (if applicable):	
4d. Street address:	
4e. City, state, zip:	
4f. Telephone no.:	
4g. Fax no.:	
4h. Email address:	
<b>5. Agent/Consultant Information (if applicable)</b>	
5a. Name:	
5b. Business name (if applicable):	
5c. Street address:	
5d. City, state, zip:	
5e. Telephone no.:	
5f. Fax no.:	
5g. Email address:	

<b>B. Project Information and Prior Project History</b>	
<b>1. Property Identification</b>	
1a. Property identification no. (tax PIN or parcel ID):	N/A
1b. Site coordinates (in decimal degrees):	Latitude: 36.388698 78.844924 (DD.DDDDDD) Longitude: - (-DD.DDDDDD)
1c. Property size:	0.6 acres
<b>2. Surface Waters</b>	
2a. Name of nearest body of water (stream, river, etc.) to proposed project:	Tar River
2b. Water Quality Classification of nearest receiving water:	WS-IV NSW
2c. River basin:	Tar-Pam
<b>3. Project Description</b>	
3a. Describe the existing conditions on the site and the general land use in the vicinity of the project at the time of this application: Existing bridge is structurally deficient and must be replaced. Land use in vicinity of project is comprised of wooded land.	
3b. List the total estimated acreage of all existing wetlands on the property: 0.04 ac	
3c. List the total estimated linear feet of all existing streams (intermittent and perennial) on the property: 85 ft	
3d. Explain the purpose of the proposed project: Replacement of structurally deficient bridge.	
3e. Describe the overall project in detail, including the type of equipment to be used: Repalacement of existing bridge with a new bridge. Equipment will include excavator, back hoe, crane, etc.	
<b>4. Jurisdictional Determinations</b>	
4a. Have jurisdictional wetland or stream determinations by the Corps or State been requested or obtained for this property / project (including all prior phases) in the past? Comments: NCDOT Div. 5 Environmental Officer C. Murray delineated the wetlands on 1/21/10. Wetland data forms, pictures, plan sheet were provided to USACE on 1/25/10.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
4b. If the Corps made the jurisdictional determination, what type of determination was made?	<input type="checkbox"/> Preliminary <input type="checkbox"/> Final
4c. If yes, who delineated the jurisdictional areas? Name (if known):	Agency/Consultant Company: Other:
4d. If yes, list the dates of the Corps jurisdictional determinations or State determinations and attach documentation.	
<b>5. Project History</b>	
5a. Have permits or certifications been requested or obtained for this project (including all prior phases) in the past?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown
5b. If yes, explain in detail according to "help file" instructions.	

**4. Open Water Impacts**

If there are proposed impacts to lakes, ponds, estuaries, tributaries, sounds, the Atlantic Ocean, or any other open water of the U.S. then individually list all open water impacts below.

4a. Open water impact number – Permanent (P) or Temporary (T)	4b. Name of waterbody (if applicable)	4c. Type of impact	4d. Waterbody type	4e. Area of impact (acres)
O1 <input type="checkbox"/> P <input type="checkbox"/> T				
O2 <input type="checkbox"/> P <input type="checkbox"/> T				
O3 <input type="checkbox"/> P <input type="checkbox"/> T				
O4 <input type="checkbox"/> P <input type="checkbox"/> T				

**4f. Total open water impacts**

0.0

4g. Comments:

**5. Pond or Lake Construction**

If pond or lake construction proposed, then complete the chart below.

5a. Pond ID number	5b. Proposed use or purpose of pond	5c. Wetland Impacts (acres)			5d. Stream Impacts (feet)			5e. Upland (acres)
		Flooded	Filled	Excavated	Flooded	Filled	Excavated	Flooded
P1								
P2								
<b>5f. Total</b>								

5g. Comments:

5h. Is a dam high hazard permit required?

Yes

No

If yes, permit ID no:

5i. Expected pond surface area (acres):

5j. Size of pond watershed (acres):

5k. Method of construction:

**6. Buffer Impacts (for DWQ)**

If project will impact a protected riparian buffer, then complete the chart below. If yes, then individually list all buffer impacts below. If any impacts require mitigation, then you **MUST** fill out Section D of this form.

6a. Project is in which protected basin?			<input type="checkbox"/> Neuse	<input checked="" type="checkbox"/> Tar-Pamlico	<input type="checkbox"/> Other:
			<input type="checkbox"/> Catawba	<input type="checkbox"/> Randleman	
6b. Buffer impact number – Permanent (P) or Temporary (T)	6c. Reason for impact	6d. Stream name	6e. Buffer mitigation required?	6f. Zone 1 impact (square feet)	6g. Zone 2 impact (square feet)
B1 <input checked="" type="checkbox"/> P <input type="checkbox"/> T	Fill slope	Tar River	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	947	898
B2 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No		
B3 <input type="checkbox"/> P <input type="checkbox"/> T			<input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>6h. Total buffer impacts</b>				947	898

6i. Comments: Project includes "wetlands in buffers" impacts (see Permit Drawing 2 of 3).

<b>D. Impact Justification and Mitigation</b>		
<b>1. Avoidance and Minimization</b>		
1a. Specifically describe measures taken to avoid or minimize the proposed impacts in designing project. The Department proposes to replace the existing bridge with a longer, three-span bridge. The fill slope will be slightly widened near the end bent which will result in minor permanent impacts to wetlands. Rip rap will be installed on bank for permanent stability. Only the smallest amount of rip rap necessary to provide long-term stability will be installed during construction.		
1b. Specifically describe measures taken to avoid or minimize the proposed impacts through construction techniques. The contractor will review site conditions to determine how much of the temporary fill in wetland impacts are necessary to install necessary erosion control devices. All efforts will be made during construction to minimize impacts.		
<b>2. Compensatory Mitigation for Impacts to Waters of the U.S. or Waters of the State</b>		
2a. Does the project require Compensatory Mitigation for impacts to Waters of the U.S. or Waters of the State?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
2b. If yes, mitigation is required by (check all that apply):	<input type="checkbox"/> DWQ <input type="checkbox"/> Corps	
2c. If yes, which mitigation option will be used for this project?	<input type="checkbox"/> Mitigation bank <input type="checkbox"/> Payment to in-lieu fee program <input type="checkbox"/> Permittee Responsible Mitigation	
<b>3. Complete if Using a Mitigation Bank</b>		
3a. Name of Mitigation Bank:		
3b. Credits Purchased (attach receipt and letter)	Type	Quantity
3c. Comments:		
<b>4. Complete if Making a Payment to In-lieu Fee Program</b>		
4a. Approval letter from in-lieu fee program is attached.	<input type="checkbox"/> Yes	
4b. Stream mitigation requested:	linear feet	
4c. If using stream mitigation, stream temperature:	<input type="checkbox"/> warm <input type="checkbox"/> cool <input type="checkbox"/> cold	
4d. Buffer mitigation requested (DWQ only):	square feet	
4e. Riparian wetland mitigation requested:	acres	
4f. Non-riparian wetland mitigation requested:	acres	
4g. Coastal (tidal) wetland mitigation requested:	acres	
4h. Comments:		
<b>5. Complete if Using a Permittee Responsible Mitigation Plan</b>		
5a. If using a permittee responsible mitigation plan, provide a description of the proposed mitigation plan.		

**6. Buffer Mitigation (State Regulated Riparian Buffer Rules) – required by DWQ**

6a. Will the project result in an impact within a protected riparian buffer that requires buffer mitigation?  Yes  No

6b. If yes, then identify the square feet of impact to each zone of the riparian buffer that requires mitigation. Calculate the amount of mitigation required.

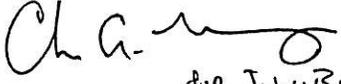
Zone	6c. Reason for impact	6d. Total impact (square feet)	Multiplier	6e. Required mitigation (square feet)
Zone 1			3 (2 for Catawba)	
Zone 2			1.5	
<b>6f. Total buffer mitigation required:</b>				

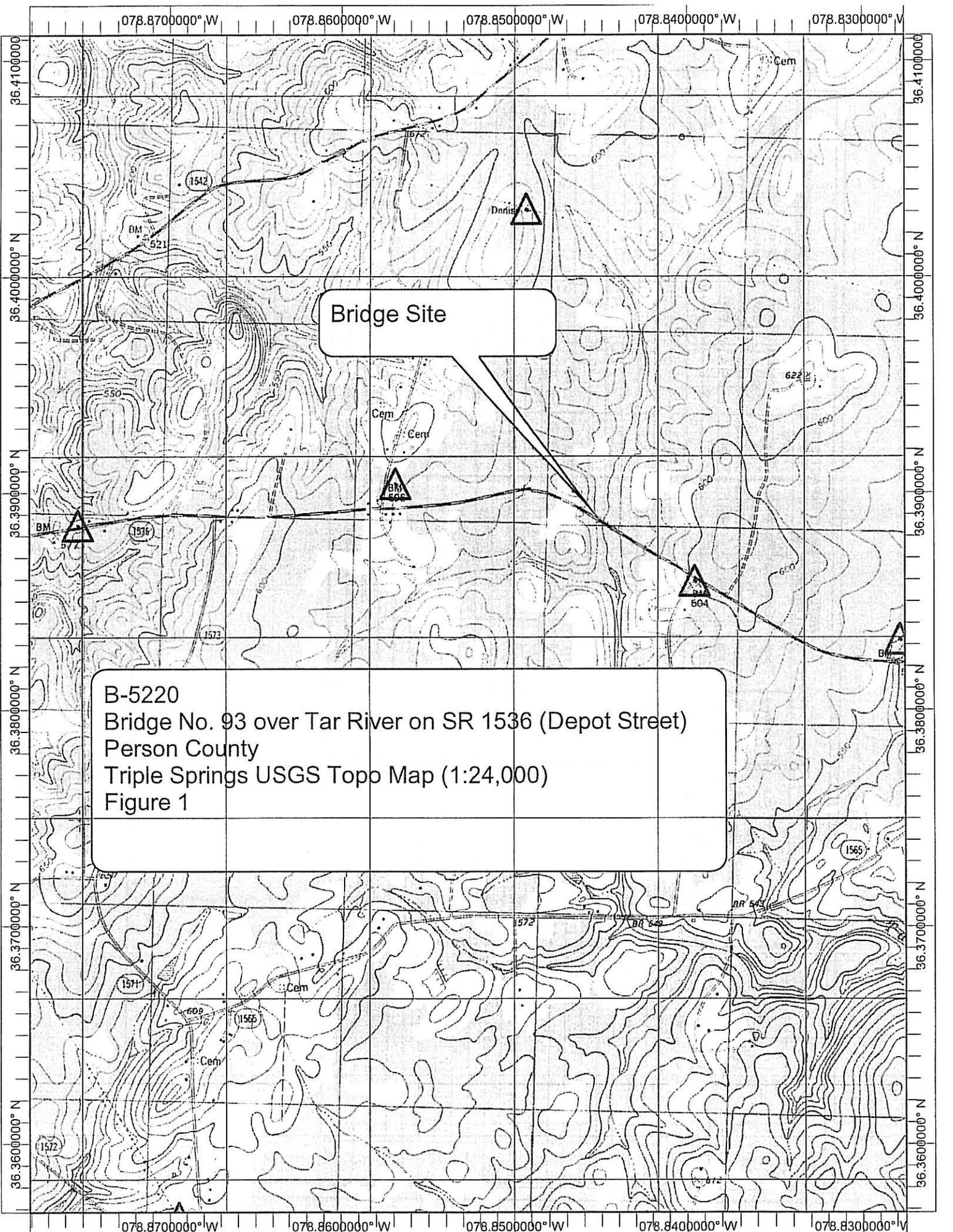
6g. If buffer mitigation is required, discuss what type of mitigation is proposed (e.g., payment to private mitigation bank, permittee responsible riparian buffer restoration, payment into an approved in-lieu fee fund).

6h. Comments:

<b>E. Stormwater Management and Diffuse Flow Plan (required by DWQ)</b>	
<b>1. Diffuse Flow Plan</b>	
1a. Does the project include or is it adjacent to protected riparian buffers identified within one of the NC Riparian Buffer Protection Rules?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1b. If yes, then is a diffuse flow plan included? If no, explain why. Comments: Stormwater runoff will be conveyed to a pre-formed scour hole located at 16+56 Rt. See Buffer Permit Drawing 3 of 3.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>2. Stormwater Management Plan</b>	
2a. What is the overall percent imperviousness of this project?	28 %
2b. Does this project require a Stormwater Management Plan?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2c. If this project DOES NOT require a Stormwater Management Plan, explain why:	
2d. If this project DOES require a Stormwater Management Plan, then provide a brief, narrative description of the plan: Stormwater runoff will be conveyed to a pre-formed scour hole located at 16+56 Rt.	
2e. Who will be responsible for the review of the Stormwater Management Plan?	<input type="checkbox"/> Certified Local Government <input checked="" type="checkbox"/> DWQ Stormwater Program <input type="checkbox"/> DWQ 401 Unit
<b>3. Certified Local Government Stormwater Review</b>	
3a. In which local government's jurisdiction is this project?	N/A
3b. Which of the following locally-implemented stormwater management programs apply (check all that apply):	<input type="checkbox"/> Phase II <input type="checkbox"/> NSW <input type="checkbox"/> USMP <input type="checkbox"/> Water Supply Watershed <input type="checkbox"/> Other:
3c. Has the approved Stormwater Management Plan with proof of approval been attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>4. DWQ Stormwater Program Review</b>	
4a. Which of the following state-implemented stormwater management programs apply (check all that apply):	<input type="checkbox"/> Coastal counties <input type="checkbox"/> HQW <input type="checkbox"/> ORW <input type="checkbox"/> Session Law 2006-246 <input type="checkbox"/> Other:
4b. Has the approved Stormwater Management Plan with proof of approval been attached?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>5. DWQ 401 Unit Stormwater Review</b>	
5a. Does the Stormwater Management Plan meet the appropriate requirements?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5b. Have all of the 401 Unit submittal requirements been met?	<input type="checkbox"/> Yes <input type="checkbox"/> No

<b>F. Supplementary Information</b>	
<b>1. Environmental Documentation (DWQ Requirement)</b>	
1a. Does the project involve an expenditure of public (federal/state/local) funds or the use of public (federal/state) land?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1b. If you answered "yes" to the above, does the project require preparation of an environmental document pursuant to the requirements of the National or State (North Carolina) Environmental Policy Act (NEPA/SEPA)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1c. If you answered "yes" to the above, has the document review been finalized by the State Clearing House? (If so, attach a copy of the NEPA or SEPA final approval letter.)  Comments:	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>2. Violations (DWQ Requirement)</b>	
2a. Is the site in violation of DWQ Wetland Rules (15A NCAC 2H .0500), Isolated Wetland Rules (15A NCAC 2H .1300), DWQ Surface Water or Wetland Standards, or Riparian Buffer Rules (15A NCAC 2B .0200)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2b. Is this an after-the-fact permit application?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2c. If you answered "yes" to one or both of the above questions, provide an explanation of the violation(s):	
<b>3. Cumulative Impacts (DWQ Requirement)</b>	
3a. Will this project (based on past and reasonably anticipated future impacts) result in additional development, which could impact nearby downstream water quality?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3b. If you answered "yes" to the above, submit a qualitative or quantitative cumulative impact analysis in accordance with the most recent DWQ policy. If you answered "no," provide a short narrative description.	
<b>4. Sewage Disposal (DWQ Requirement)</b>	
4a. Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge) of wastewater generated from the proposed project, or available capacity of the subject facility.  Project will not generate sewage disposal.	

<b>5. Endangered Species and Designated Critical Habitat (Corps Requirement)</b>		
5a. Will this project occur in or near an area with federally protected species or habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
5b. Have you checked with the USFWS concerning Endangered Species Act impacts?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
5c. If yes, indicate the USFWS Field Office you have contacted.	<input checked="" type="checkbox"/> Raleigh <input type="checkbox"/> Asheville	
5d. What data sources did you use to determine whether your site would impact Endangered Species or Designated Critical Habitat? Consultation with PDEA-NEU mussel biologists and USFWS.		
<b>6. Essential Fish Habitat (Corps Requirement)</b>		
6a. Will this project occur in or near an area designated as essential fish habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
6b. What data sources did you use to determine whether your site would impact Essential Fish Habitat? Available mapping.		
<b>7. Historic or Prehistoric Cultural Resources (Corps Requirement)</b>		
7a. Will this project occur in or near an area that the state, federal or tribal governments have designated as having historic or cultural preservation status (e.g., National Historic Trust designation or properties significant in North Carolina history and archaeology)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
7b. What data sources did you use to determine whether your site would impact historic or archeological resources? Consultation with NCDOT Cultural Resources Expert.		
<b>8. Flood Zone Designation (Corps Requirement)</b>		
8a. Will this project occur in a FEMA-designated 100-year floodplain?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
8b. If yes, explain how project meets FEMA requirements:		
8c. What source(s) did you use to make the floodplain determination? Available mapping.		
Christopher A. Murray Applicant/Agent's Printed Name	 for J. W. Bowman Applicant/Agent's Signature (Agent's signature is valid only if an authorization letter from the applicant is provided.)	2/8/10 Date



Bridge Site

B-5220  
Bridge No. 93 over Tar River on SR 1536 (Depot Street)  
Person County  
Triple Springs USGS Topo Map (1:24,000)  
Figure 1











**Murray, Christopher A**

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**From:** Alsmeyer, Eric C SAW [Eric.C.Alsmeyer@usace.army.mil]  
**Sent:** Friday, February 19, 2010 3:25 PM  
**To:** Murray, Christopher A  
**Subject:** NCDOT, TIP B-5220, SR 1536, BR 93, Person County.  
**Attachments:** NWP03\_6-07.pdf; NWP13\_6-07.pdf

AID 2010-00286, NCDOT, TIP B-5220, SR 1536, BR 93, Person County.

Chris: On February 19, 2010, the US Army Corps of Engineers, Wilmington District received your written notification that you intend to replace Bridge 93 on SR 1536, east of Roxboro, in Person County, North Carolina. Your notification indicated that you intend to replace the existing bridge with a new bridge on the same alignment.

Based on the information provided in your application, your work is authorized by Nationwide Permits (NWPs) 3 for Maintenance Activities, and 13 for Bank Stabilization, and does not require a pre-construction notification (PCN) provided it is accomplished in strict accordance with the attached conditions and your submitted description. Any violation of the attached conditions or deviation from your submitted description may subject the permittee to a stop work order, a restoration order and/or appropriate legal action. Attached is a copy of the NWP \* and the applicable permit conditions. The expiration date for the permit authorization is March 18, 2012 unless the nationwide authorization is modified, suspended or revoked. 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. The Action Identification Number for this project is **2010-00286**.

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 Quality (telephone (919) 733-1786) to determine Section 401 requirements.

This response to your notification does not relieve the permittee of the responsibility to obtain any other required Federal, State or local approvals/permits.

Please let me know if you have any questions regarding this permit or the conditions. You can call me at telephone (919) 554-4884, ext 23 or contact me via e-mail at [eric.c.alsmeyer@usace.army.mil](mailto:eric.c.alsmeyer@usace.army.mil).

We would appreciate your feedback on how we are performing our duties. Our automated Customer Service Survey is located at: <http://per2.nwp.usace.army.mil/survey.html>

Thank you for taking the time to visit this site and complete the survey. (Paper copies available upon request).

Eric Alsmeyer  
Project Manager  
Raleigh Regulatory Field Office  
US Army Corps of Engineers, Wilmington District

2/22/2010

**NATIONWIDE PERMIT 3**  
**DEPARTMENT OF THE ARMY**  
**CORPS OF ENGINEERS**  
**FINAL NOTICE OF ISSUANCE AND MODIFICATION OF NATIONWIDE PERMITS**  
**FEDERAL REGISTER**  
**AUTHORIZED MARCH 19, 2007**

**Maintenance.** (a) The repair, rehabilitation, or replacement of any previously authorized, currently serviceable, structure, or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction techniques, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized. This NWP authorizes the repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events, provided the repair, rehabilitation, or replacement is commenced, or is under contract to commence, within two years of the date of their destruction or damage. In cases of catastrophic events, such as hurricanes or tornadoes, this two-year limit may be waived by the district engineer, provided the permittee can demonstrate funding, contract, or other similar delays.

(b) This NWP also authorizes the removal of accumulated sediments and debris in the vicinity of and within existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.) and the placement of new or additional riprap to protect the structure. The removal of sediment is limited to the minimum necessary to restore the waterway in the immediate vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend further than 200 feet in any direction from the structure. This 200 foot limit does not apply to maintenance dredging to remove accumulated sediments blocking or restricting outfall and intake structures or to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in an upland area unless otherwise specifically approved by the district engineer under separate authorization. The placement of riprap must be the minimum necessary to protect the structure or to ensure the safety of the structure. Any bank stabilization measures not directly associated with the structure will require a separate authorization from the district engineer.

(c) This NWP also authorizes temporary structures, fills, and work necessary to conduct the maintenance activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate.

(d) This NWP does not authorize maintenance dredging for the primary purpose of navigation or beach restoration. This NWP does not authorize new stream channelization or stream relocation projects.

Notification: For activities authorized by paragraph (b) of this NWP, the permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 27). Where maintenance dredging is proposed, the pre-construction notification must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals. (Sections 10 and 404)

Note: This NWP authorizes the repair, rehabilitation, or replacement of any previously authorized structure or fill that does not qualify for the Clean Water Act Section 404(f) exemption for maintenance.

**NATIONWIDE PERMIT 13  
DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS  
FINAL NOTICE OF ISSUANCE AND MODIFICATION OF NATIONWIDE PERMITS  
FEDERAL REGISTER  
AUTHORIZED MARCH 19, 2007**

**Bank Stabilization.** Bank stabilization activities necessary for erosion prevention, provided the activity meets all of the following criteria:

- (a) No material is placed in excess of the minimum needed for erosion protection;
- (b) The activity is no more than 500 feet in length along the bank, unless this criterion is waived in writing by the district engineer;
- (c) The activity will not exceed an average of one cubic yard per running foot placed along the bank below the plane of the ordinary high water mark or the high tide line, unless this criterion is waived in writing by the district engineer;
- (d) The activity does not involve discharges of dredged or fill material into special aquatic sites, unless this criterion is waived in writing by the district engineer;
- (e) No material is of the type, or is placed in any location, or in any manner, to impair surface water flow into or out of any water of the United States;
- (f) No material is placed in a manner that will be eroded by normal or expected high flows (properly anchored trees and treetops may be used in low energy areas); and,
- (g) The activity is not a stream channelization activity.

**Notification:** The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity if the bank stabilization activity: (1) involves discharges into special aquatic sites; (2) is in excess of 500 feet in length; or (3) will involve the discharge of greater than an average of one cubic yard per running foot along the bank below the plane of the ordinary high water mark or the high tide line. (See general condition 27.) (Sections 10 and 404)

## NATIONWIDE PERMIT CONDITIONS

The following General Conditions must be followed in order for any authorization by a NWP to be valid:

1. Navigation. (a) No activity may cause more than a minimal adverse effect on navigation.

(b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. Culverts placed in streams must be installed to maintain low flow conditions.

3. Spawning Areas. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized.

4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).

7. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.

13. Removal of Temporary Fills. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety.

15. Wild and Scenic Rivers. No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).

16. Tribal Rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

17. Endangered Species. (a) No activity is authorized under any NWP which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will destroy or adversely modify the critical habitat of such species. No activity is authorized

under any NWP which “may affect” a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements.

(c) Non-federal permittees shall notify the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. The district engineer will determine whether the proposed activity “may affect” or will have “no effect” to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps’ determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the project, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification the proposed activities will have “no effect” on listed species or critical habitat, or until Section 7 consultation has been completed.

(d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific regional endangered species conditions to the NWPs.

(e) Authorization of an activity by a NWP does not authorize the “take” of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with “incidental take” provisions, etc.) from the U.S. FWS or the NMFS, both lethal and non-lethal “takes” of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. FWS and NMFS or their world wide Web pages at <http://www.fws.gov/> and <http://www.noaa.gov/fisheries.html> respectively.

18. Historic Properties. (a) In cases where the district engineer determines that the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places, the activity is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of Section 106 of the National Historic Preservation Act. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the authorized activity may have the potential to cause effects to any historic properties listed, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State

Historic Preservation Officer or Tribal Historic Preservation Officer, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted and these efforts, the district engineer shall determine whether the proposed activity has the potential to cause an effect on the historic properties. Where the non-Federal applicant has identified historic properties which the activity may have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has been completed.

(d) The district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA Section 106 consultation is required. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR 800.3(a)). If NHPA section 106 consultation is required and will occur, the district engineer will notify the non-Federal applicant that he or she cannot begin work until Section 106 consultation is completed.

(e) Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, explaining the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

19. Designated Critical Resource Waters. Critical resource waters include, NOAA-designated marine sanctuaries, National Estuarine Research Reserves, state natural heritage sites, and outstanding national resource waters or other waters officially designated by a state as having particular environmental or ecological significance and identified by the district engineer after notice and opportunity for public comment. The district engineer may also designate additional critical resource waters after notice and opportunity for comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NHPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, and 50 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NHPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with general condition 27, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NHPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

20. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that adverse effects on the aquatic environment are minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10 acre and require pre-construction notification, unless the district engineer determines in writing that some other form of mitigation would be more environmentally appropriate and provides a project-specific waiver of this requirement. For wetland losses of 1/10 acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment. Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, wetland restoration should be the first compensatory mitigation option considered.

(d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation, such as stream restoration, to ensure that the activity results in minimal adverse effects on the aquatic environment.

(e) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWP. For example, if an NWP has an acreage limit of 1/2 acre, it cannot be used to authorize any project resulting in the loss of greater than 1/2 acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that a project already meeting the established acreage limits also satisfies the minimal impact requirement associated with the NWP.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the establishment, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, riparian areas may be the only compensatory mitigation required. Riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(g) Permittees may propose the use of mitigation banks, in-lieu fee arrangements or separate activity-specific compensatory mitigation. In all cases, the mitigation provisions will specify the party responsible for accomplishing and/or complying with the mitigation plan.

(h) Where certain functions and services of waters of the United States are permanently adversely affected, such as the conversion of a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse effects of the project to the minimal level.

21. Water Quality. Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA Section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

22. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

23. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S. EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

24. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

25. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:  
“When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate

the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

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(Transferee)

---

(Date)

26. Compliance Certification. Each permittee who received an NWP verification from the Corps must submit a signed certification regarding the completed work and any required mitigation. The certification form must be forwarded by the Corps with the NWP verification letter and will include:

- (a) A statement that the authorized work was done in accordance with the NWP authorization, including any general or specific conditions;
- (b) A statement that any required mitigation was completed in accordance with the permit conditions; and
- (c) The signature of the permittee certifying the completion of the work and mitigation.

27. Pre-Construction Notification. (a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, as a general rule, will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity until either:

- (1) He or she is notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or
- (2) Forty-five calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 17 that listed species or critical habitat might be affected or in the vicinity of the project, or to notify the Corps pursuant to general condition 18 that the activity may have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that is “no effect” on listed species or “no potential to cause effects” on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or Section 106 of the National Historic Preservation (see 33 CFR 330.4(g)) is completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee cannot begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained.

Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Pre-Construction Notification: The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed project;

(3) A description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause; any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. The description should be sufficiently detailed to allow the district engineer to determine that the adverse effects of the project will be minimal and to determine the need for compensatory mitigation. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the project and when provided result in a quicker decision.);

(4) The PCN must include a delineation of special aquatic sites and other waters of the United States on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters of the United States, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many waters of the United States. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, where appropriate;

(5) If the proposed activity will result in the loss of greater than 1/10 acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(6) If any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, for non-Federal applicants the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work. Federal applicants must provide documentation demonstrating compliance with the Endangered Species Act; and

(7) For an activity that may affect a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, for non-Federal applicants the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property. Federal applicants must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

(c) Form of Pre-Construction Notification: The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is a PCN and must include all of the information required in paragraphs (b)(1) through (7) of this general condition. A letter containing the required information may also be used.

(d) Agency Coordination: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects to a minimal level.

(2) For all NWP 48 activities requiring pre-construction notification and for other NWP activities requiring pre-construction notification to the district engineer that result in the loss of greater than 1/2-acre of waters of the United States, the district engineer will immediately provide (e.g., via facsimile transmission, overnight mail, or other expeditious manner) a copy of the PCN to the appropriate Federal or state offices (U.S. FWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Office (THPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will then have 10 calendar days from the date the material is transmitted to telephone or fax the district engineer notice that they intend to provide substantive, site-specific comments. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame, but will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(3) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(4) Applicants are encouraged to provide the Corps multiple copies of pre-construction notifications to expedite agency coordination.

(5) For NWP 48 activities that require reporting, the district engineer will provide a copy of each report within 10 calendar days of receipt to the appropriate regional office of the NMFS.

(e) District Engineer's Decision: In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If the proposed activity requires a PCN and will result in a loss of greater than 1/10 acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for projects with smaller impacts. The district engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed work are minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation, the district engineer will notify the permittee and include any conditions the district engineer deems necessary. The district engineer must approve any compensatory mitigation proposal before the permittee commences work. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment

(after consideration of the compensatory mitigation proposal) are determined by the district engineer to be minimal, the district engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP.

If the district engineer determines that the adverse effects of the proposed work are more than minimal, then the district engineer will notify the applicant either: (1) That the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (2) that the project is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level; or (3) that the project is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period. The authorization will include the necessary conceptual or specific mitigation or a requirement that the applicant submit a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level. When mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan.

28. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

### **FURTHER INFORMATION**

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.

2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.

3. NWPs do not grant any property rights or exclusive privileges.

4. NWPs do not authorize any injury to the property or rights of others.

5. NWPs do not authorize interference with any existing or proposed Federal project.

### **DEFINITIONS**

Best management practices (BMPs): Policies, practices, procedures, or structures implemented to mitigate the adverse environmental effects on surface water quality resulting from development. BMPs are categorized as structural or non-structural.

Compensatory mitigation: The restoration, establishment (creation), enhancement, or preservation of aquatic resources for the purpose of compensating for unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

Currently serviceable: Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

Discharge: The term "discharge" means any discharge of dredged or fill material.

Enhancement: The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a

decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

*Ephemeral stream*: An ephemeral stream has flowing water only during, and for a short duration after, precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.

*Establishment (creation)*: The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.

*Historic Property*: Any prehistoric or historic district, site (including archaeological site), building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

*Independent utility*: A test to determine what constitutes a single and complete project in the Corps regulatory program. A project is considered to have independent utility if it would be constructed absent the construction of other projects in the project area. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed even if the other phases were not built can be considered as separate single and complete projects with independent utility.

*Intermittent stream*: An intermittent stream has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

*Loss of waters of the United States*: Waters of the United States that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the United States is a threshold measurement of the impact to jurisdictional waters for determining whether a project may qualify for an NWP; it is not a net threshold that is calculated after considering compensatory mitigation that may be used to offset losses of aquatic functions and services. The loss of stream bed includes the linear feet of stream bed that is filled or excavated. Waters of the United States temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the United States. Impacts resulting from activities eligible for exemptions under Section 404(f) of the Clean Water Act are not considered when calculating the loss of waters of the United States.

*Non-tidal wetland*: A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. The definition of a wetland can be found at 33 CFR 328.3(b). Non-tidal wetlands contiguous to tidal waters are located landward of the high tide line (i.e., spring high tide line).

*Open water*: For purposes of the NWPs, an open water is any area that in a year with normal patterns of precipitation has water flowing or standing above ground to the extent that an ordinary high water mark can be determined. Aquatic vegetation within the area of standing or

flowing water is either non-emergent, sparse, or absent. Vegetated shallows are considered to be open waters. Examples of "open waters" include rivers, streams, lakes, and ponds.

Ordinary High Water Mark: An ordinary high water mark is a line on the shore established by the fluctuations of water and indicated by physical characteristics, or by other appropriate means that consider the characteristics of the surrounding areas (see 33 CFR 328.3(e)).

Perennial stream: A perennial stream has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.

Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

Pre-construction notification: A request submitted by the project proponent to the Corps for confirmation that a particular activity is authorized by nationwide permit. The request may be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Pre-construction notification may be required by the terms and conditions of a nationwide permit, or by regional conditions. A pre-construction notification may be voluntarily submitted in cases where pre-construction notification is not required and the project proponent wants confirmation that the activity is authorized by nationwide permit.

Preservation: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area.

Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation.

Riffle and pool complex: Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines. Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a coarse substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

Riparian areas: Riparian areas are lands adjacent to streams, lakes, and estuarine-marine shorelines. Riparian areas are transitional between terrestrial and aquatic ecosystems, through

which surface and subsurface hydrology connects waterbodies with their adjacent uplands. Riparian areas provide a variety of ecological functions and services and help improve or maintain local water quality. (See general condition 20.)

*Shellfish seeding:* The placement of shellfish seed and/or suitable substrate to increase shellfish production. Shellfish seed consists of immature individual shellfish or individual shellfish attached to shells or shell fragments (i.e., spat on shell). Suitable substrate may consist of shellfish shells, shell fragments, or other appropriate materials placed into waters for shellfish habitat.

*Single and complete project:* The term “single and complete project” is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete project must have independent utility (see definition). For linear projects, a “single and complete project” is all crossings of a single water of the United States (i.e., a single waterbody) at a specific location. For linear projects crossing a single waterbody several times at separate and distant locations, each crossing is considered a single and complete project. However, individual channels in a braided stream or river, or individual arms of a large, irregularly shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately.

*Stormwater management:* Stormwater management is the mechanism for controlling stormwater runoff for the purposes of reducing downstream erosion, water quality degradation, and flooding and mitigating the adverse effects of changes in land use on the aquatic environment.

*Stormwater management facilities:* Stormwater management facilities are those facilities, including but not limited to, stormwater retention and detention ponds and best management practices, which retain water for a period of time to control runoff and/or improve the quality (i.e., by reducing the concentration of nutrients, sediments, hazardous substances and other pollutants) of stormwater runoff.

*Stream bed:* The substrate of the stream channel between the ordinary high water marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the stream bed, but outside of the ordinary high water marks, are not considered part of the stream bed.

*Stream channelization:* The manipulation of a stream’s course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized stream remains a water of the United States.

*Structure:* An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

*Tidal wetland:* A tidal wetland is a wetland (i.e., water of the United States) that is inundated by tidal waters. The definitions of a wetland and tidal waters can be found at 33 CFR 328.3(b) and 33 CFR 328.3(f), respectively. Tidal waters rise and fall in a predictable and measurable rhythm or cycle due to the gravitational pulls of the moon and sun. Tidal waters end where the rise and fall of the water surface can no longer be practically measured in a predictable rhythm due to masking by other waters, wind, or other effects. Tidal wetlands are located channelward of the high tide line, which is defined at 33 CFR 328.3(d).

*Vegetated shallows:* Vegetated shallows are special aquatic sites under the 404(b)(1) Guidelines. They are areas that are permanently inundated and under normal circumstances have rooted aquatic vegetation, such as seagrasses in marine and estuarine systems and a variety of vascular rooted plants in freshwater systems.

*Waterbody:* For purposes of the NWP, a waterbody is a jurisdictional water of the United States that, during a year with normal patterns of precipitation, has water flowing or standing above ground to the extent that an ordinary high water mark (OHWM) or other indicators of jurisdiction can be determined, as well as any wetland area (see 33 CFR 328.3(b)). If a jurisdictional wetland is adjacent--meaning bordering, contiguous, or neighboring--to a jurisdictional waterbody displaying an OHWM or other indicators of jurisdiction, that waterbody and its adjacent wetlands are considered together as a single aquatic unit (see 33 CFR 328.4(c)(2)). Examples of "waterbodies" include streams, rivers, lakes, ponds, and wetlands.

## **REGIONAL CONDITIONS FOR NATIONWIDE PERMITS IN THE WILMINGTON DISTRICT**

### **1. Excluded Waters**

The Corps has identified waters that will be excluded from the use of all NWP's during certain timeframes. These waters are:

#### **1.1. Anadromous Fish Spawning Areas**

Waters of the United States identified by either the North Carolina Division of Marine Fisheries (NCDMF) or the North Carolina Wildlife Resources Commission (NCWRC) as anadromous fish spawning areas are excluded during the period between February 15 and June 30, without prior written approval from NCDMF or NCWRC and the Corps.

#### **1.2. Trout Waters Moratorium**

Waters of the United States in the twenty-five designated trout counties of North Carolina are excluded during the period between October 15 and April 15 without prior written approval from the NCWRC. (see Section I. b. 7. for a list of the twenty-five trout counties).

#### **1.3. Sturgeon Spawning Areas**

Waters of the United States designated as sturgeon spawning areas are excluded during the period between February 1 and June 30, without prior written approval from the National Marine Fisheries Service (NMFS).

### **2. Waters Requiring Additional Notification**

The Corps has identified waters that will be subject to additional notification requirements for activities authorized by all NWP's. These waters are:

#### **2.1. Western NC Counties that Drain to Designated Critical Habitat**

Waters of the U.S. that requires a Pre-Construction Notification pursuant to General Condition 27 (PCN) and located in the sixteen counties listed below, applicants must provide a copy of the PCN to the US Fish and Wildlife Service, 160 Zillicoa Street, Asheville, North Carolina 28805. This PCN must be sent concurrently to the US Fish and Wildlife Service and the Corps Asheville Regulatory Field Office. Please see General Condition 17 for specific notification requirements related to Federally Endangered Species and the following website for information on the location of designated critical habitat.

Counties with tributaries that drain to designated critical habitat that require notification to the Asheville US Fish and Wildlife Service: Avery, Cherokee, Forsyth, Graham, Haywood,

Henderson, Jackson, Macon Mecklenburg, Mitchell, Stokes, Surry, Swain, Transylvania, Union and Yancey.

Website and office addresses for Endangered Species Act Information:

The Wilmington District has developed the following website for applicants which provide guidelines on how to review linked websites and maps in order to fulfill NWP general condition 17 requirements.

<http://www.saw.usace.army.mil/wetlands/ESA>

Applicants who do not have internet access may contact the appropriate US Fish and Wildlife Service offices or the US Army Corps of Engineers office listed below.

US Fish and Wildlife Service  
Asheville Field Office  
160 Zillicoa Street  
Asheville, NC 28801  
Telephone: (828) 258-3939

Asheville US Fish and Wildlife Service Office counties: All counties west of and including Anson, Stanly, Davidson, Forsyth and Stokes Counties

US Fish and Wildlife Service  
Raleigh Field Office  
Post Office Box 33726  
Raleigh, NC 27636-3726  
Telephone: (919) 856-4520

Raleigh US Fish and Wildlife Service Office counties: all counties east of and including Richmond, Montgomery, Randolph, Guilford, and Rockingham Counties.

## **2.2. Special Designation Waters**

Prior to the use of any NWP in any of the following North Carolina identified waters and contiguous wetlands, applicants must comply with Nationwide Permit General Condition 27 (PCN). The North Carolina waters and contiguous wetlands that require additional notification requirements are:

“Outstanding Resource Waters” (ORW) and “High Quality Waters” (HQW) (as designated by the North Carolina Environmental Management Commission), or  
“Inland Primary Nursery Areas” (IPNA) (as designated by the North Carolina Wildlife Resources Commission), or “Contiguous Wetlands” (as defined by the North Carolina Environmental Management Commission), or “Primary Nursery Areas” (PNA) (as designated by the North Carolina Marine Fisheries Commission).

### 2.3. Coastal Area Management Act (CAMA) Areas of Environmental Concern

Non-Federal applicants for any NWP in a designated "Area of Environmental Concern" (AEC) in the twenty (20) counties of Eastern North Carolina covered by the North Carolina Coastal Area Management Act (CAMA), must also obtain the required CAMA permit. Construction activities for non-Federal projects may not commence until a copy of the approved CAMA permit is furnished to the appropriate Wilmington District Regulatory Field Office (Wilmington Field Office – P.O. Box 1890, Wilmington, NC 28402 or Washington Field Office – P.O. Box 1000, Washington, NC 27889).

### 2.4. Barrier Islands

Prior to the use of any NWP on a barrier island of North Carolina, applicants must comply with Nationwide Permit General Condition 27 (PCN).

### 2.5. Mountain or Piedmont Bogs

Prior to the use of any NWP in a "Mountain or Piedmont Bog" of North Carolina, applicants shall comply with Nationwide Permit General Condition 27 (PCN).

Note: The following wetland community types identified in the N.C. Natural Heritage Program document, "Classification of Natural communities of North Carolina (Michael P. Schafale and Alan S. Weakley, 1990), are subject to this regional condition.

Mountain Bogs	Piedmont Bogs
Swamp Forest-Bog Complex	Upland depression Swamp Forest
Swamp Forest-Bog Complex (Spruce Subtype)	
Southern Appalachian Bog (Northern Subtype)	
Southern Appalachian Bog (Southern Subtype)	
Southern Appalachian Fen	

### 2.6. Animal Waste Facilities

Prior to use of any NWP for construction of animal waste facilities in waters of the US, including wetlands, applicants shall comply with Nationwide Permit General Condition 27 (PCN).

### 2.7. Trout Waters

Prior to any discharge of dredge or fill material into streams or waterbodies within the twenty-five (25) designated trout counties of North Carolina, the applicant shall comply with

Nationwide Permit General Condition 27 (PCN). The applicant shall also provide a copy of the notification to the appropriate NCWRC office to facilitate the determination of any potential impacts to designated Trout Waters. Notification to the Corps of Engineers will include a statement with the name of the NCWRC biologist contacted, the date of the notification, the location of work, a delineation of wetlands, a discussion of alternatives to working in the mountain trout waters, why alternatives were not selected, and a plan to provide compensatory mitigation for all unavoidable adverse impacts to mountain trout waters.

#### NCWRC and NC Trout Counties

Mr. Ron Linville			
Western Piedmont Region Coordinator	Alleghany	Caldwell	Watauga
3855 Idlewild Road	Ashe	Mitchell	Wilkes
Kernersville, NC 27284-9180	Avery	Stokes	
Telephone: (336) 769-9453	Burke	Surry	

Mr. Dave McHenry			
Mountain Region Coordinator	Buncombe	Henderson	Polk
20830 Great Smoky Mtn. Expressway	Cherokee	Jackson	Rutherford
Waynesville, NC 28786	Clay	Macon	Swain
Telephone: (828) 452-2546	Graham	Madison	Transylvania
Fax: (828) 452-7772	Haywood	McDowell	Yancey

### 3. List of Corps Regional Conditions for All Nationwide Permits

The following conditions apply to all Nationwide Permits in the Wilmington District:

#### 3.1. Limitation of Loss of Perennial Stream Bed

NWPs may not be used for activities that may result in the loss or degradation of greater than 300 total linear feet of perennial streams. The NWPs may not be used for activities that may result in the loss or degradation of greater than 300 total linear feet of ephemeral and intermittent streams that exhibit important aquatic function(s)\* Loss of stream includes the linear feet of stream bed that is filled, excavated, or flooded by the proposed activity. The District Commander can waive the 300 linear foot limit for ephemeral and intermittent streams on a case-by-case basis if he determines that the proposed activity will result in minimal individual and cumulative adverse impacts to the aquatic environment. Waivers for the loss of ephemeral and intermittent streams must be in writing. This waiver only applies to the 300 linear feet threshold for NWPs. Mitigation may still be required for impacts to ephemeral and intermittent streams, on a case-by-case basis, depending on the impacts to the aquatic environment of the proposed project. [\*Note: The Corps uses the Stream Quality Assessment Worksheet, located with Permit Information on the Regulatory Program Web Site, to aid in the determination of aquatic function within the intermittent stream channel.]

### **3.2. Mitigation for Loss of Stream Bed Exceeding 150 Feet.**

For any NWP that results in a loss of more than 150 linear feet of perennial and/or ephemeral/intermittent stream, the applicant shall provide a mitigation proposal to compensate for the loss of aquatic function associated with the proposed activity. For stream losses less than 150 linear feet, that require a PCN, the District Commander may determine, on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effect on the aquatic environment.

### **3.3. Pre-construction Notification for Loss of Streambed Exceeding 150 Feet.**

Prior to use of any NWP for any activity which impacts more than 150 total linear feet of perennial stream or ephemeral/ intermittent stream, the applicant must comply with Nationwide Permit General Condition 27 (PCN). This applies to NWPs that do not have specific notification requirements. If a NWP has specific notification requirements, the requirements of the NWP should be followed.

### **3.4. Restriction on Use of Live Concrete**

For all NWPs which allow the use of concrete as a building material, measures will be taken to prevent live or fresh concrete, including bags of uncured concrete, from coming into contact with waters of the state until the concrete has hardened.

### **3.5. Requirements for Using Riprap for Bank Stabilization**

For all NWPs that allow for the use of riprap material for bank stabilization, the following measures shall be applied:

**3.5.1.** Filter cloth must be placed underneath the riprap as an additional requirement of its use in North Carolina waters.

**3.5.2.** The placement of riprap shall be limited to the areas depicted on submitted work plan drawings.

**3.5.3.** The riprap material shall be clean and free from loose dirt or any pollutant except in trace quantities that would not have an adverse environmental effect.

**3.5.4.** It shall be of a size sufficient to prevent its movement from the authorized alignment by natural forces under normal conditions.

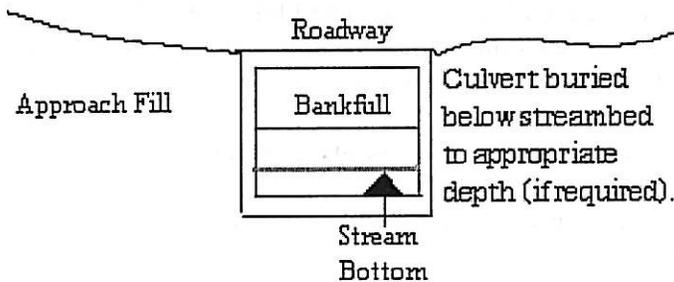
**3.5.5.** The riprap material shall consist of clean rock or masonry material such as, but not limited to, granite, marl, or broken concrete.

3.5.6. A waiver from the specifications in this Regional Condition may be requested in writing. The waiver will only be issued if it can be demonstrated that the impacts of complying with this Regional condition would result in greater adverse impacts to the aquatic environment.

### 3.6. Safe Passage Requirements for Culvert Placement

For all NWP's that involve the construction/installation of culverts, measures will be included in the construction/installation that will promote the safe passage of fish and other aquatic organisms. The dimension, pattern, and profile of the stream above and below a pipe or culvert should not be modified by widening the stream channel or by reducing the depth of the stream in connection with the construction activity. The width, height, and gradient of a proposed opening should be such as to pass the average historical low flow and spring flow without adversely altering flow velocity. Spring flow should be determined from gage data, if available. In the absence of such data, bankfull flow can be used as a comparable level.

In the twenty (20) counties of North Carolina designated as coastal counties by the Coastal Area Management Act (CAMA): All pipe and culvert bottoms shall be buried at least one foot below normal bed elevation when they are placed within the Public Trust Area of Environmental Concern (AEC) and/or the Estuarine Waters AEC as designated by CAMA, and/or all streams appearing as blue lines on United States Geological Survey (USGS) quad sheets.



In all other counties: Culverts greater than 48 inches in diameter will be buried at least one foot below the bed of the stream. Culverts 48 inches in diameter or less shall be buried or placed on the stream bed as practicable and appropriate to maintain aquatic passage, and every effort shall be made to maintain the existing channel slope. The bottom of the culvert must be placed at a depth below the natural stream bottom to provide for passage during drought or low flow conditions.

Destabilizing the channel and head cutting upstream should be considered in the placement of the culvert.

A waiver from the depth specifications in this condition may be requested in writing. The waiver will be issued if it can be demonstrated that the proposal would result in the least impacts to the aquatic environment.

All counties: Culverts placed in wetlands do not have to be buried.

### **3.7. Notification to NCDENR Shellfish Sanitation Section**

Applicants shall notify the NCDENR Shellfish Sanitation Section prior to dredging in or removing sediment from an area closed to shell fishing where the effluent may be released to an area open for shell fishing or swimming in order to avoid contamination from the disposal area and cause a temporary shellfish closure to be made. Such notification shall also be provided to the appropriate Corps of Engineers Regulatory Field Office. Any disposal of sand to the ocean beach should occur between November 1 and April 30 when recreational usage is low. Only clean sand should be used and no dredged sand from closed shell fishing areas may be used. If beach disposal were to occur at times other than stated above or if sand from a closed shell fishing area is to be used, a swimming advisory shall be posted, and a press release shall be issued.

### **3.8. Preservation of Submerged Aquatic Vegetation**

Adverse impacts to Submerged Aquatic Vegetation (SAV) are not authorized by any NWP within any of the twenty coastal counties defined by North Carolina's Coastal Area Management Act of 1974 (CAMA).

## **NC DIVISION OF WATER QUALITY - GENERAL CERTIFICATION CONDITIONS**

For the most recent General Certification conditions, call the NC Division of Water Quality, Wetlands/401 Certification Unit at (919) 733-1786 or access the following website:

<http://h2o.enr.state.nc.us/ncwetlands/certs.html>

## **NC DIVISION OF COASTAL MANAGEMENT - STATE CONSISTENCY**

In a letter dated May 7, 2007, the North Carolina Division of Coastal Management found this NWP consistent with the North Carolina Coastal Zone Management Program. Updates on CAMA Consistency for NC can be found on the NC DCM web site at:

<http://dcm2.enr.state.nc.us/Permits/consist.htm>

## **EASTERN BAND OF THE CHEROKEE INDIANS TRIBAL WATER QUALITY CERTIFICATIONS**

In a letter dated May 8, 2007, US EPA, on behalf of the Eastern Band of Cherokee Indians, provided Tribal General Conditions for Nationwide Permits on Cherokee Indian Reservation. These Tribal General Conditions are located on the Corps website at:

<http://www.saw.usace.army.mil/WETLANDS/NWP2007/EBCI-certs.html>

### **Citations:**

2007 Nationwide Permits Public Notice for Final Issue Date: March 15, 2007

Correction Notice for Nationwide Permits, Federal Register / Vol. 72, No. 88 / Tuesday, May 8, 2007 / Notices p.26082

2007 SAW Regional Conditions – Authorized June 1, 2007

This and other information can be found on the Corps web site at:

<http://www.saw.usace.army.mil/WETLANDS/NWP2007/nationwide-permits.html>



North Carolina Department of Environment and Natural Resources

Division of Water Quality  
 Coleen H. Sullins  
 Director

Deputy Chief of Bureau  
 Catherine

Dee Freeman  
 Secretary

February 22, 2010  
 Person County  
 NCDWQ Project No. 20100126  
 Bridge 93 on SR 1536  
 TIP No. B-5220

**APPROVAL of 401 WATER QUALITY CERTIFICATION and TAR-PAMLICO BUFFER AUTHORIZATION with ADDITIONAL CONDITIONS**

Mr. J.W. Bowman, PE, Division Engineer  
 NCDOT, Division 5  
 2612 North Duke Street  
 Durham, NC 27704

Dear Mr. Bowman:

You have our approval, in accordance with the conditions listed below, for the following impacts for the purpose of replacing Bridge 93 in Person County:

**Stream Impacts in the Tar-Pamlico River Basin**

Site	Riprap Stabilization to Perennial Stream (linear ft)	Total Stream Impact (linear ft)
1	85	85
<b>Total</b>	<b>85</b>	<b>85</b>

**Total Stream Impact for Project: 85 linear feet.**

**Wetland Impacts in the Tar-Pamlico River Basin**

Site	Permanent Fill (ac)	Temporary Fill (ac)	Total Wetland Impact (ac)
1	0.01	0.03	0.04
<b>Total</b>	<b>0.01</b>	<b>0.03</b>	<b>0.04</b>

**Total Wetland Impact for Project: 0.04 acres.**

**Tar-Pamlico Riparian Buffer Impacts**

Site	Zone 1 Impact (sq ft)	minus Wetlands in Zone 1 (sq ft)	= Zone 1 Buffers (not wetlands) (sq ft)	Zone 1 Buffer Mitigation Required (using 3:1 ratio)	Zone 2 Impact (sq ft)	minus Wetlands in Zone 2 (sq ft)	= Zone 2 Buffers (not wetlands) (sq ft)	Zone 2 Buffer Mitigation Required (using 1.5:1 ratio)
1	947	475	472	N/A	898	327	571	N/A
<b>Totals</b>	<b>947</b>	<b>475</b>	<b>472</b>	<b>0</b>	<b>898</b>	<b>327</b>	<b>571</b>	<b>0</b>

\* n/a = Total for Site is less than 1/3 acre and 150 linear feet of impact, no mitigation required

**Total Buffer Impact for Project: 1,845 square feet.**

Transportation Permitting Unit  
 1650 Mail Service Center, Raleigh, North Carolina 27609-1650  
 Location: 2321 Crabtree Blvd., Raleigh, North Carolina 27604  
 Phone: 919-733-1786 | FAX: 919-733-6893  
 internet: <http://h2o.enr.state.nc.us/nw/land/>



The project shall be constructed in accordance with your application dated received February 16, 2010. After reviewing your application, we have decided that these impacts are covered by General Water Quality Certification Numbers 3687 and 3689. This certification corresponds to the Nationwide Permits 3 and 13 issued by the Corps of Engineers. This approval is also valid for the Tar-Pamlico Riparian Buffer Rules (15A NCAC 2B.0259). In addition, you should acquire any other federal, state or local permits before you proceed with your project including (but not limited to) Sediment and Erosion Control, Non-Discharge and Water Supply Watershed regulations. This approval will expire with the accompanying 404 permit.

This approval is valid solely for the purpose and design described in your application (unless modified below). Should your project change, you must notify the NCDWQ and submit a new application. If the property is sold, the new owner must be given a copy of this Certification and approval letter, and is thereby responsible for complying with all the conditions. If total wetland fills for this project (now or in the future) exceed one acre, or of total impacts to streams (now or in the future) exceed 150 linear feet, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h) (6) and (7). Additional buffer impacts may require compensatory mitigation as described in 15A NCAC 02B.0260. For this approval to remain valid, you must adhere to the conditions listed in the attached certification(s) and any additional conditions listed below.

#### **Conditions of Certification:**

1. Strict adherence to the most recent version of NCDOT's Best Management Practices For Bridge Demolition and Removal approved by the US Army Corps of Engineers is a condition of the 401 Water Quality Certification.
2. Bridge deck drains should not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means (grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. Please refer to the most current version of *Stormwater Best Management Practices*.
3. Bridge piles and bents shall be constructed using driven piles (hammer or vibratory) or drilled shaft construction methods. More specifically, jetting or other methods of pile driving are prohibited without prior written approval from NCDWQ first.
4. No drill slurry or water that has been in contact with uncured concrete shall be allowed to enter surface waters. This water shall be captured, treated, and disposed of properly.
5. All stormwater runoff shall be directed as sheetflow through stream buffers at nonerosive velocities, unless otherwise approved by this certification.
6. All riparian buffers impacted by the placement of temporary fill or clearing activities shall be restored to the preconstruction contours and revegetated. Maintained buffers shall be permanently revegetated with non-woody species by the end of the growing season following completion of construction. For the purpose of this condition, maintained buffer areas are defined as areas within the transportation corridor that will be subject to regular NCDOT maintenance activities including mowing. The area with non-maintained buffers shall be permanently revegetated with native woody species before the next growing season following completion of construction.
7. Pursuant to NCAC15A 2B.0259(6), sediment and erosion control devices shall not be placed in Zone 1 of any Tar-Pamlico Buffer without prior approval by NCDWQ. At this time, NCDWQ has approved no sediment and erosion control devices in Zone 1, outside of the approved project impacts, anywhere on this project. Moreover, sediment and erosion control devices shall be allowed in Zone 2 of the buffers provided that Zone 1 is not compromised and that discharge is released as diffuse flow.
8. During the construction of the project, no staging of equipment of any kind is permitted in waters of the U.S., or protected riparian buffers.
9. The dimension, pattern and profile of the stream above and below the crossing shall not be modified. Disturbed floodplains and streams shall be restored to natural geomorphic conditions.
10. The use of rip-rap above the Normal High Water Mark shall be minimized. Any rip-rap placed for stream stabilization shall be placed in stream channels in such a manner that it does not impede aquatic life passage.

11. The Permittee shall ensure that the final design drawings adhere to the permit and to the permit drawings submitted for approval.
12. All work in or adjacent to stream waters shall be conducted in a dry work area. Approved BMP measures from the most current version of NCDOT Construction and Maintenance Activities manual such as sandbags, rock berms, cofferdams and other diversion structures shall be used to prevent excavation in flowing water.
13. Heavy equipment shall be operated from the banks rather than in the stream channel in order to minimize sedimentation and reduce the introduction of other pollutants into the stream.
14. All mechanized equipment operated near surface waters must be regularly inspected and maintained to prevent contamination of stream waters from fuels, lubricants, hydraulic fluids, or other toxic materials.
15. No rock, sand or other materials shall be dredged from the stream channel except where authorized by this certification.
16. Discharging hydroseed mixtures and washing out hydroseeders and other equipment in or adjacent to surface waters is prohibited.
17. The permittee and its authorized agents shall conduct its activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act) and any other appropriate requirements of State and Federal law. If NCDWQ determines that such standards or laws are not being met (including the failure to sustain a designated or achieved use) or that State or federal law is being violated, or that further conditions are necessary to assure compliance, NCDWQ may reevaluate and modify this certification.
18. All fill slopes located in jurisdictional wetlands shall be placed at slopes no flatter than 3:1, unless otherwise authorized by this certification..
19. A copy of this Water Quality Certification shall be maintained on the construction site at all times. In addition, the Water Quality Certification and all subsequent modifications, if any, shall be maintained with the Division Engineer and the on-site project manager.
20. The outside buffer, wetland or water boundary located within the construction corridor approved by this authorization shall be clearly marked by highly visible fencing prior to any land disturbing activities. Impacts to areas within the fencing are prohibited unless otherwise authorized by this certification.
21. The issuance of this certification does not exempt the Permittee from complying with any and all statutes, rules, regulations, or ordinances that may be imposed by other government agencies (i.e. local, state, and federal) having jurisdiction, including but not limited to applicable buffer rules, stormwater management rules, soil erosion and sedimentation control requirements, etc.
22. The Permittee shall report any violations of this certification to the Division of Water Quality within 24 hours of discovery.
23. Upon completion of the project (including any impacts at associated borrow or waste sites), the NCDOT Division Engineer shall complete and return the enclosed "Certification of Completion Form" to notify NCDWQ when all work included in the 401 Certification has been completed.
24. Native riparian vegetation (i.e., trees and shrubs native to your geographic region) must be reestablished within the construction limits of the project by the end of the growing season following completion of construction.
25. There shall be no excavation from, or waste disposal into, jurisdictional wetlands or waters associated with this permit without appropriate modification. Should waste or borrow sites, or access roads to waste or borrow sites, be located in wetlands or streams, compensatory mitigation will be required since that is a direct impact from road construction activities.
26. Sediment and erosion control measures shall not be placed in wetlands or waters unless otherwise approved by this Certification.

# Water Quality Certification N<sup>o</sup>. 3687

**GENERAL CERTIFICATION FOR PROJECTS ELIGIBLE FOR U.S. ARMY CORPS OF ENGINEERS NATIONWIDE PERMIT NUMBERS: 3 (MAINTENANCE), 4 (FISH AND WILDLIFE HARVESTING, ENHANCEMENT, AND ATTRACTION DEVICES AND ACTIVITIES), 5 (SCIENTIFIC MEASUREMENT DEVICES—25 CUBIC YARDS FOR WEIRS AND FLUMES), 6 (SURVEY ACTIVITIES—25 CUBIC YARDS FOR TEMPORARY PADS), 7 (OUTFALL STRUCTURES AND ASSOCIATED INTAKE STRUCTURES), 19 (MINOR DREDGING), 20 (OIL SPILL CLEANUP), 22 (REMOVAL OF VESSELS), 25 (STRUCTURAL DISCHARGE), 30(MOIST SOIL MANAGEMENT FOR WILDLIFE), 32 (COMPLETED ENFORCEMENT ACTIONS), 36 (BOAT RAMPS [IN NONWETLAND SITES]), AND REGIONAL PERMIT 197800056 (PIERS, DOCKS AND BOATHOUSES), AND REGIONAL PERMIT 197800125 (BOAT RAMPS) AND RIPARIAN AREA PROTECTION RULES (BUFFER RULES)**

Water Quality Certification Number 3687 is issued in conformity with the requirements of Section 401, Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Water Quality (DWQ) Regulations in 15 NCAC 2H, Section .0500 and 15 NCAC 2B .0200 for the discharge of fill material to waters and wetland areas which are waters of the United States as described in 33 CFR 330 Appendix A (B) (3, 4, 5, 6, 7, 19, 20, 22, 25, 30, 32, and 36) of the Corps of Engineers regulations and Regional Permits 197800056 and 19780125 and for the Riparian Area Protection Rules (Buffer Rules) in 15A NCAC 2B .0200.

The State of North Carolina certifies that the specified category of activity will not violate applicable portions of Sections 301, 302, 303, 306 and 307 of the Public Laws 92-500 and 95-217 if conducted in accordance with the conditions hereinafter set forth.

**Activities meeting any one (1) of the following thresholds or circumstances require *written approval* for a 401 Water Quality Certification from the Division of Water Quality (the "Division"):**

- a. Impacts equal or greater than 40 linear feet of additional permanent stream impact at an existing stream crossing location, or
- b. Temporary or permanent impacts equal to or exceeding: one-third (1/3) acre of wetlands East of Interstate-95, or one-tenth (1/10) of acre of wetlands West of Interstate-95; or
- c. Any impact associated with a Notice of Violation or an enforcement action initiated by the Division and/or the Division of Land Resources; or
- d. Projects with any impacts to streams, wetlands, and/or waters that have received a Notice of Violation from the Division and/or Division of Land Resources; or
- e. Any impacts to streams and/or buffers in the Neuse, Tar-Pamlico, Randleman and Catawba River Basins (or any other basins with Riparian Area Protection Rules [Buffer Rules] in effect at the time of application) *unless* the activities are listed as "EXEMPT" from these Rules.

In accordance with North Carolina General Statute Section 143-215.3D(e), written approval for a 401 Water Quality General Certification must include the appropriate fee. If a project also requires a CAMA Permit, then one payment to both agencies shall be submitted and will be the higher of the two fees.

**Activities included in this General Certification and below the thresholds listed above *do not* require written approval from the Division of Water Quality as long as they comply with the Conditions of Certification listed below. If any of these Conditions cannot be met, written approval from the Division is required.**

# Water Quality Certification N<sup>o</sup>. 3687

## Conditions of Certification:

### 1. No Impacts Beyond Those Authorized for this General Certification

No waste, spoil, solids, or fill of any kind shall occur in wetlands, waters, or riparian areas beyond the thresholds established for use of this General Certification, or beyond the footprint of the impacts authorized in the written approval, including incidental impacts. All construction activities, including the design, installation, operation, and maintenance of sediment and erosion control Best Management Practices, shall be performed so that no violations of state water quality standards, statutes, or rules occur.

### 2. Standard Erosion and Sediment Control Practices

Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices:

- a. Design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
- b. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
- c. Reclamation measures and implementation must comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.
- d. Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times, except for publicly funded linear transportation projects when materials can be accessed offsite in a timely manner.
- e. If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNAs), Trout (Tr), SA, WS-I, WS-II, High Quality (HQW), or Outstanding Resource (ORW) waters, then the sediment and erosion control requirements contained within *Design Standards in Sensitive Watersheds* (15A NCAC 04B .0124) supercede all other sediment and erosion control requirements.

### 3. No Sediment and Erosion Control Measures in Wetlands or Waters

Sediment and erosion control measures should not be placed in wetlands or waters outside of the permitted impact areas without prior approval from the Division. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, then the design and placement of temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or stream beds or banks, adjacent to or upstream and down stream of the above structures. All sediment and erosion control devices shall be removed and the natural grade restored within two (2) months of the date that the Division of Land Resources or locally delegated program has released the project.

### 4. Construction Stormwater Permit NCG010000

Upon the approval of an Erosion and Sedimentation Control Plan issued by the Division of Land Resources (DLR) or a DLR delegated local erosion and sedimentation control program, an NPDES General stormwater permit (NCG010000) administered by the Division is automatically issued to the project. This General Permit allows stormwater to be discharged during land disturbing construction activities as stipulated by conditions in the permit. If the

## Water Quality Certification N<sup>o</sup>. 3687

activity is covered by this permit [applicable to construction projects that disturb one (1) or more acres], full compliance with permit conditions including the sedimentation control plan, self-monitoring, record keeping and reporting requirements are required. A copy of this permit and monitoring report forms may be found at [http://h2o.enr.state.nc.us/su/Forms\\_Documents.htm](http://h2o.enr.state.nc.us/su/Forms_Documents.htm).

NCDOT shall be required to be in full compliance with the conditions related to construction activities within the most recent version of their individual NPDES (NCS000250) stormwater permit.

### 5. Work in the Dry

All work in or adjacent to stream waters shall be conducted in a dry work area. Approved best management practices from the most current version of the NC Sediment and Erosion Control Manual, or the NC DOT Construction and Maintenance Activities Manual, such as sandbags, rock berms, cofferdams, and other diversion structures shall be used to minimize excavation in flowing water. Exceptions to this condition require submittal to, and approval by, the Division.

### 6. Construction Moratoriums and Coordination

If activities must occur during periods of high biological activity (i.e. sea turtle or bird nesting), then biological monitoring may be required at the request of other state or federal agencies and coordinated with these activities. This condition can be waived through written concurrence on a case by case basis upon reasonable justification.

All moratoriums on construction activities established by the NC Wildlife Resources Commission (WRC), US Fish and Wildlife Service (USFWS), NC Division of Marine Fisheries (DMF), or National Marine Fisheries Service (NMFS) to protect trout, anadromous fish, larval/post-larval fishes and crustaceans, or other aquatic species of concern shall be obeyed. This condition can be waived through written concurrence on a case by case basis upon reasonable justification.

Work within the twenty-five (25) designated trout counties or identified state or federal endangered or threatened species habitat shall be coordinated with the appropriate WRC, USFWS, NMFS personnel.

### 7. Riparian Area Protection Rules (Buffer Rules)

Activities located in the protected 50-foot wide riparian areas (whether jurisdictional wetlands or not) within the Neuse, Tar-Pamlico, Randleman, Catawba (or any other basin with buffer rules), shall be limited to "uses" identified within and constructed in accordance with 15A NCAC 2B .0233, .0259, .0250, and .0243, and shall be located, designed, constructed, and maintained to have minimal disturbance to protect water quality to the maximum extent practicable through the use of best management practices. All riparian area protection rule requirements, including diffuse flow requirements, must be met.

### 8. Water Supply Watershed Buffers

The 100-foot wide (high-density development) or the 30-foot wide vegetative buffer (all other development) must be maintained adjacent to all perennial waters except for allowances as provided in the Water Supply Watershed Protection Rules [15A NCAC 2B .0212 through .0215].

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### 9. Placement of Culverts and Other Structures in Waters and Wetlands

The application must include construction plans with cross-sectional details in order to indicate that the current stability of the stream will be maintained or enhanced (i.e., not result in head cuts).

Culverts required for this project shall be designed and installed in such a manner that the original stream profiles are not altered and allow for aquatic life movement during low flows. Existing stream dimensions (including the cross section dimensions, pattern, and longitudinal profile) must be maintained above and below locations of each culvert. Placement of culverts and other structures in waters, streams, and wetlands must be placed below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20 percent of the culvert diameter for culverts having a diameter less than 48 inches, to allow low flow passage of water and aquatic life, unless otherwise justified and approved by the Division.

Installation of culverts in wetlands must ensure continuity of water movement and be designed to adequately accommodate high water or flood conditions. Additionally, when roadways, causeways or other fill projects are constructed across FEMA-designated floodways or wetlands, openings such as culverts or bridges must be provided to maintain the natural hydrology of the system as well as prevent constriction of the floodway that may result in destabilization of streams or wetlands.

Any rip rap required for normal pipe burial and stabilization shall be buried such that the original stream elevation is restored and maintained.

The establishment of native, woody vegetation and other soft stream bank stabilization techniques must be used where practicable instead of rip-rap or other bank hardening methods.

10. If concrete is used during the construction, then a dry work area should be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete should not be discharged to surface waters due to the potential for elevated pH and possible aquatic life/fish kills.
11. Applications for riprap groins proposed in accordance with 15A NCAC 07H .1401 (NC Division of Coastal Management General Permit for construction of Wooden and Riprap Groins in Estuarine and Public Trust Waters) must meet all the specific conditions for design and construction specified in 15A NCAC 07H .1405.
12. Temporary Fills and/or Access Roads

All temporary fill and culverts shall be removed and the impacted area returned to the original grade, including each stream's original cross sectional dimensions, plan form pattern, and longitudinal bed and bed profile after construction is complete or within two (2) months of the establishment of the crossing, whichever is sooner, and the various sites shall be stabilized with natural woody vegetation (except for the maintenance areas of permanent utility crossings) and restored to prevent erosion. If the crossings are not completely removed and restored as described above within the specified time above, then written approval from the Division must be obtained to modify this condition.

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13. For activities requiring written approval, additional site-specific conditions may be added to the approval letter in order to ensure compliance with all applicable water quality and effluent standards.

### 14. Certificate of Completion

When written authorization is required for use of this certification, upon completion of all permitted impacts included within the approval and any subsequent modifications, the applicant shall be required to return the certificate of completion attached to the approval. One copy of the certificate shall be sent to the DWQ Central Office in Raleigh at 1650 Mail Service Center, Raleigh, NC, 27699-1650.

15. If an environmental document is required under NEPA or SEPA, then this General Certification is not valid until a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) is issued by the State Clearinghouse.
16. This General Certification shall expire three (3) years from the date of issuance of the written approval or on the same day as the expiration date of these corresponding Nationwide and Regional General Permits. In accordance with General Statute 136-44.7B, certifications issued to the NCDOT shall expire only upon expiration of the federal 404 Permit. The conditions in effect on the date of issuance of Certification for a specific project shall remain in effect for the life of the project, regardless of the expiration date of this Certification. If the construction process for approved activities will overlap the expiration and renewal date of the corresponding 404 Permit and the Corps allows for continued use of the 404 Permit, then the General Certification shall also remain in effect without requiring re-application and re-approval to use this Certification for the specific impacts already approved.
17. The applicant/permittee and their authorized agents shall conduct all activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act), and any other appropriate requirements of State and Federal Law. If the Division determines that such standards or laws are not being met, including failure to sustain a designated or achieved use, or that State or Federal law is being violated, or that further conditions are necessary to assure compliance, then the Division may reevaluate and modify this General Water Quality Certification.

Non-compliance with or violation of the conditions herein set forth by a specific fill project shall result in revocation of this General Certification for the project and may result in criminal and/or civil penalties.

The Director of the North Carolina Division of Water Quality may require submission of a formal application for Individual Certification for any project in this category of activity if it is determined that the project is likely to have a significant adverse effect upon water quality, including state or federally listed endangered or threatened aquatic species, or degrade the waters so that existing uses of the wetland or downstream waters are precluded.

Public hearings may be held for specific applications or group of applications prior to a Certification decision if deemed in the public's best interest by the Director of the North Carolina Division of Water Quality.

# Water Quality Certification N<sup>o</sup>. 3687

Effective date: November 1, 2007

DIVISION OF WATER QUALITY

By



Coleen H. Sullins

Director

*History Note: Water Quality Certification Number 3687 replaces Water Quality Certification Number 3376 issued on March 18, 2002, Water Quality Certification Number 3494 issued December 31, 2004, and Water Quality Certification Number 3624 issued March 2007. This General Certification is rescinded when the Corps of Engineers re-authorizes any of these Nationwide or Regional Permits or when deemed appropriate by the Director of the Division of Water Quality.*

## Water Quality Certification N<sup>o</sup>. 3689

**GENERAL CERTIFICATION FOR STREAM RESTORATION, ENHANCEMENT AND STABILIZATION PROJECTS AND WETLAND AND RIPARIAN RESTORATION AND CREATION ACTIVITIES INCLUDING THOSE ELIGIBLE FOR U.S. ARMY CORPS OF ENGINEERS NATIONWIDE PERMIT NUMBERS 13 (BANK STABILIZATION) AND 27 (WETLAND AND RIPARIAN RESTORATION AND CREATION), AND REGIONAL PERMIT 197800080 (BULKHEADS AND RIPRAP) AND RIPARIAN AREA PROTECTION RULES (BUFFER RULES)**

Water Quality Certification Number 3689 is issued in conformity with the requirements of Section 401, Public Laws 92-500 and 95-217 of the United States and subject to the North Carolina Division of Water Quality Regulations in 15A NCAC 2H .0500 and 15A NCAC 2B .0200 for the discharge of fill material to waters as described in 33 CFR 330 Appendix A (B) (13) and (27) of the Corps of Engineers regulations (i.e., Nationwide Permit Numbers 13 and 27) and Regional Permit 197800080. The category of activities shall include stream bank stabilization or stream restoration activity as long as impacts to waters or significant wetlands are minimized; wetland and riparian restoration or creation; and the construction and maintenance of bulkheads on non-Federal Energy Regulatory Commission (FERC) lakes.

The State of North Carolina certifies that the specified category of activity will not violate applicable portions of Sections 301, 302, 303, 306 and 307 of the Public Laws 92-500 and 95-217 if conducted in accordance with the conditions set forth.

All proposed fill or modification of wetlands and/or waters, including streams and streambanks, under this General Certification requires application to, and written approval from the Division of Water Quality (the "Division"), regardless of the purpose of the restoration, enhancement, stabilization, or creation activity.

Bank Stabilization projects qualifying for Nationwide Permit 13 for erosion protection of up to 500 feet of stream banks to protect property are exempt from the requirement for written approval.

Any impacts to riparian buffers associated with this work in the Neuse, Tar-Pamlico, Randleman and Catawba River Basins (or any other basins with Riparian Area Protection Rules [Buffer Rules] in effect at the time of application [in accordance with 15A NCAC 2B .0200]) will require written approval, *unless* the activities are listed as "EXEMPT" from these Rules.

In accordance with North Carolina General Statute Section 143-215.3D(e), written approval for a 401 Water Quality General Certification must include the appropriate fee. If a project also requires a CAMA Permit, then one payment to both agencies shall be submitted and will be the higher of the two fees.

### Conditions of Certification:

1. Activities shall meet the definitions, design, and monitoring protocols specified within the US Army Corps of Engineers Wilmington District *Regulatory Guidance Letter* (RGL02-02) and the *Stream Mitigation Guidelines* (April 2003) or any subsequent updates to these documents.
2. No waste, spoil, solids, or fill of any kind shall occur in wetlands, waters, or riparian areas beyond the footprint of the impacts depicted in the Pre-construction Notification and/or those authorized by this Certification, including incidental impacts. All construction activities, including the design, installation, operation, and maintenance of sediment and erosion control

## Water Quality Certification N<sup>o</sup>. 3689

Best Management Practices, shall be performed so that no violations of state water quality standards, statutes, or rules occur.

### 3. Standard Erosion and Sediment Control Practices

Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices:

- a. Design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.
- b. For borrow pit sites, the erosion and sediment control measures must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*.
- c. Reclamation measures and implementation must comply with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.
- d. Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on site at all times, except for publicly funded linear transportation projects when materials can be accessed offsite in a timely manner..
- e. If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNA's), Trout (Tr), SA, WS-I, WS-II, High Quality (HQW), or Outstanding Resource (ORW) waters, then the sediment and erosion control requirements contained within *Design Standards in Sensitive Watersheds* (15A NCAC 04B .0124) supercede all other sediment and erosion control requirements.

### 4. No Sediment and Erosion Control Measures in Wetlands or Waters

Sediment and erosion control measures should not be placed in wetlands or waters outside of the permitted impact areas without prior approval by the Division. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, design and placement of temporary erosion control measures shall not be conducted in a manner that may result in dis-equilibrium of wetlands or stream beds or banks, adjacent to or upstream and down stream of the above structures. All sediment and erosion control devices shall be removed and the natural grade restored within two (2) months of the date that the Division of Land Resources or locally delegated program has released the project.

### 5. Construction Stormwater Permit NCG010000

Upon the approval of an Erosion and Sedimentation Control Plan issued by the Division of Land Resources (DLR) or a DLR delegated local erosion and sedimentation control program, an NPDES General stormwater permit (NCG010000) administered by the Division is automatically issued to the project. This General Permit allows stormwater to be discharged during land disturbing construction activities as stipulated by conditions in the permit. If your project is covered by this permit [applicable to construction projects that disturb one (1) or more acres], full compliance with permit conditions including the sedimentation control plan, self-monitoring, record keeping and reporting requirements are required. A copy of this permit and monitoring report forms may be found at [http://h2o.enr.state.nc.us/su/Forms\\_Documents.htm](http://h2o.enr.state.nc.us/su/Forms_Documents.htm).

The North Carolina Department of Transportation (NCDOT) shall be required to be in full compliance with the conditions related to construction activities within the most recent version of their individual NPDES (NCS000250) stormwater permit.

## Water Quality Certification N°. 3689

### 6. Construction Moratoriums and Coordination

If activities must occur during periods of high biological activity (i.e. sea turtle or bird nesting), then biological monitoring may be required at the request of other state or federal agencies and coordinated with these activities. This condition can be waived through written concurrence on a case by case basis upon reasonable justification.

All moratoriums on construction activities established by the NC Wildlife Resources Commission (WRC), US Fish and Wildlife Service (USFWS), NC Division of Marine Fisheries (DMF), or National Marine Fisheries Service (NMFS) to lessen impacts on trout, anadromous fish, larval/post-larval fishes and crustaceans, or other aquatic species of concern shall be implemented. This condition can be waived through written concurrence on a case by case basis upon reasonable justification.

Work within the twenty-five (25) designated trout counties or identified state or federal endangered or threatened species habitat shall be coordinated with the appropriate WRC, USFWS, NMFS, and/or DMF personnel.

NC Wildlife Resources Commission will not object to construction of Natural Resources Conservation Service (NRCS) 'urgent and compelling' sites during the spawning period provided these projects are, to the extent appropriate and practical, constructed by:

- a. Using flow diversion structures such as sandbags;
- b. Placing large-size rock toes and filter cloth backing for stabilization sites before backfilling; and
- c. Excavating new channel alignments in dry areas.

Construction at non-'urgent and compelling' sites shall not occur during the spawning period to minimize the potential adverse effects of multiple construction activities on trout or anadromous fish resources in this stream.

### 7. Work in the Dry

All work in or adjacent to stream waters shall be conducted in a dry work area. Approved best management practices from the most current version of the NC Sediment and Erosion Control Manual, or the NC DOT Construction and Maintenance Activities Manual, such as sandbags, rock berms, cofferdams, and other diversion structures shall be used to minimize excavation in flowing water. Exceptions to this condition require submittal to, and approval by, the Division.

### 8. Riparian Area Protection (Buffer) Rules

Activities located in the protected 50-foot wide riparian areas (whether jurisdictional wetlands or not) within the Neuse, Tar-Pamlico, Randleman, Catawba (or any other basin with buffer rules), shall be limited to "uses" identified within and constructed in accordance with 15A NCAC 2B .0233, .0259, .0250 and .0243, and shall be located, designed, constructed, and maintained to have minimal disturbance to protect water quality to the maximum extent practicable through the use of best management practices. All buffer rule requirements, including diffuse flow requirements, must be met.

### 9. Water Supply Watershed Buffers

The 100-foot wide (high-density development) or the 30-foot wide vegetative buffer (all other development) must be maintained adjacent to all perennial waters except for allowances as

## Water Quality Certification N°. 3689

provided in the Water Supply Watershed Protection Rules [15A NCAC 2B .0212 through .0215].

10. If concrete is used during the construction, then a dry work area should be maintained to prevent direct contact between curing concrete and stream water. Water that inadvertently contacts uncured concrete should not be discharged to surface waters due to the potential for elevated pH and possible aquatic life/fish kills.
11. Any rip-rap shall be of such a size and density so as not to be able to be carried off by wave or current action and consist of clean rock or masonry material free of debris or toxic pollutants. Rip-rap shall not be installed in the streambed except in specific areas required for velocity control and to ensure structural integrity of bank stabilization measures. If rip-rap is to be installed within the streambed, the amount and location must be approved in writing by the Division of Land Resources and Division of Water Quality. However, rock vanes, wing deflectors, and similar structures for grade control and bank protection are acceptable.
12. If an environmental document is required under NEPA or SEPA, then this General Certification is not valid until a Finding of No Significant Impact or Record of Decision is issued by the State Clearinghouse.
13. Additional site-specific conditions may be added to the written approval attached to this Certification in order to ensure compliance with all applicable water quality and effluent standards.
14. This Certification shall expire three (3) years from the date of the approval letter from DWQ or on the same day as the corresponding Nationwide Permit. In accordance with General Statute 136-44.7B, certifications issued to the NCDOT shall expire only upon expiration of the federal 404 Permit. The conditions in effect on the date of issuance of Certification for a specific project shall remain in effect for the life of the project, regardless of the expiration date of this Certification. If the construction process for approved activities will overlap the expiration and renewal date of the corresponding 404 Permit and the Corps allows for continued use of the 404 Permit, then the General Certification shall also remain in effect without requiring re-application and re-approval to use this Certification for the specific impacts already approved.
15. The applicant/permittee and their authorized agents shall conduct all activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act), and any other appropriate requirements of State and Federal Law. If the Division determines that such standards or laws are not being met, including failure to sustain a designated or achieved use, or that State or Federal law is being violated, or that further conditions are necessary to assure compliance, then the Division may reevaluate and modify this General Water Quality Certification.

### 16. Certificate of Completion

When written authorization is required for use of this certification, upon completion of all permitted impacts included within the approval and any subsequent modifications, the applicant shall be required to return the certificate of completion attached to the approval. One copy of the certificate shall be sent to the DWQ Central Office in Raleigh at 1650 Mail Service Center, Raleigh, NC, 27699-1650.

Non-compliance with or violation of the conditions herein set forth by a specific project shall result in revocation of this Certification for the project and may also result in criminal and/or civil penalties.

## Water Quality Certification N°. 3689

The Director of the North Carolina Division of Water Quality may require submission of a formal application for Individual Certification for any project in this category of activity if it is determined that the project is likely to have a significant adverse effect upon water quality including state or federally listed endangered or threatened aquatic species or degrade the waters so that existing uses of the wetland or downstream waters are precluded.

Public hearings may be held for specific applications or group of applications prior to a Certification decision if deemed in the public's best interest by the Director of the North Carolina Division of Water Quality.

Effective date:

November 1, 2007

DIVISION OF WATER QUALITY

By

A handwritten signature in black ink, appearing to read 'Coleen H. Sullins', with a long horizontal line extending to the right.

Coleen H. Sullins

Director

*History Note:* Water Quality Certification Number 3689 replaces Water Quality Certification (WQC) Number 3399 issued March 2003, Water Quality Certification (WQC) Number 3495 issued December 31, 2004, and Water Quality Certification (WQC) Number 3626 issued March 2007. This WQC is rescinded when the Corps of Engineers reauthorizes Nationwide Permits 13 or 27 or Regional Permit 197800080 or when deemed appropriate by the Director of the Division of Water Quality.

**BID FORM****CONTRACT COST PROPOSAL**

The Contractor agrees to provide the services outlined in this proposal for the following fixed unit prices:

**BRIDGE REPLACEMENT WITH PRESTRESSED CONCRETE CORED SLABS**

<b>LINE #</b>	<b>ITEM NUMBER</b>	<b>SEC #</b>	<b>DESCRIPTION</b>	<b>QUANTITY</b>	<b>UNIT COST</b>	<b>AMOUNT</b>
1.	0000100000-N	800	MOBILIZATION	L.S.	_____	_____
2.	0030000000-N	SP	BRIDGE APPROACH FILL – SUB REGIONAL TIER, Station 15+74.26	L.S.	_____	_____
3.	0248000000-N	SP	GENERIC GRADING ITEM (EXCAVATION AND EMBANKMENT)	L.S.	_____	_____
4.	0318000000-E	300	FOUNDATION CONDITIONING MATERIAL, MINOR STRUCTURES	7 TONS	_____	_____
5.	0335200000-E	SP	15” DRAINAGE PIPE	48 LIN. FT.	_____	_____
6.	0335300000-E	SP	18” DRAINAGE PIPE	4 LIN. FT.	_____	_____
7.	1489000000-E	610	ASPHALT CONCRETE BASE COURSE, TYPE B25.0B	165 TONS	_____	_____
8.	1498000000-E	610	ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE I19.0B	102 TONS	_____	_____
9.	1519000000-E	610	ASPHALT CONCRETE SURFACE COURSE, TYPE S9.5B	135 TONS	_____	_____
10.	1560000000-E	620	ASPHALT BINDER FOR PLANT MIX, TYPE PG64-22	20 TONS	_____	_____
11.	2253000000-E	840	PIPE COLLARS	0.5 C.Y.	_____	_____
12.	2286000000-N	840	MASONRY DRAINAGE STRUCTURE TBDI, Std. Dwg. No. 840.35	2 EACH	_____	_____
13.	2355000000-N	840	FRAME WITH GRATE, Std. Dwg. No. 840.29	2 EACH	_____	_____
14.	2556000000-E	846	SHOULDER BERM GUTTER	30 LIN. FT.	_____	_____

LINE #	ITEM NUMBER	SEC #	DESCRIPTION	QUANTITY	UNIT COST	AMOUNT
15.	3030000000-E	862	STEEL BM GUARDRAIL	50 LIN. FT.	_____	_____
16.	3150000000-N	862	ADDITIONAL GUARDRAIL POSTS	5 EACH	_____	_____
17.	3270000000-N	862	G-R ANCHOR UNIT, TYPE 350	4 EACH	_____	_____
18.	3317000000-N	862	G-R ANCHOR UNIT, TYPE B-77	4 EACH	_____	_____
19.	3691000000-N	SP	GENERIC EROSION CONTROL ITEM - PREFORMED SCOUR HOLE	1 EACH	_____	_____
20.	6000000000-E	1605	TEMPORARY SILT FENCE	895 LIN. FT	_____	_____
21.	6009000000-E	1610	STONE FOR EROSION CONTROL, CLASS B	1 TONS	_____	_____
22.	6036000000-E	1631	MATTING FOR EROSION CONTROL	1,800 S.Y.	_____	_____
23.	6048000000-E	SP	FLOATING TURBIDITY CURTAIN	75 S.Y.	_____	_____
24.	6133000000-N	SP	GENERIC EROISION CONTROL ITEM	L.S.	_____	_____
25.	8035000000-N	402	REMOVAL EXISTING STRUCTURE	L.S.	_____	_____
26.	8096000000-E	SP	PILE EXCAVATION IN SOIL	108 LIN. FT.	_____	_____
27.	8097000000-E	SP	PILE EXCAVATION NOT IN SOIL	92 LIN. FT.	_____	_____
28.	8105520000-E	SP	3'-0" DIA. DRILLED PIER IN SOIL	35 LIN. FT	_____	_____
29.	8105620000-E	SP	3'-0" DIA. DRILLED PIER NOT IN SOIL	28 LIN. FT	_____	_____
30.	8111200000-E	SP	PERMANENT STEEL CASING FOR 3'-0" DIA. DRILLED PIER	34 LIN. FT	_____	_____
31.	8113000000-N	SP	SID INSPECTION	1 EACH	_____	_____

<b>LINE #</b>	<b>ITEM NUMBER</b>	<b>SEC #</b>	<b>DESCRIPTION</b>	<b>QUANTITY</b>	<b>UNIT COST</b>	<b>AMOUNT</b>
32.	8115000000-N	SP	CROSSHOLE SONIC LOGGING	1 EACH	_____	_____
33.	8210000000-N	422	BRIDGE APPROACH SLAB	L.S.	_____	_____
34.	8365000000-E	450	HP 12x53 GALVANIZED STEEL PILES	200 LIN. FT.	_____	_____
35.	8608000000-E	876	RIP RAP, CLASS II (2'-0" THICK)	380 TONS	_____	_____
36.	8622000000-E	876	FILTER FABRIC FOR DRAINAGE	403 S.Y.	_____	_____
37.	8765000000-N	SP	CONSTRUCTION OF SUBSTRUCTURE	L.S.	_____	_____
38.	8766000000-N	SP	CONST OF SUPERSTRUCTURE	L.S.	_____	_____

**TOTAL PROJECT BID** \_\_\_\_\_

**EXECUTION OF PROPOSAL**

DATE: \_\_\_\_\_

In compliance with the foregoing request for proposals and subject to all terms and conditions thereof, the undersigned offers and agrees, if this proposal is accepted, to furnish the services for the prices quoted.

**TOTAL PROJECT BID: \$** \_\_\_\_\_

CONTRACTOR: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_ PHONE: \_\_\_\_\_

BY: \_\_\_\_\_ TITLE: \_\_\_\_\_  
(SIGNATURE)

---

(TYPED OR PRINTED NAME)

CONTRACTOR'S LICENSE NUMBER: \_\_\_\_\_

---

**ACCEPTANCE OF PROPOSAL**

AGENCY: N. C. DEPARTMENT OF TRANSPORTATION CITY AND STATE: RALEIGH, NORTH CAROLINA

BY: \_\_\_\_\_ , STATE BRIDGE MANAGEMENT ENGINEER  
(SIGNATURE)

**\*AWARD LIMITS ON MULTIPLE PROJECTS\***

It is the desire of the Proposer to be awarded contracts, the value of which will not exceed a total of \$ \_\_\_\_\_, for those projects indicated below on which bids are being opened on the same date as shown in the Proposal Form. Individual projects shall be indicated by placing the project number and county in the appropriate place below. Projects not selected will not be subject to an award limit.

_____ (Project Number)	_____ (County)

\*If a Proposer desires to limit the total amount of work awarded to him in this letting, he shall state such limit in the space provided above in the second line of this form.

It is agreed that in the event that I am (we are) the successful bidder on indicated projects, the total value of which is more than the above stipulated award limits, the Board of Transportation will award me (us) projects from among those indicated which have a total value not exceeding the award limit and which will result in the best advantage to the Department of Transportation.

\_\_\_\_\_  
\*\*Signature of Authorized Person

\*\*Only those persons authorized to sign bids under the provisions of Article 102-8, Item 7, shall be authorized to sign this form.

**NON-COLLUSION AFFIDAVIT AND DEBARMENT CERTIFICATION**

**CORPORATION**

The Contractor being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with this Contract, and that the Contractor intends to do the work with his own bonafide employees or subcontractors and did not bid for the benefit of another contractor.

By submitting this Execution of Contract, Non-Collusion affidavit and Debarment Certification, the Contractor is certifying his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exception that are applicable.

**SIGNATURE OF CONTRACTOR**

\_\_\_\_\_ Full name of Corporation

\_\_\_\_\_ Address as Prequalified

Attest \_\_\_\_\_  
Secretary/ Assistant Secretary  
*Select appropriate title*

By \_\_\_\_\_  
President/ Vice President/ Assistant Vice President  
*Select appropriate title*

\_\_\_\_\_ Print or type Signer's Name

\_\_\_\_\_ Print or type Signer's Name

**CORPORATE SEAL**

**AFFIDAVIT MUST BE NOTARIZED**

**NOTARY SEAL**

Subscribed and sworn to before me this the  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_ Signature of Notary Public

of \_\_\_\_\_ County.

State of \_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

**DEBARMENT CERTIFICATION OF CONTRACTOR**

Conditions for certification:

1. The Contractor shall provide immediate written notice to the Department if at any time the Contractor learns that his certification was erroneous when he submitted his debarment certification or explanation that is on file with the Department, or has become erroneous because of changed circumstances.
2. The terms *covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded*, as used in this provision, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. A copy of the Federal Rules requiring this certification and detailing the definitions and coverages may be obtained from the Contract Officer of the Department.
3. The Contractor agrees by submitting this form, that he will not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in NCDOT contracts, unless authorized by the Department.
4. For Federal Aid projects, the Contractor further agrees that by submitting this form he will include the Federal-Aid Provision titled *Required Contract Provisions Federal-Aid Construction Contract (Form FHWA PR 1273)* provided by the Department, without subsequent modification, in all lower tier covered transactions.
5. The Contractor may rely upon a certification of a participant in a lower tier covered transaction that he is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless he knows that the certification is erroneous. The Contractor may decide the method and frequency by which he will determine the eligibility of his subcontractors.
6. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this provision. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
7. Except as authorized in paragraph 3 herein, the Department may terminate any contract if the Contractor knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available by the Federal Government.

Rev 7-20-08

**DEBARMENT CERTIFICATION**

The Contractor certifies to the best of its knowledge and belief, that it and its principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment Rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records; making false statements; or receiving stolen property;
- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph b. of this certification; and
- d. Have not within a three-year period preceding this proposal had one or more public transactions (Federal, State or local) terminated for cause or default.
- e. If status changes, will submit a revised Debarment Certification immediately.

If the Contractor cannot certify that he is not debarred, he shall provide an explanation with this submittal. An explanation will not necessarily result in denial of participation in a contract.

Failure to submit a non-collusion affidavit and debarment certification will result in the Contractor's bid being considered non-responsive.

Check here if an explanation is attached to this Certification.

