



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

JOHN ELIAS BALDACCI
GOVERNOR

DAVID A. COLE
COMMISSIONER

July 10, 2009
Subject: **Gilead**
Federal Project No: BH-1561(900)E
State Project No. 015619.00
Amendment No. 1

Dear Sir/Ms:

Make the follow changes to the Bid Documents:

In the Bid Book (pages 8 and 12), **REMOVE** the first pages of the “CONTRACT AGREEMENT, OFFER & AWARD” and **REPLACE** them with the attached new first pages reflecting the new completion date.

In the Bid Book (page 27), **REMOVE** “SPECIAL PROVISION, SECTION 105, General Scope of Work, (Environmental Requirements)” 1 page dated 4/7/09 and **REPLACE** with the attached new “SPECIAL PROVISION, SECTION 105, General Scope of Work, (Environmental Requirements)” 1 page dated 6/2/09.

In the Bid Book, after page 30, **ADD** the attached “SPECIAL PROVISION, SECTION 107, TIME, (Limitations of Operations and Supplemental Liquidated Damages)” 1 page dated June 30, 2009.

In the Bid Book (page 137), **REMOVE** the “Environmental Summary Sheet” and **REPLACE** with the attached updated “Environmental Summary Sheet” reflecting new instream work dates.

The following questions have been received:

Question: We are requesting the following, Copy of existing bridge plans, Hydrologic report, and geotechnical report. We also request a plan showing right of way and the location of the new bridge in relation to the existing bridge and highway.

Response: Existing Bridge Plans, Hydrologic Report, and Geotechnical Report are located on the project web page. For right of way and existing locations, please see the project plans for 9184.60 (also downloadable from the 9184.60 project web page) for right of way information.

Question: There does not seem to be any project completion or milestone dates listed in the Special Provisions?



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Response: See New Special Provision 107

Question: Page 30 of the Special Provisions seems to not apply to this contract, it appears to be written for the dirt contract.

Response: This special provision shall be removed from this contract.

Question: Per Special Provision, access to the work area will not be provided until 11/15/09. That means that the Bridge Contractor will not be able to start work on the pier until the 2010 in water work date of 7/1/2010. The Bridge Contractor will not be able to start demo of the existing bridge until after the new deck is paved in about may of 2011. The pier removal cannot be done until the in water date of 7/1/2011. I also believe the earthwork contract calls for a completion date of 11/18/2010 which doesn't allow for pavement or existing bridge demo in 2011.

Response: The contract completion date and in water work date has been changed. The Department stands behind that the new bridge can be complete and ready for pavement with these changes by September 15th, 2010. The new completion date of November 15th, 2011 will allow the contractor to demo the old bridge in the next season.

Question: Will the Highway contractor for PIN 9184.60 be responsible for clearing? If so, when will this be completed?

Response: The clearing is the responsibility of the Highway contractor, as well as to provide access to the bridge site by November 15th, 2009.

Question: The Approach Slab and Grade Beams reinforcing steel bar schedule does not match the plan sheet 21. The Approach slab schedule lists bar mark AS1900 but the plan show AS2900. The grade beam schedule lists bar mark G1950 but the plan shows G1650. Which is correct?

Response: AS2900 and G1650

Question: Drawing 17, Superstructure note #7 states the reinforcing steel for the concrete slab is incidental to the 502 pay item. The weight of the bar schedule, including the "S" deck bars is very close to B.I #503.12 listed weight. Which bid item should the deck bars fall under.

Response: 502.26

Consider these changes and information prior to submitting your bid on **July 15, 2009**.

Sincerely,

A handwritten signature in dark ink, appearing to read "Scott Bickford". The signature is fluid and cursive, with the first name "Scott" and last name "Bickford" clearly distinguishable.

Scott Bickford
Contracts & Specifications Engineer

CONTRACT AGREEMENT, OFFER & AWARD

AGREEMENT made on the date last signed below, by and between the State of Maine, acting through and by its Department of Transportation (Department), an agency of state government with its principal administrative offices located at Child Street, Augusta, Maine, with a mailing address at 16 State House Station, Augusta, Maine 04333-0016, and

_____ a corporation or other legal entity organized under the laws of the State of _____, with its principal place of business located at _____

The Department and the Contractor, in consideration of the mutual promises set forth in this Agreement (the "Contract"), hereby agree as follows:

A. The Work.

The Contractor agrees to complete all Work as specified or indicated in the Contract including Extra Work in conformity with the Contract, PIN **015619.00**, for the **Wild River Bridge Replacement** in the town of **Gilead**, County of **Oxford**, Maine. The Work includes construction, maintenance during construction, warranty as provided in the Contract, and other incidental work.

The Contractor shall be responsible for furnishing all supervision, labor, equipment, tools supplies, permanent materials and temporary materials required to perform the Work including construction quality control including inspection, testing and documentation, all required documentation at the conclusion of the project, warranting its work and performing all other work indicated in the Contract.

The Department shall have the right to alter the nature and extent of the Work as provided in the Contract; payment to be made as provided in the same.

B. Time.

The Contractor agrees to complete all Work, except warranty work, on or before **November 15, 2011**. Further, the Department may deduct from moneys otherwise due the Contractor, not as a penalty, but as Liquidated Damages in accordance with Sections 107.7 and 107.8 of the State of Maine Department of Transportation Standard Specifications, Revision of December 2002 and related Special Provisions.

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Town: Gilead
PIN #: 15619.00
Date: 6/2/09

SPECIAL PROVISION
SECTION 105
General Scope of Work
(Environmental Requirements)

In-Water work consists of any activity conducted below the normal high water mark of a river, stream, brook, lake, pond or “Coastal Wetland” areas that are subject to tidal action during the highest tide level for the year which an activity is proposed as identified in the tide tables published by the National Ocean Service. <http://www.oceanservice.noaa.gov/> For the full definition of “Coastal Wetlands”, please refer to 38 MRSA 480-B(2)

I. In-Water Work shall not be allowed between the dates of 10/1 and 6/14.

(In-Water work is allowed from 6/15 to 9/30.)

II. In-Water work window applies to the following water bodies at the following station #'s:

1. Wild River 3+420 to 3+480

III. Special Conditions:

- 1.

IV. Approvals:

1. Temporary Soil Erosion and Water Pollution Control Plan

V. All activities are prohibited (including placement and removal of cofferdams unless otherwise permitted by Regulatory Agencies) below the normal high water mark if outside the prescribed in-water work window, except for the following:

1. Work within a cofferdam constructed according to MaineDOT’s Standard Specifications and in adherence with the contractors approved “Soil Erosion and Water Pollution Control Plan”.

VI. No work is allowed that completely blocks a river, stream, or brook without providing downstream flow.

NOTE: Regulatory Review and Approval is required to modify the existing In-Water work window.

SPECIAL PROVISION
SECTION 107
TIME

(Limitations of Operations and Supplemental Liquidated Damages)

All bridge work shall be complete and the site ready for pavement and the bridge ready for membrane and pavement by September 15, 2010 to allow the Highway Contractor to complete his work. The Contractor will be assessed Supplemental Liquidated Damages at the rate of one thousand dollars (\$1000) per day for each calendar day beyond September 15, 2010 that this requirement is not met.

Assessment of Supplemental Liquidated Damages will be in addition to liquidated damages specified in Section 107 of the Standard Specifications.

The contract completion date of this contract shall be November 15th, 2011.

Environmental Summary Sheet

PIN #: 15619.00

Town: Gilead

Environmental Office Contact: **Ben Condon** (ben.condon@maine.gov) 592-0921

Coordination & Permits Manager: Matt Steele

Date Submitted: 4/7/09

Database/Projex

Section 106 and Tribal Consultation

| | | | |
|--------------------------------------|---|---|--|
| Architectural Resources | PA <input type="checkbox"/> | Applicable <input checked="" type="checkbox"/> | Approved <input checked="" type="checkbox"/> |
| Archeological Resources | PA <input type="checkbox"/> | Applicable <input checked="" type="checkbox"/> | Approved <input checked="" type="checkbox"/> |
| Tribal Consultation | | Tribal Letters Sent <input checked="" type="checkbox"/> | Approved <input type="checkbox"/> |
| Town & Local Hist. Society Contacted | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |

4(f) and 6(f)

| | | | |
|---------------------|---|------------------------------|--|
| <u>Section 4(f)</u> | Are there Right of Way Takes or Easements on Public Park Property | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| | Are there Right of Way Takes or Easements on Public Recreational Property | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| | Are there Right of Way Takes or Easements on Public Wildlife Refuge Property | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| | Are there Right of Way Takes or Easements on Historic Eligible or Listed Property | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| | Are there Right of Way Takes or Easements on Property within a Historic District | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| | Has MHPC Determined an Adverse Effect | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| | Is a Programmatic or Full 4(f) Document Required | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

LAWCON 6(f) N/A Applicable Approved

FEMA GIS Floodplains Checked N/A Applicable Approved

Maine Department of Inland Fisheries and Wildlife (MDIFW) Essential Habitat

| | | | |
|--------------------------------|---|-------------------------------------|-----------------------------------|
| GIS Essential Habitats Checked | <input checked="" type="checkbox"/> | | |
| Eagle Nest | N/A <input checked="" type="checkbox"/> | Applicable <input type="checkbox"/> | Approved <input type="checkbox"/> |
| Piping Plover | N/A <input checked="" type="checkbox"/> | Applicable <input type="checkbox"/> | Approved <input type="checkbox"/> |
| Roseate Tern | N/A <input checked="" type="checkbox"/> | Applicable <input type="checkbox"/> | Approved <input type="checkbox"/> |

Maine Department of Conservation/ Public Lands, Submerged Land Lease N/A Applicable

Land Use Regulation Commission (LURC) Not Applicable No permit Required

| | | |
|--------|--------------------------|-----------------------------------|
| Notice | <input type="checkbox"/> | Approved <input type="checkbox"/> |
| Permit | <input type="checkbox"/> | Approved <input type="checkbox"/> |

Maine Department of Environmental Protection (MDEP) Site Location of Development

N/A Applicable Approved

Maine Department of Environmental Protection (MDEP), Natural Resource Protection Act

| | | |
|--------------------|-------------------------------------|---|
| No permit required | <input type="checkbox"/> | |
| Exempt | <input type="checkbox"/> | (Must use erosion and sediment control and not block fish passage.) |
| PBR | <input type="checkbox"/> | Approved <input type="checkbox"/> |
| Tier 1 | <input type="checkbox"/> | Approved <input type="checkbox"/> |
| Tier 2 | <input type="checkbox"/> | Approved <input type="checkbox"/> |
| Individual | <input checked="" type="checkbox"/> | Approved <input checked="" type="checkbox"/> |

Army Corps of Engineers (ACOE), Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act.

| | | |
|--------------------|-------------------------------------|--|
| No permit required | <input type="checkbox"/> | |
| Category 1-NR | <input type="checkbox"/> | Approved <input type="checkbox"/> |
| Category 2 | <input type="checkbox"/> | Approved <input type="checkbox"/> |
| Category 3 | <input checked="" type="checkbox"/> | Approved <input checked="" type="checkbox"/> |

NOTE: If project requires a Category 2 or 3 Permit from the ACOE, then the MaineDOT Resident **must** fill out a "Work Start Notification Form" and a "Compliance Certification Form" (when project has been completed) and send them to the address listed on the forms.

IN-STREAM TIMING RESTRICTIONS: 105 Special Provision n/a

Dates instream work is allowed: 6/15 through 9/30

NEPA Complete

Special Provision 656, Erosion Control Plan Special Provision 203, Dredge Spec and/or Hazardous Waste Spec