

**Updated 11/05/14**

# **STATE PROJECT**

## BIDDING INSTRUCTIONS

### FOR ALL PROJECTS:

1. Use pen and ink to complete all paper Bids.
2. As a minimum, the following must be received prior to the time of Bid opening:

#### For a Paper Bid:

- a) a copy of the Notice to Contractors, b) the completed Acknowledgement of Bid Amendments form, c) the completed Schedule of Items, d) two copies of the completed and signed Contract Offer, Agreement & Award form, e) a Bid Guaranty, (if required), and f) any other certifications or Bid requirements listed in the Bid Documents as due by Bid opening.

#### For an Electronic Bid:

- a) a completed Bid using Expedite® software and submitted via the Bid Express™ web-based service, b) an electronic Bid Guaranty (if required) or a faxed copy of a Bid Bond (with original to be delivered within 72 hours), and c) any other Certifications or Bid requirements listed in the Bid Documents as due by Bid opening.
3. Include prices for all items in the Schedule of Items (excluding non-selected alternates).
4. Bid Guaranty acceptable forms are:
  - a) a properly completed and signed Bid Bond on the Department's prescribed form (or on a form that does not contain any significant variations from the Department's form as determined by the Department) for 5% of the Bid Amount or
  - b) an Official Bank Check, Cashier's Check, Certified Check, U.S. Postal Money Order or Negotiable Certificate of Deposit in the amount stated in the Notice to Contractors or
  - c) an electronic bid bond submitted with an electronic bid.
5. If a paper Bid is to be sent, "FedEx First Overnight" delivery is suggested as the package is delivered directly to the DOT Headquarters Building located at 16 Child Street in Augusta. Other means, such as U.S. Postal Service's Express Mail has proven not to be reliable.

### IN ADDITION, FOR FEDERAL AID PROJECTS:

6. Complete the DBE Proposed Utilization form, and submit with your bid. If you are submitting your bid electronically, you must FAX the form to (207) 624-3431. This is a curable defect.

*If you need further information regarding Bid preparation, call the DOT  
Contracts Section at (207) 624-3410.*

*For complete bidding requirements, refer to Section 102 of the Maine Department  
of Transportation, Standard Specifications, November 2014 Edition.*

# NOTICE

**The Maine Department of Transportation is attempting to improve the way Bid Amendments/Addendums are handled, and allow for an electronic downloading of bid packages from our website, while continuing to maintain an optional plan holders list.**

**Prospective bidders, subcontractors or suppliers who wish to download a copy of the bid package and receive a courtesy notification of project specific bid amendments must fill out the on-line plan holder registration form and provide an email address to the MDOT Contracts mailbox at: [MDOT.contracts@maine.gov](mailto:MDOT.contracts@maine.gov). Each bid package will require a separate request.**

**Additionally, interested parties will be responsible for reviewing and retrieving the Bid Amendments from our web site, and acknowledging receipt and incorporating those Bid Amendments in their bids using the Acknowledgement of Bid Amendment Form.**

**The downloading of bid packages from the MDOT website is not the same as providing an electronic bid to the Department. Electronic bids must be submitted via <http://www.BIDX.com>. For information on electronic bidding contact Patrick Corum at [patrick.corum@maine.gov](mailto:patrick.corum@maine.gov) , Rebecca Snowden at [rebecca.snowden@maine.gov](mailto:rebecca.snowden@maine.gov) or Diane Barnes at [diane.barnes@maine.gov](mailto:diane.barnes@maine.gov).**

# NOTICE

For security and other reasons, all Bid Packages which are mailed, shall be provided in double (one envelope inside the other) envelopes. The *Inner Envelope* shall have the following information provided on it:

Bid Enclosed - Do Not Open

PIN:

Town:

Date of Bid Opening:

Name of Contractor with mailing address and telephone number:

In Addition to the usual address information, the *Outer Envelope* should have written or typed on it:

Double Envelope: Bid Enclosed

PIN:

Town:

Date of Bid Opening:

Name of Contractor:

*This should not be much of a change for those of you who use Federal Express or similar services.*

Hand-carried Bids may be in one envelope as before, and should be marked with the following information:

Bid Enclosed: Do Not Open

PIN:

Town:

Name of Contractor:

October 16, 2001

**STATE OF MAINE DEPARTMENT OF TRANSPORTATION**  
Bid Guaranty-Bid Bond Form

**KNOW ALL MEN BY THESE PRESENTS THAT** \_\_\_\_\_

\_\_\_\_\_, of the City/Town of \_\_\_\_\_ and State of \_\_\_\_\_

as Principal, and \_\_\_\_\_ as Surety, a

Corporation duly organized under the laws of the State of \_\_\_\_\_ and having a usual place of

Business in \_\_\_\_\_ and hereby held and firmly bound unto the Treasurer of

the State of Maine in the sum of \_\_\_\_\_ for payment which Principal and Surety bind

themselves, their heirs, executors, administrators, successors and assigns, jointly and severally.

The condition of this obligation is that the Principal has submitted to the Maine Department of

Transportation, hereafter Department, a certain bid, attached hereto and incorporated as a

part herein, to enter into a written contract for the construction of \_\_\_\_\_

\_\_\_\_\_ and if the Department shall accept said bid

and the Principal shall execute and deliver a contract in the form attached hereto (properly

completed in accordance with said bid) and shall furnish bonds for this faithful performance of

said contract, and for the payment of all persons performing labor or furnishing material in

connection therewith, and shall in all other respects perform the agreement created by the

acceptance of said bid, then this obligation shall be null and void; otherwise it shall remain in full

force, and effect.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

WITNESS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

WITNESS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PRINCIPAL:

By \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

SURETY:

By \_\_\_\_\_

By: \_\_\_\_\_

Name of Local Agency: \_\_\_\_\_

# NOTICE

Bidders:

Please use the attached “Request for Information” form when submitting questions concerning specific Contracts that have been advertised for Bid, include additional numbered pages as required. RFI’s may be faxed to 207-624-3431, submitted electronically through the Departments web page of advertised projects by selecting the RFI tab on the project details page or via e-mail to [RFI-Contracts.MDOT@maine.gov](mailto:RFI-Contracts.MDOT@maine.gov).

These are the only allowable mechanisms for answering Project specific questions. Maine DOT will not be bound to any answers to Project specific questions received during the Bidding phase through other processes.

When submitting RFIs by Email please follow the same guidelines as stated on the “Request for Information” form and include the word “RFI” along with the Project name and Identification number in the subject line.



### **Vendor Registration**

Prospective Bidders must register as a vendor with the Department of Administrative & Financial Services if the vendor is awarded a contract. Vendors will not be able to receive payment without first being registered. Vendors/Contractors will find information and register through the following link –

<http://www.maine.gov/purchases/venbid/index.shtml>

**STATE OF MAINE DEPARTMENT OF TRANSPORTATION  
NOTICE TO CONTRACTORS**

Sealed Bids addressed to the Maine Department of Transportation, Augusta, Maine 04333 and endorsed on the wrapper "Bids for Somesville Bridge Replacement and Elm Street Bridge Structural Steel Repair in the city of **BIDDEFORD & SACO**" will be received from contractors at the Reception Desk, Maine DOT Building, Capitol Street, Augusta, Maine, until 11:00 o'clock A.M. (prevailing time) on March 11, 2015 and at that time and place publicly opened and read. Bids will be accepted from all bidders. The lowest responsive bidder must have completed, or successfully complete, a bridge, highway, or project specific prequalification to be considered for the award of this contract. **We now accept electronic bids for those bid packages posted on the bidx.com website. Electronic bids do not have to be accompanied by paper bids. Please note: the Department will accept a facsimile of the bid bond; however, the original bid bond must then be received at the MDOT Contract Section within 72 hours of the bid opening.** Until further notice, dual bids (one paper, one electronic) will be accepted, with the paper copy taking precedence.

Description: WIN 018233.00 & 020234.00

Location: In York County, Somesville Bridge project is located on Pine Street/ Market Street city line over the Saco River. Elm street bridge project is located on route 1/ Elm Street city line over the Saco River.

Scope of Work: Somesville Bridge Replacement and Elm Street Bridge Structural Steel Repair plus other incidental work.

**The basis of award will be Section 1 combined with chosen Alternate 1 (Section 2), or Section 1 combined with chosen Alternate 2 (Section 3).**

For general information regarding Bidding and Contracting procedures, contact George Macdougall at (207) 624-3410. Our webpage at <http://www.maine.gov/mdot/contractors/> contains a copy of the Schedule of Items, Plan Holders List, written portions of bid amendments, drawings, bid results and an electronic form for RFI submittal. For Project-specific information fax all questions to Project Manager Joel Kittredge at (207) 624-3431, use electronic RFI form or email questions to [RFI-Contracts.MDOT@maine.gov](mailto:RFI-Contracts.MDOT@maine.gov), project name and identification number should be in the subject line. Questions received after 12:00 noon of Monday prior to bid date will not be answered. Bidders shall not contact any other Departmental staff for clarification of Contract provisions, and the Department will not be responsible for any interpretations so obtained. TTY users call Maine Relay 711.

Plans, specifications and bid forms may be seen at the Maine DOT Building in Augusta, Maine. They may be purchased from the Department between the hours of 8:00 a.m. to 4:30 p.m. by cash, credit card (Visa/Mastercard) or check payable to Treasurer, State of Maine sent to Maine Department of Transportation, Attn.: Mailroom, 16 State House Station, Augusta, Maine 04333-0016. They also may be purchased by telephone at (207) 624-3536 between the hours of 8:00 a.m. to 4:30 p.m. Full size plans \$58.00 (\$63.50 by mail). Half size plans \$29.00 (\$32.25 by mail), Bid Book \$10 (\$13 by mail), Single Sheets \$2, payment in advance, all non-refundable.

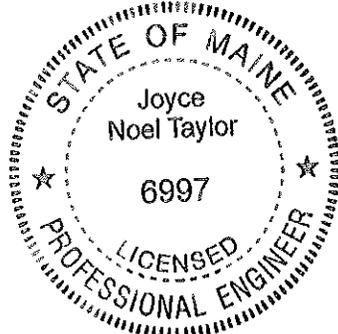
Each Bid must be made upon blank forms provided by the Department and must be accompanied by a bid bond at 5% of the bid amount or an official bank check, cashier's check, certified check, certificate of deposit, or United States postal money order in the amount of \$130,000.00 payable to Treasurer, State of Maine as a Bid guarantee. A Contract Performance Surety Bond and a Contract Payment Surety Bond, each in the amount of 100 percent of the Contract price, will be required of the successful Bidder.

This Contract is subject to all applicable State Laws.

All work shall be governed by "State of Maine, Department of Transportation, Standard Specifications, November 2014 Edition", price \$10 [\$15 by mail], and Standard Details, November 2014 Edition, price \$10 [\$15 by mail]. They also may be purchased by telephone at (207) 624-3536 between the hours of 8:00 a.m. to 4:30 p.m. Standard Detail updates can be found at <http://www.maine.gov/mdot/contractors/publications/>.

The right is hereby reserved to the Maine DOT to reject any or all bids

Augusta, Maine  
February 18, 2015



  
JOYCE NOEL TAYLOR P. E.  
CHIEF ENGINEER

**SPECIAL PROVISION 102.7.3**  
**ACKNOWLEDGMENT OF BID AMENDMENTS**

With this form, the Bidder acknowledges its responsibility to check for all Amendments to the Bid Package. For each Project under Advertisement, Amendments are located at <http://www.maine.gov/mdot/contractors/> . It is the responsibility of the Bidder to determine if there are Amendments to the Project, to download them, to incorporate them into their Bid Package, and to reference the Amendment number and the date on the form below. The Maine DOT will not post Bid Amendments any later than noon the day before Bid opening without individually notifying all the planholders.

Amendment Number	Date

The Contractor, for itself, its successors and assigns, hereby acknowledges that it has received all of the above referenced Amendments to the Bid Package.

CONTRACTOR

\_\_\_\_\_   
Date

\_\_\_\_\_   
Signature of authorized representative

\_\_\_\_\_   
(Name and Title Printed)

Maine Department of Transportation

Proposal Schedule of Items

Proposal ID: 018233.00

Project(s): 018233.00, 020234.00

SECTION: 1 INITIAL GROUP

Alt Set ID: Alt Mbr ID:

Contractor: \_\_\_\_\_

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0010	201.23 REMOVING SINGLE TREE TOP ONLY	5.000 EA	_____	 _____	_____	 _____
0020	201.24 REMOVING STUMP	5.000 EA	_____	 _____	_____	 _____
0030	202.08 REMOVING BUILDING NO.: 1	LUMP SUM	LUMP SUM		_____	 _____
0040	202.08 REMOVING BUILDING NO.: 2	LUMP SUM	LUMP SUM		_____	 _____
0050	202.13 REMOVING EXISTING RAILINGS (RETAINED BY DEPARTMENT)	763.000 LF	_____	 _____	_____	 _____
0060	202.19 REMOVING EXISTING BRIDGE 416,000 LB.	LUMP SUM	LUMP SUM		_____	 _____
0070	203.20 COMMON EXCAVATION	350.000 CY	_____	 _____	_____	 _____
0080	203.2318 DISPOSAL OF SPECIAL WASTE	3,100.000 T	_____	 _____	_____	 _____
0090	203.24 COMMON BORROW	240.000 CY	_____	 _____	_____	 _____
0100	203.25 GRANULAR BORROW	610.000 CY	_____	 _____	_____	 _____
0110	206.082 STRUCTURAL EARTH EXCAVATION - MAJOR STRUCTURES	2,200.000 CY	_____	 _____	_____	 _____
0120	206.092 STRUCTURAL ROCK EXCAVATION - MAJOR STRUCTURES	60.000 CY	_____	 _____	_____	 _____

Maine Department of Transportation

Proposal Schedule of Items

Proposal ID: 018233.00

Project(s): 018233.00, 020234.00

SECTION: 1 INITIAL GROUP

Alt Set ID:

Alt Mbr ID:

Contractor: \_\_\_\_\_

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0130	206.10 STRUCTURAL EARTH EXCAVATION - PIERS	10.000 CY	_____	 _____	_____	 _____
0140	206.11 STRUCTURAL ROCK EXCAVATION - PIERS	10.000 CY	_____	 _____	_____	 _____
0150	304.10 AGGREGATE SUBBASE COURSE - GRAVEL	390.000 CY	_____	 _____	_____	 _____
0160	403.208 HOT MIX ASPHALT 12.5 MM HMA SURFACE	151.000 T	_____	 _____	_____	 _____
0170	403.209 HOT MIX ASPHALT 9.5 MM (SIDEWALKS, DRIVES, INCIDENTALS)	17.000 T	_____	 _____	_____	 _____
0180	403.213 HOT MIX ASPHALT 12.5 MM BASE	181.000 T	_____	 _____	_____	 _____
0190	409.15 BITUMINOUS TACK COAT - APPLIED	80.000 G	_____	 _____	_____	 _____
0200	502.219 STRUCTURAL CONCRETE, ABUTMENTS AND RETAINING WALLS	LUMP SUM		 LUMP SUM	_____	 _____
0210	502.22 STRUCTURAL CONCRETE, ABUTMENTS AND RETAINING WALLS (PLACED UNDER WATER)	2,000.000 CY	_____	 _____	_____	 _____
0220	502.239 STRUCTURAL CONCRETE PIERS	LUMP SUM		 LUMP SUM	_____	 _____
0230	502.24 STRUCTURAL CONCRETE PIERS (PLACED UNDER WATER)	110.000 CY	_____	 _____	_____	 _____

Maine Department of Transportation

Proposal Schedule of Items

Proposal ID: 018233.00

Project(s): 018233.00, 020234.00

SECTION: 1 INITIAL GROUP

Alt Set ID: Alt Mbr ID:

Contractor: \_\_\_\_\_

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0240	502.26 STRUCTURAL CONCRETE ROADWAY AND SIDEWALK SLABS ON STEEL BRIDGES	LUMP SUM	LUMP	SUM	_____	_____
0250	502.31 STRUCTURAL CONCRETE APPROACH SLABS	LUMP SUM	LUMP	SUM	_____	_____
0260	502.49 STRUCTURAL CONCRETE CURBS AND SIDEWALKS	LUMP SUM	LUMP	SUM	_____	_____
0270	503.12 REINFORCING STEEL, FABRICATED AND DELIVERED	67,900.000 LB	_____	_____	_____	_____
0280	503.13 REINFORCING STEEL, PLACING	67,900.000 LB	_____	_____	_____	_____
0290	504.702 STRUCTURAL STEEL FABRICATED AND DELIVERED, WELDED	LUMP SUM	LUMP	SUM	_____	_____
0300	504.71 STRUCTURAL STEEL ERECTION	LUMP SUM	LUMP	SUM	_____	_____
0310	504.811 STRUCTURAL STEEL REPAIR	7,100.000 LB	_____	_____	_____	_____
0320	505.08 SHEAR CONNECTORS	LUMP SUM	LUMP	SUM	_____	_____
0330	506.144 FIELD PAINTING NEW AND EXISTING STRUCTURAL STEEL	LUMP SUM	LUMP	SUM	_____	_____
0340	506.17 SURFACE PREPARATION OF EXISTING STRUCTURAL STEEL	LUMP SUM	LUMP	SUM	_____	_____

Maine Department of Transportation

Proposal Schedule of Items

Proposal ID: 018233.00

Project(s): 018233.00, 020234.00

SECTION: 1 INITIAL GROUP

Alt Set ID: Alt Mbr ID:

Contractor: \_\_\_\_\_

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0350	506.18 CONTAINMENT AND POLLUTION CONTROL	LUMP SUM	LUMP	SUM	_____	_____
0360	506.191 DISPOSAL OF SPECIAL WASTE OR HAZARDOUS WASTE MATERIAL	LUMP SUM	LUMP	SUM	_____	_____
0370	507.0821 STEEL BRIDGE RAILING, 3 BAR	LUMP SUM	LUMP	SUM	_____	_____
0380	507.0831 STEEL BRIDGE RAILING, 4 BAR	LUMP SUM	LUMP	SUM	_____	_____
0390	508.14 HIGH PERFORMANCE WATERPROOFING MEMBRANE	LUMP SUM	LUMP	SUM	_____	_____
0400	511.07 COFFERDAM: ABUTMENT NO. 1	LUMP SUM	LUMP	SUM	_____	_____
0410	511.07 COFFERDAM: PIER	LUMP SUM	LUMP	SUM	_____	_____
0420	511.07 COFFERDAM: ABUTMENT NO. 2	LUMP SUM	LUMP	SUM	_____	_____
0430	512.081 FRENCH DRAINS	LUMP SUM	LUMP	SUM	_____	_____
0440	514.06 CURING BOX FOR CONCRETE CYLINDERS	1.000 EA	_____	_____	_____	_____
0450	515.21 PROTECTIVE COATING FOR CONCRETE SURFACES	LUMP SUM	LUMP	SUM	_____	_____
0460	520.21 EXPANSION DEVICE - GLAND SEAL	2.000 EA	_____	_____	_____	_____

Maine Department of Transportation

Proposal Schedule of Items

Proposal ID: 018233.00

Project(s): 018233.00, 020234.00

SECTION: 1 INITIAL GROUP

Alt Set ID:

Alt Mbr ID:

Contractor: \_\_\_\_\_

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0470	523.52 BEARING INSTALLATION	15.000 EA	_____	_____	_____	_____
0480	523.5551 POT OR DISC BEARINGS, FIXED	5.000 EA	_____	_____	_____	_____
0490	523.5552 POT OR DISC BEARINGS, EXPANSION	10.000 EA	_____	_____	_____	_____
0500	525.30 GRANITE MASONRY	250.000 SF	_____	_____	_____	_____
0510	526.301 TEMPORARY CONCRETE BARRIER TYPE I	LUMP SUM		LUMP SUM	_____	_____
0520	526.34 PERMANENT CONCRETE TRANSITION BARRIER	4.000 EA	_____	_____	_____	_____
0530	606.1722 BRIDGE TRANSITION - TYPE 2	4.000 EA	_____	_____	_____	_____
0540	606.231 GUARDRAIL TYPE 3C - 15 FOOT RADIUS AND LESS	12.500 LF	_____	_____	_____	_____
0550	606.232 GUARDRAIL TYPE 3C - OVER 15 FOOT RADIUS	25.000 LF	_____	_____	_____	_____
0560	606.265 TERMINAL END - SINGLE RAIL - GALVANIZED STEEL	3.000 EA	_____	_____	_____	_____
0570	606.353 REFLECTORIZED FLEXIBLE GUARDRAIL MARKER	8.000 EA	_____	_____	_____	_____

Maine Department of Transportation

Proposal Schedule of Items

Proposal ID: 018233.00

Project(s): 018233.00, 020234.00

SECTION: 1 INITIAL GROUP

Alt Set ID:

Alt Mbr ID:

Contractor: \_\_\_\_\_

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0580	606.81 TANGENT GUARDRAIL TERMINAL - ENERGY ABSORBING	1.000 EA	_____	 _____	_____	 _____
0590	607.162 ALUMINUM FENCE - 4 FOOT	20.000 LF	_____	 _____	_____	 _____
0600	607.25 REMOVE AND RESET CHAIN LINK FENCE	25.000 LF	_____	 _____	_____	 _____
0610	609.11 VERTICAL CURB TYPE 1	150.000 LF	_____	 _____	_____	 _____
0620	609.237 TERMINAL CURB TYPE 1 - 7 FOOT	3.000 EA	_____	 _____	_____	 _____
0630	610.08 PLAIN RIPRAP	100.000 CY	_____	 _____	_____	 _____
0640	610.60 BARRIER BOULDERS	3.000 EA	_____	 _____	_____	 _____
0650	613.319 EROSION CONTROL BLANKET	10.000 SY	_____	 _____	_____	 _____
0660	615.07 LOAM	10.000 CY	_____	 _____	_____	 _____
0670	618.13 SEEDING METHOD NUMBER 1	2.000 UN	_____	 _____	_____	 _____
0680	619.1201 MULCH - PLAN QUANTITY	2.000 UN	_____	 _____	_____	 _____
0690	620.58 EROSION CONTROL GEOTEXTILE	100.000 SY	_____	 _____	_____	 _____

## Maine Department of Transportation

## Proposal Schedule of Items

Proposal ID: 018233.00

Project(s): 018233.00, 020234.00

SECTION: 1 INITIAL GROUP

Alt Set ID:

Alt Mbr ID:

Contractor: \_\_\_\_\_

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0700	626.11 PRECAST CONCRETE JUNCTION BOX	3.000 EA	_____	 _____	_____	 _____
0710	626.21 METALLIC CONDUIT	15.000 LF	_____	 _____	_____	 _____
0720	626.22 NON-METALLIC CONDUIT	170.000 LF	_____	 _____	_____	 _____
0730	627.733 4" WHITE OR YELLOW PAINTED PAVEMENT MARKING LINE	1,650.000 LF	_____	 _____	_____	 _____
0740	627.75 WHITE OR YELLOW PAVEMENT & CURB MARKING	92.000 SF	_____	 _____	_____	 _____
0750	627.77 REMOVING PAVEMENT MARKINGS	100.000 SF	_____	 _____	_____	 _____
0760	629.05 HAND LABOR, STRAIGHT TIME	50.000 HR	_____	 _____	_____	 _____
0770	631.10 AIR COMPRESSOR (INCLUDING OPERATOR)	20.000 HR	_____	 _____	_____	 _____
0780	631.12 ALL PURPOSE EXCAVATOR (INCLUDING OPERATOR)	10.000 HR	_____	 _____	_____	 _____
0790	631.172 TRUCK - LARGE (INCLUDING OPERATOR)	30.000 HR	_____	 _____	_____	 _____
0800	631.22 FRONT END LOADER (INCLUDING OPERATOR)	10.000 HR	_____	 _____	_____	 _____

Maine Department of Transportation

Proposal Schedule of Items

Proposal ID: 018233.00

Project(s): 018233.00, 020234.00

SECTION: 1 INITIAL GROUP

Alt Set ID: Alt Mbr ID:

Contractor: \_\_\_\_\_

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0810	634.210 CONVENTIONAL LIGHT STANDARD	4.000 EA	_____	 _____	_____	 _____
0820	637.071 DUST CONTROL	LUMP SUM	LUMP SUM		_____	 _____
0830	638.01 EMBEDDED WORK IN STRUCTURE	LUMP SUM	LUMP SUM		_____	 _____
0840	639.18 FIELD OFFICE TYPE A	1.000 EA	_____	 _____	_____	 _____
0850	643.71 TRAFFIC SIGNAL MODIFICATION ELM & LINCOLN STREETS	LUMP SUM	LUMP SUM		_____	 _____
0860	645.103 DEMOUNT GUIDE SIGN	4.000 EA	_____	 _____	_____	 _____
0870	645.106 DEMOUNT REGULATORY, WARNING, CONFIRMATION AND ROUTE MARKER ASSEMBLY SIGN	1.000 EA	_____	 _____	_____	 _____
0880	645.116 REINSTALL REGULATORY, WARNING, CONFIRMATION AND ROUTE MARKER ASSEMBLY SIGN	1.000 EA	_____	 _____	_____	 _____
0890	645.261 BRIDGE GUIDE SIGNS TYPE I	8.000 SF	_____	 _____	_____	 _____
0900	652.312 TYPE III BARRICADE	8.000 EA	_____	 _____	_____	 _____
0910	652.33 DRUM	30.000 EA	_____	 _____	_____	 _____
0920	652.34 CONE	30.000 EA	_____	 _____	_____	 _____

Maine Department of Transportation

Proposal Schedule of Items

Proposal ID: 018233.00

Project(s): 018233.00, 020234.00

SECTION: 1 INITIAL GROUP

Alt Set ID:

Alt Mbr ID:

Contractor: \_\_\_\_\_

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0930	652.35 CONSTRUCTION SIGNS	605.000 SF	_____	 _____	_____	 _____
0940	652.361 MAINTENANCE OF TRAFFIC CONTROL DEVICES	LUMP SUM	LUMP SUM		_____	 _____
0950	652.38 FLAGGER	200.000 HR	_____	 _____	_____	 _____
0960	652.41 PORTABLE CHANGEABLE MESSAGE SIGN	3.000 EA	_____	 _____	_____	 _____
0970	656.75 TEMPORARY SOIL EROSION AND WATER POLLUTION CONTROL	LUMP SUM	LUMP SUM		_____	 _____
0980	659.10 MOBILIZATION	LUMP SUM	LUMP SUM		_____	 _____
0990	910.301 SPECIAL WORK NEW TELEPHONE SYSTEM	LUMP SUM	LUMP SUM		_____	 _____
		Section: 1	Total:		_____	 _____

Maine Department of Transportation

Proposal Schedule of Items

Proposal ID: 018233.00

Project(s): 018233.00, 020234.00

SECTION: 2 ALTERNATE GROUP 1

Alt Set ID: AW Alt Mbr ID: 1

Contractor: \_\_\_\_\_

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
1000	672.10 PRECAST CONCRETE BLOCK GRAVITY WALL	220.000 SF	_____	 _____	_____	 _____
		Section: 2	Total:		_____	 _____

SECTION: 3 ALTERNATE GROUP 2

Alt Set ID: AW Alt Mbr ID: 2

Contractor: \_\_\_\_\_

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
1010	681.10 PRECAST AGGREGATE-FILLED CONCRETE BLOCK GRAVITY WALL	220.000 SF	_____	 _____	_____	 _____
		Section: 3	Total:		_____	 _____
			Total Bid:		_____	 _____

NOTICE TO CONTRACTORS - PREFERRED EMPLOYEES

Sec. 1303. Public Works; minimum wage

In the employment of laborers in the construction of public works, including state highways, by the State or by persons contracting for the construction, preference must first be given to citizens of the State who are qualified to perform the work to which the employment relates and, if they can not be obtained in sufficient numbers, then to citizens of the United States. Every contract for public works construction must contain a provision for employing citizens of this State or the United States. The hourly wage and benefit rate paid to laborers employed in the construction of public works, including state highways, may not be less than the fair minimum rate as determined in accordance with section 1308. Any contractor who knowingly and willfully violates this section is subject to a fine of not less than \$250 per employee violation. Each day that any contractor employs a laborer at less than the wage and benefit minimum stipulated in this section constitutes a separate violation of this section. [1997, c. 757, §1 (amd).]

## **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, WIN **018233.00 & 020234.00**, for the **Somesville Bridge Replacement** and **Elm Street Bridge Structural Steel Repair** in the city of **Biddeford** and **Saco**, County of **York**, in the State of, 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 **June 30, 2016**. 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, November 2014 Edition and related Special Provisions.

**C. Price.**

The quantities given in the Schedule of Items of the Bid Package will be used as the basis for determining the original Contract amount and for determining the amounts of the required Performance Surety Bond and Payment Surety Bond, and that the amount of this offer is

**Section 1 \$** \_\_\_\_\_

**Section 2 \$** \_\_\_\_\_

**Section 3 \$** \_\_\_\_\_

Performance Bond and Payment Bond each being 100% of the amount awarded under this Contract (see award amount in Section G below).

**D. Contract.**

This Contract, which may be amended, modified, or supplemented in writing only, consists of the Contract documents as defined in the Plans, Standard Specifications, November 2014 Edition, Standard Details November 2014 Edition as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds. It is agreed and understood that this Contract will be governed by the documents listed above.

**E. Certifications.**

By signing below, the Contractor hereby certifies that to the best of the Contractor's knowledge and belief:

1. All of the statements, representations, covenants, and/or certifications required or set forth in the Bid and the Bid Documents, including those in the Contract are still complete and accurate as of the date of this Agreement.
2. The Contractor knows of no legal, contractual, or financial impediment to entering into this Contract.
3. The person signing below is legally authorized by the Contractor to sign this Contract on behalf of the Contractor and to legally bind the Contractor to the terms of the Contract.

**F. Offer.**

The undersigned, having carefully examined the site of work, the Plans, Standard Specifications November 2014 Edition, Standard Details November 2014 Edition as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of:

**WIN 018233.00 Somesville Bridge Replacement and WIN 020234.00 Elm Street Bridge Structural Steel Repair plus other incidental work**, State of Maine, on which bids will be received until the time specified in the “Notice to Contractors” do(es) hereby bid and offer to enter into this contract to supply all the materials, tools, equipment and labor to construct the whole of the Work in strict accordance with the terms and conditions of this Contract at the unit prices in the attached “Schedule of Items”.

The Offeror agrees to perform the work required at the price specified above and in accordance with the bids provided in the attached “Schedule of Items” in strict accordance with the terms of this solicitation, and to provide the appropriate insurance and bonds if this offer is accepted by the Government in writing.

As Offeror also agrees:

First: To do any extra work, not covered by the attached “Schedule of Items”, which may be ordered by the Resident, and to accept as full compensation the amount determined upon a “Force Account” basis as provided in the Standard Specifications, November 2014 Edition, and as addressed in the contract documents.

Second: That the bid bond at 5% of the bid amount or the official bank check, cashier’s check, certificate of deposit or U. S. Postal Money Order in the amount given in the “Notice to Contractors”, payable to the Treasurer of the State of Maine and accompanying this bid, shall be forfeited, as liquidated damages, if in case this bid is accepted, and the undersigned shall fail to abide by the terms and conditions of the offer and fail to furnish satisfactory insurance and Contract bonds under the conditions stipulated in the Specifications within 15 days of notice of intent to award the contract.

Third: To begin the Work as stated in Section 107.2 of the Standard Specifications November 2014 Edition and complete the Work within the time limits given in the Special Provisions of this Contract.

Fourth: That this offer shall remain open for 30 calendar days after the date of opening of bids.

Fifth: The Bidder hereby certifies, to the best of its knowledge and belief that: the Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive bidding in connection with its bid, and its subsequent contract with the Department.

IN WITNESS WHEREOF, the Contractor, for itself, its successors and assigns, hereby execute two duplicate originals of this Agreement and thereby binds itself to all covenants, terms, and obligations contained in the Contract Documents.

CONTRACTOR

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signature of Legally Authorized Representative  
of the Contractor)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
(Name and Title Printed)

**G. Award.**

Your offer is hereby accepted for (see checked boxes):

Section 1

Section 2

Section 3

**Contract Amount:** \_\_\_\_\_

This award consummates the Contract, and the documents referenced herein.

MAINE DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Date

\_\_\_\_\_  
By: David Bernhardt, Commissioner

\_\_\_\_\_  
Witness

## **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, WIN **018233.00 & 020234.00**, for the **Somesville Bridge Replacement** and **Elm Street Bridge Structural Steel Repair** in the city of **Biddeford** and **Saco**, County of **York**, in the State of, 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 **June 30, 2016**. 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, November 2014 Edition and related Special Provisions.

**C. Price.**

The quantities given in the Schedule of Items of the Bid Package will be used as the basis for determining the original Contract amount and for determining the amounts of the required Performance Surety Bond and Payment Surety Bond, and that the amount of this offer is

**Section 1 \$** \_\_\_\_\_

**Section 2 \$** \_\_\_\_\_

**Section 3 \$** \_\_\_\_\_

Performance Bond and Payment Bond each being 100% of the amount awarded under this Contract (see award amount in Section G below).

**D. Contract.**

This Contract, which may be amended, modified, or supplemented in writing only, consists of the Contract documents as defined in the Plans, Standard Specifications, November 2014 Edition, Standard Details November 2014 Edition as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds. It is agreed and understood that this Contract will be governed by the documents listed above.

**E. Certifications.**

By signing below, the Contractor hereby certifies that to the best of the Contractor's knowledge and belief:

1. All of the statements, representations, covenants, and/or certifications required or set forth in the Bid and the Bid Documents, including those in the Contract are still complete and accurate as of the date of this Agreement.
2. The Contractor knows of no legal, contractual, or financial impediment to entering into this Contract.
3. The person signing below is legally authorized by the Contractor to sign this Contract on behalf of the Contractor and to legally bind the Contractor to the terms of the Contract.

**F. Offer.**

The undersigned, having carefully examined the site of work, the Plans, Standard Specifications November 2014 Edition, Standard Details November 2014 Edition as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of:

**WIN 018233.00 Somesville Bridge Replacement and WIN 020234.00 Elm Street Bridge Structural Steel Repair plus other incidental work**, State of Maine, on which bids will be received until the time specified in the “Notice to Contractors” do(es) hereby bid and offer to enter into this contract to supply all the materials, tools, equipment and labor to construct the whole of the Work in strict accordance with the terms and conditions of this Contract at the unit prices in the attached “Schedule of Items”.

The Offeror agrees to perform the work required at the price specified above and in accordance with the bids provided in the attached “Schedule of Items” in strict accordance with the terms of this solicitation, and to provide the appropriate insurance and bonds if this offer is accepted by the Government in writing.

As Offeror also agrees:

First: To do any extra work, not covered by the attached “Schedule of Items”, which may be ordered by the Resident, and to accept as full compensation the amount determined upon a “Force Account” basis as provided in the Standard Specifications, November 2014 Edition, and as addressed in the contract documents.

Second: That the bid bond at 5% of the bid amount or the official bank check, cashier’s check, certificate of deposit or U. S. Postal Money Order in the amount given in the “Notice to Contractors”, payable to the Treasurer of the State of Maine and accompanying this bid, shall be forfeited, as liquidated damages, if in case this bid is accepted, and the undersigned shall fail to abide by the terms and conditions of the offer and fail to furnish satisfactory insurance and Contract bonds under the conditions stipulated in the Specifications within 15 days of notice of intent to award the contract.

Third: To begin the Work as stated in Section 107.2 of the Standard Specifications November 2014 Edition and complete the Work within the time limits given in the Special Provisions of this Contract.

Fourth: That this offer shall remain open for 30 calendar days after the date of opening of bids.

Fifth: The Bidder hereby certifies, to the best of its knowledge and belief that: the Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive bidding in connection with its bid, and its subsequent contract with the Department.

IN WITNESS WHEREOF, the Contractor, for itself, its successors and assigns, hereby execute two duplicate originals of this Agreement and thereby binds itself to all covenants, terms, and obligations contained in the Contract Documents.

CONTRACTOR

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Signature of Legally Authorized Representative  
of the Contractor)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
(Name and Title Printed)

**G. Award.**

Your offer is hereby accepted for (see checked boxes):

Section 1

Section 2

Section 3

**Contract Amount:** \_\_\_\_\_

This award consummates the Contract, and the documents referenced herein.

MAINE DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Date

\_\_\_\_\_  
By: David Bernhardt, Commissioner

\_\_\_\_\_  
Witness

## 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 (Name of the firm bidding the job) a corporation or other legal entity organized under the laws of the State of Maine, with its principal place of business located at (address of the firm bidding the job)

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 No. 1224.00, for the Hot Mix Asphalt Overlay in the town/city of South Nowhere, County of Washington, 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, 2006. 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 November 2014 and related Special Provisions.

**C. Price.**

The quantities given in the Schedule of Items of the Bid Package will be used as the basis for determining the original Contract amount and for determining the amounts of the required Performance Surety Bond and Payment Surety Bond, and that the amount of this offer is           (Place bid here in alphabetical form such as One Hundred and Two dollars and 10 cents)            
\$ (repeat bid here in numerical terms, such as \$102.10) Performance Bond and Payment Bond each being 100% of the amount of this Contract.

**D. Contract.**

This Contract, which may be amended, modified, or supplemented in writing only, consists of the Contract documents as defined in the Plans, Standard Specifications, Revision of November 2014, Standard Details Revision of November 2014, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds. It is agreed and understood that this Contract will be governed by the documents listed above.

**E. Certifications.**

By signing below, the Contractor hereby certifies that to the best of the Contractor's knowledge and belief:

1. All of the statements, representations, covenants, and/or certifications required or set forth in the Bid and the Bid Documents, including those in Appendix A to Division 100 of the Standard Specifications Revision of November 2014 (Federal Contract Provisions Supplement), and the Contract are still complete and accurate as of the date of this Agreement.
2. The Contractor knows of no legal, contractual, or financial impediment to entering into this Contract.
3. The person signing below is legally authorized by the Contractor to sign this Contract on behalf of the Contractor and to legally bind the Contractor to the terms of the Contract.

**F. Offer.**

The undersigned, having carefully examined the site of work, the Plans, Standard Specifications, Revision of November 2014, Standard Details Revision of November 2014, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of:

**PIN 1234.00 South Nowhere, Hot Mix Asphalt Overlay**,

State of Maine, on which bids will be received until the time specified in the "Notice to Contractors" do(es) hereby bid and offer to enter into this contract to supply all the materials, tools, equipment and labor to construct the whole of the Work in strict accordance with the terms and conditions of this Contract at the unit prices in the attached "Schedule of Items".

The Offeror agrees to perform the work required at the price specified above and in accordance with the bids provided in the attached "Schedule of Items" in strict accordance with the terms of this solicitation, and to provide the appropriate insurance and bonds if this offer is accepted by the Government in writing.

As Offeror also agrees:

First: To do any extra work, not covered by the attached "Schedule of Items", which may be ordered by the Resident, and to accept as full compensation the amount determined upon a "Force Account" basis as provided in the Standard Specifications, Revision of November 2014, and as addressed in the contract documents.

Second: That the bid bond at 5% of the bid amount or the official bank check, cashier's check, certificate of deposit or U. S. Postal Money Order in the amount given in the "Notice to Contractors", payable to the Treasurer of the State of Maine and accompanying this bid, shall be forfeited, as liquidated damages, if in case this bid is accepted, and the undersigned shall fail to abide by the terms and conditions of the offer and fail to furnish satisfactory insurance and Contract bonds under the conditions stipulated in the Specifications within 15 days of notice of intent to award the contract.

Third: To begin the Work as stated in Section 107.2 of the Standard Specifications Revision of 2002 and complete the Work within the time limits given in the Special Provisions of this Contract.

Fourth: The Contractor will be bound to the Disadvantaged Business Enterprise (DBE) Requirements contained in the attached Notice (Additional Instructions to Bidders) and submit a completed Contractor's Disadvantaged Business Enterprise Utilization Plan with their bid.

Fifth: That this offer shall remain open for 30 calendar days after the date of opening of bids.

Sixth: The Bidder hereby certifies, to the best of its knowledge and belief that: the Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of competitive bidding in connection with its bid, and its subsequent contract with the Department.

IN WITNESS WHEREOF, the Contractor, for itself, its successors and assigns, hereby execute two duplicate originals of this Agreement and thereby binds itself to all covenants, terms, and obligations contained in the Contract Documents.

\_\_\_\_\_  
Date

\_\_\_\_\_  
**(Witness Sign Here)**  
Witness

\_\_\_\_\_  
**(Sign Here)**  
(Signature of Legally Authorized Representative of the Contractor)

\_\_\_\_\_  
**(Print Name Here)**  
(Name and Title Printed)

CONTRACTOR

**G. Award.**

Your offer is hereby accepted. documents referenced herein.

This award consummates the Contract, and the

MAINE DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Date

\_\_\_\_\_  
By: David Bernhardt, Commissioner

\_\_\_\_\_  
(Witness)

BOND # \_\_\_\_\_

CONTRACT PERFORMANCE BOND  
(Surety Company Form)

KNOW ALL MEN BY THESE PRESENTS: That \_\_\_\_\_  
\_\_\_\_\_ in the State of \_\_\_\_\_, as principal,  
and.....  
a corporation duly organized under the laws of the State of ..... and having a  
usual place of business .....  
as Surety, are held and firmly bound unto the Treasurer of the State of Maine in the sum  
of \_\_\_\_\_ and 00/100 Dollars (\$ \_\_\_\_\_),  
to be paid said Treasurer of the State of Maine or his successors in office, for which  
payment well and truly to be made, Principal and Surety bind themselves, their heirs,  
executors and administrators, successors and assigns, jointly and severally by these  
presents.

The condition of this obligation is such that if the Principal designated as Contractor in  
the Contract to construct Project Number \_\_\_\_\_ in the Municipality of  
\_\_\_\_\_ promptly and faithfully performs the Contract, then this  
obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety hereby waives notice of any alteration or extension of time made by the State  
of Maine.

Signed and sealed this ..... day of ....., 20.....

WITNESSES:

SIGNATURES:

CONTRACTOR:

Signature.....

.....

Print Name Legibly .....

Print Name Legibly .....

SURETY:

Signature .....

.....

Print Name Legibly .....

Print Name Legibly .....

SURETY ADDRESS:

NAME OF LOCAL AGENCY:

.....  
.....  
.....

ADDRESS .....  
.....  
.....

TELEPHONE.....

.....

BOND # \_\_\_\_\_

CONTRACT PAYMENT BOND  
(Surety Company Form)

KNOW ALL MEN BY THESE PRESENTS: That \_\_\_\_\_  
\_\_\_\_\_ **in the State of** \_\_\_\_\_, as principal,  
and.....  
a corporation duly organized under the laws of the State of ..... and having a  
usual place of business in .....  
as Surety, are held and firmly bound unto the Treasurer of the State of Maine for the use  
and benefit of claimants as herein below defined, in the sum of  
\_\_\_\_\_ **and 00/100 Dollars (\$** \_\_\_\_\_ **)**  
for the payment whereof Principal and Surety bind themselves, their heirs, executors and  
administrators, successors and assigns, jointly and severally by these presents.

The condition of this obligation is such that if the Principal designated as Contractor in  
the Contract to construct Project Number \_\_\_\_\_ in the Municipality of  
\_\_\_\_\_ promptly satisfies all claims and demands incurred for all  
labor and material, used or required by him in connection with the work contemplated by  
said Contract, and fully reimburses the obligee for all outlay and expense which the  
obligee may incur in making good any default of said Principal, then this obligation shall  
be null and void; otherwise it shall remain in full force and effect.

A claimant is defined as one having a direct contract with the Principal or with a  
Subcontractor of the Principal for labor, material or both, used or reasonably required for  
use in the performance of the contract.

Signed and sealed this ..... day of ....., 20 ... .

WITNESS:

SIGNATURES:

CONTRACTOR:

Signature.....

.....

Print Name Legibly .....

Print Name Legibly .....

SURETY:

Signature.....

.....

Print Name Legibly .....

Print Name Legibly .....

SURETY ADDRESS:

NAME OF LOCAL AGENCY:

.....

ADDRESS .....

.....

.....

TELEPHONE .....

.....



General Roads

- Interstate
- US Routes
- State Routes
- Public Roads

Bridges



MaineDOT Regions



State Urban



Water Bodies



Boundary Lines

- coastline
- county
- state
- town

Wetlands



Conserved Lands



**THIS DOCUMENT MUST BE CLEARLY POSTED AT THE PERTAINING STATE FUNDED PREVAILING WAGE CONSTRUCTION SITE**

2/11/2015 2:04:36 PM

State of Maine  
 Department of Labor  
 Bureau of Labor Standards  
 Wage and Hour Division  
 Augusta, Maine 04333-0045  
 Telephone (207) 623-7906

Wage Determination - In accordance with 26 MRSA §1301 et. seq., this is a determination by the Bureau of Labor Standards, of the fair minimum wage rate to be paid laborers and workers employed on the below titled project.

Title of Project -----Somesville Bridge Replacement and Elm Street Bridge Rehabilitation

Location of Project --Biddeford-Saco, York County

**2015 Fair Minimum Wage Rates  
 Heavy & Bridge York County**

Occupation Title	Minimum			Occupation Title	Minimum		
	Wage	Benefit	Total		Wage	Benefit	Total
Asphalt Raker	\$14.00	\$0.00	\$14.00	Line Erector - Power/Cable Splicer	\$28.50	\$7.70	\$36.20
Backhoe Loader Operator	\$18.00	\$2.23	\$20.23	Loader Operator - Front-End	\$17.50	\$3.02	\$20.52
Bulldozer Operator	\$18.00	\$2.77	\$20.77	Mechanic- Maintenance	\$21.50	\$3.58	\$25.08
Carpenter	\$22.00	\$2.18	\$24.18	Mechanic- Refrigeration	\$22.00	\$4.43	\$26.43
Carpenter - Rough	\$17.90	\$2.67	\$20.57	Millwright	\$24.73	\$3.42	\$28.15
Cement Mason/Finisher	\$16.81	\$0.74	\$17.55	Painter	\$16.00	\$0.00	\$16.00
Communication Equip Installer	\$23.57	\$5.63	\$29.20	Pile Driver Operator	\$22.52	\$4.06	\$26.58
Comm Transmission Erector-Microwave & Cell	\$18.00	\$2.92	\$20.92	Pipe/Steam/Sprinkler Fitter	\$21.50	\$4.30	\$25.80
Crane Operator <15 Tons	\$25.00	\$1.45	\$26.45	Pipelayer	\$23.06	\$9.55	\$32.61
Crane Operator =>15 Tons)	\$24.35	\$2.25	\$26.60	Plumber (Licensed)	\$24.00	\$3.63	\$27.63
Crusher Plant Operator	\$18.65	\$3.62	\$22.27	Plumber Helper/Trainee (Licensed)	\$17.88	\$2.39	\$20.27
Diver	\$23.00	\$8.25	\$31.25	Propane & Natural Gas Servicer & Inst	\$24.00	\$3.13	\$27.13
Driller - Rock	\$17.50	\$4.86	\$22.36	Pump Installer	\$22.00	\$2.70	\$24.70
Earth Auger Operator	\$22.50	\$10.46	\$32.96	Reclaimer Operator	\$20.75	\$10.84	\$31.59
Electrician - Licensed	\$28.00	\$14.20	\$42.20	Rigger	\$20.00	\$3.18	\$23.18
Electrician Helper/Cable Puller (Licensed)	\$17.50	\$8.16	\$25.66	Roller Operator - Earth	\$12.50	\$4.76	\$17.26
Excavator Operator	\$21.05	\$3.52	\$24.57	Roller Operator - Pavement	\$18.75	\$5.25	\$24.00
Fence Setter	\$14.00	\$0.00	\$14.00	Screed/Wheelman	\$17.00	\$3.42	\$20.42
Flagger	\$9.00	\$0.00	\$9.00	Track Moving Machine Operator	\$17.71	\$4.08	\$21.79
Ironworker - Reinforcing	\$20.00	\$1.23	\$21.23	Truck Driver - Light	\$17.00	\$1.46	\$18.46
Ironworker - Structural	\$23.70	\$1.36	\$25.06	Truck Driver - Medium	\$12.25	\$0.93	\$13.18
Laborers (Incl. Helpers & Tenders)	\$15.00	\$1.04	\$16.04	Truck Driver - Heavy	\$15.94	\$2.34	\$18.28
Laborer - Skilled	\$17.69	\$2.79	\$20.48	Truck Driver - Tractor Trailer	\$20.50	\$2.85	\$23.35

The Laborer classifications include a wide range of work duties. Therefore, if any specific occupation to be employed on this project is not listed in this determination, call the Bureau of Labor Standards at the above number for further clarification.

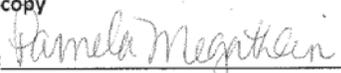
Welders are classified in the trade to which the welding is incidental.

Apprentices - The minimum wage rate for registered apprentices are those set forth in the standards and policies of the Maine State Apprenticeship and Training Council for approved apprenticeship programs.

Posting of Schedule - Posting of this schedule is required in accordance with 26 MRSA §1301 et. seq., by any contractor holding a State contract for construction valued at \$50,000 or more and any subcontractors to such a contractor.

Appeal - Any person affected by the determination of these rates may appeal to the Commissioner of Labor by filing a written notice with the Commissioner stating the specific grounds of the objection within ten (10) days from the filing of these rates with the Secretary of State.

Determination No: HB-013-2015  
 Filing Date: February 6, 2015  
 Expiration Date: 12-31-2015

A true copy  
 Attest:   
 Pamela D Megathlin  
 Director  
 Bureau of Labor Standards

BLS 424HB (R2015) (Heavy & Bridge York)

bp018233.00Biddeford - Saco.pdf 38

**STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION**



**BIDDEFORD-SACO  
YORK COUNTY  
ELM STREET BRIDGE  
OVER  
SACO RIVER  
PROJECT NO. 20234.00**

**STRUCTURAL STEEL REPAIR  
BRIDGE NO. 2265**

LOCATION: 43° 29' 55.55" N 77° 27' 5.36" W

<p><i>William B. Doukas</i> SIGNATURE</p> <p>8079 P.E. NUMBER</p> <p>1/16/2015 DATE</p>		<p>STATE OF MAINE DEPARTMENT OF TRANSPORTATION</p>	
		<p><b>APPROVED</b></p> <p><i>William B. Doukas</i> COMMISSIONER:</p>	<p><b>DATE</b></p> <p>2/12/15</p>
		<p><i>Joseph Noel Taylor</i> CHIEF ENGINEER:</p>	<p>2-11-15</p>
<p>STATE OF MAINE DEPARTMENT OF TRANSPORTATION</p>	<p>BIDDEFORD-SACO YORK COUNTY</p>		<p>SHEET NUMBER</p> <p><b>1</b></p>
<p>20234.00</p>	<p><b>TITLE SHEET</b></p>		<p>OF 6</p>

ESTIMATED QUANTITIES			
ITEM NO.	DESCRIPTION	QUANTITY	UNIT
504.811	STRUCTURAL STEEL REPAIR	7,100	LB
506.144	FIELD PAINTING NEW AND EXISTING STRUCTURAL STEEL (103,680 LB)	1	LS
506.17	SURFACE PREPARATION OF EXISTING STRUCTURAL STEEL (103,680 LB)	1	LS
506.18	CONTAINMENT AND POLLUTION CONTROL (103,680 LB)	1	LS
506.191	DISPOSAL OF SPECIAL WASTE OR HAZARDOUS WASTE MATERIAL (103,680 LB)	1	LS
629.05	HAND LABOR, STRAIGHT TIME	20	HR
631.10	AIR COMPRESSOR (INCLUDING OPERATOR)	20	HR
631.172	TRUCK - LARGE (INCLUDING OPERATOR)	20	HR
652.33	DRUM	20	EA
652.34	CONE	20	EA
652.35	CONSTRUCTION SIGNS	300	SF
652.361	MAINTENANCE OF TRAFFIC CONTROL DEVICES (60 CD)	1	LS
652.38	FLAGGER	100	HR
659.10	MOBILIZATION	1	LS

GENERAL CONSTRUCTION NOTES

1. Prior to paint coating, remove all debris from the bridge bearings and bearing seat areas as necessary. This work shall be considered incidental to the related 506 Contract items.

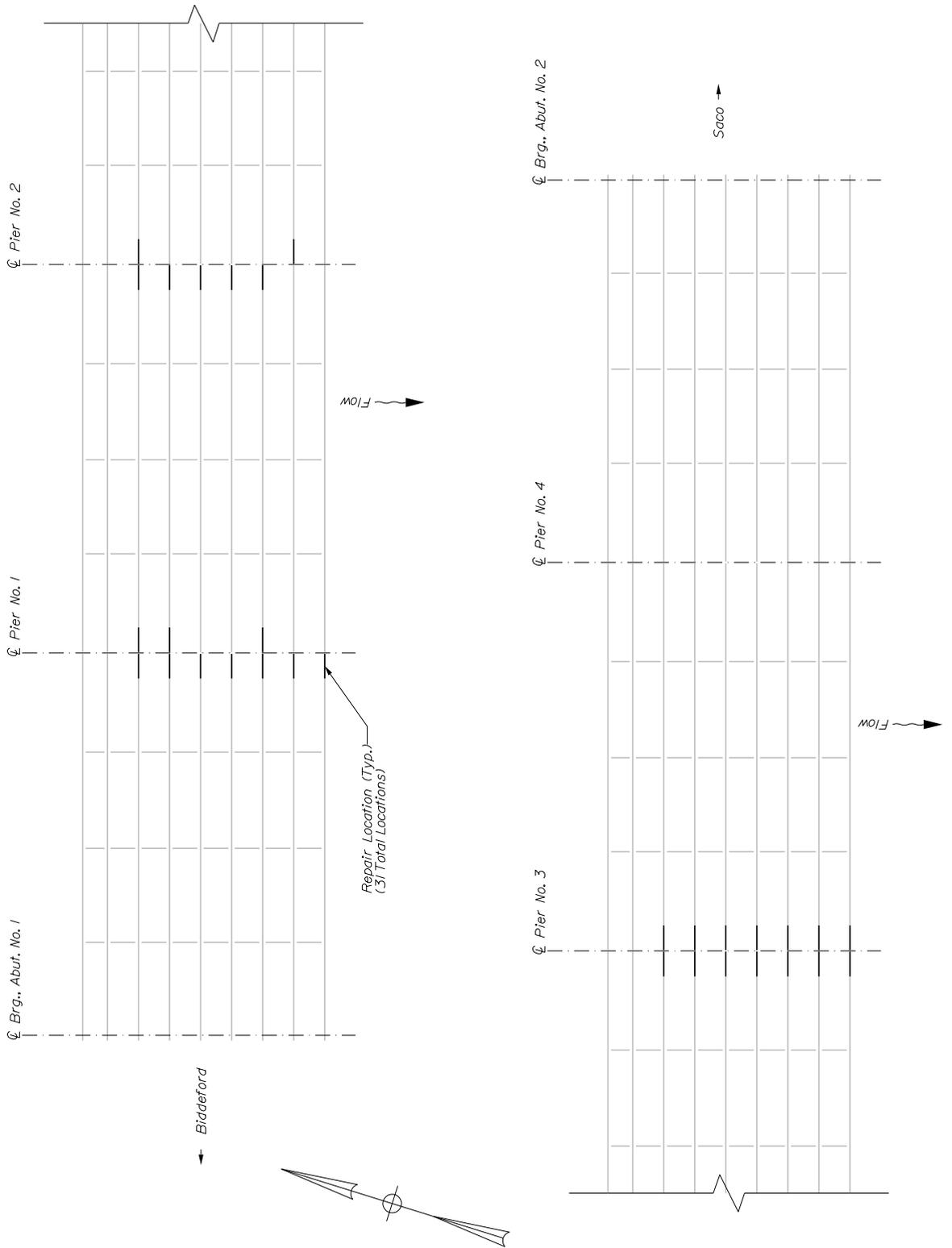
2. Project information referred to below may be accessed at the following MaineDOT web address: <http://www.maine.gov/mdot/comprehensive-list-projects/project-information.php>.

3. The existing bridge plans may be accessed at the MaineDOT web address. The plans are reproductions of the original drawings as prepared for the construction of the bridge. It is very unlikely that the plans will show any construction field changes or any alterations which may have been made to the bridge during its life span.

4. The limits of the right-of-way are shown on the existing right-of-way plan. The existing right-of-way plans may be accessed at the MaineDOT web address above.

5. Prior to fabrication, the Contractor shall verify potential interferences with existing bridge components. Any adjustments shall be approved by the Resident.

STATE OF MAINE DEPARTMENT OF TRANSPORTATION	ELM STREET BRIDGE SACO RIVER BIDDEFORD-SACO YORK COUNTY	SHEET NUMBER <b>2</b>
20234.00 BRIDGE NO. 2265	<b>QUANTITIES &amp; NOTES</b>	40 OF 6



STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION

ELM STREET BRIDGE  
SACO RIVER  
BIDDEFORD-SACO YORK COUNTY

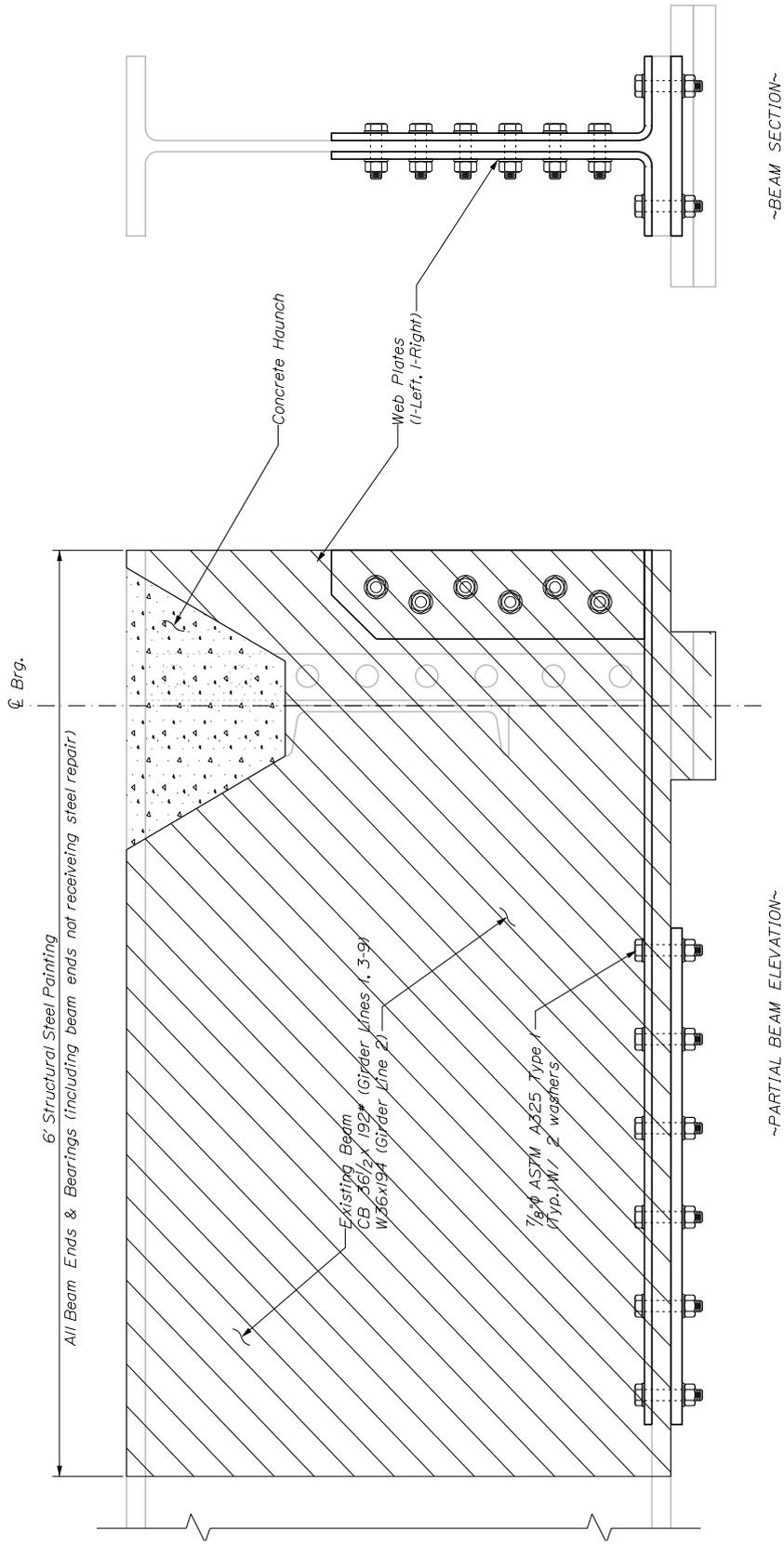
SHEET NUMBER

3

20234.00  
BRIDGE NO. 2265

EXISTING FRAMING PLAN

41  
OF 6



~BEAM SECTION~

~PARTIAL BEAM ELEVATION~

STEEL REPAIR DETAILS

STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION

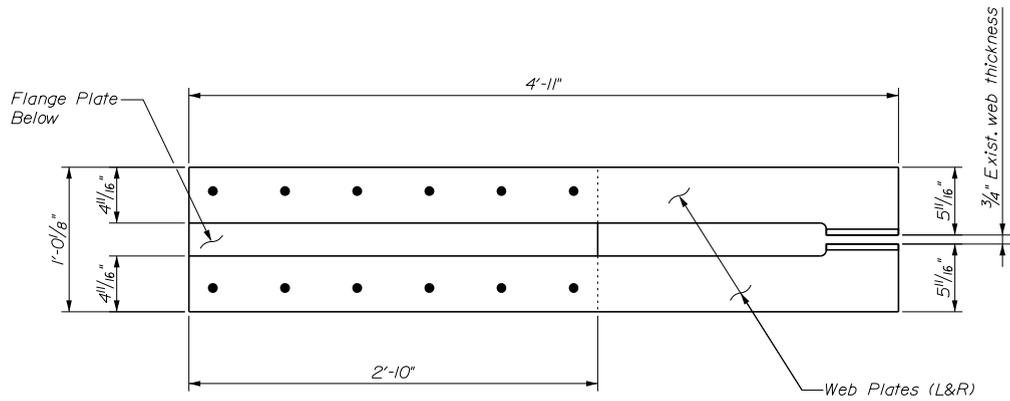
ELM STREET BRIDGE  
SACO RIVER  
BIDDEFORD-SACO YORK COUNTY

SHEET NUMBER

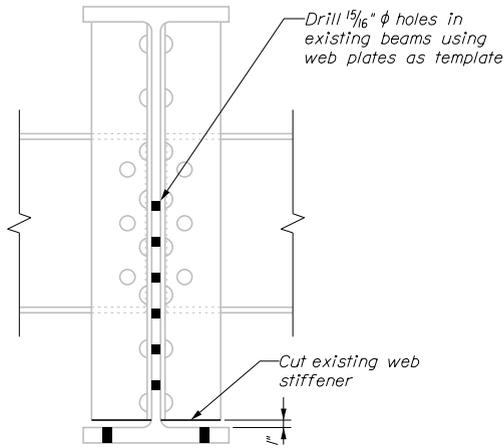
20234.00  
BRIDGE NO. 2265

**BEAM END REPAIR DETAIL**

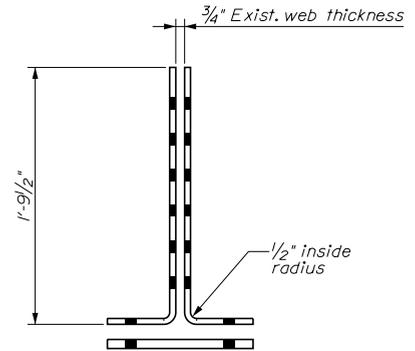
**4**  
42  
OF 6



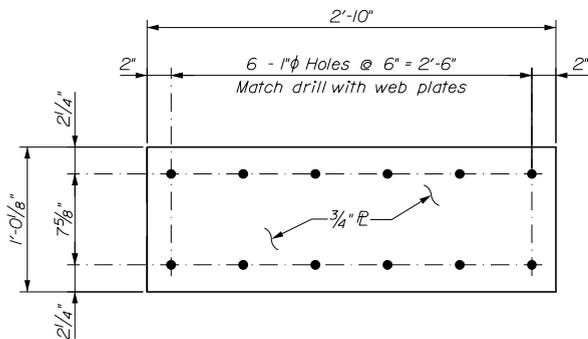
**WEB AND FLANGE PLATE SET**  
*Match-mark all pieces in set*



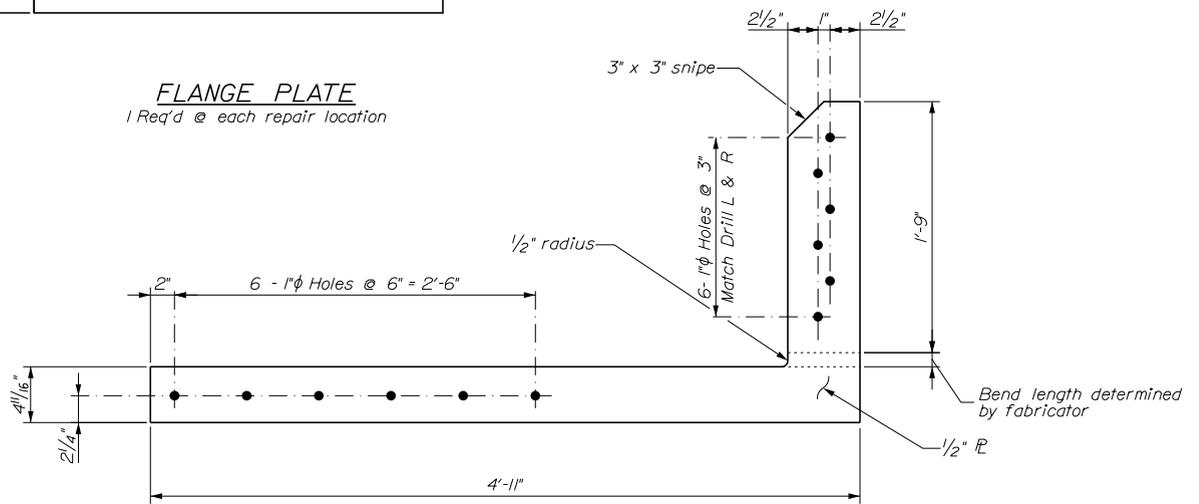
**EXISTING BEAM PREPARATION**



**WEB PLATE SET**  
*End View*



**FLANGE PLATE**  
1 Req'd @ each repair location



**WEB PLATE**  
2 Req'd @ each repair location ~ 1 Left - 1 Right

STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION

ELM STREET BRIDGE  
SACO RIVER  
BIDDEFORD-SACO YORK COUNTY

SHEET NUMBER

6

20234.00  
BRIDGE NO. 2265

PLATE DETAILS

44  
OF 6

**SPECIAL PROVISIONS**  
**SECTION 104**  
**Utilities**

**MEETING**

A Preconstruction Utility Conference, as defined in Subsection 104.4.6 of the Standard Specifications is thereby called for.

**GENERAL INFORMATION**

These Special Provisions outline the arrangements that have been made by the Department for coordination of the work and for utility and/or railroad adjustments as defined in Subsection 104.4.6 and 104.4.8 of the Standard Specifications. The following list identifies all known utilities or railroads having facilities presently located within the limits of this project or intending to install facilities during project construction, unless otherwise provided.

**BIDDEFORD-SACO, ME**

**Overview**

Utility/Railroad	Aerial	Underground	Railroad
<b>Central Maine Power Company</b>	X	None	None
<b>Fairpoint Communications</b>	X	X	None
<b>Time Warner Cable</b>	X	None	None
<b>Maine Water Company</b>	None	X	None
<b>City of Biddeford</b>	None	X	None
<b>City of Saco</b>	None	X	None
<b>Brookfield Renewable Energy</b>	None	X	None

Temporary utility adjustments are not contemplated unless herein provided for.

The approximate locations of major items of existing and proposed (permanent and temporary) utility plant are shown on the highway construction plans.

All utility crossings over highways will provide not less than 20 feet vertical clearance over existing ground in cut or over finished grade in fill, during construction of this project.

Manholes, valve boxes, service connections, and similar incidental utility plant are to be adjusted in cooperation with work being done by the Contractor.

Unless otherwise provided, utilities will not be required to make underground installations in frozen ground.

**Town: Biddeford-Saco**  
**Project: BH-2023(400) & BH-1823(300)**  
**WIN: 20234.00 & 18233.00**  
**Date: January 30, 2015**

Any times and dates mentioned are estimates only and are dependent upon favorable weather, working conditions, and freedom from emergencies. The Contractors shall have no claim against the Department if they are exceeded.

Utility working days are Monday through Friday, conditions permitting. Times are estimated on the basis of a single crew for each utility.

In all cases, the utilities shall be advised well in advance (generally three weeks) before work, dependent upon other work to be done by the Contractor, in any particular area, is to be commenced by them.

Unless otherwise specified, any underground utility facilities shown on the project plans represent approximate locations gathered from available information. The Department cannot certify the level of accuracy of this data. Underground facilities indicated on the topographic sheets (plan views) have been collected from historical records and/or on-site designations provided by the respective utility companies. Underground facilities indicated on the cross-sections have been carried over from the plan view data and may also include further approximations of the elevations (depths) based upon straight-line interpolation from the nearest manholes, gate valves, or test pits.

All clearing and tree removal which is a part of this contract in areas where utilities are involved must be completed by the Contractor before the utilities can relocate their facilities. The Contractor shall clear and remove all trees a minimum of 10 feet beyond the new pole line or to the right of the right of way line whichever is closest. This is going to be discussed in greater detail at the preconstruction utility meeting.

### **BIDDEFORD-SACO WIN #18233.00**

#### **AERIAL**

**Fairpoint Communications** is to set 1 new pole on the Saco side along Market Street. Their estimated time to install the new pole is one (1) working day.

**Fairpoint Communications** is to run new cable on the new pole and splice. Their estimated time is five (5) working days.

**Central Maine Power Company** plans to transfer conductors on the new pole on the Saco side along Market Street. Their estimated time for this work is one (1) working day.

**Central Maine Power Company** plans to set one (1) new pole on the Biddeford side along Pine Street. Their estimated time to install the new pole is one (1) working day.

**Time Warner Cable** plans to transfer cable on the new pole on the Saco side along Market Street. Their estimated time for this work is two (2) working days.

**Town: Biddeford-Saco**  
**Project: BH-2023(400) & BH-1823(300)**  
**WIN: 20234.00 & 18233.00**  
**Date: January 30, 2015**

**TEMPORARY AERIAL**

**Central Maine Power Company** has existing service drops on both bridge approaches. These service drops may have to be adjusted to clear the area for the use of cranes. This shall be discussed in greater detail at the pre-construction utility meeting.

**BIDDEFORD-SACO WIN #20234.00**

**AERIAL**

**Fairpoint Communications, Central Maine Power Company and Time Warner Cable** do not anticipate doing any work at this time. This will be discussed in greater detail at the pre-construction utility meeting.

**BIDDEFORD-SACO WIN #18233.00**

**UNDERGROUND WORK**

**Fairpoint Communications** have made the conduit work on the new bridge part of the bridge contract. It is the responsibility of the contractor to schedule this work with the bridge work.

**Fairpoint Communications** plans to install their new conduit system in the approaches themselves or get a quote from the bridge contractor. Their estimated time is six (6) working days.

**Maine Water Company** has to discontinue a house services on the Saco side. They shall need three (3) working days advance notice for discontinuation of this service. Their estimated time is two (2) working days.

**Maine Water Company** plans to adjust two (2) gate valve boxes to finish grade. Their estimated time is two (2) working days.

**City of Saco** plans to adjust one (1) sewer manhole cover to finish grade. Their estimated time is one (1) working day.

**Town: Biddeford-Saco**  
**Project: BH-2023(400) & BH-1823(300)**  
**WIN: 20234.00 & 18233.00**  
**Date: January 30, 2015**

**NEW POLE LOCATION**

<b>SACO, MARKET STREET</b>		
<b>STATION</b>	<b>OFFSET</b>	<b>REMARKS</b>
18 + 10	17 ft. left	By CMP Co.
12+20	17 ft. right	By Fairpoint

**BIDDEFORD-SACO WIN #20234.00**

**UNDERGROUND**

**Maine Water Company** has a 16 inch ductile iron water main attached to the existing bridge. They do not anticipate doing any work at this time. The contractor is going to be required to protect this water main from being damaged. This shall be discussed in greater detail at the pre-construction utility meeting.

**City of Biddeford** has a 6 inch sewer force main attached to the existing bridge. They do not anticipate doing any work at this time. The contractor is going to be required to protect this sewer force main from damage. This shall be discussed in greater detail at the pre-construction utility meeting.

**GENERAL**

**RAILROAD**

None.

**BUY AMERICA**

Utility construction work performed as part of this federal aid project is subject to the requirements of Buy America in accordance with Federal Regulation 23 DFR 635.410 Section 1518. Specific requirements are presented in Maine DOT Standard Specification Section 100, Appendix A, Section 3.A., Buy America.

**UTILITY SPECIFIC ISSUES**

Any tree removal or tree trimming required within ten feet of the electrical conductors must be done by a qualified contractor. A list of tree removal contractors qualified to remove trees or limbs within ten feet of the electrical conductors may be obtained from the power company.

**TRAFFIC CONTROL**

The contractor shall meet the requirements in Section 652 – Maintenance of Traffic, including the Special Provisions, for utility related traffic control and construction.

**DIG SAFE**

**Town: Biddeford-Saco**  
**Project: BH-2023(400) & BH-1823(300)**  
**WIN: 20234.00 & 18233.00**  
**Date: January 30, 2015**

The Contractor shall be responsible for determining the presence of underground utility facilities prior to commencing any excavating work and shall notify utilities of proposed excavation in accordance with M.R.S.A. Title 23 §3360-A, Maine “Dig Safe” System.

**SAFE PRACTICES AROUND UTILITY FACILITIES**

The Contractor shall be responsible for complying with M.R.S.A. Title 35-A, Chapter 7-A – Sections 751 – 761 Overhead High-Voltage Line Safety Act. Prior to commencing any work that may come within ten (10) feet of any aerial electrical line, the Contractor shall notify the aerial utilities as per Section 757 of the above act.

**BLASTING**

In addition to any other notice which may be required, the Contractor shall notify an authorized representative of each utility having plant close to the site not later than 3:00 p.m. on the working day (Monday through Friday) before he intends to blast. Notice shall state the approximate time of the blast.

**THE CONTRACTOR SHALL PLAN AND CONDUCT HIS WORK ACCORDINGLY.**

JQ

cc: Joel Kittredge, Project Manager  
Coy Williams, Bridge Program

**SPECIAL PROVISION**  
**SECTION 105**  
**GENERAL SCOPE OF WORK**  
(Convenience of the Public)

Section 105.2.6 Convenience of the Public is amended by the addition of the following:

The Contractor shall perform the Work in a manner that ensures access, delivery, and other services and activities are not impeded for persons, vehicles, homes, driveways, and businesses within the project limits. Examples of services or activities include, but are not limited to, fuel delivery, trash pickup and removal, and municipal / emergency services.

Work required to comply with this Special Provision shall be considered incidental to related contract items and no separate payment will be made.

**SPECIAL PROVISION**  
**SECTION 105**  
**GENERAL SCOPE OF WORK**  
(Limitations of Operations)

The Contractor shall undertake acceptable measures to comply with existing noise ordinances of the respective municipalities as approved by the Resident.

The Contractor shall limit high noise operations to between the hours of 7AM to 8 PM, unless otherwise approved by the Resident. High noise operations shall include all pile driving including sheet piles, and hydraulic hammer concrete demolition.

Compliance with these limitations shall be considered incidental to related Contract items and no additional payment will be made.

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 September 1 and November 7; and April 10-June 30.

**(In-Water work is allowed from July 1 to August 31 and November 8-April 9)**

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

1. Saco River at proposed bridge replacement

III. Special Conditions:

1. Special Conditions of Army Corps of Engineers (ACOE) Category II permit apply (see permit and conditions in contract documents).

IV. Approvals:

1. Temporary Soil Erosion and Water Pollution Control Plan
2. Permitted Resource Impacts (square feet), see ACOE permit for locations:

*Stream:*

*Permanent: RUS-1660*

*Temporary: RUS-2000*

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. Requests for work window extensions must be submitted to the MaineDOT Environmental Office. Approval of requests for work window extensions is not guaranteed and may result in delays in construction schedule that are the sole responsibility of the contractor.

SACO-BIDDEFORD  
SOMESVILLE BRIDGE  
BRIDGE REPLACEMENT  
PIN 18233.00

#### GENERAL NOTE

A Maine Department of Environmental Protection (MDEP) data base review suggested some petroleum contamination issues adjacent to the project. However, the scope of work for this project suggests petroleum or hazardous waste should not be encountered. However, in light of the urban nature of the area and reported spills, the contractor shall employ appropriate health and safety measures to protect its workers against hazards associated with working near petroleum-impacted soils. Furthermore, the Contractor shall remain alert for any additionally evidence of contamination. If the Contractor encounters evidence of soil or groundwater contamination, the Contractor shall secure the excavation, stop work in the contaminated area, and immediately notify the Resident. The Resident shall contact the Hydrogeologist in MaineDOT's Environmental Office at 207-624-3100 and the Maine Department of Environmental Protection at 800-482-0777. Work may only continue with authorization from the Resident.

**SPECIAL PROVISION 105**  
**CONSTRUCTION AREA**

A Construction Area located in the **City of Biddeford** and **Saco** has been established by the Maine Department of Transportation (MDOT) in accordance with provisions of 29-A § 2382 Maine Revised Statutes Annotated (MRSA).

- (a) The section of highway under construction in the city of Biddeford and Saco, York County on Pine Street/ Market Street over the Saco River.
- (b) The section of highway under construction in the city of Biddeford and Saco, York County on Elm Street/ Route 1 over the Saco River.
- (c) (Pine Street/ Market Street) over the Saco River station 12+50.00 to station 17+50.00 of the construction plus approaches.
- (d) (Elm Street/ Route 1) over the Saco River station 12+50.00 to station 17+50.00 of the construction plus approaches.

Per 29-A § 2382 (7) MRSA, the MDOT may “*issue permits for stated periods of time for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The permit:*

*A. Must be procured from the municipal officers for a construction area within that municipality;*

*B. May require the contractor to be responsible for damage to ways used in the construction areas and may provide for:*

*(1) Withholding by the agency contracting the work of final payment under contract; or*

*(2) The furnishing of a bond by the contractor to guarantee suitable repair or payment of damages.*

*The suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers;*

*C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and*

*D. For construction areas, carries no fee and does not come within the scope of this section.”*

The Municipal Officers for the **City of Biddeford** agreed that an Overlimit Permit will be issued to the Contractor for the purpose of using loads and equipment on municipal ways in excess of the limits as specified in 29-A MRSA, on the municipal ways as described in the “Construction Area”.

As noted above, a bond may be required by the municipality, the exact amount of said bond to be determined prior to use of any municipal way. The MDOT will assist in determining the bond amount if requested by the municipality.

The maximum speed limits for trucks on any town way will be 25 mph (40 km per hour) unless a higher legal limit is specifically agreed upon in writing by the Municipal Officers concerned.

**SPECIAL PROVISION 105**  
**CONSTRUCTION AREA**

A Construction Area located in the **City of Saco and Biddeford** has been established by the Maine Department of Transportation (MDOT) in accordance with provisions of 29-A § 2382 Maine Revised Statutes Annotated (MRSA).

- (a) The section of highway under construction in the city of Biddeford and Saco, York County on Pine Street/ Market Street over the Saco River.
- (b) The section of highway under construction in the city of Biddeford and Saco, York County on Elm Street/ Route 1 over the Saco River.
- (c) (Pine Street/ Market Street) over the Saco River station 12+50.00 to station 17+50.00 of the construction plus approaches.
- (d) (Elm Street/ Route 1) over the Saco River station 12+50.00 to station 17+50.00 of the construction plus approaches.

Per 29-A § 2382 (7) MRSA, the MDOT may “*issue permits for stated periods of time for loads and equipment employed on public way construction projects, United States Government projects or construction of private ways, when within construction areas established by the Department of Transportation. The permit:*

*A. Must be procured from the municipal officers for a construction area within that municipality;*

*B. May require the contractor to be responsible for damage to ways used in the construction areas and may provide for:*

*(1) Withholding by the agency contracting the work of final payment under contract; or*

*(2) The furnishing of a bond by the contractor to guarantee suitable repair or payment of damages.*

*The suitability of repairs or the amount of damage is to be determined by the Department of Transportation on state-maintained ways and bridges, otherwise by the municipal officers;*

*C. May be granted by the Department of Transportation or by the state engineer in charge of the construction contract; and*

*D. For construction areas, carries no fee and does not come within the scope of this section.”*

The Municipal Officers for the **City of Saco** agreed that an Overlimit Permit will be issued to the Contractor for the purpose of using loads and equipment on municipal ways in excess of the limits as specified in 29-A MRSA, on the municipal ways as described in the “Construction Area”.

As noted above, a bond may be required by the municipality, the exact amount of said bond to be determined prior to use of any municipal way. The MDOT will assist in determining the bond amount if requested by the municipality.

The maximum speed limits for trucks on any town way will be 25 mph (40 km per hour) unless a higher legal limit is specifically agreed upon in writing by the Municipal Officers concerned.

SPECIAL PROVISION  
SECTION 107  
PROSECUTION AND PROGRESS  
(Contract Time)

The specified Contract completion date is June 30, 2016.

**Saco-Biddeford  
Elm Street Bridge  
WIN 20234.00  
February 5, 2015**

**SPECIAL PROVISION  
SECTION 107  
PROSECUTION AND PROGRESS  
(Contract Time)**

**The Contractor shall not begin construction on the Elm Street Bridge prior to August 1, 2015.**

**SPECIAL PROVISION**

**SECTION 107**

**TIME**

(Supplemental Liquidated Damages)

The following is appended to the Standard Specifications in accordance with Subsection 107.8, Supplemental Liquidated Damages:

The new bridge shall be open to unrestricted traffic by May 26, 2016. Open to unrestricted traffic is defined as having membrane, base and surface lifts of pavement, bridge rail, approach base pavement and approach guardrail complete and accepted.

The Contractor will be assessed Supplemental Liquidated Damages at the rate of one thousand dollars (\$1000) per Calendar Day for each Calendar Day that the new bridge is not open to unrestricted traffic after the deadline above.

**SPECIAL PROVISION**  
**SECTION 202**  
**REMOVAL OF STRUCTURES AND OBSTRUCTIONS**  
**(Removing Building No. 1 & 2)**

The following shall be added to Standard Specifications Subsection 202.02, Removing Buildings:

Removing Building No. 1 applies to the building located approximately 12+95 right. Removing Building No. 2 applies to the attached garage located approximately 17+04 left.

No items are reserved to the property owners and/or occupants of either building.

Buildings to be removed will be made available to the Contractor at the time of Contract Award.

With the "Notice to Proceed", or when a building becomes available to the Contractor, the Department will designate whether rodent control measures are required or not.

The Contractor shall not remove a building until the Department has certified it to be free of rodents. Should rodent control measures be required, the Contractor shall procure the extermination services as soon as possible. The Department will re-inspect the building within seven days after the extermination services are performed. The cost of extermination services until the building is found to be rodent free will be paid for as a specialty Pay Item under Section 109.3 - Extra Work.

Each building shall be removed promptly after notification that it is free of rodents. All subsequent inspection costs and extermination services necessary to assure that the building is rodent free at time of removal will be at the expense of the Contractor.

Each building may or may not contain asbestos. Prior to any demolition of building(s) the Contractor will conduct an asbestos survey on the building(s) to determine if any asbestos exists. The survey will be conducted by a DEP certified Asbestos Inspector. No separate payment will be made for the survey and it shall be considered incidental. The survey results will be communicated with the Resident. If no asbestos is discovered, the demolition process may proceed. If asbestos is found, the Contractor will employ a DEP certified Asbestos Abatement Contractor for its removal and disposal. The Department will bear all expenses incurred in the abatement of any asbestos containing material as detailed in Standard Specification 109.7 – Equitable Adjustments to Compensation and Time. Any questions can be directed to the Office of Legal Service (624-3020).

The Contractor shall remove all utility service connections prior to removal of any building. Contractor shall coordinate disconnection of overhead utilities with the

appropriate utility companies. Sewer connections shall be cut off and sealed with a water and gas tight seal or removed in its entirety. Water connections or services shall be cut and completely capped or plugged in a manner to prevent any flow or seepage of water into the excavated area. The final condition of all service connections shall be to the satisfaction of the local Water and Sewer Utility's Engineer before such connections are covered by any fill material. The Contractor shall coordinate with the City of Saco Sewer and the Biddeford and Saco Water Company for service shut-off. Electrical service within portions of any building to be removed shall be disconnected or otherwise shut off by a Licensed Electrician.

Each building location shall be backfilled to match existing grades, loamed and seeded except as shown on the Plans and noted herein. All fill material used for foundation cavities, septic systems and other voids shall meet the Standard Specification requirements for Common Borrow, Section 703.18.

The Contractor shall provide and maintain all temporary barricades, signs or other safety measures as necessary to complete the Work. Contractor shall obtain any and all permits or licenses necessary for the performance of the Work and conform to all Federal, State and local laws, regulations or ordinances applicable to the Work.

Removing Building No. 1 shall be complete removal of the structure including all attached structures including barns and garages as well as steps, slabs, walks, piers, posts, driveways and other incidentals, as directed by the Resident. The existing concrete foundation shall be removed to two feet below finished grade.

Removing Building No. 2 shall be complete removal of the attached garage including the existing garage foundation in its entirety. The Contractor shall minimize impacts to the structure to remain including, but not limited to, the existing studs, insulation, sheathing, and siding comprising the existing wall approximately parallel to the roadway. The Contractor shall cover non-water resistant elements of the structure to remain (e.g. exposed studs, insulation) with plastic tarps or other weather repellent material, as approved by the Resident during times of precipitation, at the conclusion of Work each Day, and upon completion of Removing Building No. 2. The existing garage concrete slab foundation shall be saw-cut in close proximity to the structure to remain as directed by the Resident.

The Contractor shall remove Building No. 2 as early into the Project as practicable to allow the owner's contractor to install new siding and make other minor modifications to the structure to remain. The owner of Building No. 2 shall be given one week notice, by phone at 571-432-6450, prior to the start of removal of Building No. 2. The Contractor shall coordinate Work in the vicinity of Building No. 2 with the owner's contractor to facilitate work on the structure to remain.

Saco-Biddeford  
Somesville Bridge  
WIN 18233.00  
January 30, 2015

Building No. 1 has oil/fuel tanks to be disposed. The fuel is a regulatory material and may be reused or disposed of in accordance with local, state, and federal regulations. The tanks shall also be disposed of in accordance with local, state, and federal regulations.

The following shall be added to Standard Specifications Subsection 202.08, Basis of Payment:

Loam and seeding will be paid for under appropriate Contract items.

**SPECIAL PROVISION**  
**SECTION 202**  
(Removing Existing Railing)

The following shall be added to Standard Specifications Section 202, Removing Structures and Obstructions:

Description This work consists of carefully salvaging the existing bridge rail components deemed in good condition as directed by the Resident. This work shall also include stacking and packing of the salvaged bridge rail components and transportation to a designated location.

Construction Requirements The bridge rail components shall be removed by the Contractor and transported without damage from the project site to the following location:

Maine Department of Transportation  
Dunstan Bridge Maintenance Lot  
576 US Route 1  
Scarborough, Maine

The Contractor shall inform the Resident and contact the Maine DOT Region 1 Bridge Maintenance Manager at (207) 462-4474 a minimum of 72 hours in advance of delivery.

The bridge rails, posts, and pales shall be adequately secured to wooden pallets before being returned to the Department. Base plates, rail caps, splice bars, clamp bars and miscellaneous associated hardware shall be placed in wooden boxes on wooden pallets. The wooden boxes shall have wooden covers attached with two hinges and a clasp. The clasp shall be secured in the closed position by a method approved by the Resident. The size of the pallets and boxes shall be approved by the Resident. The weight limit on the pallets shall be such that no damage will occur to the pallets or the materials stored on the pallets. MaineDOT is responsible for unloading the bridge rail.

Method of Measurement Removing Existing Railing will be measured by the linear foot, complete as specified on the Plans and herein, and accepted.

Basis of Payment The accepted quantity of Removing Existing Railing will be paid for at the contract unit price per linear foot, which shall be full compensation for all labor, equipment, and incidentals necessary to complete the work.

Payment will be made under:

<u>Pay Item</u>		<u>Unit</u>
202.13	Removing Existing Railings – Retained by Department	Foot

**SPECIAL PROVISION**  
**SECTION 202**  
**REMOVING STRUCTURES AND OBSTRUCTIONS**  
**(Removing Existing Bridge)**

The following shall be added to Standard Specifications Section 202, Removing Structures and Obstructions:

Description This work shall include the complete removal and satisfactory disposal of the existing bridge, except such portions thereof as may be required or permitted to be left in place in accordance with the Plans. This provision neither amends nor modifies other provisions of Section 202 except as specified below.

Construction Requirements The Contractor shall provide detailed demolition plans. The plans shall include, but shall not be limited to, the proposed method(s) of removal, all required falsework, protective structures, and equipment needed to safely accomplish the bridge removal. The Contractor shall proceed with demolition no earlier than 10 business days after the demolition plan has been submitted to the Resident and approved.

All materials consisting of hazardous substances such as lead paint, asbestos, petroleum products, or other substances of potential harm to the public or the environment shall be handled, stored, treated and disposed of in accordance with local, state and federal environmental regulations. The Contractor shall hire an environmental specialist to prepare a materials handling plan to be followed during the demolition.

The Contractor shall contain all demolition debris (including debris from wearing surface removal, saw cut slurry, dust, etc.) and shall not allow it to discharge to any regulated resource. All demolition debris shall be disposed of in accordance with requirements of the Standard Specifications and of the Maine Solid Waste Law, Title 38 M.R.S.A., Section 1301 et seq. Containment and disposal of demolition debris shall be addressed in the Contractor's Soil Erosion and Water Pollution Control Plan (SEWPCP).

The Contractor shall dismantle the existing bridge structure in a manner that will not cause damage to persons or property. Strict adherence to the Special Provision 656 and other precautions, including protective structures as required or ordered, shall be taken to insure that no debris is allowed to fall into the river below.

The Contractor shall not disturb any utility or property carrying water, sewer, gas, communications, electric or similar service across or under the bridges unless permitted to do so by the Resident.

The existing piers shall be removed to a minimum of 1 foot below streambed. The existing abutments shall be removed to bedrock.

The existing channel walls abutting the existing abutments shall be removed to the extent necessary to facilitate the Work.

Method of Measurement Removing Existing Bridge will be measured by the lump sum and will include the removal of the superstructure, including structural and incidental steel components, reinforced concrete, bridge lighting, substructure (abutments, piers and wing walls), and stone channel walls to the extent specified on the Plans and herein. It shall also include the removal of approach type-3b guardrail and installation and removal of cofferdams to facilitate existing bridge pier removal as required.

Basis of Payment The accepted quantity of Removing Existing Bridge will be paid for at the contract lump sum price, which shall be full compensation for removing and disposing of the existing bridge and associated items to the extent specified on the plans and herein. Bridge rail component removal, loam and seeding will be paid for under appropriate Contract items.

Payment will be made under:

<u>Pay Item</u>		<u>Unit</u>
202.19	Removing Existing Bridge	Lump Sum

SPECIAL PROVISION  
SECTION 203  
EXCAVATION AND EMBANKMENT  
(Dredge Materials)

**Management and Disposal:** Dredge Material (See MaineDOT Standard Specifications § 101.2) is regulated as a Special Waste.

In accordance with CMR 418, one hundred cubic yards or less of Dredge Material Beneficially Used in the area(s) adjacent to and draining into the dredged water body is exempt from Beneficial Use Permits. Work associated with the Somesville Bridge Replacement initiative will require the excavation of select Dredge Material from the Saco River. It is anticipated that more than 100-cubic yards of Dredge Material will be excavated. There is no onsite Beneficial Use for this Dredge Material; the Dredge Material shall be disposed of at an appropriately licensed facility.

The Contractor shall dispose of Dredge Material from the project that is not Beneficially Used at the site of generation at a facility licensed by the Maine Department of Environmental Protection for the management of Special Waste. The Contractor shall be responsible for making all necessary arrangements for dewatering and proper management of the Dredge Material, including any laboratory testing, in accordance with the facility's license. The Contractor shall provide documentation to the Resident that the Dredge Material was managed as specified. The submitted documentation shall consist of truck manifests, waybills, or such documentation as may be acceptable to the Resident and shall clearly document the management site location and the quantity of Dredge Material.

It is acknowledged that the excavation of Dredge for this work may include some boulders. The Maine Department of Environmental Protection has determined that sound boulders (rock 12-inches or more in diameter), that are free of adhering sediment or other contaminants, shall be deemed to be Inert Fill material and shall not be included in the Dredge Material Quantities.

**Method of Measurement:** Dredge Material will be measured by the cubic yard of material removed. Special Waste properly disposed of will be measured by the ton.

**Basis of Payment:** Payment for the Beneficial Use of Dredge Material will be incidental to the project.

The accepted quantity of Dredge Material properly disposed of, as Special Waste, will be paid for at the contract unit price bid for Disposal of Special Waste.

Payment shall be full compensation for excavation, dewatering, testing, managing, transporting, disposal or placement, and all associated fees.

Payment will be made under:

<u>Pay Item</u>		<u>Pay Unit</u>
203.2318	Disposal of Special Waste	Ton

**SPECIAL PROVISION**  
**SECTION 401 - HOT MIX ASPHALT PAVEMENT**

The Standard Specification 401 – Hot Mix Asphalt Pavement, has been modified with the following revisions. All sections not revised by this Supplemental Specification shall be as outlined in Section 401 of the Standard Specifications.

401.18 Quality Control Method A, B & C The Contractor shall operate in accordance with the approved Quality Control Plan (QCP) to assure a product meeting the contract requirements. The QCP shall meet the requirements of Section 106.6 - Acceptance and this Section. The Contractor shall not begin paving operations until the Department approves the QCP in writing.

The Contractor shall cease paving operations whenever one of the following occurs on a lot in progress:

- a. Method A: The Pay Factor for VMA, Voids @  $N_d$ , Percent PGAB, composite gradation, VFB, fines to effective binder or density using all Acceptance or all Quality Control tests for the current lot is less than 0.85. No ceasing of paving operations shall be required for fines to effective binder if the mean test value is equal to the LSL or USL and  $s = 0$ .
- b. Method B: The Pay Factor for VMA, Voids @  $N_d$ , Percent PGAB, composite gradation, VFB, fines to effective binder or density using all Acceptance or all Quality Control tests for the current lot is less than 0.90. No ceasing of paving operations shall be required for fines to effective binder if the mean test value is equal to the LSL or USL and  $s = 0$ .
- c. Method C: The Pay Factor for Percent PGAB, percent passing the nominal maximum sieve, percent passing 2.36 mm sieve, percent passing 0.300 mm sieve, percent passing 0.075 mm sieve or density using all Acceptance or all available Quality Control tests for the current lot is less than 0.85. No ceasing of paving operations shall be required for percent passing the nominal maximum sieve, percent passing 2.36 mm sieve, percent passing 0.300 mm sieve, or percent passing 0.075 mm sieve if the mean test value is equal to the LSL or USL and  $s = 0$ .
- d. The Coarse Aggregate Angularity or Fine Aggregate Angularity value falls below the requirements of Table 3: Aggregate Consensus Properties Criteria in Section 703.07 for the design traffic level.
- e. Each of the first 2 control tests for a Method A or B lot fall outside the upper or lower limits for VMA, Voids @  $N_d$ , or Percent PGAB; or under Method C, each of the first 2 control tests for the lot fall outside the upper or lower limits for the nominal maximum, 2.36 mm, 0.300 mm or 0.075 mm sieves, or percent PGAB.
- f. The Flat and Elongated Particles value exceeds 10% by ASTM D4791.
- g. There is any visible damage to the aggregate due to over-densification other than on variable depth shim courses.
- h. The Contractor fails to follow the approved QCP.

401.203 Method C Lot Size will be the entire production per JMF for the project, or if so agreed at the Pre-paving Conference, equal lots of up to 4500 tons, with unanticipated over-runs of up to 1500 ton rolled into the last lot. Sublot sizes shall be 750 ton for mixture properties, 500 ton for base or binder densities and 250 ton for surface densities. The minimum number of sublots for mixture properties shall be 4, and the minimum number of sublots for density shall be five.

TABLE 7: METHOD C ACCEPTANCE LIMITS

Property	USL and LSL
Passing 4.75 mm and larger sieves	Target +/-7%
Passing 2.36 mm to 1.18 mm sieves	Target +/-5%
Passing 0.60 mm	Target +/-4%
Passing 0.30 mm to 0.075 mm sieve	Target +/-2%
PGAB Content	Target +/-0.4%
% TMD (In place density)	95.0% +/- 2.5%

Pay Adjustment Method C

The Department will use density, Performance Graded Asphalt Binder content, and the percent passing the nominal maximum, 2.36 mm, 0.300 mm and 0.075 mm sieves for the type of HMA represented in the JMF. If the PGAB content falls below 0.80, then the PGAB pay factor shall be 0.55.

Density: For mixes having a density requirement, the Department will determine a pay factor using Table 7: Method C Acceptance Limits:

$$PA = (\text{density PF} - 1.0)(Q)(P) \times 0.50$$

PGAB Content and Gradation The Department will determine a pay factor using Table 7: Method C Acceptance Limits. The Department will calculate the price adjustment for Mixture Properties as follows:

$$PA = (\% \text{ Passing Nom. Max PF} - 1.0)(Q)(P) \times 0.05 + (\% \text{ passing 2.36 mm PF} - 1.0)(Q)(P) \times 0.05 + (\% \text{ passing 0.30 mm PF} - 1.0)(Q)(P) \times 0.05 + (\% \text{ passing 0.075 mm PF} - 1.0)(Q)(P) \times 0.10 + (\text{PGAB PF} - 1.0)(Q)(P) \times 0.25$$

**SPECIAL PROVISION**  
**SECTION 403**  
**HOT MIX ASPHALT**

<b>Desc. Of Course</b>	<b>Grad Design.</b>	<b>Item Number</b>	<b>Bit Cont. % of Mix</b>	<b>Total Thick</b>	<b>No. Of Layers</b>	<b>Comp. Notes</b>
<b><u>3" – Somesville Bridge Deck</u></b>						
Wearing	12.5 mm	403.208	N/A	1½"	1	1,2,4,8,12,17
Base	12.5 mm	403.213	N/A	1½"	1	1,2,4,8,12,17
<b><u>4" – Market/Pine St Travel Way, Shoulders &amp; Guardrail Flareouts</u></b>						
Wearing	12.5 mm	403.208	N/A	1½"	1	1,2,4,8,12,17
Base	12.5 mm	403.213	N/A	2½"	1	1,2,4,8,12,17
<b><u>3" – Apartment Complex Entrance</u></b>						
Wearing	12.5 mm	403.208	N/A	1½"	1	1,2,4,8,12,17
Base	12.5 mm	403.213	N/A	1½"	1	1,2,4,8,12,17
<b><u>2" – Sidewalks, Parking Area and Incidentals</u></b>						
Wearing	9.5 mm	403.209	N/A	2"	2/more	1,2,3,11,14,18

**COMPLEMENTARY NOTES**

1. The required PGAB for this mixture will meet a **PG 64-28** grading.
2. The incentive/disincentive provisions for density shall not apply. A **Quality Control Technician (QCT) equipped with a density meter** shall be required for all roadway & bridge mixtures placed under this contract. Rollers shall meet the requirements of section **401.10 Rollers** and this special provision. The use of an oscillating steel roller shall be required to compact all mixtures pavements placed on **bridge decks**.
3. The design traffic level for mix placed shall be <0.3 million ESALS. The design, verification, Quality Control, and Acceptance tests for this mix will be performed at **50 gyrations**.
4. The design traffic level for mix placed shall be 0.3 to <3 million ESALS. The design, verification, Quality Control, and Acceptance tests for this mix will be performed at **50 gyrations**.
8. Section 106.6 Acceptance, (2) Method B. The Contractor may request a contract modification to change to testing method "A" prior to work starting on this item.
- 11.. The combined aggregate gradation required for this item shall be classified as a 9.5mm "**fine graded**" mixture, (using the Primary Control Sieve control point) as defined in 703.09.
12. The combined aggregate gradation required for this item shall be classified as a 12.5mm "**fine graded**" mixture, (using the Primary Control Sieve control point) as defined in 703.09.
14. The combined aggregate gradation required for this item shall be classified as a 9.5mm Thin Lift Mixture (TLM) mixture, using the Aggregate Gradation Control Points as defined in 703.09.

17. Compaction of the new Hot Mix Asphalt Pavement will be obtained using a minimal roller train consisting of a **10 ton** vibratory, **12 ton** pneumatic, and a **10 ton** finish roller for roadway work. Density testing of the mixture will be performed by the QCT using a density meter (according to ASTM D 2950). The mixture will be rolled until the density readings show less than 1 pcf change for the final roller passes. This density will be used as the target TMD for the mixture. The remaining mixture shall be compacted to a minimum density of 95% of the target density as determined in the control section. The Contractor shall make density test results, including randomly sampled densities, available to the Department's representative onsite. Summaries of each day's results, including a daily paving report, summarizing the mixture type, mixture temperature, equipment used, environmental conditions, and number of roller passes, shall be recorded and signed by the QCT and presented to the Department's representative by the end of the working day. An approved release agent is required to ensure the mixture does not adhere to hand tools, rollers, pavers, and truck bodies. The use of petroleum based fuel oils, or asphalt stripping solvents will not be permitted. The Department may require cores for informational purposes.
18. The Department will accept or reject any HMA based on a visual basis, either prior to its use, during placement, or in its final disposition.

#### Tack Coat

A tack coat of emulsified asphalt, RS-1, Item 409.15 shall be applied to any existing pavement at a rate of approximately 0.025 gal/yd<sup>2</sup>, and on milled pavement approximately 0.05 gal/yd<sup>2</sup> prior to placing a new course. A fog coat of emulsified asphalt shall be applied between shim /base courses and surface course as well as to any bridge membrane prior to the placement of HMA layers at a rate not to exceed 0.025 gal/yd<sup>2</sup>. Tack used will be paid for at the contract unit price for Item 409.15 Bituminous Tack Coat.

**SPECIAL PROVISION**  
**SECTION 502**  
**STRUCTURAL CONCRETE**  
 (QC/QA Acceptance Methods)

CLASS OF CONCRETE	ITEM NUMBER	DESCRIPTION	P	METHOD
A	502.219	Structural Concrete Abut. & Retaining Walls	\$400	A
LP	502.219	Structural Concrete Abut. & Retaining Walls	\$425	A
A	502.22	Structural Concrete, Abut. & Retaining Walls (Placed under water)	\$400	A
S	502.22	Structural Concrete, Abut. & Retaining Walls (Placed under water)		C
A	502.239	Structural Concrete Piers	\$400	A
A	502.24	Structural Concrete Piers (Placed under water)	\$400	A
A	502.26	Structural Concrete Roadway & Sidewalk on Steel Bridges	\$400	A
LP	502.26	Structural Concrete Roadway & Sidewalk on Steel Bridges	\$425	A
A	502.31	Structural Concrete Approach Slab		C
LP	502.49	Structural Concrete Curbs & Sidewalks	\$425	A
LP	526.34	Permanent Concrete Transition Barrier	\$425	A
Fill	672.10/ 681.10	Block Gravity Wall (Leveling Pad)		C

P values listed above reflect the price per cubic yard (CY) for all pay adjustment purposes.

The quantity used for Pay Adjustment purposes shall be the actual quantity of cast in place concrete placed and accepted. This quantity shall be computed by the Contractor and submitted to the Resident for approval.

Abutment concrete placed above the approach slab seat shall be Class "LP" concrete and paid for under Item No. 502.219, Structural Concrete Abutments & Retaining Walls.

Expansion joint block-out deck concrete shall be Class "LP" concrete and paid for under Item No. 502.26, Structural Concrete Roadway & Sidewalk on Steel Bridges.

**SPECIAL PROVISION**  
**SECTION 502**  
**STRUCTURAL CONCRETE**  
Composition and Proportioning

The following changes to Standard Specification Section 502, Structural Concrete Table 1 shall be made:

Class “A” concrete Compressive Strength shall be 4,350 psi.

The following note shall apply to Class “LP” concrete.

Calcium Nitrite shall be added at the rate of 3 gallons per cubic yard.

**SPECIAL PROVISION**  
**SECTION 502**  
**STRUCTURAL CONCRETE**  
 (Precast Deck Panels)

Description This work shall consist of casting, furnishing, and erecting prestressed structural concrete deck panels (hereafter called “precast deck panels”) and all related materials as an optional stay-in-place forming system in accordance with the contract plans and specifications.

Construction Precast Deck Panels shall comply with Section 535 – Precast, Prestressed Concrete Superstructure.

Precast deck panels shall be manufactured in conformity with the following tolerances:

Depth of slab	- 3 mm, + 6 mm [-1/8 in, + 1/4 in]
Width of slab	-0, + 6 mm [-0, + 1/4 in]
Length of slab	± 6 mm [± 1/4 in]
Horizontal alignment	6 mm [1/4 in] (deviation from line parallel to centerline)
Squareness	13 mm [1/2 in] max. Difference in diagonal meas.
Vertical Position of Strand group	+0, - 6 mm [+0, -1/4 in] Meas. from bottom of slab
Vertical position of individual strands	± 6 mm [± 1/4 in]
Horizontal strand position	± 13 mm [± 1/2 in]
Strand Projection	-6mm, +19 mm [- 1/4 in, + 3/4 in]
Bowing	± 6 mm [± 1/4 in]
Threaded jack inserts	± 6 mm [± 1/4 in] longitudinally and transversely

Basis of Payment All work will be considered incidental to and included in Pay Item 502.26 Structural Concrete Roadway and Sidewalk Slab on Steel Bridges. Payment shall include full compensation for all materials wholly or partly in the precast deck panels and related materials or work required for the panel erected as shown on the plans. Related materials and work will include, but not limited to furnishing and installing temporary supports, including adhesive and grout bedding, reinforcing steel, welded wire fabric and cast-in-place concrete.

**SPECIAL PROVISION**  
**SECTION 504**  
**STRUCTURAL STEEL**  
**(Structural Steel Repair)**

Strengthening

504.01 Description The following paragraphs are added:

This work includes strengthening existing girders as shown on the Plans and described in these Specifications.

The proposed strengthening shall consist of modifying the existing steel girder beam ends by bolting steel assemblies onto the beam in locations as shown on the Plans.

This work also includes supplying, erecting, maintaining, and removing temporary access platforms such as staging, scaffolding, or other means of access required to complete the work at locations as described in the contract documents and/or as directed by the Resident. Temporary work platforms shall be constructed in accordance with Standard Specification Section 524, “Temporary Structural Supports” and submitted for approval prior to the start of work.

This work also includes providing the Resident with an acceptable means of access to all portions of the work for the purposes of project inspection and documentation.

When the Contractor is not performing work on site, all access to any staging located below the bridge shall be blocked off. No unauthorized personnel shall be able to get on to the staging.

504.02 Materials The following paragraphs are added:

Bolts shall be 7/8” diameter ASTM A325 type 1.

Plate steel shall meet requirements of ASTM A588, ASTM A709 or AASHTO M 270, Grade 50.

Surface preparation – Plate steel surfaces shall be cleaned to a minimum SSPC-SP2 and/or SSPC-SP3 in accordance with Special Provision 506.

All holes shall be drilled. Flame cutting of holes is not permitted.

504.65 Basis of Payment This Subsection is amended by the addition of the following:

The accepted quantity of Structural Steel Repair shall be paid for at the Contract unit price per pound, which payment shall be full compensation for all materials, equipment, labor, and incidentals including but not necessarily limited to field measurements, structural steel, fasteners,

surface preparation, temporary work platforms, etc. and all tools, equipment and materials necessary to complete the work at each specified beam end location in accordance with the Plans and these Specifications.

Payment will be made under the following pay item:

<u>Pay Item</u>		<u>Pay Unit</u>
504.811	Structural Steel Repair	LB

**SPECIAL PROVISION**  
**SECTION 506**  
**Lead Abatement and Field Paint Coating Application**

506.01 Description All requirements of this Special Provision are the responsibility of the Contractor unless otherwise specifically stated herein. This work shall consist of localized cleaning and overcoat painting (maintenance painting) of existing and repaired structural steel at all of the steel beam end areas as shown on the Plans. This specification covers the field cleaning, surface preparation and field overcoat painting. The work shall consist of furnishing all supervisory personnel, including competent person(s), labor, tools, equipment, containment, scaffolding, protection of public and private property, Quality Control activities, materials, and incidentals necessary for satisfactory completion of the Work. Assume the existing paint coating contains lead. Any other additional areas (touch-up or spot), identified by the Resident, shall conform to the requirements of this Special Provision.

506.02 Materials Provide the following aluminum epoxy mastic paint:

Carboline Carbomastic® 15 - Color: Aluminum (C901) – 5 mils.  
Any Department approved equal, aluminum epoxy mastic paint may be used.

Provide the manufacturer's product data sheet and MSDS to the Resident for review prior to beginning coating application.

506.03 Contractor Qualifications The paint Contractor/Subcontractor shall have current SSPC QP1 and QP2 certifications. Provide surface preparation, coating application, containment and waste management plans for review by the Resident a minimum of 14 days prior to beginning the work. The containment and worksite access plan shall be stamped by a Professional Engineer licensed in the State of Maine. A pre-coating meeting is required and shall involve the Resident, MaineDOT hazardous waste representative and Contractor's hazardous waste transporter in order to discuss containment, paint removal, coating and waste disposal. Work shall not begin until these work plans have been reviewed and accepted by the Department.

506.04 Quality Control Provide a Quality Control Inspector that has, at a minimum, successfully completed NACE Coating Inspector Program, Level I, SSPC BCI Level I or any other paint inspection experience deemed acceptable by the Resident.

The Quality Control Inspector shall:

- Inspect surface preparation
- Record coating lot numbers and manufacture date

- Witness the mixing of the paint
- Measure and record the environmental conditions in the immediate vicinity of the coating operation
- Measure and record dry film thicknesses
- Record all Quality Control activity in a format acceptable to the Resident
- Provide the Department with a copy of all test results and measurements
- Reject unacceptable work and cause it to be re-done

506.05 Containment The containment used shall be appropriate for this specific work and shall be of a classification shown in SSPC Guide 6, Table P-Power Tool Cleaning. All State and Federal requirements for the removal and containment of hazardous materials shall be met.

506.06 Waste Management The Contractor shall collect, store and dispose of lead paint and related waste in compliance with all Federal, State and local laws and requirements. The procedures used for disposal shall conform to the latest requirements of SSPC Guide 7, Guide for the Disposal of Lead-Contaminated Surface Preparation Debris. The Contractor shall have a copy of this guide available on site at all times. The Contractor shall also have a copy of the Maine Department of Environmental Protection's (MDEP's) Handbook for Hazardous Waste Generators and a copy of the State of Maine Hazardous Waste Management Rules, 06-096 CMR Chapters 850-857, on site at all times. Thirty days prior to generating any waste, the Contractor shall submit their Waste Management Plan, which shall include the Spill Prevention Control and Countermeasure (SPCC) Plan to the Department for review and comment. Emergency procedures to be taken in the event of a release of hazardous/special waste or hazardous matter to the environment shall be part of the SPCC Plan. Work shall not proceed until the Department has formally accepted the Waste Management Plan as being complete.

The Department has "Small Quantity Generator-Plus (SQG-Plus)" hazardous waste status for the hazardous waste activities associated with this Contract, as defined by MDEP in the Handbook for Hazardous Waste Generators. Except for a generation rate and site specific identification number, all requirements associated with SQG-Plus status apply. Given the temporary nature of the work, MDEP has excluded the SQG-Plus generation rate restriction and permanent identification number for these bridge maintenance efforts as long as all other SQG-Plus requirements are fully complied with.

All hazardous waste shall be stored in USDOT approved drums. The waste drums shall be placed in an approved locking structure which has a firm, impervious floor surface and secondary containment that is either 110% of the largest container or 20% of all containers, whichever is larger. All waste containers must be labeled with the words "Hazardous Waste", the hazard (e.g., Toxic, Flammable, etc.), the start date, full date, site location and generator information. The lockable container must be labeled "Danger-Unauthorized Personnel Keep Out" and shall

be locked at all times when not being accessed. No more than 1,320 pounds and no more than three 55-gallon drums of hazardous waste may be stored at the site at any time.

The waste storage locker must be inspected each operating day in accordance with MDEP regulations. The written log shall detail the findings of the daily inspections and it must be maintained by the Contractor and provided to the Department at the end of the project. The Contractor shall store all hazardous waste in conformance with all other MDEP and Federal Rules, including Chapter 851, Section 13, Part C(7)(i) and 40 CFR 2674.14. Hazardous wastes are limited to an on-site storage time of 180 days following the filling of a drum.

Hazardous/special paint debris and other waste shall not be placed or accumulated on unprotected ground or released to waters of the State. Work areas shall be adequately shielded at all times to prevent dispersion of debris by wind or rain. All of the Contractor's equipment and storage areas used for the handling and storage of hazardous waste, special wastes and hazardous materials shall have impervious tarps placed under them. Any evidence of improper storage and handling shall be cause for immediate suspension of work in progress and work will not be allowed until corrective actions are taken.

All paint-related waste material generated as part of this initiative must be managed as a hazardous waste. Management of the remaining waste materials will depend on the results of laboratory testing. The Contractor may assume these wastes are hazardous or may test the debris (including personal protective equipment, gray water, etc.) to determine the appropriate disposal options. The Department must be notified at least one week in advance of the date of sampling activities and provided the proposed protocol for sample collection. The Department shall witness the sampling. Chain-of-custody must be adhered to for sample removal. Certified laboratory test results shall be provided to the Department upon receipt by the Contractor.

The Contractor shall inform the Department at least three days in advance of planned date(s) for removal of hazardous waste from the job site. The Department shall obtain an Environmental Protection Agency Identification Number prior to shipping any hazardous waste for disposal. This Identification Number must be used by the Contractor to ship hazardous waste off site. The Contractor shall secure a MaineDOT approved transporter (e.g., Enpro Services, Inc., or Environmental Products, Inc.) licensed by MDEP for transportation of hazardous waste. Preparation of all necessary forms is the responsibility of the Contractor. The Hazardous Waste Manifest must be approved and signed by the Department. A multi-part, pre-numbered Uniform Hazardous Waste Manifest (EPA Form 8700-22) shall be prepared when shipping hazardous waste. The appropriate original sheets of the multi-part hazardous waste manifest must be provided to the Department and must be sent to the Director, Office of Safety and Compliance, MaineDOT State House Station #16, Augusta, Maine, 04330.

Failure of the Contractor to comply with this section shall result in the following:

- First finding of non-conformity shall be a written warning which will include deadline for compliance.
- Second finding of non-conformity shall be documented in writing, and all operations by the Contractor, except those needed to restore compliance, will be immediately suspended until full compliance has been restored.
- Third and subsequent findings of non-conformity will be documented in writing and all operations shall be immediately suspended, except those needed to restore compliance until full compliance has been fully restored, and the Contractor assessed a penalty of \$10,000.00 per incident. If the Contractor fails to restore the Project into compliance, additional fines shall be assessed.

All penalties assessed shall be in addition to any fines assessed by MDEP/EPA for failing to comply with the Federal, State, or local regulations. The Contractor shall not be granted additional time for suspensions of work due to noncompliance.

506.07 Surface Preparation Remove and dispose of all accumulated winter sand/salt, bird droppings, dirt, grease, and debris from existing steel areas to be repaired prior to undertaking any paint removal or surface preparation operations.

Remove any sharp edges that are present on the existing steel, or that become apparent during the surface preparation. Prepare the existing steel in accordance with SSPC-SP3, Power Tool Cleaning. Inaccessible areas and sensitive areas as designated by the Resident may be prepared in accordance with SSPC-SP2, Hand Tool Cleaning. Exercise care to avoid any nicking or gouging of the steel during surface preparation.

After the bolted repairs have been made at the beam ends specified in the Plans, prepare the new steel surfaces in a similar manner as the existing steel described above. Use SSPC VIS.3, Visual Standard for Power-and Hand-Tool Cleaning to evaluate the cleanliness of all surfaces to be painted.

506.08 Application Apply the coating using brushes, rollers or other methods acceptable to the Resident.

The paint kits may be split if the components are measured in the proper proportions by mass using a calibrated scale and the measuring and mixing are witnessed by the Quality Assurance Inspector and Quality Control Inspector. The proportion breakdown shall be specified and provided on a company letterhead by the coating manufacturer.

Apply the coating after the Quality Control Inspector has measured and recorded the environmental conditions in the immediate vicinity of the work and has given permission to begin coating.

Cure the coating for the maximum amount of time specified for the minimum temperature encountered during the cure cycle. The environmental conditions recorded at the nearest airport may be used to settle disputes between the Department and the Contractor.

Advise the Resident when dry film thicknesses are being measured so arrangements can be made to witness the measurements. Do not remove the access to the work area until the Work has been completed and accepted by the Quality Control and Quality Assurance Inspectors.

506.09 Touch-up and Repairs Touch-up and repairs of damaged coating shall be done in accordance with the manufacturer's published instructions. Prepare areas to be touched-up/repairs in a manner that assures the proper adhesion of the coat. The existing coat shall be feathered back to assure that the touch-up/repair coat is continuous with the existing coat.

Payment for all touch-ups and repairs shall be incidental to the Work.

#### 506.10 Method of Measurement

Surface Preparation of Existing and New Structural Steel shall be measured for payment as one lump sum, complete and accepted.

Field Painting of Existing and New Structural Steel shall be measured for payment as one lump sum, complete and accepted.

Containment and Pollution Control Measures shall be measured for payment as one lump sum, complete and accepted.

Disposal of Special Waste or Hazardous Waste materials shall be measured for payment as one lump sum.

#### 506.11 Basis of Payment

The accepted quantity of Surface Preparation of Existing and New Structural Steel will be paid at the respective Contract lump sum price, which shall be full compensation for furnishing all materials, labor, tools, equipment, scaffolding, QC/QA inspections, and any other incidentals necessary for the satisfactory performance of the work.

The accepted quantity of Field Painting of Existing and New Structural Steel will be paid at the Contract lump sum price, which shall be full compensation for furnishing all material, labor, equipment, scaffolding and incidentals necessary for the satisfactory performance of the work.

Containment and pollution control will be paid for at the Contract lump sum price, which price shall be compensation for furnishing all materials, labor, equipment, and incidentals necessary for the satisfactory performance of the work.

Disposal of Special Waste or Hazardous Waste materials will be paid at the Contract lump sum price, which price shall be full compensation for all permits, tests, transportation, tipping fees and incidentals necessary for the satisfactory performance of the work.

Payment will be made under:

<u>Pay Item</u>		<u>Pay Unit</u>
506.144	Field Painting of New and Existing Structural Steel	Lump Sum
506.17	Surface Preparation of Existing Structural Steel	Lump Sum
506.18	Containment and Pollution Control Measures	Lump Sum
506.191	Disposal of Special Waste or Hazardous Waste	Lump Sum

SPECIAL PROVISION  
SECTION 525  
GRANITE MASONRY  
(Dry-Laid Granite Wall Reconstruction)

Standard Specification Section 525 is replaced in its entirety with the following:

525.01 Description This work shall consist of reconstructing portions of the existing granite block retaining walls adjacent to proposed Abutment No. 2 along the river. Reconstruction shall utilize granite blocks salvaged from the existing substructures, wingwalls and retaining walls and additional granite blocks, as necessary, without mortar. The reconstructed retaining walls shall match existing portions of the retaining walls to remain, and be in reasonably close conformance with lines and grades as shown in the Plans, as specified herein, and as directed by the Resident.

Removal of portions of the existing retaining walls necessary to facilitate the Work shall be as specified in Special Provision 202 Removing Existing Bridge.

525.02 Materials

**Granite Blocks.** Granite blocks for reconstruction of the retaining walls shall be obtained from the existing substructures, wingwalls, and retaining walls to be removed, salvaged from within the project limits or from other approved sources. Any additional granite blocks required to complete the reconstructed retaining walls shall generally match the texture, size, type and color of the existing granite. Additional quarried granite blocks shall be obtained from a quarry approved by the Resident and shall be hard, durable, flat quarried granite with flat faces in a mixture of sizes. All granite shall be sound rock, free from tool marks and materials which, by weathering, would cause discoloration or deterioration, and shall be cleaned of concrete. All granite shall be free from fractures, seams, cracks, and other structural defects. All granite shall be subject to the approval of the Resident.

**Leveling Course.** Existing timber crib works, bedrock, or Seal Concrete conforming to the requirements of Standard Specifications Section 502 Structural Concrete as approved by the Resident.

**Filter Layer.** Material meeting the requirements of Standard Specifications Subsection 703.13 Crushed Stone  $\frac{3}{4}$ -Inch.

**Backfill.** Material meeting the requirements of Standard Specifications Subsection 703.19 Granular Borrow – Material for Underwater Backfill.

**Filter Fabric.** The Filter Fabric shall be a geotextile meeting the requirements of Standard Specifications Subsection 722.02 Drainage Geotextile.

525.03 Qualifications and Submittals The reconstruction of the masonry portion of the Dry-Laid Granite retaining walls shall be by a skilled craftsman experienced with this type of work who shall submit a portfolio of their experience to the Department for review and approval prior to reconstruction of the walls.

The Dry-Laid Granite retaining walls shall be designed and sealed by a Professional Engineer licensed in the State of Maine. Design computations shall provide thorough documentation of equation sources, material property sources, and include at least one graphic demonstrating the design methodology. The design shall be in accordance with the project geotechnical report.

Design computations, wall details, dimensions, quantities, cross sections, and other drawings necessary to construct the wall shall be submitted to the Resident a minimum of 30 Calendar Days prior to the start of reconstruction of the Dry-Laid Granite retaining walls. The fully detailed plans shall be prepared in conformance with Subsection 105.7 of the Standard Specifications and shall include, but not be limited to, the following items for each wall:

- A. Plan, elevation, and typical section drawings
- B. Distance along the face of the wall to be reconstructed (including steps as applicable)
- C. Top of leveling course and Dry-Laid Granite wall elevations
- D. Maximum factored bearing pressure
- E. Each sheet shall be prepared and stamped by a Professional Engineer.

525.04 Construction Before setting granite blocks, all blocks shall be thoroughly cleaned. Cleaning methods shall be non-destructive to the blocks and approved by the Resident. The retaining walls shall be reconstructed to match existing retaining walls to remain, as shown in the Plans, as specified herein, and as approved by the Resident. Horizontal limits of retaining wall reconstruction shall be approved by the Resident.

Care shall be taken to keep weathered granite faces exposed.

The larger spaces between blocks shall be filled with smaller granite pieces in such a manner that both faces shall become a compact wall mass. No mortar shall be used. The wall shall be reconstructed to act as a mass retaining wall.

The final reconstructed wall shall be cleaned within five days of completion using pressure washing or other method approved by the Resident. The site shall also be cleaned of all excess materials, debris, tools and equipment.

**Foundation** - If the reconstructed wall is not to be placed on the existing timber crib works or portions of the existing wall to remain, the bedrock shall be cleaned of all weathered, unsound, or fractured rock and soil to provide a clean, sound bearing surface as approved by the Resident. Sloping bedrock that exceeds a slope of 4H:1V shall be benched in level steps or made completely level, regardless of the leveling course used. All proposed bearing surfaces shall be

subject to review and approval by the Resident.

**Leveling Course** - Existing timber crib works may be reused only if all of the following criteria are met:

1. The existing timber crib works are deemed suitable by the Resident.
2. The underlying bedrock supporting the existing timber crib works slopes less than 4H:1V.
3. The reconstructed wall height will be less than or equal to 6 feet.

If the existing timber crib works are reused, the Contractor shall chink the existing timber crib works with stone to fill any voids.

If the existing timber crib works are not reused, the Contractor shall either provide a concrete leveling pad (Seal Concrete) or prepare the bedrock surface completely level or in level steps in lieu of a leveling course.

The leveling course shall extend 6 inches beyond the stacked granite limits in all directions.

The proposed method of leveling course construction will be subject to approval by the Resident.

**Filter Layer** - A minimum of 12 inches of Filter Layer material, previously defined, shall be placed against the back face of the reconstructed wall. Placement of the Filter Layer shall closely follow the placement of each course of blocks.

**Filter Fabric** - Filter Fabric, previously defined, shall be placed against the back face of the reconstructed wall and between the Filter Layer and the backfill, as shown in the Plans. Placement of the Filter Fabric shall closely follow the placement of each course of blocks and fill materials.

**Backfill** – Backfill work shall be completed in accordance with Standard Specifications Section 203, Excavation and Embankment except as modified herein. Compaction shall be achieved using lightweight, hand operated compaction equipment. Backfill shall be placed, spread, and compacted from the back of the crushed stone filter layer toward the limits of the excavation. Backfill beyond 3 feet from the back of the filter layer shall be compacted to 95% of the maximum density as determined by AASHTO T-180, Method C or D. The moisture content of the backfill material prior to and during compaction shall be uniformly distributed throughout each layer and shall be within 2 percentage points dry of optimum. Placement of the backfill shall closely follow the placement of each course of blocks.

**Granite Block Placement** - The blocks shall be placed to achieve the front and back face batter, and top course width as shown in the Plans. Larger, quarried blocks shall be used in the base course and front face. At least 90 percent of the blocks shall be a minimum of 20 inches tall by 24 inches deep by 36 inches long. Reconstructed walls shall tie into and match the

appearance of the existing retaining walls to remain.

Joint size in the face of the reconstructed wall shall not exceed 1-1/2 inch  $\pm$ 1/8 inch maximum in thickness. Horizontal joints between courses of blocks shall be level and horizontal. Each layer shall be completed before the next layer is started. The block courses shall be swept free of debris prior to placement of successive courses of blocks. A running bond shall be maintained between courses of block so that the vertical joints between the blocks are offset with each row. Each block shall be set tightly against the adjoining block to prevent gaps through which material could escape.

The reconstructed walls shall be checked for plumbness and alignment at least every other layer. Any alignment deviations greater than 0.25 inches shall be corrected.

Top blocks shall be uniform in appearance along the length of the wall. Top blocks shall be of similar size and thickness to the existing retaining wall top blocks. Each block in the top row shall be of sufficient size and weight (350 pounds minimum) to withstand accidental movement and to minimize potential dislodging.

525.09 Method of Measurement Granite Masonry – Dry-Laid will be measured for payment by the square foot of front face wall surface, complete, in-place, and accepted not to exceed the dimensions shown in the Plans unless authorized by the Resident. Vertical and horizontal dimensions shall be measured from the edges of the blocks.

525.10 Basis of Payment The accepted quantity of Granite Masonry – Dry-Laid will be paid for at the Contract unit price per square foot, which shall be full compensation for earth and rock excavation, adjustment of existing timber crib works, cleaning, granite placement, furnishing all materials, including Filter Layer, Filter Fabric, Backfill and additional granite, if necessary, and all labor, equipment, and other incidentals necessary to complete the work as specified in the Plans and herein. Seal Concrete, if necessary, will be paid for under Item No. 502.22, Structural Concrete, Abutments and Retaining Walls (placed under water). Any necessary cofferdams will be considered incidental to Item No. 511.07 Cofferdam: Abutment No. 2. Payment for removal of all existing retaining walls necessary to facilitate the Work shall be included in Item No. 202.19 Removing Existing Bridge, as specified in Special Provision 202 Removing Existing Bridge.

Payment will be made under:

<u>Pay Item</u>		<u>Pay Unit</u>
525.30	Granite Masonry – Dry Laid	Square Foot

**SPECIAL PROVISION**  
**SECTION 606**  
**TANGENT GUARDRAIL TERMINAL**  
**(ENERGY ABSORBING)**

Description: This work shall consist of furnishing and installing an energy absorbing tangent guardrail terminals for W-beam guardrail in accordance with these specifications at locations shown on the Plans or as directed by the Resident.

Materials: The terminal shall be in compliance with NCHRP 350 Test Level 2 and meet Federal Highway Administration eligibility requirements for reimbursement under the Federal-aid highway program. The system selected shall be one that is currently listed on MaineDOT's Qualified Products List of Terminals for W-Beam Guardrail Systems – Tangent Terminals (Energy Absorbing).

Installation: A set of installation drawings shall be submitted to the Resident for the system installed. The system shall be installed according to the manufacturer's installation drawings and recommendations.

Method of Measurement: Terminals shall be measured by each unit, complete, in place, and accepted.

Basis of Payment: The accepted quantity of terminals shall be paid for at the contract unit price, such payment being full compensation for all labor, materials, equipment, and incidentals necessary to complete the work.

Payment will be made under:

<u>Pay Item</u>		<u>Unit</u>
606.81	Tangent Guardrail Terminal – Energy Absorbing	Each

SPECIAL PROVISION  
SECTION 607  
FENCES  
(Aluminum Fence)

The following is added to Standard Specifications Section 607, Fences:

607.01 Description

This work shall consist of furnishing and installing new aluminum fencing including foundations and accessories in reasonably close conformity with the Plans and as specified herein.

The fencing system shall be industrial strength ornamental aluminum as manufactured by Jerith Manufacturing Company of Philadelphia PA, Master Halco of Orange, CA, or Alumi-Guard of Brooksville, FL. Fencing system shall be covered picket style, e.g. Jerith Style #202 or equal as approved by the Resident.

607.02 Materials

- a. Aluminum Extrusions: Aluminum material for fence framework shall conform to the requirements of ASTM B221. The aluminum extrusions for post and rails shall be Alloy and Temper Designation 6005-T5 with a minimum yield strength of 35,000 psi. All other aluminum extrusions shall have a minimum yield strength of 25,000 psi.
- b. Framing: Posts shall be 2½”square with a perimeter wall thickness of 0.080” and an interior reinforcing web thickness of 0.075”. Horizontal rails shall be 1-5/8” channels formed in a modified “U” shape with a top wall thickness of 0.070” and side wall thickness of 0.100”. Pickets shall be 1” square x 0.062” thick extruded tubing.
- c. Fasteners: All fasteners shall be stainless steel. Square drive screws shall be used to connect the pickets to the horizontal rails. Rail to post connections shall be made using self-drilling hex-head screws.
- d. Accessories: Aluminum sand and die casting shall be used for all scrolls, post caps, finials, and miscellaneous hardware. Die castings shall be made from Alloy A360.0 as per ASTM B85 for superior corrosion resistance.
- e. Coating: Fence materials shall be top coated with a TGIC polyester powder-coat finish. Epoxy powder coating, baked enamel or acrylic paint finishes will not be accepted. The finish shall have a cured film thickness of at least 2.0 mils.

The fence top coat shall be colored black.

607.055 Aluminum Fence

The minimum fence height shall be 48 inches at all locations.

Fences shall be erected in accordance with the manufacturer's recommendations. The grade of the fence shall be approximately parallel with the grade of the ground.

Foundations for posts for aluminum ornamental fence shall be cast-in-place Portland cement concrete placed in approved forms. If wood forms are used, they shall be removed before backfilling. If fiber forms are used, they need not be removed. The fence foundation shall be in accordance with the Standard Details and the manufacturer's recommendations.

607.06 Method of Measurement

Aluminum Fence will be measured by the linear foot, complete, in place, and accepted. Measurement will be along the gradient of the fence from outside of end post to outside of end post for each continuous run of fence.

607.07 Basis of Payment

The accepted quantity of Aluminum Fence will be paid for at the Contract unit price per linear foot, which shall be full compensation for installing fencing, foundations, furnishing all materials, labor, equipment and incidentals necessary to complete the work.

Payment will be made under:

<u>Pay Item</u>		<u>Pay Unit</u>
607.162	Aluminum Fence – 4 Foot	Linear Foot

SPECIAL PROVISION  
SECTION 610  
STONE FILL, RIPRAP, STONE BLANKET, AND STONE DITCH PROTECTION  
(Barrier Boulder)

The following is added to Standard Specifications Section 610:

Description This work shall consist of installation of Barrier Boulders approximately at Station 17+00, 27 feet left, arranged to retain a vehicle. This work shall be completed in reasonably close conformance with the Plans, as specified herein, and as directed by the Resident.

Materials Barrier Boulders shall be a minimum of 3 feet in any dimension and shall have a minimum volume of 50 cubic feet.

Barrier Boulders may be obtained from the existing substructures, wingwalls, and retaining walls to be removed, salvaged from within the project limits or from other approved sources. Angular quarried stone or non-angular stone are acceptable for use as Barrier Boulders.

Barrier Boulders shall be hard, sound, durable rock, free from fractures, seams, cracks, other structural defects, tool marks, and materials which, by weathering, would cause discoloration or deterioration, and shall be cleaned of all foreign material including concrete.

Each Barrier Boulder shall generally match in texture, size, type and color. Barrier Boulders shall be subject to the approval of the Resident.

Construction Barrier Boulders shall be delivered, handled and set to prevent damage to their appearance. Barrier Boulders shall be set a minimum of 6 inches below finished grade on compacted soil. Barrier Boulders shall be stable and set in such a manner that they will not shift or move unintentionally. Barrier Boulders shall be located as shown on the Plans and as approved by the Resident.

Spacing between Barrier Boulders, adjacent Barrier Boulders, the Abutment No. 2 downstream wingwall, and the building to remain shall be a maximum of 3 feet. Spacing shall be measured perpendicular to the building to remain in plan and 2.5 feet above finished grade.

Method of Measurement Barrier Boulder will be measured for payment by each unit, complete, in-place, and accepted.

Basis of Payment The accepted quantity of Barrier Boulder will be paid for at the Contract unit price, which shall be full compensation for excavation, furnishing all materials, labor, equipment, and other incidentals necessary to complete the work as specified on the Plans and herein.

<u>Pay Item</u>		<u>Pay Unit</u>
610.60	Barrier Boulder	EA

# Highway Lighting Quality Control Checklist

## Subsection 634.09 Field Testing

Project Pin # \_\_\_\_\_

Location (if multiple services, please be specific)- \_\_\_\_\_

Grounding Electrode Resistance at service \_\_\_\_\_

Number of Circuits \_\_\_\_\_

Hand-Off-Auto Switch? \_\_\_\_\_

### Circuit #1

**Open Circuit Resistance-** (Ohm out both hot legs at the cabinet while they are shorted together at the last pole and the fuse holders are disconnected at each pole) \_\_\_\_\_

**Megger Test-** (Meg out both hot legs to ground at the cabinet while they are shorted together at the last pole and the fuse holders are disconnected at each pole) \_\_\_\_\_

**Current draw-** (during normal operation) Leg #1 \_\_\_\_\_ Leg #2 \_\_\_\_\_

**Operating Voltage at last pole** \_\_\_\_\_

### Circuit #2

**Open Circuit Resistance-** (Ohm out both hot legs at the cabinet while they are shorted together at the last pole and the fuse holders are disconnected at each pole) \_\_\_\_\_

**Megger Test-** (Meg out both hot legs to ground at the cabinet while they are shorted together at the last pole and the fuse holders are disconnected at each pole) \_\_\_\_\_

**Current draw-** (during normal operation) Leg #1 \_\_\_\_\_ Leg #2 \_\_\_\_\_

**Operating Voltage at last pole** \_\_\_\_\_

I, \_\_\_\_\_, certify that this work was done in accordance with subsection 643.14 and current NEC \_\_\_\_\_ guidelines, and when tested, was functioning as intended. (YEAR)

Electrician's Signature \_\_\_\_\_

Electrician's License # \_\_\_\_\_

# Highway Lighting Quality Control Checklist

## Subsection 634.09 Field Testing

Project Pin # \_\_\_\_\_

Location (if multiple services, please be specific)- \_\_\_\_\_

Grounding Electrode Resistance at service \_\_\_\_\_

Number of Circuits \_\_\_\_\_

Hand-Off-Auto Switch? \_\_\_\_\_

### Circuit #3

**Open Circuit Resistance-** (Ohm out both hot legs at the cabinet while they are shorted together at the last pole and the fuse holders are disconnected at each pole) \_\_\_\_\_

**Megger Test-** (Meg out both hot legs to ground at the cabinet while they are shorted together at the last pole and the fuse holders are disconnected at each pole) \_\_\_\_\_

**Current draw-** (during normal operation) Leg #1 \_\_\_\_\_ Leg #2 \_\_\_\_\_

**Operating Voltage at last pole** \_\_\_\_\_

### Circuit #4

**Open Circuit Resistance-** (Ohm out both hot legs at the cabinet while they are shorted together at the last pole and the fuse holders are disconnected at each pole) \_\_\_\_\_

**Megger Test-** (Meg out both hot legs to ground at the cabinet while they are shorted together at the last pole and the fuse holders are disconnected at each pole) \_\_\_\_\_

**Current draw-** (during normal operation) Leg #1 \_\_\_\_\_ Leg #2 \_\_\_\_\_

**Operating Voltage at last pole** \_\_\_\_\_

I, \_\_\_\_\_, certify that this work was done in accordance with subsection 643.14 and current NEC \_\_\_\_\_ guidelines, and when tested, was functioning as intended. (YEAR)

Electrician's Signature \_\_\_\_\_

Electrician's License # \_\_\_\_\_

# Traffic Signal Quality Control Checklist

## Subsection 643.14 Field Testing

Project Pin # \_\_\_\_\_

Grounding Electrode Resistance at service \_\_\_\_\_

ID tags on loop amps / detector cards? \_\_\_\_\_

**Location** \_\_\_\_\_

Street Approach	_____		
Loop #	_____	Resistance	_____
Phase #	_____	Meg to ground	_____
L,C, or R Lane	_____	Amount of bondo covering loop	_____
Pulse or Presence	_____		

Street Approach	_____		
Loop #	_____	Resistance	_____
Phase #	_____	Meg to ground	_____
L,C, or R Lane	_____	Amount of bondo covering loop	_____
Pulse or Presence	_____		

Street Approach	_____		
Loop #	_____	Resistance	_____
Phase #	_____	Meg to ground	_____
L,C, or R Lane	_____	Amount of bondo covering loop	_____
Pulse or Presence	_____		

I, \_\_\_\_\_, certify that this work was done in accordance with subsection 643.14 and current NEC \_\_\_\_\_ guidelines, and when tested, was functioning as intended. (YEAR)

Electrician's Signature \_\_\_\_\_

Electrician's License # \_\_\_\_\_

**SPECIAL PROVISIONS**  
**SECTION 638**  
**BRIDGE LIGHTING**  
(Embedded Work in Structure)

Description. This work shall consist of furnishing and installing all materials and equipment embedded in a bridge structure necessary for a bridge lighting system as shown on the plans and as directed.

**MATERIALS**

General. All material furnished by the Contractor shall be new unless otherwise specified. All electrical equipment shall conform to NEMA, UL or EIA standards, as applicable. All materials and workmanship shall conform to the requirements of the latest version of the National Electrical Code (NEC), of the local electrical utility company, and of local ordinances that may apply. Materials also shall meet the requirements of Section 700 of the Standard Specifications, as applicable.

Submittals. Wiring for luminaires will be furnished and installed by Central Maine Power Company. The Contractor shall submit for review a list of other equipment and materials proposed to be embedded in the bridge structure for the bridge lighting system, including detail drawings of locations and methods of proposed embedment. The list shall include the name of the manufacturer, size and identifying number of each item and other necessary data, including detailed scale drawings and wiring diagrams of special equipment, as appropriate. If requested, the Contractor shall submit sample articles of materials proposed for use. Submittals, other than material samples, shall be provided in duplicate. Following checking, correction and approval, two sets of approved embedment detail drawings shall be submitted. The Department will not be liable for material purchased, labor performed, or work delayed before such review. Upon completion of the work, the Contractor shall submit a set of as-built drawings, in electronic format acceptable to the Department, detailing the materials and equipment embedded in the structure, locations within the structure, and methods of embedment.

## CONSTRUCTION REQUIREMENTS

Conduit. Conduit to be embedded within a bridge structure shall be installed in accordance with requirements of Sections 626.031, 626.032 and 626.033 of the Standard Specifications. Conduit shall be sized to be no smaller than required by the NEC.

Bonding, Grounding and Testing. All metal conduit ends and exposed non-current-carrying metal parts of fixed hardware embedded in the structure shall be connected to the grounding conductor. All grounding and bonding shall conform to the requirements of the NEC. Testing of lighting circuits in embedded work shall be the responsibility of Central Maine Power Company.

Acceptance. All systems shall be complete and in operation to the satisfaction of the Resident at the time of acceptance of the work.

Method of Measurement. Embedded Work in Structure, satisfactorily installed and accepted, will be measured for payment by the lump sum.

Basis of Payment. The accepted quantity of Embedded Work in Structure will be paid for at the Contract lump sum price, which payment will be full compensation for all labor, materials, equipment and incidentals necessary to complete the work, including but not limited to conduit, junction boxes, expansion connections, and other incidental materials, hardware and equipment embedded in the structure and connection of bridge light standards to the structure. Bonding and grounding of materials, hardware and equipment embedded in the structure will be incidental to this pay item.

Flexible conduit at expansion joint locations and all necessary connection hardware and materials to complete the work will be considered incidental to this pay item.

Portions of the lighting system external to the bridge structure are intended to be paid for under the Section 626 and Section 634 pay items of the Contract.

Payment will be made under:

<u>Pay Item</u>	<u>Unit</u>
638.01 Embedded Work in Structure	Lump Sum

**Special Provisions**  
**Traffic Signal Modification**  
**Item 643**

At the intersection of Elm Street (US Route 1) and Lincoln Street the Contractor shall replace the green ball indications facing the Lincoln Street approach with 12” green right arrow indications during the project detour. At the conclusion of the detour the Contractor shall replace the green right arrow indications with new 12” LED green ball indications. The Contractor shall also install a new 12” LED left arrow indication below the green ball indication in the left most signal head. This indication shall illuminate when the green ball illuminates.

643.18 Method of Measurement

The traffic signal modification will be measured for payment by the lump sum in place.

643.19 Basis of Payment

The traffic signal modification will be paid for at the contract lump sum price, which payment will be full compensation for furnishing all materials including, but not limited to the new indications and all appurtenances and incidentals required for a complete and functioning installation.

Payment will be made under:

<i>Pay Item</i>	<i>Description</i>	<i>Pay Unit</i>
643.71	Traffic Signal Modification: Elm Street & Lincoln Street	lump sum

SPECIAL PROVISION  
SECTION 652  
MAINTENANCE OF TRAFFIC

652.3.6 Traffic Control: This Subsection is amended by the addition of the following:

The Contractor shall be allowed to temporarily close 1 lane of traffic on the bridge in order to perform work on the bridge. Hours of closure shall be from 7 PM to 7 AM, and alternating traffic shall be maintained with the use of flaggers. During periods of lane closure, the Contractor shall maintain pedestrian traffic on the bridge. No work affecting traffic or pedestrians shall be performed or allowed outside of these specified closure hours.

**SPECIAL PROVISION  
 ITEM NO. 910.301  
 SPECIAL WORK – NEW TELEPHONE SYSTEM**

**Description:** This work shall consist of temporary support of the telecommunications facilities located on the existing bridge during construction, installation of new conduit system, and installation of new hanger/support system for existing facilities and new conduit system.

Telecommunications Facilities associated with this work are owned and operated under MaineDOT permit by FairPoint Communications.

The facilities connected to the existing bridge consist of the following: four 3” PVC conduit in 4 by 1 formation, placed in 1971 and located in the sidewalk of the existing bridge. One of these conduits contains one 1200-pair copper cable installed in 1993. This telecommunications facility feeds the South Western section of the City of Saco and beyond and cannot be disrupted.

The copper cable weighs approximately 5.1 lbs/ft. This weight is only copper cable. The total weight of the system is estimated at approx. 7 lbs/ft. The remaining 3 ducts are empty. The existing conduit rises on existing poles at each end of the bridge. The pole on the Saco side will be relocated to a new location and the pole on the Biddeford side will be replaced in place due to condition as specified in Special Provision 104, Utilities.

**Requirements:** In completing the work described in this section, the following maximum allowable displacements of the existing telecommunications facilities are allowed:

<u>Parameter</u>	<u>Maximum Allowable Displacement</u>
Horizontal Movement at Abutment 1	12 Inches
Horizontal Movement at Abutment 2	12 Inches
Vertical Movement, Including Sag	12 Inches
The maximum allowable displacements provided are an estimate, and will be more clearly defined after contract award prior to construction, as discussed below.	

**Submittals:** The Contractor shall submit shop drawings showing the temporary support system for the telecommunications facilities. The shop drawings shall clearly depict how the telecommunications facilities will be supported and maintained throughout the construction of the Project. Shop drawings shall be signed and stamped by a Professional Engineer licensed in the State of Maine. Submittal and review of the shop drawings shall be in accordance with applicable sections of the Department’s Standard Specifications and require approval from FairPoint Communications Outside Plant Engineering Department.

**Materials:** Materials for additional conduits and attachment to the new bridge shall consist of the following:

- The Contractor shall provide all conduit and materials, as specified on Sheet 1 of the Utility Plans (furnished by American U-Tel).

- American U-Tel will provide hanger design and material list.

**Construction:** The Contractor shall use extreme care when exposing, working in, and around the FairPoint conduit system.

Whenever the Contractor is working with, or in and around the FairPoint conduit system, a representative from FairPoint shall be present. The FairPoint representative for the Project is Neal Lessard, Mobile: 207-232-8767 or Office: 207-985-7430.

Prior to design and construction of the temporary telecommunications support system, a pre-design/construction meeting for the support system shall be conducted. Prior to the meeting, the Contractor shall expose all applicable sections of the existing facilities, as determined and agreed to by the Department, FairPoint, and Contractor. The meeting will be attended by representatives discussed herein, and the designer responsible for the temporary support system. The meeting will be to discuss the condition of the existing duct system, to identify areas which may need to be repaired or replaced as part of the work, and to more clearly define the Requirements of the temporary support system.

The Contractor shall relocate the cable to a temporary location, install schedule 40 PVC split duct around existing cable, if required, and secure the cable. Areas where existing conduit shall be replaced will be identified as part of the pre-design/construction meeting, and during construction by the FairPoint representative. This work shall be performed by a qualified contractor experienced in FairPoint conduit procedures.

There shall be no interruption in service to the existing cable and conduit system on the existing bridge. No blasting will be permitted within 20 feet of the existing conduit system. The Contractor shall remove bedrock as required using non-explosive methods, i.e. Hoe Ram.

Approval of the new design of the temporary support system by FairPoint Communications and the MDOT will be limited to 10 working days.

Dig Safe is required. FairPoint Communications requires a Contract Work Inspector to be present during this process. Contact Neal Lessard at 207-232-8767 (Cell) or 207-985-7430 (Office).

**Method of Measurement:** Special Work – New Telephone System will be measured for payment by the lump sum and will include temporary support of telecommunication facilities and installation of a new hanger support system as specified on the Plans and specified herein, complete, in-place, and accepted.

**Basis of Payment:** The accepted quantity of Special Work – New Telephone System will be paid for at the Contract lump sum price, which shall be full compensation for engineering, shop drawings, furnishing all materials, labor, equipment, and other incidentals necessary to temporarily support the existing telecommunications facilities and installation of utility hangers and new conduit, furnishing all materials, labor, equipment, and other incidentals necessary to install the new hanger system on the new bridge. Special Work – New Telephone System shall also include mobilization to complete the work specified herein and shall consist of preparatory work and operations including, but not limited to, those necessary to the movement of all

Biddeford-Saco, ME  
Somesville Bridge over the Saco River  
Project: BH-1823(300)X, WIN 18233.00

materials, personnel, equipment, and incidentals to the project site; and for all other work and operations which must be performed or costs incurred prior to beginning this work.

Pay item	Description	Pay unit
910.301	Special Work - New Telephone System	Lump Sum

November 05, 2014  
Supersedes March 25, 2014

## STANDARD DETAIL UPDATES

Standard Details and Standard Detail updates are available at:

<http://maine.gov/mdot/contractors/publications/standarddetail/>

<b><u>Detail #</u></b>	<b><u>Description</u></b>	<b><u>Revision Date</u></b>
------------------------	---------------------------	-----------------------------

	No Changes to the November 2014 Standard Detail Book	
--	--	--

SUPPLEMENTAL SPECIFICATION  
(Corrections, Additions, & Revisions to Standard Specifications - November 2014)

**SECTION 101**  
**CONTRACT INTERPRETATION**

101.2 Definitions

Page 1-5 – Remove the definition of Bridge in its entirety and replace with:

**“Bridge A structure that is erected over a depression or an obstruction, such as water, a highway or a railway, and has an opening measured along the centerline of the Roadway of more than 20 feet between: The faces of abutments; spring line of arches; extreme ends of openings of box culverts, pipes or pipe arches; or the extreme ends of openings for multiple box culverts, pipes or pipe arches.”**

Page 1-12 – Remove the definition of Large Culvert in its entirety and replace with:

**“Large Culvert Any structure not defined as a Culvert or Bridge that provides a drainage or non-drainage opening under the Roadway or Approaches to the Roadway, with an opening that is 5 feet but less than 10 feet.”**

Remove the definition of Minor Span in its entirety and replace with:

**“Minor Span Same definition as Bridge, except having an opening of between 10 feet and 20 feet, inclusive.”**

**SECTION 104**  
**GENERAL RIGHTS AND RESPONSIBILITIES**

104.5.5 Prompt Payment of Subcontractors Add the following paragraph to this subsection:

**C. Payment Tracking Federal Projects On federally funded projects, the prime contractor, subcontractors and lower-tier subcontractors will track and confirm the delivery and receipt of all payments through the Elation System. They will be responsible for entering all payments to all sub and lower tier contractors. MaineDOT will run a query monthly to ensure that contractors are complying and generate an e-mail to contractors who have not responded to confirm receipt of MaineDOT payment or contractor payment to lower tier subcontractors.**

**SECTION 105**  
**GENERAL SCOPE OF WORK**

105.4.5 Special Detours Remove this subsection in its entirety and replace with:

**“105.4.5 Maintenance of Existing Structures When a new Bridge or Minor Span is being installed on a new alignment and the existing structure is to remain in service, the Department will maintain the existing structure and the portions of the roadway required for maintaining traffic until such time that the new structure is opened to traffic and the existing structure is taken out of service. A similar situation exists when a new Bridge or Minor Span is being installed on the same alignment as the existing structure, requiring a temporary detour to be installed by the Contractor per Section 510, Special Detours, prior to removal of the existing structure. In this case, the Department will maintain the existing structure and the portions of the existing roadway required for maintaining traffic until such time that either the temporary detour is opened to traffic or the Contractor begins any work on the existing structure, including, but not limited to, repairs, modifications, moving, demolition or removal. In either case, once the new structure or temporary detour is opened to traffic, or the Contractor begins any work on the existing structure, the Contractor shall be solely responsible for all maintenance of the existing structure and the portions of the existing approaches that lie outside the new roadway or the temporary detour, respectively. This specification is not intended to supersede Standard Specification Section 104.3.11, Responsibility for Property of Others.”**

**APPENDIX A TO DIVISION 100**

Remove Section D in its entirety as this is now covered in Section 105.10 EQUAL OPPORTUNITY AND CIVIL RIGHTS.

**SECTION 203**  
**EXCAVATION AND EMBANKMENT**

203.02 Materials

At the bottom of page 2-12, add as the first item in the list:

**Crushed Stone, ¾ inch      703.13**

**SECTION 304**  
**AGGREGATE BASE AND SUBBASE COURSE**

304.02 Aggregate

Remove the sentence “Aggregate for base and subbase courses shall be material meeting the aggregate type requirements specified in the following table” in its entirety and the table that follows it with headings of ‘Material’ and ‘Aggregate Type’.

**SECTION 307**  
**FULL DEPTH RECYCLED PAVEMENT**

Remove this Section in its entirety and replace with:

**SECTION 307**  
**FULL DEPTH RECYCLING**  
**(UNTREATED OR TREATED WITH EMULSIFIED ASPHALT STABILIZER)**

**307.01 Description** This work shall consist of pulverizing a portion of the existing roadway structure into a homogenous mass, adding an emulsified asphalt stabilizer (if required) to the depth of the pulverized material specified in the contract, placing and compacting this material to the lines, grades, and dimensions shown on the plans or established by the Resident.

**MATERIALS**

**307.02 Pulverized Material** Pulverized material shall consist of the existing asphalt pavement layers and one inch or more as specified of the underlying gravel, pulverized and blended into a homogenous mass. Pulverized material will be processed to 100% passing a 2 inch square mesh sieve.

**307.021 New Aggregate and Additional Recycled Material** New aggregate, if required by the contract, shall meet the requirements of Subsection 703.10 - Aggregate for Untreated Surface Course and Leveling Course, Type A. Aggregate Subbase Course Gravel Type D processed to 100 percent passing a 2 inch square mesh sieve and meeting the requirements of 703.06 – Aggregate for Base and Subbase may be used in areas requiring depths greater than 2 inches. New aggregate, will be measured and paid for under the appropriate item.

Recycled material, if required, shall consist of salvaged asphalt material from the project or from off-site stockpiles that has been processed before use to 100 percent passing a 2 inch square mesh sieve. Recycled material shall be conditionally accepted at the source by the Resident. It shall be free of winter sand, granular fill, construction debris, or other materials not generally considered asphalt pavement.

Recycled material generated and salvaged from the project shall be used within the roadway limits to the extent it is available as described in 307.09. No additional payment will be made for material salvaged from the project.

Recycled material supplied from off-site stockpiles shall be paid for as described in the contract, or by contract modification.

**307.022 Emulsified Asphalt Stabilizer.** If required, the emulsified asphalt stabilizer shall be grade MS-2, MS-4, SS-1, or CSS-1 meeting the requirements of Subsection 702.04 Emulsified Asphalt.

**307.023 Water** Water shall be clean and free from deleterious concentrations of acids, alkalis, salts or other organic or chemical substances.

**307.024 Portland Cement** If required, Portland Cement shall be Type I or II meeting the requirements of AASHTO M85.

**307.025 Hydrated Lime** If required, Hydrated Lime shall meet the requirements of AASHTO M216.

## **EQUIPMENT**

**307.03 Pulverizer** The pulverizer shall be a self-propelled machine, specifically manufactured for full-depth recycling work and capable of reducing the required existing materials to a size that will pass a 2 inch square mesh sieve. The machine shall be equipped with standard automatic depth controls and must maintain a consistent cutting depth and width. The machine also shall be equipped with a gauge to show depth of material being processed.

**307.04 Liquid Mixer Unit or Distributor.** If treatment of the recycled layer with emulsified asphalt is required by the contract, a liquid mixing unit or distributor shall be used to introduce the emulsified asphalt stabilizer into the pulverized material. The mixing unit shall contain a liquid distribution and mixing system which has been specifically manufactured for full-depth recycling work, capable of mixing the pulverized material with an evenly metered distribution of emulsified asphalt into a homogeneous mixture, to the depth and width required.

The mixing unit shall be designed, equipped, maintained, and operated so that emulsified asphalt stabilizer at constant temperature may be applied uniformly on variable widths of pulverized material up to 6 feet at readily determined and controlled rates from 0.01 to 1.06 gal/yd<sup>2</sup> with uniform pressure and with an allowable variation from any specified rate not to exceed 0.01 gal/ yd<sup>2</sup>. Mixing units shall include a tachometer, pressure gages, and accurate volume measuring devices or a calibrated tank and a thermometer for measuring temperatures of tank contents.

**307.041 Cement or Lime Spreader** If required by the contract, spreading of the Portland Cement or Hydrated Lime shall be done with a spreader truck designed to spread dry particulate (such as Portland Cement or Lime) or other approved means to insure a uniform distribution across the roadway and minimize fugitive dust. Pneumatic application, including through a slotted pipe, will not be permitted. Other systems that have been developed include fog systems, vacuum systems, etc. Slurry applications may also be accepted. The Department reserves the right to accept or reject the method of spreading cement. The Contractor shall provide a method for verifying that the correct amount of cement is being applied.

**307.05 Placement Equipment** Placement of the Full Depth recycled material to the required slope and grade shall be done with an approved highway grader or by another method approved by the Resident.

**307.06 Rollers** The full depth recycled material shall be rolled with a vibratory pad foot roller, a vibratory steel drum soil compactor and a pneumatic tire roller. The pad foot roller drum shall have a minimum of 112 tamping feet 3 inches in height, a minimum contact area per foot of 17 inch<sup>2</sup>, and a minimum width of 84 inches. The vibratory steel drum roller shall have a minimum 84 inch width single drum. The pneumatic tire roller shall meet the requirements of Section 401.10 and the minimum allowable tire pressure shall be 85 psi.

### MIX DESIGN

If treatment of the recycled layer with emulsified asphalt is required by the contract, the Department will supply a mix design for the emulsified asphalt stabilized material based on test results from pavement and soil analysis taken to the design depth. The Department will provide the following information prior to construction:

1. Percent of emulsified asphalt to be used.
2. Quantity of lime or cement to be added.
3. Optimum moisture content for proper compaction.
4. Additional aggregate (if required).

After a test strip has been completed or as the work progresses, it may be necessary for the Resident to make necessary adjustments to the mix design. Changes to compensation will be in accordance with the Mix Design Special Provision.

### CONSTRUCTION REQUIREMENTS

**307.06 Pulverizing** The entire depth of existing pavement shall be pulverized together with 1 inch or more of the underlying gravel into a homogenous mass. All pulverizing shall be done with equipment that will provide a homogenous mass of pulverized material, processed in-place, which will pass a 2 inch square mesh sieve.

**307.07 Weather Limitations** Full depth recycled work shall be performed when;

- A. Recycling operations will be allowed between May 15<sup>th</sup> and September 15<sup>th</sup> inclusive in Zone 1 - Areas north of US Route 2 from Gilead to Bangor and north of Route 9 from Bangor to Calais.
- B. The atmospheric temperature, as determined by an approved thermometer placed in the shade at the recycling location, is 50°F and rising.
- C. When there is no standing water on the surface.
- D. During generally dry conditions, or when weather conditions are such that proper pulverizing, mixing, grading, finishing and curing can be obtained using proper procedures, and when compaction can be accomplished as determined by the Resident.
- E. When the surface is not frozen and when overnight temperatures are expected to be above 32°F.

**F. Wind conditions are such that the spreading of lime or cement on the roadway ahead of the recycling machine will not adversely affect the operation.**

**307.08 Surface Tolerance** The complete surface of the Full Depth Recycled course shall be shaped and maintained to a tolerance, above or below the required cross sectional shape, of  $\frac{3}{8}$  inch.

**307.09 Full Depth Recycling Procedure** New aggregate or recycled material meeting the requirements of Section 307.021 - New Aggregate and Additional Recycled Material, shall be added as necessary to restore cross-slope and/or grade before pulverizing. Locations will be shown on the plans or described in the construction notes. The Resident may add other locations while construction of the project is in progress. The Contractor will use recycled material to the extent it is available, in lieu of new aggregate. The material shall then be pulverized, processed, and blended into a homogeneous mass passing a 2 inch square mesh sieve. Material found not pulverized down to a 2 inch size will be required to be reprocessed by the recycler with successive passes until approved by the Resident.

Should the Contractor be required to add new aggregate or recycled material to restore cross-slope and/or grade after the initial pulverizing process, those areas will require re-processing to blend into a homogenous mass passing a 2 in square mesh sieve.

Sufficient water shall be added during the recycling process to maintain optimum moisture for compaction.

The resultant material from the initial pulverizing processes shall be graded and compacted to the cross-slope and profile shown on the plans or as directed by the Resident. The Contractor will also be responsible for re-establishing the existing profile grade. The completed surface of the full depth recycled course shall be shaped and maintained to a tolerance, above or below the required cross sectional shape, of  $\frac{3}{8}$  inch. Areas not meeting this tolerance will be repaired as described in Section 307.091. The initial pulverizing process density requirements will be the same as Section 307.101 unless otherwise directed by the Resident.

Additives, if required, shall be introduced following completion of the initial pulverizing and blending process. Emulsified asphalt stabilizer shall be incorporated into the top of the processed material as specified in section 307.04 to the depth specified in the contract by use of the liquid mixer unit or a distributor, at the rate specified in the mix design. The emulsified asphalt shall then be uniformly blended into a homogeneous mass until an apparent uniform distribution has occurred. The rate of application may be adjusted as necessary by the Resident. Cement or lime shall be introduced as described in section 307.041. The resultant material shall be graded and compacted to the cross-slope and profile shown on the plans or as directed by the Resident. The Contractor will also be responsible for re-establishing the existing profile grade.

After final compaction, the roadway surface shall be treated with a light application of water, and rolled with pneumatic-tired rollers to create a close-knit texture. The finished

layer shall be free from:

- A. Surface laminations.
- B. Segregation of fine and coarse aggregate.
- C. Corrugations, centerline differential, potholes, or any other defects that may adversely affect the performance of the layer, or any layers to be placed upon it.

The Contractor shall protect and maintain the recycled layer until a lift of pavement is applied. Any damage or defects in the layer shall be repaired immediately. An even and uniform surface shall be maintained. The recycled surface shall be swept prior to hot mix asphalt overlay placement.

**307.091 Repairs** Repairs and maintenance of the recycled layers, resulting from damage caused by traffic, weather or environmental conditions, or resulting from damage caused by the Contractor's operations or equipment, shall be completed at no additional cost to the Department.

For recycled layers stabilized with emulsified asphalt, low areas will be repaired using a hot mix asphalt shim. Areas up to 1 inch high can be repaired by milling or shimming with hot mix asphalt. Areas greater than 1 inch high will be repaired using a hot mix asphalt shim. All repair work will be done with the Resident's approval at the Contractor's expense.

## **TESTING REQUIREMENTS**

**307.10 Quality Control** The Contractor shall operate in accordance with the approved Quality Control Plan (QCP) to assure a product meeting the contract requirements. The QCP shall meet the requirements of Section 106.4 - Quality Control and this Section. The Contractor shall not begin recycling operations until the Department approves the QCP in writing.

Prior to performing any recycling process, the Department and the Contractor shall hold a Pre-recycle conference to discuss the recycling schedule, type and amount of equipment to be used, sequence of operations, and traffic control. A copy of the QC random numbers to be used on the project shall be provided to the Resident. All field supervisors including the responsible onsite recycling process supervisor shall attend this meeting.

The QCP shall address any items that affect the quality of the Recycling Process including, but not limited to, the following:

- A. Sources for all materials, including New Aggregate and Additional Recycled Material.
- B. Make and type of rollers including weight, weight per inch of steel wheels, and average contact pressure for pneumatic tired rollers.
- C. Testing Plan.

- D. Recycling operations including recycling speed, methods to ensure that segregation is minimized, grading and compacting operations.
- E. Methods for protecting the finished product from damage and procedures for any necessary corrective action.
- F. Method of grade checks.
- G. Examples of Quality Control forms.
- H. Name, responsibilities, and qualifications of the Responsible onsite Recycling Supervisor experienced and knowledgeable with the process.
- I. A note that all testing will be done in accordance with AASHTO and MDOT/ACM procedures.

The Project Superintendent shall be named in the QCP, and the responsibilities for successful implementation of the QCP shall be outlined.

The Contractor shall sample, test, and evaluate the full depth reclamation process in accordance with the following minimum frequencies:

#### MINIMUM QUALITY CONTROL FREQUENCIES

Test or Action	Frequency	Test Method
Density	1 per 1000 feet / lane	AASHTO T 310
Air Temperature	4 per day at even intervals	
Surface Temperature	At the beginning and end of each days operation	
Yield of all materials (Daily yield, yield since last test, and total project yield.)	1 per 1000 ft/lane	

The Department may view any QC test and request a QC test at any time. The Contractor shall submit all QC test reports and summaries in writing, signed by the appropriate technician, to the Department's onsite representative by 1:00 P.M. on the next working day, except when otherwise noted in the QCP due to local restrictions. The Contractor shall make all test results, including randomly sampled densities, available to the Department onsite.

The Contractor shall cease recycling operations whenever one of the following occurs:

- A. The Contractor fails to follow the approved QCP.
- B. The Contractor fails to achieve 98 percent density after corrective action has been taken.
- C. The finished product is visually defective, as determined by the Resident.
- D. The computed yield differs from the mix design by 10 percent or more.

Recycling operations shall not resume until the Department approves the corrective action to be taken.

**307.101 Test Strip** The contractor shall assemble all items of equipment for the recycling operation on the first day of the recycling work. The Contractor shall construct a test strip for the project at a location approved by the Resident. The Responsible onsite Recycling Supervisor will work with Department personnel to determine the suitability of the mixed material, moisture control within the mixed material, and compaction and surface finish. The test strip section is required to:

- A. Demonstrate that the equipment and processes can produce recycled layers to meet the requirements specified in these special provisions.
- B. Determine the effect on the gradation of the recycled material by varying the forward speed of the recycling machine and the rotation rate of the milling drum.
- C. Determine the optimum moisture necessary to achieve proper compaction of the recycled layer.
- D. Determine the sequence and manner of rolling necessary to obtain the compaction requirements and establish a target density. The Contractor and the Department will both conduct testing with their respective gauges at this time.

The test strip shall be at least 300 feet in length of a full lane-width (or a half-road width). Full recycling production will not start until a passing test strip has been accomplished. If a test strip fails to meet the requirements of this specification, the Contractor will be required to repair or replace the test strip to the satisfaction of the Resident. Any repairs, replacement, or duplication of the test strip will be at the Contractor's expense.

After the test strip has been pulverized, and the roadway brought to proper shape, the Contractor shall add water until it is determined that optimum moisture has been obtained. The test strip shall then be rolled using the specified compaction equipment as directed until the density readings show an increase in dry density of less than 1 pcf for the final four roller passes of each roller. The Contractor and Department will each determine a target density using their respective gauges by performing several additional density tests and averaging them. The average of these tests will be used as the target density of the recycled material for QC and Acceptance purposes.

Following completion of the test strip, compaction of the material shall continue until a density of not less than 98 percent of the test strip target density has been achieved for the full width and depth of the layer. During the construction and compaction of the Full Depth Recycled base, should three consecutive Acceptance test results for density fail to meet a minimum of 95 percent of the target density, or exceed 102 percent of target density, a new test strip shall be constructed.

**ACCEPTANCE TEST FREQUENCY**

Property	Frequency	Test Method
In-place Density	1 per 2000 ft / lane	AASHTO T 310

**308.102 Curing.** No new pavement shall be placed on the full depth recycled pavement until curing has reduced the moisture content to 1 percent or less by total weight of the mixture, or a curing period of 4 days has elapsed, whichever comes first.

**307.11 Method of Measurement** Full Depth Recycled Pavement (Untreated or Treated with Emulsified Asphalt Stabilizer) will be measured by the square yard.

**307.12 Basis of Payment** The accepted quantity of Full Depth Recycled Asphalt Pavement (Untreated or Treated with Emulsified Asphalt Stabilizer) will be paid for at the contract unit price per square yard, complete in-place which price will be full compensation for furnishing all equipment, materials and labor for pulverizing, blending, placing, grading, compacting, and for all incidentals necessary to complete the work.

The addition of materials to restore profile grade and/or cross-slope in areas shown on the plans or described in the construction notes will be paid separately under designated pay items within the contract. No additional payment will be made for materials salvaged from the project.

Payments will be made under:

<b><u>Pay Item</u></b>	<b><u>Pay Unit</u></b>
<b>307.331 Full Depth Recycled Pavement (Untreated) Yard</b>	<b>Square</b>
<b>307.332 Full Depth Recycled Pavement (with Emulsified Asphalt Stabilizer) 5 in. depth Yard</b>	<b>Square</b>
<b>307.333 Full Depth Recycled Pavement (with Emulsified Asphalt Stabilizer) 6 in. depth Yard</b>	<b>Square</b>

**SECTION 502**  
**STRUCTURAL CONCRETE**

502.05 Composition and Proportioning

Replace Table 1 with

TABLE 1

Concrete CLASS	Minimum Compressive Strength (PSI)	Permeability as indicated by Surface Resistivity (KOhm-cm)	Entrained Air (%)		Notes
			LSL	USL	
S	3,000	N/A	N/A	N/A	4,5
A	4,000	14	6.0	9.0	1,4,5
P	-----	-----	5.5	7.5	1,2,3,4
LP	5,000	17	6.0	9.0	1,4,5
Fill	3,000	N/A	6.0	9.0	4,5

In the list of information submitted by the contractor for a mix design:

Item J Replace “Target Coulomb Value.” with “Target KOhm-cm Value.”

502.1703 Acceptance Methods A and B

In the paragraph that starts with “The Department will take Acceptance...” Remove the word chloride from chloride permeability in the last sentence.

Replace the paragraph starting with “Rapid Chloride Permeability specimens...” With the following:

“Surface Resistivity specimens will be tested by the Department in accordance with AASHTO TP-95 at an age  $\geq$  56 days. Four 4 inch x 8 inch cylinders will be cast per subplot placed. The average of three concrete specimens per subplot will constitute a test result and this average will be used to determine the permeability for pay adjustment computations.”

502.1706 Acceptance Method C

Remove in its entirety and Replace with:

**502.1706 Acceptance Method C The Department will determine the acceptability of the concrete through Acceptance testing. Acceptance tests will include compressive strength, air content and permeability. Method C concrete with a failing permeability as indicated by the surface resistivity test may be tested for permeability in accordance with the Rapid Chloride Permeability Test AASHTO T-277 averaging the results from two specimens cut from the samples prepared for the surface resistivity test. Method C concrete not meeting the requirements listed in Table 1 or if the Rapid Chloride Permeability test results in values exceeding 2000 coulombs for Class LP or 2400 for Class A, shall be**

**removed and replaced at no cost to the Department. At the Department’s sole discretion, material not meeting requirements may be left in place and paid for at a reduced price as described in Section 502.195.**

502.1707 Resolution of Disputed Acceptance Test Results

Section B

Remove “Rapid Chloride” from the section heading.

In paragraph 4 replace T-277 with TP-95

502.192 Pay Adjustment for Chloride Permeability

Remove “Chloride” from the heading and from the first sentence.

Replace the sentence that starts with “values greater than...” and replace with “values less than 10 KOhms-cm for Class A concrete or 11 KOhms-cm for Class LP concrete shall be subject to rejection and replacement, at no additional cost to the Department.”

502.194 Pay Adjustments for Compressive Strength, Chloride Permeability and Air Content, Methods A and B

Remove the word “Chloride” from the section heading and from the equation for CPF.

502.195 Pay Adjustment Method C

Table 6: Method C Pay Reductions (page 5-53)

Under “Entrained Air” for “Class Fill”, in the first line, change from “< 4.0 (Removal)” to “< **4.5 (Removal)**”

In Table 6: Method C PAY REDUCTIONS remove the word ‘Chloride’ from ‘Chloride Permeability’.

**SECTION 619**  
**MULCH**

619.07 Basis of Payment

In the list of Pay Items add “**619.12 Mulch**” with a Pay Unit of “**Unit**”.

Change the description of 619.1201 from “Mulch” to “**Mulch – Plan Quantity**”

**SECTION 621**  
**LANDSCAPING**

621.0002 Materials - General

In the list of items change “Organic Humus” to “**Humus**”.

621.0019 Plant Pits and Beds

c Class A Planting

In the third paragraph beginning with “ The plant pit...” change “½ inch” to “**1 inch**”

**SECTION 660**  
**ON-THE-JOB TRAINING**

660.06 Method of Measurement

Remove the first sentence in its entirety and replace with “ **The OJT item will be measured by the number of OJT hours by a trainee who has successfully completed an approved training program.**”

660.07 Basis of payment to the Contractor

Remove the last word in the first sentence so that the first sentence reads “ The OJT shall be paid for once successfully completed at the contract unit price per **hour.**”

Payment will be made under

Change the Pay Item from “660.22” to “**660.21**” and change the Pay Unit from “Each” to “**Hour**”.

**SECTION 703**  
**AGGREGATES**

703.06 Aggregate for Base and Subbase

Remove the first two paragraphs in their entirety and replace with these:

**“The following shall apply to Sections (a.) and (c.) below. The material shall have a Micro-Deval value of 25.0 or less as determined by AASHTO T 327. If the Micro- Deval value exceeds 25.0, the Washington State Degradation DOT Test Method T113, Method of Test for Determination of Degradation Value (January 2009 version) shall be performed, except that the test shall be performed on the portion of the sample that passes the ½ in sieve and is retained on the No. 10 sieve. If the material has a Washington Degradation value of less than 15, the material shall be rejected.**

**The material used in Section (b.) below shall have a Micro-Deval value of 25.0 or less as determined by AASHTO T 327. If the Micro-Deval value exceeds 25.0 the material may be used if it does not exceed 25 percent loss on AASHTO T 96, Resistance to Degradation of Small-Size Coarse Aggregate by Abrasion and Impact in the Los Angeles Machine. “**

703.33 Stone Ballast

In the third paragraph, remove the words “ less than” before 2.60 and add the words “**or greater**” after 2.60.

**SECTION 717**  
**ROADSIDE IMPROVEMENT MATERIAL**

717.02 Agricultural Ground Limestone

In the table after the third paragraph which starts with “Liquid lime...” change the Specification for Nitrogen (N) from “15.5 percent of which 1% is from ammoniac nitrogen and 14.5 /5 is from Nitrate Nitrogen” to read “**15.5 % of which 1% is from Ammoniacal Nitrogen and 14.5 % is from Nitrate Nitrogen**”



DEPARTMENT OF THE ARMY  
 NEW ENGLAND DISTRICT, CORPS OF ENGINEERS  
 696 VIRGINIA ROAD  
 CONCORD, MASSACHUSETTS 01742-2751

REPLY TO  
 ATTENTION OF

MAINE GENERAL PERMIT (GP)  
 AUTHORIZATION LETTER AND SCREENING SUMMARY

OFFICE OF ENVIRONMENTAL SERVICES  
 MAINE DEPT. OF TRANSPORTATION  
 16 STATE HOUSE STATION  
 AUGUSTA, MAINE 04333

CORPS PERMIT # NAE-2014-02504  
 CORPS PGP ID# 14-428  
 STATE ID# PBR

DESCRIPTION OF WORK:

Place temporary and permanent fill below the ordinary high water line of the Saco River between Biddeford and Saco, Maine in order to replace the existing deteriorated Somesville Bridge. The projects will result in approximately 2,900 s.f. of temporary and 1,660 s.f. of permanent river bed impact. This work is shown on the attached plans entitled "Maine DOT WIN 18233.00, Saco-Biddeford, Somesville Bridge #3412" in three sheets undated and "SOMESVILLE BRIDGE, SACO RIVER, SACO & BIDDEFORD, YORK COUNTY" in two sheets dated "Jan 2014".

LAT/LONG COORDINATES : 43.4991357° N -70.4569840° W USGS QUAD: BIDDEFORD, ME

I. CORPS DETERMINATION:

Based on our review of the information you provided, we have determined that your project will have only minimal individual and cumulative impacts on waters and wetlands of the United States. Your work is therefore authorized by the U.S. Army Corps of Engineers under the enclosed Federal Permit, the Maine General Permit (GP). Accordingly, we do not plan to take any further action on this project.

You must perform the activity authorized herein in compliance with all the terms and conditions of the GP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed GP carefully, including the GP conditions beginning on page 5, to familiarize yourself with its contents. You are responsible for complying with all of the GP requirements; therefore you should be certain that whoever does the work fully understands all of the conditions. You may wish to discuss the conditions of this authorization with your contractor to ensure the contractor can accomplish the work in a manner that conforms to all requirements.

If you change the plans or construction methods for work within our jurisdiction, please contact us immediately to discuss modification of this authorization. This office must approve any changes before you undertake them.

Condition 41 of the GP (page 18) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the GP on October 12, 2015. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 12, 2016.

This authorization presumes the work shown on your plans noted above is in waters of the U.S. Should you desire to appeal our jurisdiction, please submit a request for an approved jurisdictional determination in writing to the undersigned.

No work may be started unless and until all other required local, State and Federal licenses and permits have been obtained. This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.

II. STATE ACTIONS: PENDING [ X ], ISSUED [ ], DENIED [ ] DATE: \_\_\_\_\_

APPLICATION TYPE: PBR: X, TIER 1: \_\_\_\_\_, TIER 2: \_\_\_\_\_, TIER 3: \_\_\_\_\_, LURC: \_\_\_\_\_, DMR LEASE: \_\_\_\_\_, NA: \_\_\_\_\_

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 12/16/14 LEVEL OF REVIEW: CATEGORY 1: \_\_\_\_\_ CATEGORY 2: X

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10 \_\_\_\_\_, 404 X, 10/404 \_\_\_\_\_, 103 \_\_\_\_\_

EXCLUSIONS: The exclusionary criteria identified in the general permit do not apply to this project.

FEDERAL RESOURCE AGENCY OBJECTIONS: EPA\_NO \_\_\_\_\_, USF&WS\_NO \_\_\_\_\_, NMFS\_NO \_\_\_\_\_

If you have any questions on this matter, please contact my staff at 207-623-8367 at our Manchester, Maine Project Office. In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at <http://per2.nwp.usace.army.mil/survey.html>

Jay L. Clement  
 JAY L. CLEMENT  
 SENIOR PROJECT MANAGER  
 MAINE PROJECT OFFICE

Jay L. Clement 1/26/15  
 FOR FRANK J. DEL GIUDICE DATE  
 CHIEF, PERMITS & ENFORCEMENT BRANCH  
 REGULATORY DIVISION

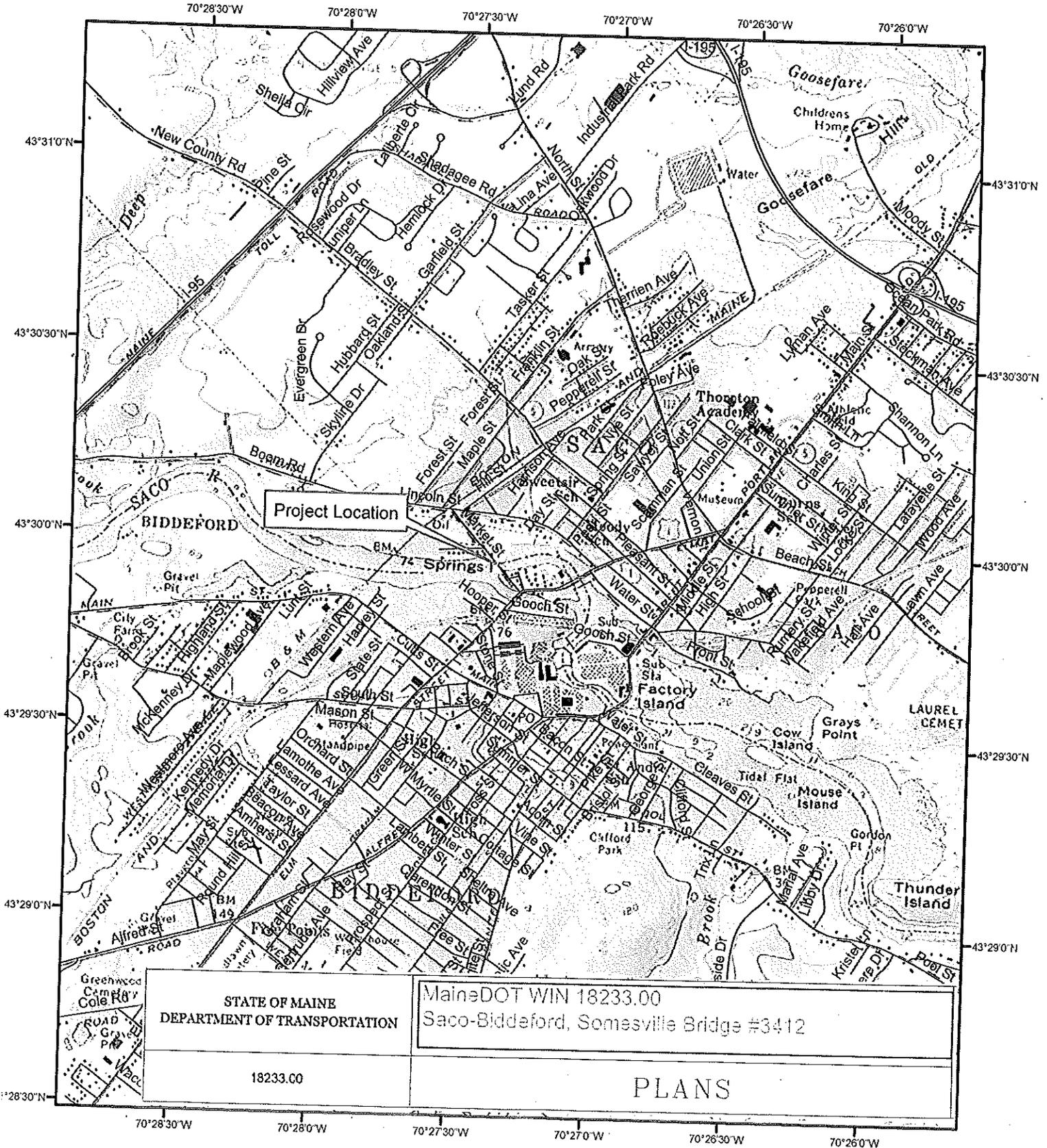


**US Army Corps  
of Engineers**  
New England District

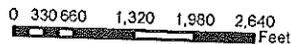
**PLEASE NOTE THE FOLLOWING GENERAL CONDITIONS FOR  
DEPARTMENT OF THE ARMY  
GENERAL PERMIT  
NO. NAE-2014-02504**

1. This authorization requires you to 1) notify us before beginning work so we may inspect the project, and 2) submit a Compliance Certification Form. You must complete and return the enclosed Work Start Notification Form(s) to this office at least two weeks before the anticipated starting date. You must complete and return the enclosed Compliance Certification Form within one month following the completion of the authorized work and any required mitigation (but not mitigation monitoring, which requires separate submittals).
2. The permittee shall assure that a copy of this permit is at the work site whenever work is being performed and that all personnel performing work at the site of the work authorized by this permit are fully aware of the terms and conditions of the permit. This permit, including its drawings and any appendices and other attachments, shall be made a part of any and all contracts and sub-contracts for work which affects areas of Corps of Engineers' jurisdiction at the site of the work authorized by this permit. This shall be done by including the entire permit in the specifications for the work. If the permit is issued after construction specifications but before receipt of bids or quotes, the entire permit shall be included as an addendum to the specifications. The term "entire permit" includes permit amendments. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions of the entire permit, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps of Engineers jurisdiction.
3. Adequate sedimentation and erosion control devices, such as geotextile silt fences or other devices capable of filtering the fines involved, shall be installed and properly maintained to minimize impacts during construction. These devices must be removed upon completion of work and stabilization of disturbed areas. The sediment collected by these devices must also be removed and placed upland, in a manner that will prevent its later erosion and transport to a waterway or wetland.
4. All exposed soils resulting from the construction will be promptly seeded and mulched in order to achieve vegetative stabilization.
5. Instream work shall be conducted between July 1 and August 31 and between November 8 and April 9 in order to minimize potential impacts to fisheries and local water quality. At all times during construction an open migratory pathway shall be maintained in the river through the project site.
6. In order to fulfill the requirements of Section 106 of the National Historic Preservation Act of 1966, the permittee shall implement the stipulations contained in the attached Memorandum of Agreement between the Federal Highway Administration, the Maine State Historic Preservation Officer, and the Maine Dept. of Transportation.
7. All areas of temporary fill shall be restored to their original contour and character upon completion of the project.
8. The permittee must still obtain any other Federal, State, or local permits as required by law before beginning work. This includes but is not limited to a Flood Hazard Development Permit issued by the town if necessary.

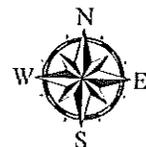
# Section 3: Project Location Map



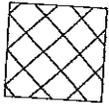
-70.4564  
43.4992



MDOT WIN 18233.00  
Saco-Biddeford  
Somesville Bridge #3412



Temporary RUS Impacts Approximate Location, Cofferdams  
 2900 square feet + 100 sf piles for temp. trestle (not shown)



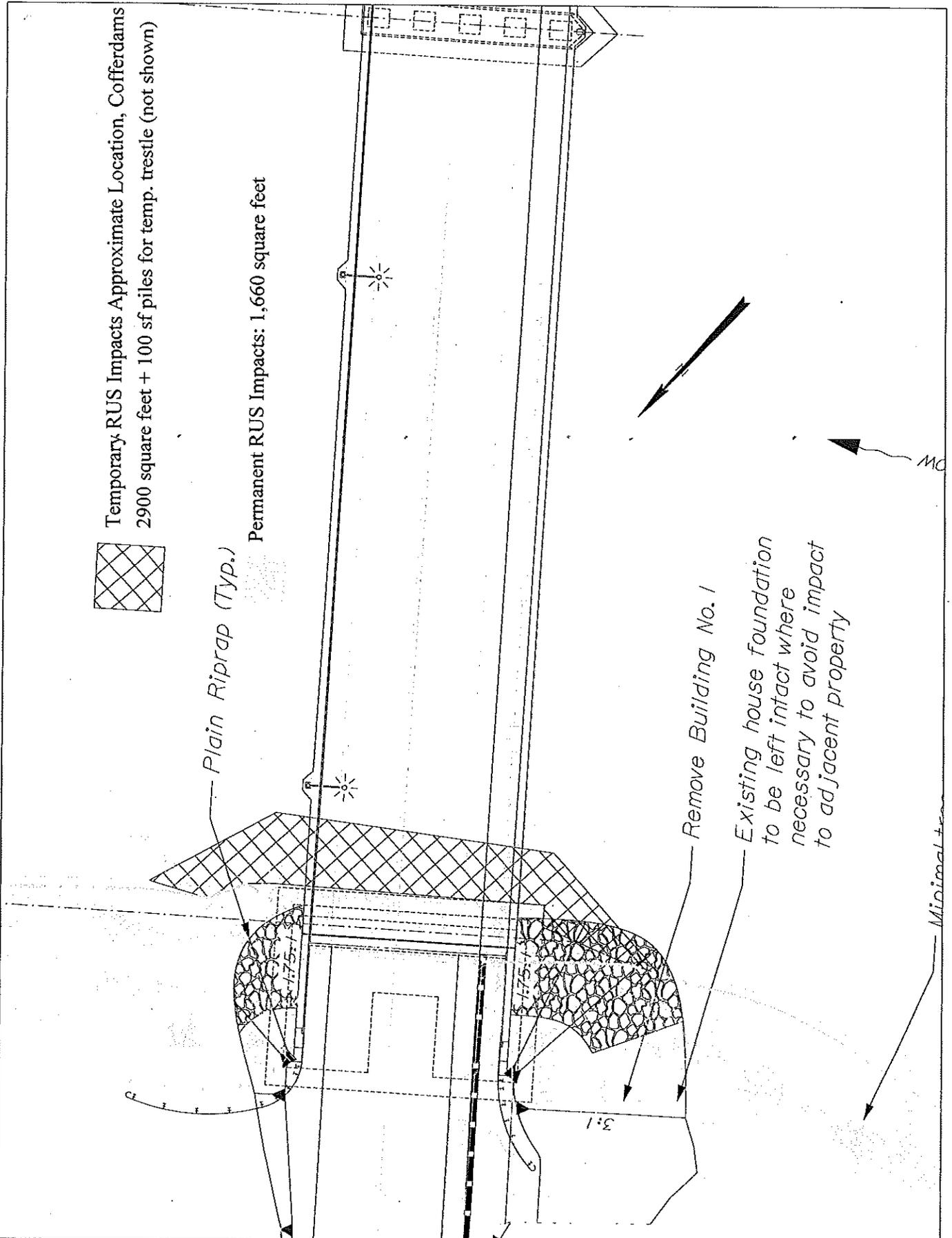
Permanent RUS Impacts: 1,660 square feet

Plain Riprap (Typ.)

Remove Building No. 1

Existing house foundation  
 to be left intact where  
 necessary to avoid impact  
 to adjacent property

Minimal



STATE OF MAINE  
 DEPARTMENT OF TRANSPORTATION

MaineDOT WIN 18233.00  
 Saco-Biddeford, Somesville Bridge #3412

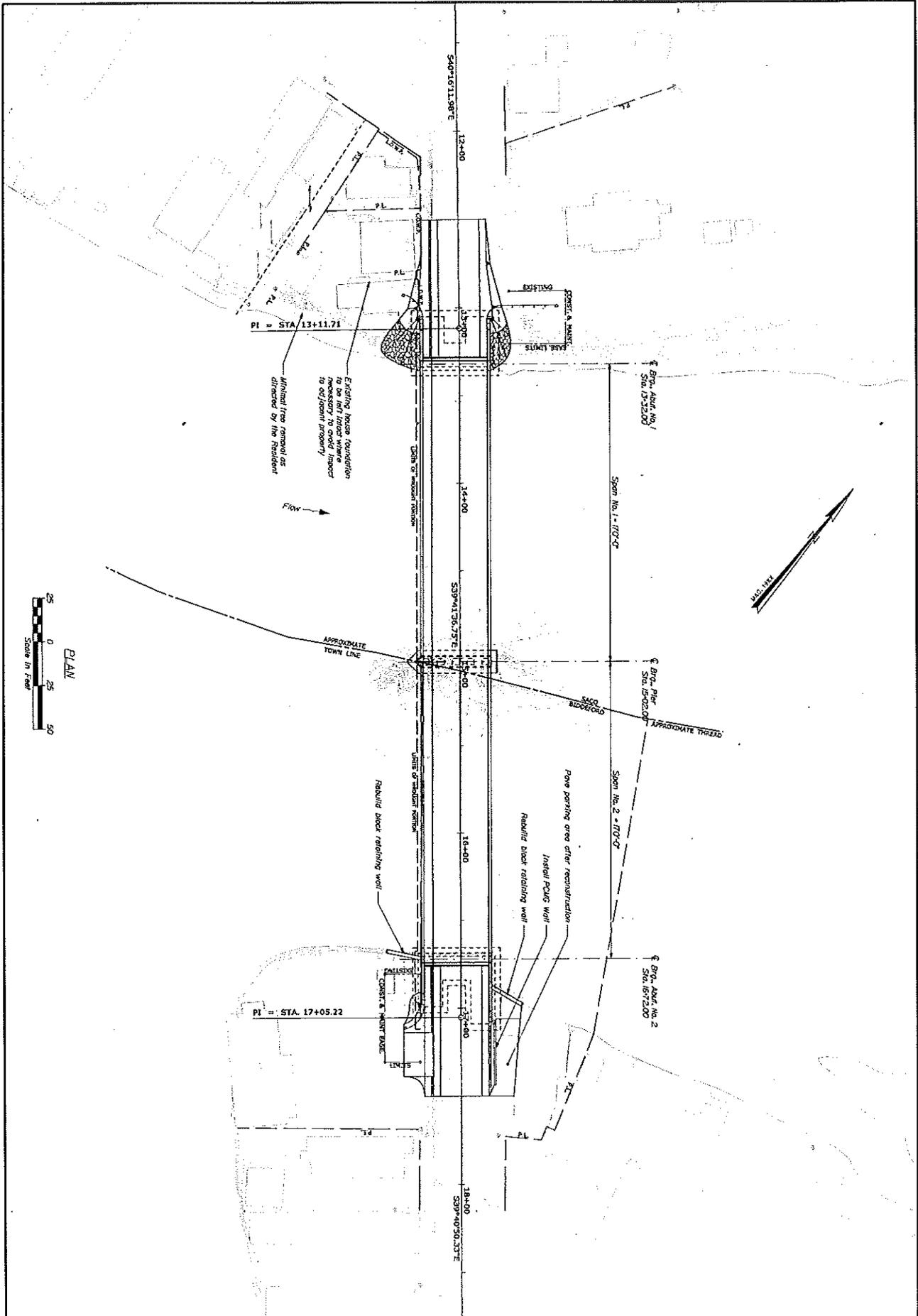
SHEET NUMBER  
 100

18233.00

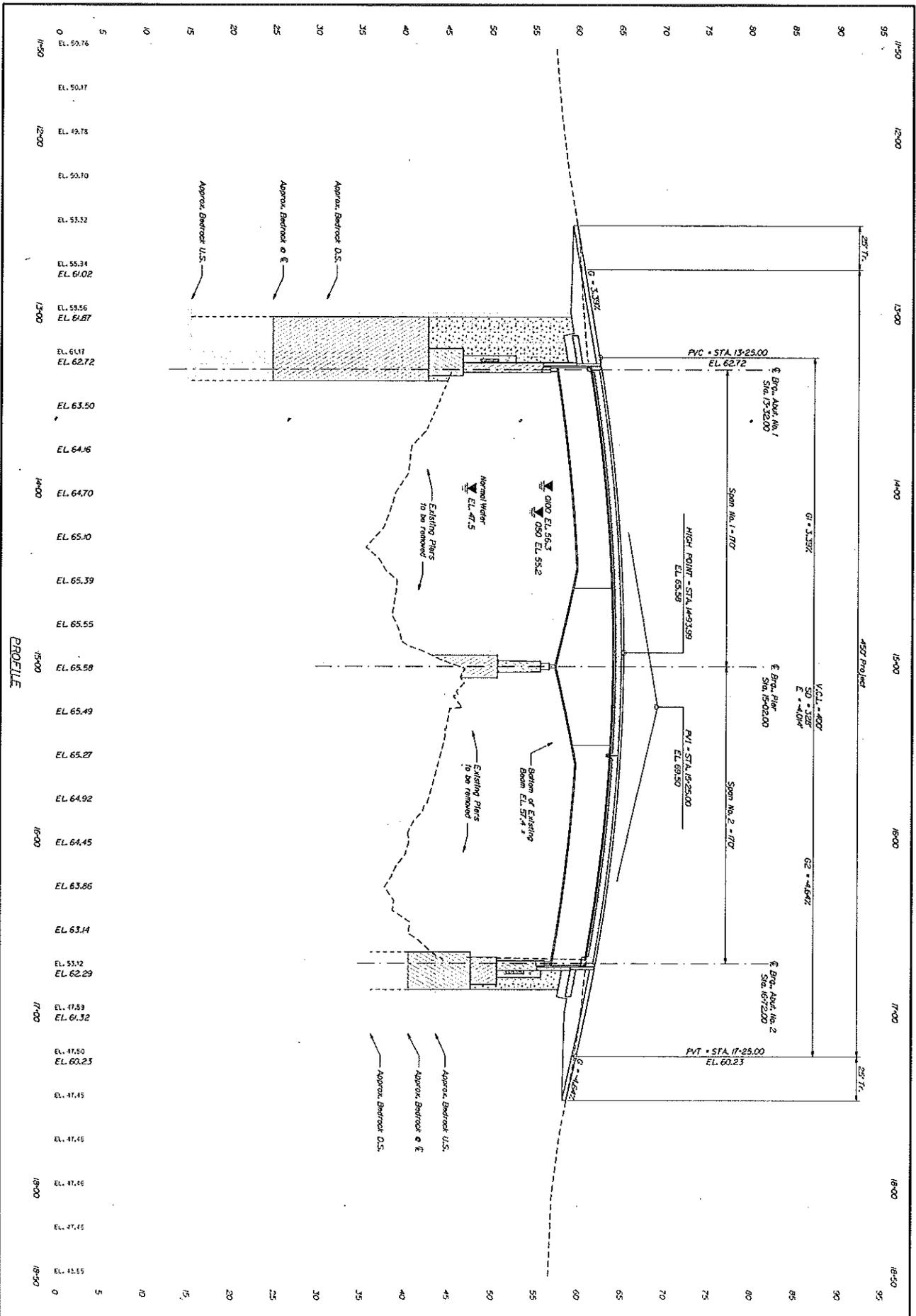
PLANS

OF50





3 SHEET NUMBER OF 50	SOMESVILLE BRIDGE SACO RIVER SACO & BIDDEFORD YORK COUNTY	PROJ NUMBER: 14-174-04 DESIGNED BY: J. P. HARRIS CHECKED BY: J. P. HARRIS DESIGN DATE: 10/20/14 DESIGN SCALE: AS SHOWN REVISIONS: REVISION 1: _____ REVISION 2: _____ REVISION 3: _____ REVISION 4: _____ P.E. CHECKED: _____ P.E. DATE: _____	STATE OF MAINE DEPARTMENT OF TRANSPORTATION BH-1823(300)X HAH 18233.00 BRIDGE NO 3412      BRIDGE PLANS
	GENERAL PLAN	DATE: 11/4/2014 SIGNATURE: _____ P.E. NUMBER: _____ DATE: _____	



**MEMORANDUM OF AGREEMENT**  
**BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION**  
**AND THE MAINE STATE HISTORIC PRESERVATION OFFICER**  
**REGARDING THE SACO-BIDDEFORD SOMESVILLE BRIDGE REPLACEMENT,**  
**YORK COUNTY, MAINE**

WHEREAS, the Federal Highway Administration (FHWA), Maine Division Office, in conjunction with the Maine Department of Transportation (MaineDOT), proposes to replace the Somesville Bridge (#3412) over the Saco River between Saco and Biddeford, Maine; and

WHEREAS, FHWA and MaineDOT have established an Area of Potential Effect (attached) for the Somesville bridge replacement project in accordance with 36 CFR Section 800.16(d); and

WHEREAS, FHWA has determined that the proposed undertaking will result in a finding of adverse effect to the National Register (NR) -eligible Somesville Bridge (#3412); and

WHEREAS FHWA has consulted with the Maine State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. Section 470(f)); and

WHEREAS, MaineDOT, acting on behalf of FHWA, has informed the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe, and the Penobscot Nation of the proposed action in accordance with 36 CFR Section 800.3 (f)(2) and will apprise them of any findings; and

WHEREAS, FHWA has consulted with Maine Department of Transportation (MaineDOT) regarding the effects of the undertaking on the National Register-eligible structure and has invited them to sign this MOA as a concurring party; and

WHEREAS, in accordance with 36 CFR Section 800.6(a)(1), FHWA has notified the Advisory Council on Historic Preservation (Council) of the potential for an adverse effect determination. FHWA has invited the Council to consult and the Council has chosen not to participate in the consultation pursuant to 36 CFR Section 800.6(a)(1)(iii);

NOW, THEREFORE, FHWA and the Maine SHPO agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

## STIPULATIONS

FHWA shall ensure that the following measures are carried out:

I. The Somesville Bridge will be recorded using the "Outline Format" narrative of the Maine Historic Engineering Recordation (MHER) recordation standards.

II. DURATION. This agreement will be null and void if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, FHWA may consult with the other signatories to reconsider the terms of the agreement and amend in accordance with Stipulation III below.

III. POST-REVIEW DISCOVERIES. If potential historic properties are discovered or unanticipated effects on historic properties found, FHWA shall consult in accordance with 36 CFR Section 800.6(c)(6).

IV. MONITORING AND REPORTING. Each year following the execution of this agreement until it expires or is terminated, MaineDOT shall provide all parties to this agreement a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in MaineDOT's efforts to carry out the terms of this agreement. Failure to provide such summary report may be considered noncompliance with the terms of this MOA pursuant to Stipulation VII, below.

V. DISPUTE RESOLUTION. Should any party to this agreement object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, FHWA shall consult with the objecting party(ies) to resolve the objection. If FHWA determines, within 30 days, that such objection(s) cannot be resolved, FHWA will:

A. Forward all documentation relevant to the dispute to the Council in accordance with 36 CFR Section 800.2(b)(2). Upon receipt of adequate documentation, the Council shall review and advise FHWA on the resolution of the objection within 30 days. Any comment provided by the Council, and all comments from the parties to the MOA, will be taken into account by FHWA in reaching a final decision regarding the dispute.

B. If the Council does not provide comments regarding the dispute within 30 days after receipt of adequate documentation, FHWA may render a decision regarding the dispute. In reaching its decision, FHWA will take into account all comments regarding the dispute from the parties to the MOA.

C. FHWA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged. FHWA will notify all parties of its decision in writing before implementing that portion of the Undertaking subject to

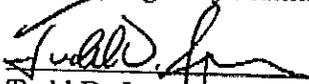
dispute under this stipulation. FHWA's decision will be final.

VI. AMENDMENTS AND NONCOMPLIANCE. If any signatory to this MOA, including any invited signatory, determines that its terms will not or cannot be carried out or that an amendment to its terms must be made, that party shall immediately consult with the other parties to develop an amendment to this MOA pursuant to 36 CFR §§800.6(c)(7) and 800.6(c)(8). The amendment will be effective on the date a copy signed by all of the original signatories is filed with the Council. If the signatories cannot agree to appropriate terms to amend the MOA, any signatory may terminate the agreement in accordance with Stipulation VII, below.

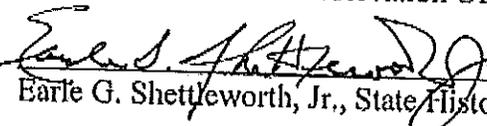
VII. TERMINATION. If an MOA is not amended following the consultation set out in Stipulation VI, it may be terminated by any signatory or invited signatory. Within 30 days following termination, FHWA shall notify the signatories if it will initiate consultation to execute an MOA with the signatories under 36 CFR §800.6(c)(1) or request the comments of the Council under 36 CFR §800.7(a) and proceed accordingly.

SIGNATORIES:

Federal Highway Administration

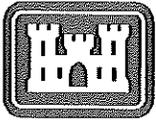
 Date 4/11/14  
Todd D. Jorgensen, Division Administrator

Maine State Historic Preservation Officer

 Date 3/19/14  
Earle G. Shettleworth, Jr., State Historic Preservation Officer

Maine Department of Transportation

 Date 3/21/14  
David Bernhardt, Commissioner



**US Army Corps  
of Engineers**®  
New England District

**GENERAL PERMIT  
WORK-START NOTIFICATION FORM**  
(Minimum Notice: Two weeks before work begins)

\*\*\*\*\*  
\* MAIL TO: U.S. Army Corps of Engineers, New England District \*  
\* Permits and Enforcement Branch \*  
\* Regulatory Division \*  
\* 696 Virginia Road \*  
\* Concord, Massachusetts 01742-2751 \*  
\*\*\*\*\*

Corps of Engineers Permit No. NAE-2014-02504 was issued to the Maine Dept. of Transportation on January 26, 2015. This work is located in the Saco River between Biddeford and Saco, Maine. The permit authorized the permittee to place temporary and permanent fill below the ordinary high water line in order to replace the existing deteriorated Somesville Bridge. The projects will result in approximately 2,900 s.f. of temporary and 1,660 s.f. of permanent river bed impact. MaineDOT WIN 18233.00

The people (e.g., contractor) listed below will do the work, and they understand the permit's conditions and limitations.

**PLEASE PRINT OR TYPE**

Name of Person/Firm: \_\_\_\_\_

Business Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Numbers: ( ) \_\_\_\_\_ ( ) \_\_\_\_\_

Proposed Work Dates: Start: \_\_\_\_\_ Finish: \_\_\_\_\_

Permittee/Agent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Title: \_\_\_\_\_

Date Permit Issued: 1/26/15 Date Permit Expires: 10/12/16

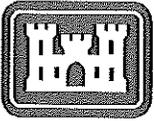
\*\*\*\*\*

**FOR USE BY THE CORPS OF ENGINEERS**

PM: Clement Submittals Required: No

Inspection Recommendation: Inspect as convenient

\_\_\_\_\_  
\_\_\_\_\_



**US Army Corps  
of Engineers®**  
New England District

(Minimum Notice: Permittee must sign and return notification  
within one month of the completion of work.)

**COMPLIANCE CERTIFICATION FORM**

Permit Number: NAE-2014-02504

MaineDOT WIN 18233.00

Project Manager Clement

Name of Permittee: Maine Dept. of Transportation

Permit Issuance Date: 1/26/15

Please sign this certification and return it to the following address upon completion of the activity and any mitigation required by the permit. You must submit this after the mitigation is complete, but not the mitigation monitoring, which requires separate submittals.

\*\*\*\*\*  
\* MAIL TO: U.S. Army Corps of Engineers, New England District \*  
\* Permits and Enforcement Branch C \*  
\* Regulatory Division \*  
\* 696 Virginia Road \*  
\* Concord, Massachusetts 01742-2751 \*  
\*\*\*\*\*

Please note that your permitted activity is subject to a compliance inspection by an U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

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

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date of Work Completion

( ) \_\_\_\_\_  
Telephone Number

( ) \_\_\_\_\_  
Telephone Number

**DEPARTMENT OF THE ARMY  
GENERAL PERMIT  
STATE OF MAINE**

The New England District of the U.S. Army Corps of Engineers (Corps) hereby issues this General Permit (GP) for activities in waters of the United States (U.S.) that have no more than minimal individual, secondary, and cumulative adverse effects on the aquatic environment in waters of the U.S. within the boundaries of and off the coast of the State of Maine.

**I. GENERAL CRITERIA**

In order for activities to qualify for this GP, they must meet the GP's terms and eligibility criteria (Pages 1 – 4), general conditions (GC) (Pages 5 – 18), and Appendix A - Definition of Categories.

Under this GP, projects may qualify for the following:

- Category 1: Category 1 Notification Form required.  
(Submittal of the Category 1 Notification Form at Appendix B to the Corps is required.)
- Category 2: Application required.  
(Submittal of an application to the Corps is required and written approval from the Corps must be received.)

If your project is ineligible for Category 1, it may qualify for Category 2 or an Individual Permit and you must submit an application (see Page 3). The thresholds for Categories 1 and 2 are defined in Appendix A. This GP does not affect the Corps Individual Permit review process or activities exempt from Corps regulation.

**II. ACTIVITIES COVERED:**

- Work and structures that are located in, under or over any navigable water of the U.S.<sup>1</sup> that affect the course, location, condition, or capacity of such waters; or the excavating from or depositing of material in such waters. The Corps regulates this under Section 10 of the Rivers and Harbors Act of 1899);
- The discharge of dredged or fill material into waters of the U.S.<sup>2</sup>. The Corps regulates this under Section 404 of the Clean Water Act (CWA).<sup>3</sup>
- The transportation of dredged material for the purpose of disposal in the ocean. The Corps regulates this under Section 103 of the Marine Protection, Research and Sanctuaries Act.

---

<sup>1</sup> Defined at 33 CFR 329 and Appendix A, Page 4.

<sup>2</sup> Defined at 33 CFR 328

<sup>3</sup> When there is a regulated discharge of dredged or fill material into waters of the U.S., the Corps will also consider secondary impacts, which are defined at Appendix A, Endnote/Definition 2.

### III. PROCEDURES:

#### 1. State Approvals

Applicants are responsible for applying for and obtaining any of the required state or local approvals (see GC 1, Page 5). Federal and state jurisdictions may differ in some instances. State permits may be required for specific projects regardless of the general permit category.

In order for authorizations under this GP to be valid, when any of the following state approvals or statutorily-required reviews is also required, the approvals must be obtained prior to the commencement of work in Corps jurisdiction.

- Maine Department of Environmental Protection (DEP): Natural Resources Protection Act (NRPA) permit, including permit-by-rule and general permit authorizations; Site Location of Development Act permit; and Maine Waterway Development and Conservation Act permit.
- Maine Department of Conservation: Land Use Regulation Commission (LURC) permit.
- Maine Department of Marine Resources: Aquaculture Leases.
- Maine Department of Conservation, Bureau of Parks and Lands, Submerged Lands: Lease

NOTE: This GP may authorize projects that are not regulated by the State of Maine (e.g., seasonal floats or moorings).

#### 2. Corps Authorizations

##### a. Category 1 (Submission of Category 1 Notification Form required)

##### Eligibility Criteria

Activities in Maine that:

- Are subject to Corps jurisdiction (see GC 2, Page 5),
- Meet the terms and eligibility criteria of this GP (Pages 1 - 4),
- Meet all GCs of this GP (Pages 5 – 18), and
- Meet the definition of Category 1 in Appendix A - Definition of Categories,

##### **may proceed without application to the Corps provided:**

- The Category 1 Notification Form (Appendix B) is submitted to the Corps before starting the work authorized by this GP.

Consultation with the Corps and/or outside experts may be necessary to ensure compliance with this GP's general conditions (starting on Page 5) and related federal laws such as the National Historic Preservation Act, the Endangered Species Act (ESA), and the Wild and Scenic Rivers Act. For example, experts on historic resources may include the agencies and tribes referenced in GC 8, while experts on endangered species include the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS). Project proponents are encouraged to contact the Corps with Category 1 eligibility questions.

Work that is not regulated by the State of Maine, but is subject to Corps jurisdiction, is eligible for Category 1 authorization under this GP. The Maine DEP and LURC have waived WQC for projects authorized under Categories 1 and 2 of this GP. The state has concurred with the determination that projects authorized under Categories 1 and 2 of this GP are consistent with the enforceable policies of the Maine CZM Program.

**b. Category 2 (Application to and written approval from the Corps required)**

**Eligibility Criteria**

Activities in Maine that:

- Are subject to Corps jurisdiction (see GC 2, Page 5),
- Meet the terms of this GP (Pages 1 - 4),
- Meet all GCs of this GP (Pages 5 - 18),
- Meet the definition of Category 2 in Appendix A - Definition of Categories,

**require an application to and written approval from the Corps.** The Corps will coordinate review of Category 2 activities with federal and state agencies, as appropriate. To be eligible and subsequently authorized, an activity must result in no more than minimal impacts to the aquatic environment as determined by the Corps based on comments from the review team and the criteria listed above. This may require project modifications involving avoidance, minimization or compensatory mitigation for unavoidable impacts to ensure the net effects of a project are minimal. Compensatory mitigation for waterway/wetland impacts may take the form of wetland preservation, restoration, enhancement, creation, and/or “in-lieu fee” for inclusion into the Natural Resources Mitigation Fund. See [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg), “Mitigation” and then “Maine” for more information.

Work that is not regulated by the State of Maine, but is subject to Corps jurisdiction, is eligible for Category 2 authorization under this GP. The Maine DEP and LURC have waived WQC for projects authorized under Categories 1 and 2 of this GP. The state has concurred with the determination that projects authorized under Categories 1 and 2 of this GP are consistent with the enforceable policies of the Maine CZM Program.

**3. Applying for a Permit**

All applicants for Category 2 projects must:

- a.** Apply directly to the Corps using the state application form or the Corps application form (ENG Form 4345<sup>1</sup>), and apply directly to the state (DEP, LURC, BPL or DMR) as applicable using the appropriate state form, if the work is regulated by the Corps and the state.
- b.** Apply directly to the Corps using the Corps application form (ENG Form 4345<sup>1</sup>) if the work is regulated by the Corps but not the state (DEP, LURC, BPL or DMR).
- c.** Provide application information (see “Information Typically Required” in Appendix C) to help ensure the application is complete and to speed project review.
- d.** Submit a copy of their application materials to the Maine Historic Preservation Commission (MHPC) and the five Indian tribes listed at Appendix D, at the same time, or before, they apply to the state (DEP or LURC) or the Corps, to be reviewed for the presence of historic, archaeological or tribal resources in the permit area that the proposed work may affect. Submittals to the DEP or Corps shall include information to indicate that this has been done (a copy of the applicant’s cover letter to MHPC and tribes or a copy of the MHPC and tribal response letters is acceptable).

---

<sup>1</sup> Located at [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) under “Forms.”

## 4. Review Procedures

The Corps will coordinate review of all Category 2 activities with federal and state agencies, as appropriate, to ensure that the work will result in no more than a minimal impact to the aquatic environment. Applicants are responsible for applying for the appropriate state and local approvals listed on Page 2.

**Emergency Procedures:** 33 CFR 325.2(e)4 states that an “emergency” is a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures.” The Corps will work with all applicable agencies to expedite authorization according to established procedures in emergency situations.

**Individual Permit Procedures:** Proponents of work that does not meet the terms and general conditions of this GP must submit the Corps application form and the appropriate application materials to the Corps at the earliest possible date in order to expedite the Individual Permit review process. General information and application forms can be obtained at our website or by calling us (see Appendix D). Individual WQC and CZM consistency concurrence are required when applicable from the State of Maine before Corps permit issuance. The Corps encourages applicants to concurrently apply for a Corps Individual Permit and state permits.

## 5. Approval Process

Applicants for Category 2 activities may not proceed with work in Corps jurisdiction until written authorization is received from the Corps. If the Corps determines that the Category 2 activity is eligible for the GP, the Corps will send an authorization letter directly to the applicant. The Corps will attempt to issue a written eligibility determination within the state’s review period. If the Corps determines that the activity is not eligible under the GP or that additional information is required, the Corps will notify the applicant in writing and send a copy to the DEP or LURC. Applicants are responsible for obtaining all applicable approvals listed on Page 2 from the appropriate state and local agencies before commencing work in Corps jurisdiction.

## V. GENERAL PERMIT CONDITIONS:

The following conditions apply to activities authorized under this Maine GP, unless otherwise specified, including all Category 1 (notification required) and Category 2 (application required) activities:

**1. Other Permits.** Authorization under this GP does not obviate the need to obtain other federal, state, or local authorizations required by law. This includes, but is not limited to, the project proponent obtaining a Flood Hazard Development Permit issued by the town, if necessary. Inquiries may be directed to the municipality or to the Maine Floodplain Management Coordinator at (207) 287-8063. See [www.maine.gov/spo/flood](http://www.maine.gov/spo/flood).

### **2. Federal Jurisdictional Boundaries.**

**(a)** Applicability of this GP shall be evaluated with reference to federal jurisdictional boundaries. Applicants are responsible for ensuring that the boundaries used satisfy the federal criteria defined at 33 CFR 328 “Waters of the U.S.” and 33 CFR 329 “Navigable Waters of the U.S.”

Note: Waters of the U.S. include the subcategories “navigable waters of the U.S.” and “wetlands.”

**(b)** For Category 1 projects, proponents are not required to delineate the waters of the U.S. that they plan to impact, but must approximate the square footage of impacts in order to determine the review category (1 or 2 or Individual Permit). For projects filling <15,000 SF of waters of the U.S. that do not qualify for Category 1 (e.g., vernal pool, secondary or endangered species impacts, etc.) and therefore require an application to the Corps, and for those filling  $\geq$ 15,000 SF, applicants shall delineate all waters of the U.S. that will be filled (direct impacts) in accordance with the Corps of Engineers Wetlands Delineation Manual and the most recent regional supplements (see Appendix E). In addition, applicants shall approximately identify all waters of the U.S. on the property and known waters adjacent to the property in order for the Corps to evaluate secondary impacts. The waters of the U.S. shall be clearly shown on the project plans submitted with the application. This includes all waters of the U.S. in areas under DEP or LURC jurisdiction regardless of whether they’re shown on LURC zoning maps.

**(c)** On a case-by-case basis, the Corps may modify/refine the above delineation and identification requirements for waters of the U.S.

### **3. Minimal Direct, Secondary and Cumulative Impacts.**

**(a)** Projects authorized by this GP shall have no more than minimal direct, secondary and cumulative adverse environmental impacts. Category 2 applicants should provide information on secondary and cumulative impacts as stated in Appendix C. Compensatory mitigation may be required to offset unavoidable impacts (see GC 16) and to ensure that they are no more than minimal. Compensatory mitigation requirements will be determined on a case-by-case basis.

**(b)** Secondary impacts to waterway and/or wetland areas, (e.g., areas drained, flooded, cleared, excavated or fragmented) shall be added to the total fill area when determining whether the project qualifies for Category 1 or 2. Direct, secondary and cumulative impacts are defined at Appendix A, Endnote 2.

**(c)** Site clearing, grading and construction activities in the upland habitat surrounding vernal pools (“Vernal Pool Management Areas”) are secondary impacts. See GC 28 for avoidance and minimization requirements and recommendations.

**4. Discretionary Authority.** Notwithstanding compliance with the terms and conditions of this permit, the Corps retains discretionary authority to require Category 2 or Individual Permit review based on concerns for the aquatic environment or for any other factor of the public interest [33 CFR

320.4(a)]. This authority is invoked on a case-by-case basis whenever the Corps determines that the potential consequences of the proposal warrant a higher level of review based on the concerns stated above. This authority may be invoked for projects that may contribute to cumulative environmental impacts that are more than minimal or if there is a special resource or concern associated with a particular project that is not already covered by the remaining conditions of the GP and that warrants greater review. Whenever the Corps notifies an applicant that an Individual Permit may be required, the project is not authorized under this GP and no work may be conducted until an Individual Permit is obtained or until the Corps notifies the applicant that further review has demonstrated that the work may proceed under this GP.

## **5. Single and Complete Projects.**

**(a)** This GP shall not be used to piecemeal work and shall be applied to single and complete projects<sup>1</sup>. When determining the review category in Appendix A (Category 1 or 2) for a single and complete project, proponents must include any permanent historic fill placed since October 1995 that is associated with that project and all currently proposed temporary and permanent impact areas.

**(b)** A single and complete project must have independent utility<sup>1</sup>.

**(c)** Unless the Corps determines the activity has independent utility<sup>1</sup>:

**i.** This GP shall not be used for any activity that is part of an overall project for which an Individual Permit is required,

**ii.** All components of a single project and/or all planned phases of a multi-phased project (e.g., subdivisions should include all work such as roads, utilities, and lot development) shall be treated together as constituting one single and complete project<sup>1</sup>.

**(d)** For linear projects, such as power lines or pipelines with multiple crossings, the single and complete project<sup>1</sup> is all crossings of a single water of the U.S. (i.e., 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. If any crossing requires a Category 2 activity, then the entire linear project shall be reviewed as one project under Category 2.

**6. Permit On-Site.** For Category 2 projects, the permittee shall ensure that a copy of this GP and the accompanying authorization letter are at the work site (and the project office) authorized by this GP whenever work is being performed, and that all personnel with operation control of the site ensure that all appropriate personnel performing work are fully aware of its terms and conditions. The entire permit authorization shall be made a part of any and all contracts and sub-contracts for work that affects areas of Corps jurisdiction at the site of the work authorized by this GP. This shall be achieved by including the entire permit authorization in the specifications for work. The term “entire permit authorization” means this GP and the authorization letter (including its drawings, plans, appendices and other attachments) and also includes permit modifications. If the authorization letter is issued after the construction specifications, but before receipt of bids or quotes, the entire permit authorization shall be included as an addendum to the specifications. If the authorization letter is issued after receipt of bids or quotes, the entire permit authorization shall be included in the contract or sub-contract. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions contained within the entire GP authorization, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps jurisdiction.

---

<sup>1</sup> Single and Complete Project and Independent Utility are defined at Appendix E.

**7. St. John/St. Croix Rivers.** Work within the Saint John and Saint Croix River basins that requires approval of the International Joint Commission is not eligible for Category 1 and an application to the Corps is required if any temporary or permanent use, obstruction or diversion of international boundary waters could affect the natural flow or levels of waters on the Canadian side of the line; or if any construction or maintenance of remedial works, protective works, dams, or other obstructions in waters downstream from boundary waters could raise the natural level of water on the Canadian side of the boundary.

**8. Historic Properties.** No activity otherwise authorized by this GP shall result in effects (as that term is defined at 36 C.F.R. § 800.16(i)) on properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties, unless and until the Corps or another federal agency has satisfied the consultation requirements of Section 106 of the National Historic Preservation Act. Work is not eligible for Category 1 and an application to the Corps is required if the 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. Work is eligible for Category 1 if a no effect or no adverse effect determination has been made for that work by another federal action agency in its Section 106 consultation with the Maine Historic Preservation Commission (MHPC) and the five federally recognized Indian tribes listed at Appendix D. Information on the location and existence of known historic resources can be obtained from the MHPC, the National Register of Historic Places, and the five tribes listed in Appendix D. Historic properties include those that are eligible for inclusion, but not necessarily listed on the National Register. If the permittee, either prior to construction or during construction of the work authorized herein, encounters a previously unidentified archaeological or other cultural resource within the area subject to Corps jurisdiction that might be eligible for listing in the National Register of Historic Places, he/she shall stop work and immediately notify the Corps and the MHPC and/or applicable tribe(s).

**9. National Lands.** None of the following work is eligible as a Category 1 project:

(a) Activities that impinge upon the value of any National Wildlife Refuge, National Forest, National Marine Sanctuary, National Park or any other area administered by the National Park Service, U.S. Fish and Wildlife Service (USFWS) or U.S. Forest Service.

(b) Work on Corps properties and Corps-controlled easements. Contact the Corps, Real Estate Division (978) 318-8585 to initiate reviews about both Corps holdings and permit requirements.

(c) Any proposed temporary or permanent modification or use of a federal project (including but not limited to a levee, dike, floodwall, channel, sea wall, bulkhead, jetty, wharf, pier, or other work built but not necessarily owned by the United States), which would obstruct or impair the usefulness of the federal project in any manner, and/or would involve changes to the authorized federal project's scope, purpose, and/or functioning that go beyond minor modifications required for normal operation and maintenance (requires review and approval by the Corps pursuant to 33 USC 408). Federal projects in Maine as of October 2010 are shown at Appendix F. This map may not be inclusive of all projects.

**10. Endangered Species.**

(a) No activity may be authorized under Category 1 of this GP which:

i. "May affect" a threatened or endangered species, a species proposed for listing as threatened or endangered, or designated or proposed critical habitat (all herein referred to as "listed species or habitat") as identified under the federal Endangered Species Act (ESA) (unless specified in a programmatic agreement with NMFS or USFWS),

- ii. Results in a “take” of any federally-listed threatened or endangered species of fish or wildlife, or
- iii. Results in any other violation of Section 9 of the ESA protecting threatened or endangered species of plants.

(b) Work in Inland Waters and Wetlands<sup>1</sup> and the non-tidal portions of Navigable Waters<sup>2</sup> (e.g., the Penobscot River, Kennebec River) is not eligible for Category 1 if:

- i. The project action area occurs within a watershed occupied by listed Atlantic salmon or shortnose sturgeon. Project proponents must check the site in Footnote 3 below.
- ii. In areas outside these watersheds contact the USFWS (see Appendix D, Page 1 for contact information) to check for the presence of other listed species.

(c) Work in the tidal portions of Navigable Waters may be eligible for Category 1. Reference Appendix A, II. Navigable Waters, Pages 4 – 9, and the other terms and general conditions (GC 11 is particularly relevant) of this GP to determine Category 1 eligibility. Project proponents must contact the USFWS (see Appendix D, Page 1 for contact information) to ensure that work in all tidal portions of Navigable Waters<sup>2</sup> is not in critical habitat or areas occupied by listed species other than Atlantic salmon or shortnose sturgeon.

(d) Although some work is excluded from Category 1 as stated in (b) and (c) above, work may qualify for Category 1 if a no effect determination has been made for that work by a federal action agency such as the Corps.

(e) Proponents must submit an application to the Corps if any of the activities in 10(a)-10(c) that do not qualify for Category 1 may occur and provide information on federally-listed species or habitat to allow the Corps to conduct any required consultation under Section 7 of the ESA.

(f) The Corps review may consider species listed as endangered and threatened pursuant to Maine state law.

**11. Essential Fish Habitat.** Any work in the following rivers and streams, including all tributaries to the extent that they are currently or were historically accessible for salmon migration, shall not be authorized under Category 1 of the GP and must be screened for potential impacts to EFH (see Appendix E for more information).

Androscoggin River	Aroostook River	Boyden River	Dennys River
Ducktrap River	East Machias River	Hobart Stream	Kennebec River
Machias River	Narraguagus River	Orland River	Passagassawaukeag River
Patten Stream	Penobscot River	Pleasant River	Presumpscot River
Saco River	Sheepscoot River	St. Croix River	Tunk Stream
			Union River

The above does not apply to the following activities which may qualify for Category 1 work:

- Exploratory drilling and borings for bridges.
- Moorings (see Appendix A, Page 6 for Category 1 thresholds and requirements)
- Structures and floats (see Appendix A, Page 7 for Category 1 thresholds and requirements)
- Other activities specified in a programmatic agreement with NMFS.

<sup>1</sup> See Appendix A, Page 1 for definition.

<sup>2</sup> See Appendix A, Page 4 for definition.

<sup>3</sup> For areas considered occupied by listed Atlantic salmon and/or shortnose sturgeon in Inland Waters and Wetlands, and in Navigable Waters, see: [www.nero.noaa.gov/prot\\_res/altsalmon/dpsmaps.html](http://www.nero.noaa.gov/prot_res/altsalmon/dpsmaps.html). Tidal portions of navigable waters occupied by listed Atlantic salmon are more specifically described as those waters from the Kennebec River to its mouth at Merrymeeting Bay, northeast to the Dennys River, including the Androscoggin River upstream to the Brunswick Dam, and other streams northeast of this line to the limit of their tidal reaches.

**12. Wild and Scenic Rivers.** Any activity that occurs in the designated main stem of, within 0.25 mile up or downstream of the designated main stem of, or in tributaries within .25 miles of the designated main stem of a National Wild and Scenic River, or in “bordering and contiguous wetlands” (see Appendix A, Endnote 1) that are adjacent to the designated main stem of a National Wild and Scenic River, or that has the potential to alter flows within a river within the National Wild and Scenic River System, is not eligible for Category 1 regardless of size of the impacts. This condition applies to both designated Wild and Scenic Rivers and rivers officially designated by Congress as study rivers for possible inclusion while such rivers are in an official study status. National Wild and Scenic Rivers System segments for Maine as of October 2010 include: Allagash River beginning at Telos Dam continuing to Allagash checkpoint at Eliza Hole Rapids, approximately 3 miles upstream of the confluence with the St. John River (length = 92 miles).

**13. Federal Navigation Project.** Any structure or work that extends closer to the horizontal limits of any Corps Federal Navigation Project (see Appendix F) than a distance of three times the project’s authorized depth shall be subject to removal at the owner’s expense prior to any future Corps dredging or the performance of periodic hydrographic surveys. This is applicable to Category 1 and 2. Reference Appendix A, Page 6 (Mooring) and Page 7 (Structure and Floats).

**14. Navigation.**

(a) There shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein and no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized herein.

(b) The permittee understands and agrees that, if future U.S. operations 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, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.

**15. Federal Liability.** In issuing this permit, the Federal Government does not assume any liability for the following: (a) damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes; (b) damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the U.S. in the public interest; (c) damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit; (d) design or construction deficiencies associated with the permitted work; (e) damage claims associated with any future modification, suspension, or revocation of this permit.

**16. Avoidance, Minimization and Compensatory Mitigation.**

Discharges of dredged or fill material into waters of the U.S., including wetlands, shall be avoided and minimized to the maximum extent practicable through consideration of alternatives. The Corps may require compensatory mitigation of unavoidable direct and secondary impacts associated with Category 2 projects on a case-by-case basis (see Appendix E).

**17. Heavy Equipment in Wetlands.** Operating heavy equipment other than fixed equipment (drill rigs, fixed cranes, etc.) within wetlands shall be minimized, and such equipment shall not be stored, maintained or repaired in wetlands, to the maximum extent practicable. Where construction requires heavy equipment operation in wetlands, the equipment shall either have low ground pressure

(typically <3 psi), or it shall be placed on swamp/construction/timber mats (herein referred to as “construction mats” and defined at Appendix A, Endnote 4) that are adequate to support the equipment in such a way as to minimize disturbance of wetland soil and vegetation. Construction mats are to be placed in the wetland from the upland or from equipment positioned on swamp mats if working within a wetland. Dragging construction mats into position is prohibited. Other support structures that are capable of safely supporting equipment may be used with written Corps authorization (Category 2 authorization or Individual Permit). Similarly, the permittee may request written authorization from the Corps to waive use of mats during frozen, dry or other conditions. An adequate supply of spill containment equipment shall be maintained on site.

### **18. Temporary Fill.**

Temporary fill that qualifies for Category 1 (e.g., <15,000 SF of combined temporary and permanent fill associated with the single and complete project) or is authorized in writing under Category 2, shall adhere to the following:

- (a) All temporary fill shall be stabilized to prevent its eroding into portions of waters of the U.S., including wetlands, where it is not authorized.
- (b) Unconfined temporary fill authorized for discharge into waters of the U.S., including wetlands, shall consist of material that minimizes impacts to water quality (e.g. sandbags, clean gravel, stone, aggregate, etc.).
- (c) Temporary fill authorized for discharge into wetlands should be placed on geotextile fabric or other material (e.g., straw) laid on the pre-construction wetland grade where practicable to minimize impacts.
- (d) Temporary fill shall be removed as soon as it is no longer needed, disposed of at an upland site, and suitably contained to prevent subsequent erosion into waters of the U.S, including wetlands. To qualify for Category 1, temporary fill placed during the:
  - i. Growing season must be removed before the beginning of the next growing season.
  - ii. Non-growing season may remain throughout the following growing season, but must be removed before the beginning of the next growing season.
- (e) Waters of the U.S., including wetlands, where temporary fill was discharged shall be restored (see GC 19).
- (f) 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 be placed in a manner that will not be eroded by expected high flows (see GC 21).
- (g) Construction mats and corduroy roads (see GC 17 above) are considered as temporary fill when they are removed immediately upon work completion. The area must be restored (see GC 19).

### **19. Work Site Restoration.**

- (a) Wetland areas where permanent disturbance is not authorized shall be restored to their original condition and elevation, which under no circumstances shall be higher than the pre-construction elevation. Original condition means careful protection and/or removal of existing soil and vegetation, and replacement back to the original location such that the original soil layering and vegetation schemes are approximately the same, unless otherwise authorized.
- (b) Upon completion of construction, all disturbed wetland areas (the disturbance of these areas must be authorized) shall be properly stabilized. Any seed mix shall contain only plant species native to New England and shall not contain any species listed in the “Invasive and Other Unacceptable Plant Species” Appendix in the “New England District Compensatory Mitigation Guidance” (see Appendix E, Paragraph 6). This list may be updated periodically.
- (c) In areas of authorized temporary disturbance, if trees are cut they shall be cut at ground level and

not uprooted in order to prevent disruption to the wetland soil structure and to allow stump sprouts to revegetate the work area, unless otherwise authorized.

## **20. Bank Stabilization.**

(a) Projects involving construction or reconstruction/maintenance of bank stabilization structures within Corps jurisdiction shall be designed to minimize environmental effects, effects to neighboring properties, scour, etc. to the maximum extent practicable.

(b) Project proponents must design and construct bank stabilization projects using this sequential minimization process: avoidance of aquatic resource impacts, diversion of overland flow, vegetative stabilization, stone-sloped surfaces, and walls/bulkheads. Vertical walls/bulkheads shall only be used in situations where reflected wave energy can be tolerated. Refer to Appendix E for design guidance.

(c) Inland Water bank stabilization activities necessary for erosion prevention must meet all of the following criteria: (i) No material is placed in excess of the minimum needed for erosion protection; (ii) The activity is no more than 500 feet in length along the bank; (iii) 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; (iv) Structures angled steeper than 1H:1V and any material other than angular or subangular stone or fiber roll revetments require at least a Category 2 review. (v) The activity does not involve discharges of dredged or fill material into special aquatic sites; (vi) 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 U.S.; (vii) 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, (viii) The activity is not a stream channelization activity.

(d) Navigable Water bank stabilization activities are provided at Appendix A, Page 4.

## **21. Sedimentation and Erosion Control.**

(a) Adequate sedimentation and erosion control management measures, practices and devices, such as phased construction, installation of sediment control barriers (i.e. silt fence, vegetated filter strips, geotextile silt fences, erosion control mixes, hay bales or other devices) downhill of all exposed areas, retention of existing vegetated buffers, application of temporary mulching during construction, and permanent seeding and stabilization shall be installed and properly maintained to reduce erosion and retain sediment on-site during and after construction. They shall be capable of preventing erosion, of collecting sediment, suspended and floating materials, and of filtering fine sediment.

(b) Temporary sediment control barriers shall be removed upon completion of work, but not until all disturbed areas are permanently stabilized. The sediment collected by these sediment barriers shall be removed and placed at an upland location and stabilized to prevent its later erosion into a waterway or wetland.

(c) All exposed soil and other fills shall be permanently stabilized at the earliest practicable date (see GC 19).

## 22. Stream Work and Crossings<sup>1</sup>.

### Notes:

(a) GC 22(a) and (b) apply to Inland Waters and Wetlands (see Appendix A, Page 1 for definition) and Navigable Waters (see Appendix A, Page 4 for definition). GC 22(c)-(l) only apply to Inland Waters and Wetlands that are streams. All new and replacement crossings in Navigable Waters require an application to the Corps and at least a Category 2 review.

(b) In-stream work in a watershed occupied by listed Atlantic salmon or shortnose sturgeon [see GC 10(b)] and some stream work such as crossings on EFH waters (see GC 11) is not eligible for Category 1.

(c) “High-Quality Stream Segments” are shown at [www.maine.gov/dep/gis/datamaps](http://www.maine.gov/dep/gis/datamaps) and may be useful in evaluating impacts to fisheries. GIS shape files are under “Other Google Earth Interactive Maps” and PDFs by county are under “DEP GIS Maps.” See Appendix E, 8(b) for more information.

### Conditions:

(a) All permanent crossings of rivers, streams, brooks, etc. (hereon referred to as “streams”) shall be suitably culverted, bridged, or otherwise designed to i) withstand and to prevent the restriction of high flows to qualify for Category 1, and ii) not obstruct the movement of or not 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, beyond the actual duration of construction unless the activity’s primary purpose is to impound water to qualify for Category 1 or 2. (NOTE: Areas of fill and/or cofferdams must be included in total waterway/wetlands impacts to determine applicability of this GP).

(b) Any work that temporarily or permanently impacts upstream or downstream flood conditions, or permanently impacts wetlands in excess of Category 1 thresholds, must be reviewed at least under Category 2. See the documents referenced in Appendix E, 8(c) and (d) for guidance.

(c) New Stream Crossings. For new stream crossings to qualify for Category 1:

i. Must ensure compliance with GC 22(a) and GC 22(b) above.

ii. Shall be designed and constructed in accordance with the Corps General Stream Crossing Standards provided on Page 14 and the stream simulation document listed at Appendix E, 8(a).

(d) Replacement Stream Crossings. For replacement stream crossings to qualify for Category 1:

i. Must ensure compliance with GC 22(a) and GC 22(b) above.

ii. Shall be designed and constructed in accordance with the Corps General Stream Crossing Standards provided on Page 14 and the stream simulation document listed at Appendix E, 8(a).

(e) Culvert Extensions. Culvert extensions on culverts that do not meet the Corps General Stream Crossing Standards do not qualify for Category 1 and require an application to the Corps at least as a Category 2 project.

(f) Temporary Stream Crossings.

Note: The General Stream Crossing Standards don’t apply to temporary stream crossings.

i. Temporary stream crossings or cofferdams shall be used for equipment access across streams [see Appendix E, 8(e)]. Note: Areas of fill and/or cofferdams must be included in total waterway/wetlands impacts to determine the review category in Appendix A.

ii. Temporary stream crossings shall be removed within 180 days to qualify for Category 1.

iii. Temporary stream crossings that are not spans<sup>2</sup> (typically culverts) must be designed in accordance with 1-6 below to qualify for Category 1. Category 2 applications should include information demonstrating 2-6 below:

---

<sup>1</sup> This condition does not apply to non-tidal drainage systems and irrigation ditches excavated on dry land.

<sup>2</sup> For the purposes of this GP, spans are bridges, three-sided box culverts, open-bottom culverts or arches that span the stream with footings landward of bankfull width.

1. Installed and removed during the low flow period specified in GC 22(l) below.
2. Placed on geotextile fabric or other material where practicable to ensure restoration to the original grade. Soil may not be used to construct or stabilize these structures and rock must be large enough to allow for easy removal without disrupting the streambed.
3. Designed and maintained to withstand and pass high flows. Water height should be no higher than the top of the culvert's inlet. A minimum culvert diameter of two feet is required to pass debris. Culverts must be aligned to prevent bank erosion or streambed scour.
4. Equipped with energy dissipating devices installed downstream if necessary to prevent scour.
5. Designed and maintained to prevent soil from entering the waterbody.
6. Removed upon the completion of work. Impacts to the streambed or banks requires restoration to their original condition using stream simulation methods<sup>1</sup>.

**(g) Slip Lining.** Work using slip lining (retrofitting an existing culvert by inserting a smaller diameter pipe), invert lining, or resulting in decreased diameter, do not qualify for Category 1, either as new work or maintenance activities.

**(h) Work in Flowing Waters.** To qualify for Category 1, no unconfined fill [see GC 18(b)] or excavation in flowing waters is allowed. To accomplish this:

**i.** Bank stabilization work below ordinary high water (OHW) shall utilize erosion controls such as inflatable cofferdams, jersey barrier, silt screen, turbidity curtain, etc. where practicable to prevent sediment input to the stream and to minimize turbidity and sedimentation impacts for sensitive life stages. Bank stabilization above OHW must utilize erosion controls.

**ii.** Management techniques such as temporary flume pipes, culverts, cofferdams, etc. must be used to maintain normal flows within the stream boundary's confines, or water diversions may be used immediately up and downstream of the work footprint (see Appendix A, Endnote 6) or work must be performed in the dry under no flow conditions, or under very low flow conditions following the practices in GC 22(a).

**(i) Minimization.** In order to make the Category 2 review process more efficient and result in a faster decision, new and replacement stream crossings should be designed using the least intrusive and environmentally damaging method following this sequential minimization process: 1) spans with no stream impacts, 2) spans with stream impacts, and 3) embedded culverts with stream simulation or low-slope design.

**(j) Maintenance Requirements.** The permittee shall maintain the work authorized herein in good condition and in conformance with the terms and general conditions of this permit to facilitate aquatic life passage as stated in GC 22(a). Culverts that develop "hanging" inlets or outlets, result in bed washout, or a stream that doesn't match the characteristics of the substrate in the natural stream channel such as mobility, slope, stability confinement will require maintenance or repair to comply with this GC. This does not apply to GC 22(f) above.

**(k) Maintenance and Replacement Information.** An existing stream crossing must be authorized and in compliance with all conditions of its authorization(s) to qualify for maintenance not subject to regulation. See Appendix A, Endnote 7. A non-serviceable crossing is not eligible for maintenance and is therefore considered as a replacement crossing [see 22(d)].

**(l) Work Window.** For projects that otherwise meet the terms of Category 1, in-stream construction work shall be conducted during the low flow period July 15 - October 1 in any year. Projects that are not to be conducted during that time period are ineligible for Category 1 and shall be screened pursuant to Category 2, regardless of the waterway and wetland fill and/or impact area.

*(See next page for Corps General Stream Crossing Standards.)*

---

<sup>1</sup> Design and construction shall be in accordance with the stream simulation document listed at Appendix E, 8(a).

Corps General Stream Crossing Standards (required for Category 1, recommended for Category 2):

**(a)** Culverts must be embedded:

- $\geq 2$  feet for box culverts and other culverts with smooth internal walls,
- $\geq 1$  foot for corrugated pipe arches
- $\geq 1$  foot and at least 25 percent for corrugated round pipe culverts

**(b)** For new crossings, spans<sup>1</sup> are required to avoid or cause minimal disruption to the streambed and to meet the requirements of General Condition 22(a) and 22(b). Footings and abutments must be landward of 1.2 times bankfull width. To the greatest extent practicable, work in the stream shall be minimized, and design and construction shall allow the streambed's natural structure and integrity to remain intact. Any fill or excavation of the streambed below bankfull width other than footings, support pilings, or work specified in 22(h)ii requires Category 2 review and, unless demonstrated otherwise, stream simulation<sup>2</sup> to establish substrate and banks in the span structure and work area as specified in (d) and (e) below.

**(c)** For replacement crossings, spans<sup>1</sup> are required to meet the requirements of General Condition 22(a) and 22(b). Footings and abutments shall be landward of 1.2 times bankfull width. Unless demonstrated otherwise, stream simulation<sup>2</sup> is required to establish substrate and banks in the span structure and work area as specified in (d) and (e) below.

**(d)** Crossings must have a natural bottom substrate within the structure matching the characteristics of the substrate in the natural stream channel and the banks (mobility, slope, stability, confinement, grain and rock size)<sup>2</sup> at the time of construction and over time as the structure has had the opportunity to pass significant flood events. To allow terrestrial passage for wildlife and prevent undermining the footings, crossings shall have a bank on both sides of the stream matching the horizontal profile of the existing stream and banks<sup>2</sup>.

**(e)** Crossings must be designed and constructed<sup>2</sup> with appropriate bed forms and streambed characteristics so that water depths and velocities are comparable to those found in the natural channel at a variety of flows. In order to provide appropriate water depths and velocities at a variety of flows and especially low flows, it is usually necessary to reconstruct the streambed or preserve the natural channel within the structure. Otherwise, the width of the structure needed to accommodate higher flows will create conditions that are too shallow at low flows. The grain and rock size, and arrangement of streambed materials within the structure should be in accordance with (d) above. Flows could go subsurface within the structure if only large material is used without smaller material filling the voids.

### **23. Wetland Crossings.**

**(a)** All temporary and permanent crossings of wetlands shall be suitably culverted, bridged, or otherwise designed to: **i)** Withstand and prevent the restriction of high flows, **ii)** Not obstruct the movement of or not substantially disrupt the necessary life-cycle movements of those species of aquatic life indigenous to the wetland, including those species that normally migrate through the area, beyond the actual duration of construction unless the activity's primary purpose is to impound water. See Appendix E for the Maine DEP's crossing standards.

**(b)** To qualify for Category 1, new and replacement wetland crossings that are permanent shall be culverted, spanned or bridged in such a manner as to preserve hydraulic and ecological connectivity, at its present level, between the wetlands on either side of the road. To meet this requirement, we

---

<sup>1</sup> For the purposes of this GP, spans are bridges, three-sided box culverts, open-bottom culverts or arches that span the stream with footings landward of bankfull width.

<sup>2</sup> Design and construction shall be in accordance with the stream simulation document listed at Appendix E, 8(a).

recommend that culverts, spans or bridges be placed at least every 50 feet with an opening at least 2 feet high and 3 feet wide at ground level where practicable. Closed bottom culverts shall be embedded at least 6 inches with a natural bottom.

(c) In the case of non-compliance, the permittee shall take necessary measures to correct wetland damage due to lack of hydraulic and ecological connectivity.

(d) Any work that results in flooding, results in impacts to wetlands on either side of the wetland crossing in excess of Category 1 thresholds, or impacts wetland drainage from the upgradient side of the wetland crossing does not qualify for Category 1.

#### **24. Discharge of Pollutants.**

(a) All activities involving any discharge of pollutants into waters of the U.S., including wetlands, authorized under this GP shall be consistent with applicable water quality standards, effluent limitations, standards of performance, prohibitions, and pretreatment standards and management practices established pursuant to the Clean Water Act (CWA) (33 USC 1251), and applicable state and local laws. If applicable water quality standards, limitations, etc., are revised or modified during the term of this GP, the authorized work shall be modified to conform with these standards within six months of the effective date of such revision or modification, or within a longer period of time deemed reasonable by the Corps in consultation with the EPA. Issuance of a LURC or DEP NRPA permit confirms that state water quality standards are met.

(b) All projects authorized by this GP shall be designed, constructed and operated to minimize or eliminate the discharge of pollutants.

(c) All activities involving any discharge of pollutants into waters of the U.S., including wetlands, authorized under this GP must comply with Section 402 [33 U.S.C. 1342] of the CWA and the requirements of the National Pollutant Discharge Elimination System (40 CFR 122).

**25. Spawning, Breeding and Migratory Areas.** Activities and impacts such as excavations, discharges of dredged or fill material, and/or suspended sediment producing activities, in fish migratory areas, fish and shellfish spawning or nursery areas, or amphibian and migratory bird breeding areas, during spawning or breeding seasons shall be avoided and minimized to the maximum extent practicable.

**26. Storage of Seasonal Structures.** Coastal structures, such as pier sections and floats, that are removed from the waterway for a portion of the year (often referred to as seasonal structures) shall be stored in an upland location located above mean high water (MHW) and not in tidal wetlands or mudflats. These seasonal structures may be stored on the fixed, pile-supported portion of the structure that is seaward of MHW. This is intended to prevent structures from being stored on the marsh substrate, mudflats, or the substrate seaward of MHW. Seasonal storage of structures in navigable waters, e.g., in a protected cove on a mooring, requires Corps and local harbormaster approval.

**27. Environmental Functions and Values.** The permittee shall make every reasonable effort to carry out the construction or operation of the work authorized herein in a manner that maintains as much as is practicable, and minimize any adverse impacts on existing fish, wildlife, and natural environmental functions and values.

## **28. Protection of Vernal Pools (VPs).**

(a) Impacts to VP Management Areas<sup>1</sup> for all VPs on, and known VPs surrounding, the project site shall be minimized to the maximum extent practicable.

(b) The following management practices must be followed for all work within the VP Management Area (750' of a VP's edge) of all VPs in order to qualify for Category 1 when there is fill placed in a water of the U.S., including wetlands:

i. Similar to the DEP's Significant Wildlife Habitat regulations<sup>2</sup>:

1. No disturbance within the VP Depression or VP Envelope (area within 100 feet of the VP Depression's edge)<sup>3</sup>;
2. Maintain a minimum of 75% of the Critical Terrestrial Habitat (area within 100-750 feet of the VP Depression's edge) as unfragmented forest with at least a partly-closed canopy of overstory trees to provide shade, deep litter and woody debris<sup>3</sup>;
3. Maintain or restore forest corridors connecting wetlands and significant vernal pools;
4. Minimize forest floor disturbance; and
5. Maintain native understory vegetation and downed woody debris.

ii. Cape Cod style-curbings or no curbing options shall be used on new roads to facilitate amphibian passage<sup>2</sup>.

(c) For work not complying with the requirements in (b) above, applicants shall submit an application to the Corps for at least Category 2 review with information on directional buffers in accordance with the VP Directional Buffer Guidance document<sup>2</sup>. Conservation of the unimpacted area within the VP Management Area will often be required.

(d) GC 2 requires applicants to delineate or approximately identify on the project plans all waters of the U.S., which include vernal pools. Appendix A, Page 1 lists VP Category 1 thresholds.

## **29. Invasive Species.**

(a) The introduction, spread, or the increased risk of invasion of invasive plant or animal species on the project site, into new or disturbed areas, or areas adjacent to the project site caused by the site work is prohibited (see Appendix E, Paragraph 6).

(b) Unless otherwise directed by the Corps, all applications for Category 2 inland projects and Category 2 coastal fill projects proposing fill in Corps jurisdiction shall include an Invasive Species Control Plan (ISCP) (see Appendix E, Paragraph 6).

**30. Cranberry Development Projects.** For cranberry development projects authorized under the GP, the following conditions apply:

(a) If a cranberry bog is abandoned for any reason, the area must be allowed to revert to natural wetlands unless an Individual Permit is obtained from the Corps allowing the discharge of fill for an alternate use.

---

<sup>1</sup> The Corps VP Management Area, which includes the VP and a 750' radius from the VP's edge, is defined at Appendix A, Endnote 5.

<sup>2</sup> Appendix E, 10(a)-(d) provides links to the state's Significant Wildlife Habitat regulations and references that provide impact minimization measures to reference when designing projects.

<sup>3</sup> The no disturbance requirement in the VP envelope [see (b)(i)(1)], and (b)(i)(2), do not apply to temporary impacts associated with construction mats in previously disturbed areas of existing utility project (e.g., transmission lines, gas pipelines) or linear transportation project (e.g., roads, highways, railways, trails, airport runways and taxiways) right-of-ways provided there is a Vegetation Management Plan that avoids, minimizes and mitigates impacts to aquatic resources.

- (b) No stream diversion shall be allowed under Category 1 of this GP.
- (c) No impoundments of intermittent or perennial streams shall be allowed under Category 1 and an application to the Corps is required for at least Category 2 review.
- (d) The project shall be designed and constructed to not cause flood damage on adjacent properties.

**31. Inspections.** The permittee shall allow the Corps to make periodic inspections at any time deemed necessary in order to ensure that the work is being or has been performed in accordance with the terms and conditions of this GP. The Corps may also require post-construction engineering drawings for completed work or post-dredging survey drawings for any dredging work.

To facilitate these inspections, the permittee shall complete and return to the Corps:

- For Category 1 projects, the Category 1 Notification Form (Appendix B).
- For Category 2 projects, the 1) Work-Start Notification Form and 2) Compliance Certification Form whenever either is provided with a Category 2 authorization letter.

**32. Maintenance.**

(a) The permittee shall maintain the work authorized herein in good condition and in conformance with the terms and general conditions of this permit.

(b) This does not include maintenance of dredging projects. Each maintenance dredging event exceeding the Category 1 thresholds (see Appendix A, Page 6) requires a new written Corps authorization unless an unexpired, written Corps authorization specifies that the permittee may “dredge and maintain” an area for a particular time period. Category 1 or 2 maintenance dredging includes only those areas and depths previously authorized and dredged.

(c) Some maintenance activities may not be subject to regulation under Section 404 in accordance with 33 CFR 323.4(a)(2) (see Appendix A, Endnote 7).

**33. Property Rights.** This PGP does not convey any property rights, either in real estate or material, or any exclusive privileges, nor does it authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations.

**34. Transfer of GP Verifications.** When the structures or work authorized by this GP are still in existence at the time the property is transferred, the terms and conditions of this GP, including any special conditions, will continue to be binding on the entity or individual who received the GP verification, as well as the new owner(s) of the property. The permittee may transfer responsibilities and obligations under the GP verification to the new owner by submitting a letter to the Corps (see Appendix D for address) to validate the transfer. A copy of the GP 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 GP are still in existence at the time the property is transferred, the terms and conditions of this GP, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this GP and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.”

**35. Modification, Suspension, and Revocation.** This GP or any work authorized under Category 1 or 2 may be either modified, suspended, or revoked, in whole or in part, pursuant to the policies and procedures of 33 CFR 325.7. Any such action shall not be the basis for any claim for damages against the United States.

**36. Restoration Directive.** The permittee, upon receipt of a notice of revocation of authorization under this GP, shall restore the wetland or waterway to its former condition without expense to the United States and as directed by the Secretary of the Army or his authorized representative. If the permittee fails

to comply with such a directive, the Secretary or his designee may restore the wetland or waterway to its former condition, by contract or otherwise, and recover the cost from the permittee.

**37. Special Conditions.** The Corps may independently, or at the request of the Federal resource agencies, impose other special conditions on a project authorized pursuant to this GP that are determined necessary to minimize adverse navigational and/or environmental effects or based on any other factor of the public interest. Failure to comply with all conditions of the authorization, including special conditions, constitutes a permit violation and may subject the permittee to criminal, civil, or administrative penalties and/or an ordered restoration.

**38. False or Incomplete Information.** If the Corps makes a determination regarding the eligibility of a project under this GP and subsequently discovers that it has relied on false, incomplete, or inaccurate information provided by the permittee, the GP authorization shall not be valid and the U.S. government may institute appropriate legal proceedings.

**39. Abandonment.** If the permittee decides to abandon the activity authorized under this GP, unless such abandonment is merely the transfer of property to a third party, he/she may be required to restore the area to the satisfaction of the Corps.

**40. Enforcement Cases.** This GP does not apply to any existing or proposed activity in Corps jurisdiction associated with an on-going Corps or EPA enforcement action, until such time as the enforcement action is resolved or the Corps and/or EPA as appropriate determines that the activity may proceed independently without compromising the enforcement action.

**41. Duration of Authorization.** This GP expires on October 11, 2015. Activities authorized under this GP that have commenced (i.e., are under construction) or are under contract to commence before this GP expires will have until October 11, 2016 to complete the activity under the terms and conditions of the current GP.

**42. Previously Authorized Activities.**

(a) Projects that have received authorization (Category 1 or 2) from the Corps and that were completed under the previous PGPs, nationwide permits, regional general permits or letters of permission, shall remain authorized.

(b) Activities authorized pursuant to 33 CFR Part 330.3 (“Activities occurring before certain dates”) are not affected by this GP.

(c) Any work not commenced nor completed that was authorized in a written letter from the Corps under the PGP in effect between October 11, 2005 and October 11, 2010 remains authorized subject to the terms and general conditions of this GP along with any special conditions in the authorizing written letter.

**43. NEPA Compliance.** The Maine PGP was authorized in full compliance with Council for Environmental Quality (“CEQ”) NEPA regulations. The Corps has determined that individual permit actions taken under the terms and conditions of the PGP are not a major federal action significantly affecting the quality of the human environment.

  
District Engineer  
10/12/10  
Date

## APPENDIX A: DEFINITION OF CATEGORIES

<p><b>A. INLAND WATERS AND WETLANDS</b></p>	<p><b>Inland Waters and Wetlands:</b> Waters that are regulated under Section 404 of the Clean Water Act, including rivers, streams, lakes, ponds and wetlands, and excluding Section 10 Navigable Waters of the U.S. The jurisdictional limits are the ordinary high water (OHW) mark in the absence of adjacent wetlands, beyond the OHW mark to the limit of adjacent wetlands when adjacent wetlands are present, and the wetland limit when only wetlands are present. For the purposes of this GP, fill placed in the area between the mean high water (MHW) and the high tide line (HTL), and in the bordering and contiguous wetlands<sup>1</sup> to tidal waters are reviewed in the Navigable Waters section. (See II. Navigable Waters on page 4 below.)</p>
<p><b>ACTIVITY</b></p>	<p>Projects not meeting Category 1 require an application for review as a Category 2 or Individual Permit project. All Category 1 and 2 projects must comply with all of this GP's applicable terms (Pages 1 – 4) and general conditions (Pages 5–18).</p>
<p><b>(a) NEW FILL/ EXCAVATION DISCHARGES</b>  (You must reference (b) – (e) below for other thresholds that may be relevant to your project.)</p>	<p style="text-align: center;"><b>CATEGORY 1</b></p> <p><b>1.</b> &lt;15,000 square feet (SF) (in LURC or DEP territories) of inland waterway and/or wetland fill and associated secondary impacts<sup>2</sup> (e.g., areas drained, flooded, fragmented, mechanically cleared or excavated). Fill area includes all temporary and permanent fill, and regulated discharges associated with excavation. Construction mats are considered as fill. [See General Condition (GC) 18(g.) <u>Provided:</u></p> <ul style="list-style-type: none"> <li>• Historic fill + proposed impact area &lt;15,000 SF and subdivision fill complies with GC 5, Single and Complete Projects.</li> <li>• No work in special aquatic sites (SAS)<sup>4</sup> other than wetlands.</li> </ul> <p><b>2.</b> Construction mats<sup>4</sup> of any area necessary to conduct activities that were previously authorized, authorized under Category 1, or not subject to regulation (see Endnote 7). Authorized construction mats must be in place for &lt;3 months, removed immediately upon work completion, and the wetlands must be restored (see GC 19).</p> <p><b>3.</b> For work in Vernal Pool (VP) Management Areas (includes VPs)<sup>5</sup>:</p> <ul style="list-style-type: none"> <li>• See GC 2 and Appendix C for VP delineation requirements.</li> <li>• See GC 28 to determine if work qualifies for Category 1 or 2.</li> <li>• See Appendix E, Page 3 for VP documents providing mitigation guidance.</li> </ul>
<p style="text-align: center;"><b>CATEGORY 2</b></p> <p><b>1.</b> ≥15,000 square feet (SF) (in LURC or DEP territories) to &lt;3 acres of inland waterway and/or wetland fill and associated secondary impacts (e.g., areas drained, flooded, fragmented, or excavated). Fill area includes all temporary and permanent fill, and regulated discharges associated with excavation. Mechanical clearing without grubbing or other soil disturbance &gt;3 acres as a secondary impact may still be eligible for Category 2 at the discretion of the Corps.</p> <p><b>2.</b> Specific activities with impacts of any area ≥15,000 SF required to affect the containment, stabilization, or removal of hazardous or toxic waste materials that are performed, ordered, or sponsored by a government agency with established legal or regulatory authority. Wetlands must be restored in place.</p> <p><b>3.</b> Temporary structures, work, and discharges (including construction mats<sup>4</sup>) ≥15,000 SF necessary for construction activities or access fills or dewatering of construction sites, provided that the associated primary activity is authorized by the Corps, authorized under Category 1, or not subject to Corps regulation. GCs 16 -19 are particularly relevant.</p> <p style="text-align: right;">See GC 2 and Appendix C for wetland delineation requirements.</p>	<p style="text-align: center;"><b>CATEGORY 2</b></p> <p><b>1.</b> ≥15,000 square feet (SF) (in LURC or DEP territories) to &lt;3 acres of inland waterway and/or wetland fill and associated secondary impacts (e.g., areas drained, flooded, fragmented, or excavated). Fill area includes all temporary and permanent fill, and regulated discharges associated with excavation. Mechanical clearing without grubbing or other soil disturbance &gt;3 acres as a secondary impact may still be eligible for Category 2 at the discretion of the Corps.</p> <p><b>2.</b> Specific activities with impacts of any area ≥15,000 SF required to affect the containment, stabilization, or removal of hazardous or toxic waste materials that are performed, ordered, or sponsored by a government agency with established legal or regulatory authority. Wetlands must be restored in place.</p> <p><b>3.</b> Temporary structures, work, and discharges (including construction mats<sup>4</sup>) ≥15,000 SF necessary for construction activities or access fills or dewatering of construction sites, provided that the associated primary activity is authorized by the Corps, authorized under Category 1, or not subject to Corps regulation. GCs 16 -19 are particularly relevant.</p> <p style="text-align: right;">See GC 2 and Appendix C for wetland delineation requirements.</p>

<b>ACTIVITY</b>	<b>CATEGORY 1</b>	<b>CATEGORY 2</b>
<p><b>(b) BANK STABILIZATION PROJECTS</b></p>	<p>1. Inland bank stabilization &lt;500 FT long and &lt;1 CY of fill per linear foot below OHW, provided:</p> <ul style="list-style-type: none"> <li>• ≤1 cubic yard of fill per linear foot placed along the bank waterward of ordinary high water.</li> <li>• Work complies with the GCs (GC 20 in particular), including: <ul style="list-style-type: none"> <li>○ No structures angled steeper than 1H:1V allowed. Only rough-faced stone or fiber roll revetments allowed.</li> <li>○ No in-stream work involving fill or excavation in flowing waters (see GC 22(h)).</li> </ul> </li> <li>• In-stream work limited to Jul 15 - Oct 1 [see GC 22 (l)].</li> <li>• No work in vernal pools<sup>5</sup> or SAS<sup>3</sup>.</li> <li>• GC 10 Endangered Species and GC 11 Essential Fish Habitat are particularly relevant.</li> </ul>	<p>1. Inland bank stabilization ≥500 FT long and/or ≥1 CY of fill per linear foot, or any amount with fill in wetlands.</p>
<p><b>(c) RIVER/ STREAM/ BROOK WORK &amp; CROSSINGS and WETLAND CROSSINGS</b></p>	<p>1. River, stream and brook work and crossings:</p> <ul style="list-style-type: none"> <li>• Must comply with GC 22 in particular, including: <ul style="list-style-type: none"> <li>○ No slip lining [see GC 22 (g)].</li> <li>○ No in-stream work involving fill or excavation in flowing waters [see GC 22(h)].</li> <li>○ In-stream work limited to Jul 15 - Oct 1 [see GC 22 (l)].</li> </ul> </li> <li>• No work in riffles and pools<sup>3</sup>.</li> <li>• No stream relocations.</li> <li>• No dams or dikes<sup>6</sup>.</li> <li>• Work in areas designated as Atlantic salmon critical habitat or occupied by listed Atlantic salmon, or any other area occupied by a listed species is not eligible for Category 1 (see GC 10).</li> <li>• No work in EFH streams except for the activities stated in GC 11.</li> </ul> <p>2. Wetland crossings must comply with the particularly relevant GC 23.</p>	<p>1. Work not qualifying for Category 1.</p>

<b>ACTIVITY</b>	<b>CATEGORY 1</b>	<b>CATEGORY 2</b>
<b>(d) REPAIR, REPLACEMENT, &amp; MAINTENANCE OF AUTHORIZED FILLS</b>	<p>1. Repair or maintenance of existing, currently serviceable, authorized fills with no expansion or change in use:</p> <ul style="list-style-type: none"> <li>• Conditions of the original authorization apply</li> <li>• Minor deviations in fill design allowed.<sup>7</sup></li> <li>• The repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events is authorized, 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.</li> </ul>	<p>2. Replacement of non-serviceable fills, or repair/maintenance of serviceable fill, with expansion &lt;3 acres, or with a change in use.</p>
<b>(e) MISCELL-ANEOUS</b>	<p>1. Activities required for the containment and cleanup of oil and hazardous substances that are subject to the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 300) provided that the work is done in accordance with the Spill Control and Countermeasure Plan required by 40 CFR 112.3 and any existing state contingency plan and provided that the Regional Response Team (if one exists in the area) concurs with the proposed containment and cleanup action. SAS<sup>3</sup> must typically be restored in place at the same elevation.</p> <p>2. Scientific measurement devices whose purpose is to measure and record scientific data, such as staff gages, water recording devices, water quality testing and improvement devices, and similar structures. This excludes any biological sampling devices. Structures may not restrict movement of aquatic organisms.</p> <p>3. Survey activities, such as core sampling, seismic exploratory operations, plugging of seismic shot holes and other exploratory-type bore holes, exploratory trenching, soil surveys, sampling, and historic resources surveys (but not recovery). Exploratory trenches must be restored in accordance with GC 19. The construction of temporary pads is authorized provided the discharge doesn't exceed 25 CY. This doesn't authorize permanent structures or the drilling and the discharge of excavated material from test wells for oil and gas exploration (the plugging of such wells is authorized).</p> <p>4. Any work not commenced nor completed that was authorized in a written letter from the Corps under the PGP in effect between October 11, 2005 and October 11, 2010. The terms and general conditions of this GP apply along with any special conditions in the written authorization.</p>	<p>1. Aquatic habitat restoration, establishment, and enhancement of wetlands and riparian areas and the restoration and enhancement of streams and other open waters with impacts of any area <math>\geq 15,000</math> SF, provided those activities result in net increase in overall aquatic resource functions and services.<sup>8</sup></p> <p>2. Projects where an EIS is required by the Corps are not eligible for Category 2.</p>

<p><b>II. NAVIGABLE WATERS</b></p>	<p><b>Navigable Waters of the United States:</b> Waters that are subject to the ebb and flow of the tide and/or the tidal and non-tidal portions of the Federally designated navigable waters (the Penobscot River, Kennebec River, and Lake Umbagog) (Section 10 Rivers and Harbors Act of 1899). The jurisdictional limits are the mean high water (MHW) line in tidal waters and the ordinary high water (OHW) mark in non-tidal portions of the federally designated navigable rivers. For the purposes of this GP, fill placed in the area between the mean high water (MHW) and the high tide line (HTL), and in the bordering and contiguous wetlands<sup>1</sup> to tidal waters are also reviewed in this Navigable Waters section.</p> <p>Projects not meeting Category 1 require an application for review as a Category 2 or Individual Permit project.</p> <p>All Category 1 and 2 projects must comply with all of this GP's applicable terms (Pages 1 - 4) and general conditions (Pages 5 - 18).</p>	
<p><b>ACTIVITY</b></p>	<p><b>CATEGORY 1</b></p>	<p><b>CATEGORY 2</b></p>
<p><b>(a) FILL</b></p>	<p><b>1.</b> Discharges of dredged or fill material incidental to the construction of bridges across navigable waters of the U.S., including cofferdams, abutments, foundation seals, piers, and temporary construction and access fills provided the U.S. Coast Guard authorizes such discharges as part of the bridge permit or appropriate approval. Causeways and approach fills are not included in this category and require Category 2 or Individual Permit authorization.</p> <p><b>2.</b> Bank stabilization projects &lt;200 linear feet:</p> <ul style="list-style-type: none"> <li>• ≤1 cubic yard of fill per linear foot placed along the bank waterward of high tide line. No fill or equipment will occur in SAS<sup>3</sup>.</li> <li>• Work conducted in the intertidal zone must be conducted in-the-dry during low water, or between Nov. 8 – Apr. 9.</li> <li>• No structures angled steeper than 1H:1V and only rough-faced stone or fiber roll revetments allowed.</li> <li>• No driving of piles or sheeting.</li> </ul> <p><b>3.</b> For 1 and 2 above:</p> <ul style="list-style-type: none"> <li>• Project proponents must contact the USFWS for work on coastal beaches to ensure no impacts to piping plovers, roseate terns or their habitat [see GC 10(b)iii].</li> </ul>	<p><b>1.</b> &lt;1 acre temporary or permanent fill, excavation and/or secondary impacts (e.g., areas drained, flooded, fragmented or mechanically cleared). Fill area includes all temporary and permanent waterway fills, provided:</p> <ul style="list-style-type: none"> <li>• Temporary or permanent fill in eelgrass<sup>14</sup> &lt;1000 SF.</li> <li>• Permanent fill in SAS (excluding eelgrass<sup>14</sup>) &lt;4300 SF.</li> </ul>
<p><b>(b) STREAM WORK &amp; CROSSINGS, and WETLAND CROSSINGS</b></p>	<p><b>1.</b> No new fill for crossings allowed.</p>	<p><b>1.</b> New crossings or replacement crossings that do not fit the (c) Repair and Maintenance activity below.</p>

ACTIVITY	CATEGORY 1	CATEGORY 2
<p><b>(c) REPAIR AND MAINTENANCE WORK</b></p>	<p><b>1.</b> Repair, replacement in-kind, or maintenance<sup>7</sup> of existing, currently serviceable<sup>7</sup>, authorized structures or fills:</p> <ul style="list-style-type: none"> <li>• Conditions of the original authorization apply.</li> <li>• No substantial expansion or change in use.</li> <li>• Must be rebuilt in same footprint, however minor deviations in structure design allowed<sup>7</sup>.</li> <li>• The repair, rehabilitation, or replacement of those structures or fills destroyed or damaged by storms, floods, fire or other discrete events is authorized, 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. Minor deviations for work involving piles shall adhere to one of the 4 methods in a - d below: <ul style="list-style-type: none"> <li><b>a.</b> Piles installed in-the-dry during low water or in-water between Nov. 8<sup>th</sup> - Apr. 9<sup>th</sup>, or</li> <li><b>b.</b> Must be drilled and pinned to ledge, or</li> <li><b>c.</b> Vibratory hammers used to install any size and quantity of wood, concrete or steel piles, or</li> <li><b>d.</b> Impact hammers limited to one hammer and &lt;50 piles installed/day with the following: wood piles of any size, concrete piles ≤18-inches diameter, steel piles &lt;12-inches diameter if the hammer is ≤3000 lbs and a wood cushion is used between the hammer and steel pile, and</li> </ul> </li> </ul> <ul style="list-style-type: none"> <li>• For b – d above: <ul style="list-style-type: none"> <li>○ In-water noise levels shall not exceed &gt;187dB SEL re 1μPa or 206dB peak re 1μPa at a distance &gt;10m from the pile being installed, and</li> <li>○ In-water noise levels &gt;155dB peak re 1μPa shall not exceed 12 consecutive hours on any given day and a 12 hour recovery period (i.e., in-water noise below 155dB peak re 1μPa) must be provided between work days.</li> </ul> </li> <li>• For a – d above: <ul style="list-style-type: none"> <li>○ Work is not eligible for Category 1 if conducted in tidal portions of the Penobscot river upstream of a line extending from Turner point in Castine to Moose Point (formerly squaw point) on Cape Jellison in Stockton Springs or in tidal portions of the Kennebec or Androscoggin Rivers upstream of a line extending from Doubling point in Arrowsic to Hospital Point in West Bath.</li> </ul> </li> </ul>	<p><b>CATEGORY 2</b></p> <p><b>1.</b> Replacement of non-serviceable structures and fills or repair/maintenance of serviceable structures or fills, with fill, replacement or expansion &lt;1 acre, or with a change in use.</p>

ACTIVITY	CATEGORY 1	CATEGORY 2
<p><b>(d) DREDGING AND ASSOCIATED DISPOSAL</b></p>	<p>1. Maintenance dredging<sup>10</sup> for navigational purposes &lt;1,000 CY with upland disposal. Includes return water from upland contained disposal area, provided:</p> <ul style="list-style-type: none"> <li>• Proper siltation controls are used.</li> <li>• Dredging &amp; disposal operation limited to Nov. 8 – Apr. 9.</li> <li>• No impact to SAS<sup>3</sup>.</li> <li>• No dredging in intertidal areas.</li> <li>• No dredging in areas considered occupied by listed Atlantic salmon [see GC 10(b)(ii)].</li> <li>• For dredging in waters outside of Atlantic salmon critical habitat, applicants must contact NMFS (Appendix D) to ensure no impacts to listed species such as shortnose sturgeon.</li> <li>• Project proponents must contact the USFWS for work on coastal beaches to ensure no impacts to piping plovers, roseate terns or their habitat [see GC 10(c)].</li> </ul>	<p>1. Maintenance dredging<sup>10</sup> ≥1,000 CY, new dredging &lt;25,000 CY, or projects not meeting Category 1. Includes return water from upland contained disposal areas. Disposal includes:</p> <ul style="list-style-type: none"> <li>• Upland.</li> <li>• Beach nourishment (above mean high water) of any area provided dredging's primary purpose is navigation or sand is from an upland source.</li> <li>• Open water &amp; confined aquatic disposal, if Corps finds the material suitable.</li> </ul> <p>2. Beach nourishment associated with dredging when the primary purpose is not navigation requires at least a Category 2 review.</p> <p>3. Maintenance or new dredging<sup>10</sup> and/or disposal in or affecting a SAS<sup>3</sup> requires an Individual Permit. See II(a) above for dredge disposal in wetlands or waters.</p>
<p><b>(e) MOORINGS</b></p>	<p>1. Private, non-commercial, non-rental, single-boat moorings, provided:</p> <ul style="list-style-type: none"> <li>• Authorized by the local harbormaster/town.</li> <li>• Not associated with any boating facility.<sup>11</sup></li> <li>• Boat or mooring not located in a Federal Navigation Project<sup>12</sup> other than a Federal Anchorage<sup>12</sup>. Moorings in Federal Anchorage not associated with a boating facility<sup>11</sup> and are not for rent.</li> <li>• No interference with navigation.</li> <li>• No new moorings located in SAS<sup>3</sup>. Prior to installation of moorings, a site-specific eelgrass survey should be conducted to document that eelgrass is not present.</li> <li>• When existing, authorized moorings in SAS<sup>3</sup> are going to be replaced, they shall be replaced with elastic mooring systems that prevent mooring chains from resting or dragging on the bottom substrate at all tides and helical anchors, or equivalent SAS protection systems where practicable.</li> </ul> <p>2. Minor relocation of previously authorized moorings and moored floats, provided:</p> <ul style="list-style-type: none"> <li>• Authorized by the local harbormaster/town.</li> <li>• Not located in SAS<sup>3</sup></li> <li>• No interference with navigation.</li> <li>• Cannot be relocated into a Federal Navigation Project<sup>12</sup> other than a Federal Anchorage<sup>12</sup></li> </ul>	<p>1. Moorings associated with a boating facility<sup>11</sup>. An eelgrass<sup>14</sup> survey may be required.</p> <p>2. Moorings that don't meet the terms in Category 1 and don't require an Individual Permit. This includes private moorings with no harbormaster or means of local approval.</p> <p>3. Moorings located such that they, and/or vessels docked or moored at them, are within the buffer zone of the horizontal limits<sup>13</sup> of a Federal Channel<sup>12</sup>. (See Appendix F.) The buffer zone is equal to 3 times the authorized depth of that channel.</p> <p>4. An IP is required for moorings within the horizontal limits<sup>11</sup>, or with moored vessels that extend, into the horizontal limits of a Federal Navigation Project<sup>12</sup>, except those in Federal Anchorages<sup>12</sup>.</p> <p>For 1-4 above, siting of new individual moorings in SAS<sup>3</sup>, including eelgrass<sup>14</sup>, should be avoided to the maximum extent practicable. If SAS<sup>3</sup> cannot be avoided, plans should show elastic mooring systems that prevent mooring chains from resting or dragging on the bottom substrate at all tides and helical anchors, or equivalent SAS protection systems, where practicable.</p>

ACTIVITY (f) STRUCTURES AND FLOATS	CATEGORY 1	CATEGORY 2
	<p><b>1.</b> Reconfiguration of existing, authorized structures or floats.</p> <p><u>Provided:</u></p> <p><b>a.</b> Piles shall adhere to one of the 4 methods in (i) –(iv) below:</p> <ul style="list-style-type: none"> <li><b>i.</b> Piles installed in-the-dry during low water or in-water between Nov. 8<sup>th</sup> - Apr. 9<sup>th</sup>, or</li> <li><b>ii.</b> Must be drilled and pinned to ledge, or</li> <li><b>iii.</b> Vibratory hammers used to install any size and quantity of wood, concrete or steel piles, or</li> <li><b>iv.</b> Impact hammers limited to one hammer and &lt;50 piles installed/day with the following: wood piles of any size, concrete piles ≤18-inches diameter, steel piles &lt;12-inches diameter if the hammer is ≤3000 lbs and a wood cushion is used between the hammer and steel pile.</li> </ul> <p><b>b.</b> For (ii) – (iv) above:</p> <ul style="list-style-type: none"> <li><b>i.</b> In-water noise levels shall not exceed &gt; 187dB SEL re 1µPa or 206dB peak re 1µPa at a distance &gt;10m from the pile being installed, and</li> <li><b>ii.</b> In-water noise levels &gt;155dB peak re 1µPa shall not exceed 12 consecutive hours on any given day and a 12 hour recovery period (i.e., in-water noise below 155dB peak re 1µPa) must be provided between work days.</li> </ul> <p><b>c.</b> For (i) –(iv) above:</p> <ul style="list-style-type: none"> <li><b>i.</b> Work is not eligible for Category 1 if conducted in tidal portions of the Penobscot river upstream of a line extending from Turner point in Castine to Moose Point (formerly squaw point) on Cape Jellison in Stockton Springs or in tidal portions of the Kennebec or Androscoggin Rivers upstream of a line extending from Doubling point in Arrowsic to Hospital Point in West Bath.</li> </ul>	<p><b>CATEGORY 2</b></p> <p><b>1.</b> Private structures or floats, including floatways/skidways, built to access waterway (seasonal and permanent)</p> <p><b>2.</b> Expansions to existing boating facilities<sup>11</sup>.</p> <p>For 1 &amp; 2 above, compliance with the following design standards is not required but recommended:</p> <ul style="list-style-type: none"> <li>• Pile-supported structures &lt;400 SF, with attached floats totaling ≤200 SF.</li> <li>• Bottom anchored floats ≤200 SF.</li> <li>• Structures are ≤4’ wide and have at least a 1:1 height:width ratio<sup>11</sup>.</li> <li>• Floats supported a minimum of 18” above the substrate during all tides.</li> <li>• Structures &amp; floats not located within 25’ of any eelgrass<sup>8</sup>.</li> <li>• Moored vessels not positioned over SAS<sup>4</sup>.</li> <li>• No structure located within 25’ of the riparian property boundary without written approval from the abutter(s).</li> <li>• No structure extends across &gt;25% of the waterway width at mean low water.</li> <li>• Not located within the buffer zone of the horizontal limits<sup>13</sup> of a Corps Federal Navigation Project (FNP) (App. F). The buffer zone is equal to three times the authorized depth of that FNP.</li> </ul> <p><b>3.</b> An Individual Permit is required for structures or floats, including floatways/skidways, located such that they and/or vessels docked or moored at them are within the horizontal limits<sup>13</sup> of a Corps Federal Navigation Project<sup>12</sup> (see App. F).</p> <p><b>4.</b> An Individual Permit is required for structures &amp; floats associated with a new or previously unauthorized boating facility<sup>11</sup>.</p>

ACTIVITY	CATEGORY 1	CATEGORY 2
<b>(g) MISCELL-ANEIOUS</b>	<p><b>1.</b> Temporary buoys, markers, floats, etc. for recreational use during specific events, provided they are removed within 30 days after use is discontinued.</p> <p><b>2.</b> The placement of aids to navigation and regulatory markers which are approved by and installed in accordance with the requirements of the U.S. Coast Guard. (See 33 CFR 66, Chapter I, subchapter C).”</p> <p><b>3.</b> Activities required for the containment and cleanup of oil and hazardous substances that are subject to the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 300) provided that the work is done in accordance with the Spill Control and Countermeasure Plan required by 40 CFR 112.3 and any existing state contingency plan and provided that the Regional Response Team (if one exists in the area) concurs with the proposed containment and cleanup action. SAS<sup>3</sup> must typically be restored in place at the same elevation.</p> <p><b>4.</b> Fish and wildlife harvesting, enhancement, and attraction devices and activities such as pound nets, crab traps, crab dredging, eel pots, lobster traps, and clam and oyster digging, and small fish attraction devices such as open water fish concentrators (sea kites, etc.). This does not authorize artificial reefs or impoundments and semi-impoundments of waters of the U.S. for the culture or holding of motile species such as lobster, or the use of covered oyster trays or clam racks. No activity that results in a hazard to navigation. Note: A Category 1 Notification Form is not required for these devices and activities.</p> <p><b>5.</b> Scientific measurement devices whose purpose is to measure and record scientific data, such as staff gages, water recording devices, water quality testing and improvement devices, and similar structures. Structures may not restrict movement of aquatic organisms. No activity results in a hazard to navigation.</p> <p><b>6.</b> Survey activities such as exploratory drilling, surveying and sampling activities, excluding any biological sampling devices. Does not include oil and gas exploration and fill for roads or construction pads. No activity results in a hazard to navigation. Applicants must contact NMFS to ensure no impacts to listed species.</p>	<p><b>1.</b> Structures or work in or affecting tidal or navigable waters, that are not defined under any of the previous headings listed above. Includes, but is not limited to, utility lines, aerial transmission lines, pipelines, outfalls, boat ramps, floatways/skidways, bridges, tunnels and horizontal directional drilling activities seaward of the mean high water line.</p> <p><b>2.</b> Shellfish/finfish (other than Atlantic salmon), or other aquaculture facilities with no more than minimal individual and cumulative impacts to environmental resources or navigation. –Aquaculture guidelines are provided at: <a href="http://www.maine.gov/dmr/aquaculture/index.htm">www.maine.gov/dmr/aquaculture/index.htm</a>.</p> <p><b>3.</b> Specific activities with impacts of any area required to affect the containment, stabilization, or removal of hazardous or toxic waste materials that are performed, ordered, or sponsored by a government agency with established legal or regulatory authority. Wetlands must typically be restored in place at the same elevation to qualify.</p> <p><b>4.</b> Aquatic habitat restoration, establishment and enhancement provided those activities are proactive and result in net increases in aquatic resource functions and services.<sup>8</sup></p> <p><b>5.</b> Projects where an EIS is required by the Corps are not eligible for Category 2.</p>

ACTIVITY	CATEGORY 1	CATEGORY 2
<b>(g) MISCELL-ANEIOUS (continued)</b>	<p>7. Shellfish seeding (brushing the flats<sup>9</sup>) projects.</p> <p>8. Marine railway work not eligible for maintenance<sup>7</sup> (i.e. not currently serviceable<sup>7</sup> or in non-compliance) may be replaced “in-kind” with minor deviations<sup>7</sup> provided:</p> <ul style="list-style-type: none"> <li>• Work is in the intertidal zone</li> <li>• No fill expansion below high tide line.</li> <li>• Work conducted in-the-dry during low water or in-water between Nov. 8 – Apr. 9.</li> </ul> <p>9. Test plots &lt;100 SF for the planting of wetland species native to the area. No grading, no structures, no plant growing devices and no interference with navigation, which require at least Category 2 review.</p> <p>10. Any work not commenced nor completed that was authorized in a written letter from the Corps under the PGP in effect between October 11, 2005 and October 11, 2010. The terms and general conditions of this GP apply along with any special conditions in the written authorization</p>	

**Endnotes/Definitions**

<sup>1</sup> **Bordering and Contiguous Wetlands:** A bordering wetland is immediately next to its adjacent waterbody and may lie at, or below, the ordinary high water mark (mean high water in navigable waters) of that waterbody and is directly influenced by its hydrologic regime. Contiguous wetlands extend landward from their adjacent waterbody to a point where a natural or manmade discontinuity exists. Contiguous wetlands include bordering wetlands as well as wetlands that are situated immediately above the ordinary highwater mark and above the normal hydrologic influence of their adjacent waterbody. Note, with respect to the federally designated navigable rivers, the wetlands bordering and contiguous to the tidally influenced portions of those rivers are reviewed under “II. Navigable Waters.”

<sup>2</sup> **Direct, Secondary, and Cumulative Impacts/Effects:**

**Direct Impacts:** The immediate loss of aquatic ecosystem within the footprint of the fill.

**Secondary Impacts:** These are effects on an aquatic ecosystem that are associated with a discharge of dredged or fill materials, but do not result from the actual placement of the dredged or fill material. Information about secondary effects on aquatic ecosystems shall be considered prior to the time final section 404 action is taken by permitting authorities. Some examples of secondary effects on an aquatic ecosystem are a) fluctuating water levels in all impoundment and downstream associated with the operation of a dam, b) septic tank leaching and surface runoff from residential or commercial developments on fill, and c) leachate and runoff from a sanitary landfill located in waters of the U.S. Put another way, secondary effects are those impacts outside the footprint of the fill that arise from and are associated with the discharge of dredged or fill material, including the operation of an activity or facility associated with the discharge. Examples may include habitat fragmentation; interruption of travel corridors for wildlife (for example, for amphibians that migrate to and from seasonal or vernal pools used as breeding habitat); hydrologic regime changes; and impacts from operation and maintenance activities for constructed facilities; such as noise/lighting, storm water runoff, and road kill of wetland dependent wildlife. Using the directions contained in the guidelines, we consider the circumstances of a proposed discharge and the project of which it is a part to evaluate the scope, extent, severity, and permanence of direct, secondary, and cumulative adverse effects upon the aquatic ecosystem.

Cumulative Impacts: The extent of past, present, and foreseeable developments in the area may be an important consideration in evaluating the significance of a particular project's impacts. Although the impacts associated with a particular discharge may be minor, the cumulative effect of numerous similar discharges can result in a large impact. Cumulative impacts should be estimated only to the extent that they are reasonable and practical.

<sup>3</sup>**Special Aquatic Sites:** Includes wetlands and saltmarsh, mudflats, riffles and pools, and vegetated shallows (predominantly comprised of eelgrass in Maine).

<sup>4</sup>**Construction Mats:** Constructions, swamp and timber mats (herein referred to as "construction mats") are generic terms used to describe structures that distribute equipment weight to prevent wetland damage while facilitating passage and providing work platforms for workers and equipment. They are comprised of sheets or mats made from a variety of materials in various sizes. A timber mat consists of large timbers bolted or cabled together. Corduroy roads, which are not considered to be construction mats, are cut trees and/or saplings with the crowns and branches removed, and the trunks lined up next to one another. Corduroy roads are typically installed as permanent structures. Like construction mats, they are considered as fill whether they're installed temporarily or permanently.

<sup>5</sup>**Vernal Pools:** A vernal pool, also referred to as a seasonal forest pool, is a temporary to semi-permanent body of water occurring in a shallow depression that typically fills during the spring or fall and may dry during the summer. Vernal pools have no permanent inlet or outlet and no viable populations of predatory fish. A vernal pool may provide the primary breeding habitat for wood frogs (*Rana sylvatica*), spotted salamanders (*Ambystoma maculatum*), blue-spotted salamanders (*Ambystoma laterale*), and fairy shrimp (*Eubranchipus* sp.), as well as valuable habitat for other plants and wildlife, including several rare, threatened, and endangered species. A vernal pool intentionally created for the purposes of compensatory mitigation is included in this definition. For the purposes of this GP, the presence of any of the following species in any life stage in any abundance level/quantity would designate the waterbody as a vernal pool: fairy shrimp, blue spotted salamanders, spotted salamanders or wood frogs. The Corps may determine during a Category 2 review that a waterbody should not be regulated as a VP based on available evidence. For the purposes of this GP\*, the VP Management Areas are the: Vernal Pool Depression (includes the vernal pool depression up to the spring or fall high water mark, and includes any vegetation growing within the depression), Vernal Pool Envelope (area within 100 FT of the VP Depression's edge) and Critical Terrestrial Habitat (area within 100-750 FT of the Vernal Pool Depression's edge). [\*Note: Critical Terrestrial Habitat is defined as 100 -750 FT on page 243 of the document "Science and Conservation of Vernal Pools in Northeastern North America," Calhoun and deMaynadier, 2008, which is referenced in Appendix E, page 3, Paragraph 10(b).

<sup>6</sup>**Water Diversions:** Water diversions are activities such as bypass pumping or water withdrawals. Temporary flume pipes, culverts or cofferdams where normal flows are maintained within the stream boundary's confines aren't water diversions. "Normal flows" are defined as no change in flow from pre-project conditions.

<sup>7</sup>**Maintenance:** a) In accordance with 33 CFR 323.4(a)(2), any discharge of dredged or fill material that may result from any of the following activities is not prohibited by or otherwise subject to regulation under Section 404 of the CWA: "Maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, bridge abutments or approaches, and transportation structures. Maintenance does not include any modification that changes the character, scope, or size of the original fill design." Otherwise, the following work is regulated and subject to the Category 1 or 2 thresholds in Appendix A above: 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 – "Activities occurring before certain dates," 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. b) 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 repair, rehabilitation, or replacement are authorized. c) Currently serviceable means useable as is or with some maintenance, but not so degraded as to essentially require reconstruction. d) No seaward expansion for bulkheads or any other fill activity is considered Category 1 maintenance. e) Only structures or fills that were previously authorized and are in compliance with the terms and condition of the original authorization can be maintained as a non-regulated activity under 33 CFR 323.4(a)(2), or in accordance with the Category 1 or 2 thresholds in Appendix A. f) The state's maintenance provisions may differ from the Corps and may require reporting and written authorization from the state. g) Contact the Corps to determine whether stream crossing replacements require a written application to the Corps for at least a Category 2 review.

<sup>8</sup>**Aquatic Habitat Restoration, Establishment and Enhancement:** The Corps will decide if a project qualifies and must determine in consultation with federal and state agencies that the net effects are beneficial. The Corps may refer to Nationwide Permit 27 published in the 3/12/07 Federal Register. Activities authorized here may include, but are not limited to: the removal of accumulated sediments; the installation, removal, and maintenance of small water control structures, dikes, and berms; the installation of current deflectors; the enhancement, restoration, or establishment of riffle and pool stream structure; the placement

of in-stream habitat structures; modifications of the stream bed and/or banks to restore or establish stream meanders; the backfilling of artificial channels and drainage ditches; the removal of existing drainage structures; the construction of small nesting islands in inland waters; the construction of open water areas; the construction of native shellfish species habitat over unvegetated bottom for the purpose of habitat protection or restoration in tidal waters; shellfish seeding; activities needed to reestablish vegetation, including plowing or discing for seed bed preparation and the planting of appropriate wetland species; mechanized land clearing to remove non-native invasive, exotic, or nuisance vegetation; and other related activities. Only native plant species should be planted at the site.

<sup>9</sup> **Brushing the Flats:** The placement of tree boughs, wooden lath structure, or small-mesh fencing on mudflats to enhance recruitment of soft-shell clams (*Mya arenaria*).

<sup>10</sup> **Maintenance Dredging:** This includes only those areas and depths previously authorized by the Corps and dredged.

<sup>11</sup> **Boating Facilities:** Facilities that provide for a fee, rent, or sell mooring space, such as marinas, yacht clubs, boat clubs, boat yards, town facilities, dockminiums, etc.

<sup>12</sup> **Federal Navigation Projects (FNPs):** FNPs are comprised of Federal Channels and Federal Anchorages. See Appendix F for their location and contact the Corps for more information. “Horizontal Limits” is the outer edge of an FNP. “Buffer Zone” is equal to three times the authorized depth of that channel.

<sup>13</sup> **Horizontal Limits:** The outer edge of a Federal Navigation Project (FNP). See Appendix F and contact the Corps for information on FNP’s.

<sup>14</sup> **Eelgrass (*Zostera marina*):** A type of rooted aquatic vegetation that exists in intertidal and shallow subtidal areas known as vegetated shallows. See [www.nero.noaa.gov/hcd/](http://www.nero.noaa.gov/hcd/) for eelgrass survey guidance.

<sup>15</sup> **Structures:** The height of structures shall at all points be equal to or exceed the width of the deck. For the purpose of this definition, height shall be measured from the marsh substrate to the bottom of the longitudinal support beam.



**US Army Corps  
of Engineers**<sup>®</sup>  
New England District

**Appendix B: Category 1 Notification Form**  
(for all Inland and Navigable Water Projects  
in Maine subject to Corps jurisdiction)

Two (2) weeks **before** work commences, submit this to the following mailing address or complete the form at [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg), “State General Permits,” “Maine.” Call (207) 623-8367 with any questions.

Maine Project Office  
U.S. Army Corps of Engineers  
New England District  
675 Western Avenue #3  
Manchester, Maine 04351

State Permit Number: \_\_\_\_\_  
Date of State Permit: \_\_\_\_\_  
State Project Manager: \_\_\_\_\_

Permittee: \_\_\_\_\_  
Address, City, State & Zip: \_\_\_\_\_  
Phone(s) and Email: \_\_\_\_\_

Contractor: \_\_\_\_\_  
Address, City, State & Zip: \_\_\_\_\_  
Phone(s) and Email: \_\_\_\_\_

Consultant/Engineer/Designer: \_\_\_\_\_  
Address, City, State & Zip: \_\_\_\_\_  
Phone(s) and Email: \_\_\_\_\_

Wetland/Vernal Pool Consultant: \_\_\_\_\_  
Address, City, State & Zip: \_\_\_\_\_  
Phone(s) and Email: \_\_\_\_\_

Project Location/Description: \_\_\_\_\_  
Address, City, State & Zip: \_\_\_\_\_  
Latitude/Longitude Coordinates: \_\_\_\_\_  
Waterway Name: \_\_\_\_\_  
Work Description: \_\_\_\_\_

Provide any prior Corps permit numbers: \_\_\_\_\_  
Proposed Work Dates: Start: \_\_\_\_\_ Finish: \_\_\_\_\_

Area of wetland impact: \_\_\_\_\_ SF (leave blank if work involves structures & no fill in Navigable Waters)  
Area of waterway impact: \_\_\_\_\_ SF (leave blank if work involves structures & no fill in Navigable Waters)  
Area of compensatory mitigation provided: \_\_\_\_\_ SF

Work will be done under the following Appendix A categories (circle all that apply):

- I. Inland Waters and wetlands:    a    b    c    d    e
- II. Navigable Waters:                    a    b    c    d    e    f    g

Your name/signature below, as permittee, indicates that you accept and agree to comply with the terms, eligibility criteria, and general conditions of Category 1 of the Maine General Permit.

Permittee Printed Name: \_\_\_\_\_

Permittee Signature: \_\_\_\_\_ Date: \_\_\_\_\_



**US Army Corps  
of Engineers**®  
New England District

## **Appendix C: Information Typically Required for Department of the Army Permits** (Category 2 & Individual Projects)

The following information may not be necessary for all projects. For a more comprehensive checklist, go to [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) “Forms” and then “Application and Plan Guideline Checklist.” Please check with our Maine office for project-specific requirements at (207) 623-8367.

### **All Projects:**

- Corps application form ([ENG Form 4345](#)) as appropriate.
- Photographs of wetland/waterway to be impacted.
- Purpose of the project.
- Legible, reproducible black and white (no color) plans no larger than 11”x17” with bar scale. Provide locus map and plan views of the entire property.
- Typical cross-section views of all wetland and waterway fill areas and wetland replication areas.
- In navigable waters, show mean low water (MLW) and mean high water (MHW) elevations. Show the high tide line (HTL) elevations when fill is involved. In other waters, show ordinary high water (OHW) elevation.
- On each plan, show the following for the project:
  - Vertical datum and the NAVD 1988 equivalent with the vertical units as U.S. feet. Don’t use local datum. In coastal waters this may be mean higher high water (MHHW), mean high water (MHW), mean low water (MLW), mean low lower water (MLLW) or other tidal datum with the vertical units as U.S. feet. MLLW and MHHW are preferred. Provide the correction factor detailing how the vertical datum (e.g., MLLW) was derived using the latest National Tidal Datum Epoch for that area, typically 1983-2001.
  - Horizontal state plane coordinates in U.S. survey feet based on the [insert state grid system] for the [insert state] [insert zone] NAD 83.
- Show project limits with existing and proposed conditions.
- Limits of any Federal Navigation Project in the vicinity of the project area and horizontal State Plane Coordinates in U.S. survey feet for the limits of the proposed work closest to the Federal Navigation Project;
- Volume, type, and source of fill material to be discharged into waters and wetlands, including the area(s) (in square feet or acres) of fill in wetlands, below the ordinary high water in inland waters and below the high tide line in coastal waters.
- Delineation of all waterways and wetlands on the project site, including vernal pools:
  - Use federal delineation methods and include Corps wetland delineation data sheets. See GC 2; Endnotes 1, 3 and 14 in Appendix A; and [www.nero.noaa.gov/hcd](http://www.nero.noaa.gov/hcd) for eelgrass survey guidance.
  - Appendix A, (e) Moorings, contains eelgrass survey requirements for the placement of moorings.
  - Labels on the plans should indicate whether the federal wetland is also a ME DEP “Wetlands of Special Significance,” i.e, coastal wetland, great pond, or one of the eight “Freshwater Wetlands of Special Significance” such as “Critically imperiled or imperiled community,” “Significant wildlife habitat,” etc. [see Appendix E, 10(a)].
- For activities involving discharges of dredged or fill material into waters of the U.S., include a statement describing how impacts to waters of the U.S. are to be avoided and minimized, and either a statement describing how impacts to waters of the U.S. are to be compensated for (or a conceptual or detailed mitigation plan) or a statement explaining why compensatory mitigation should not be required for the proposed impacts. Please contact the Corps for guidance.

- Provide information on secondary and cumulative effects associated with the project (see GC 3).
- Indicate that application materials were submitted to the Maine Historic Preservation Commission (MHPC) and the appropriate tribes (see Section 3(d) on Page 4).
- The name(s) of federal endangered and threatened “listed species or habitat” present in the action area (see GC 10 and Appendix E).
- Identify and describe potential impacts to Essential Fish Habitat (see GC 11).
- Invasive Species Control Plan (see GC 29).

**Information typically required for dredging projects:**

- Sediment testing, including physical (e.g., grain-size analysis), chemical and biological testing. For projects proposing open water disposal, applicants are encouraged to contact the Corps as early as possible regarding sampling and testing protocols. Sampling and testing of sediments without such contact should not occur and if done, would be at the applicant’s risk.
- The area in square feet and volume of material to be dredged below mean high water.
- Existing and proposed water depths.
- Type of dredging equipment to be used.
- Nature of material (e.g., silty sand).
- Any existing sediment grain size and bulk sediment chemistry data for the proposed or any nearby projects.
- Information on the location and nature of municipal or industrial discharges and occurrence of any contaminant spills in or near the project area.
- Shellfish survey.
- Location of the disposal site (include locus sheet).
- Identify and describe potential impacts to Essential Fish Habitat (see GC 11).
- Delineation of submerged aquatic vegetation (e.g., eelgrass beds).

## Appendix D: Contacts and Tribal Areas of Interest

### 1. **FEDERAL**

#### U.S. Army Corps of Engineers

Maine Project Office  
675 Western Avenue #3  
Manchester, Maine 04351  
(207) 623-8367; (207) 623-8206 (fax)

#### Federal Endangered Species

U.S. Fish and Wildlife Service  
Maine Field Office  
17 Godfrey Drive, Suite 2  
Orono, Maine 04473  
(207) 866-3344; (207) 866-3351 (fax)

#### Wild and Scenic Rivers

National Park Service  
North Atlantic Region  
15 State Street  
Boston, Massachusetts 02109  
(617) 223-5203

#### Bridge Permits

Commander (obr)  
First Coast Guard District  
One South Street - Battery Bldg  
New York, New York 10004  
(212) 668-7021; (212) 668-7967 (fax)

#### Federal Endangered Species

National Marine Fisheries Service  
Maine Field Office  
17 Godfrey Drive Suite 1  
Orono, ME 04473  
(207) 866-7379; (978) 866-7342 (fax)

#### Federal Endangered Species & EFH

National Marine Fisheries Service  
55 Great Republic Drive  
Gloucester, Massachusetts 01930  
(978) 281-9102; (978) 281-9301 (fax)

### 2. **STATE OF MAINE**

#### Maine Department of Environmental Protection (for State Permits & Water Quality Certifications)

Division of Land Resource Regulation  
Bureau of Land and Water Quality  
17 State House Station  
Augusta, Maine 04333  
(207) 287-7688

Eastern Maine Regional Office  
106 Hogan Road  
Bangor, Maine 04401  
(207) 941-4570

Southern Maine Regional Office  
312 Canco Road  
Portland, Maine 04103  
(201) 822-6300

Northern Maine Regional Office  
1235 Central Drive - Skyway Park  
Presque Isle, Maine 04769  
(207) 764-0477

#### Maine Land Use Regulation Commission (LURC) ([www.maine.gov/doc/lurc/offices.html](http://www.maine.gov/doc/lurc/offices.html))

22 State House Station  
Augusta, Maine 04333-0022  
(207) 287-2631; (207) 287-7439 (fax)

106 Hogan Rd, Suite 7  
Bangor, Maine 04401  
(207) 941-4052; (207) 941-4222 (fax)

Lakeview Drive  
P.O. Box 1107  
Greenville, Maine 04441  
(207) 695-2466; (207) 695-2380 (fax)

45 Radar Road  
Ashland, ME 04732-3600  
(207) 435-7963; (207) 435-7184 (fax)

191 Main Street  
East Millinocket, ME 04430  
(207) 746-2244; (207) 746-2243 (fax)

*(For CZM Determinations)*

State Planning Office  
Coastal Program  
184 State Street  
State House Station 38  
Augusta, Maine 04333  
(207) 287-1009

*(For Aquaculture Leases)*

Maine Department of Marine Resources  
P.O. Box 8  
West Boothbay Harbor, Maine 04575  
(207) 633-9500

*(For Submerged Lands Leases)*

Maine Department of Conservation  
Bureau of Parks and Lands  
22 State House Station  
Augusta, Maine 04333  
(207) 287-3061

### **3. HISTORIC PROPERTIES**

*Maine Historic Preservation Commission  
(MHPC)*

State House Station 65  
Augusta, Maine 04333-0065  
(207) 287-2132; (207) 287-2335 (fax)

*Aroostook Band of Micmacs*

Attn: Victoria Higgins, Chief  
7 Northern Road  
Presque Isle, Maine 04769  
(207) 764-1972; (207) 764-7667 (fax)

*Houlton Band of Maliseet Indians*

Attn: Sharri Venno, Environmental Planner  
88 Bell Road  
Littleton, Maine 04730  
(207) 532-4273, x215; (207) 532-1883 (fax)  
envplanner@maliseets.com

*Passamaquoddy Tribe of Indians*

Indian Township Reservation  
Attn: Donald Soctomah, THPO  
P.O. Box 301  
Princeton, Maine 04668  
(207) 796-2301; (207) 796-5256 (fax)

*Passamaquoddy Tribe of Indians*

Pleasant Point Reservation  
Attn: Donald Soctomah, THPO  
P.O. Box 343  
Perry, Maine 04667  
(207) 853-2600; (207) 853-6039 (fax)

*Penobscot Indian Nation*

Indian Island Reservation  
Attn: Ms. Bonnie Newsom, THPO  
12 Wabanaki Way  
Indian Island, Maine 04468  
(207) 817-7471; (207) 817-7450 (fax)

### **4. ORGANIZATIONAL WEBSITES:**

Army Corps of Engineers, N.E. District  
Army Corps of Engineers, Headquarters  
Environmental Protection Agency  
National Marine Fisheries Service  
U.S. Fish and Wildlife Service  
National Park Service  
State of Maine  
Maine Department of Environmental Protection  
Maine Land Use Regulation Commission  
State of Maine -Aquaculture Guidelines

[www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg)  
[www.usace.army.mil/CECW/Pages/cecwo\\_reg.aspx](http://www.usace.army.mil/CECW/Pages/cecwo_reg.aspx)  
[www.epa.gov/owow/wetlands](http://www.epa.gov/owow/wetlands)  
[www.nmfs.noaa.gov](http://www.nmfs.noaa.gov)  
[www.fws.gov/mainefieldoffice](http://www.fws.gov/mainefieldoffice)  
[www.nps.gov/rivers/index.html](http://www.nps.gov/rivers/index.html)  
[www.maine.gov](http://www.maine.gov)  
[www.maine.gov/dep](http://www.maine.gov/dep)  
[www.maine.gov/doc/lurc](http://www.maine.gov/doc/lurc)  
[www.maine.gov/dmr/aquaculture/index.htm](http://www.maine.gov/dmr/aquaculture/index.htm)

## Appendix E: Additional References

### 1. GC 2: Federal Jurisdictional Boundaries.

(a) Corps Wetlands Delineation Manual, regional supplements, and Corps Wetland Delineation Data Sheets: [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) and then “Wetlands and Jurisdictional Limits.”

(b) The USFWS publishes the 1988 National List of Plant Species that Occur in Wetlands ([www.nwi.fws.gov](http://www.nwi.fws.gov)).

The Natural Resources Conservation Service (NRCS) publishes the current hydric soil definition, criteria and lists: <http://soils.usda.gov/use/hydric>. For the Field Indicators for Identifying Hydric Soils in N.E., see [www.neiwpcc.org/hydricsoils.asp](http://www.neiwpcc.org/hydricsoils.asp).

### 2. GC 5:

*Single and complete project* means the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. For example, if construction of a residential development affects several different areas of a headwater or isolated water, or several different headwaters or isolated waters, the cumulative total of all filled areas should be the basis for deciding whether or not the project will be covered by Category 1 or 2.

The *Independent utility* test is used 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.

### 3. GC 10: Threatened and Endangered Species.

(a) The following NMFS site must be referenced to ensure that listed species or critical habitat are not present in the action area [GC 10(b)] or to provide information on federally-listed species or habitat [GC 10(e)]: [www.nero.noaa.gov/prot\\_res/esp/ListE&Tspec.pdf](http://www.nero.noaa.gov/prot_res/esp/ListE&Tspec.pdf). Contact the USFWS for information to check for the presence of listed species (see Appendix D for contact information).

(b) The Endangered Species Act Consultation Handbook – Procedures for Conducting Section 7 Consultations and Conferences, defines action area as “all areas to be affected directly or indirectly by the federal action and not merely the immediate area involved in the action. [50 CFR 402.02].”

### 4. GC 11: Essential Fish Habitat.

As part of the PGP screening process, the Corps may coordinate with NMFS in accordance with the 1996 amendments to the Magnuson-Stevens Fishery Conservation and Management Act to protect and conserve the habitat of marine, estuarine and anadromous finfish, mollusks, and crustaceans. This habitat is termed “Essential Fish Habitat (EFH)”, and is broadly defined to include “those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.” There are EFH waters throughout inland and coastal waters in Maine. For additional information, see the EFH regulations 50 CFR 600 at [www.nero.noaa.gov/hcd](http://www.nero.noaa.gov/hcd) including the “Guide for EFH Descriptions” at [www.nero.noaa.gov/hcd/list.htm](http://www.nero.noaa.gov/hcd/list.htm). Additional information on the location of EFH can be obtained from NMFS (see Appendix D for contact information).

### 5. GC 16: Avoidance, Minimization and Compensatory Mitigation.

(a) See [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) and then “Mitigation” to view the April 10, 2008 “Final Compensatory Mitigation Rule” (33 CFR 332) and related documents. The Q&A document states: “In order to reduce risk and uncertainty and help ensure that the required compensation is provided, the rule establishes a preference hierarchy for mitigation options. The most preferred option is mitigation

bank credits, which are usually in place before the activity is permitted. In-lieu fee program credits are second in the preference hierarchy, because they may involve larger, more ecologically valuable compensatory mitigation projects as compared to permittee-responsible mitigation. Permittee-responsible mitigation is the third option, with three possible circumstances: (1) conducted under a watershed approach, (2) on-site and in kind, and (3) off-site/out-of-kind.

(b) Compensatory mitigation may take the form of wetland preservation, restoration, enhancement, creation, and/or in lieu fee (ILF) for inclusion into the Natural Resources Mitigation Fund for projects in DEP and LURC territories. Avoidance of wetland impacts will reduce the ILF dollar total for applicants. The ILF compensation program was established to provide applicants with a flexible compensation option over and above traditional permittee responsible compensation projects. See the Maine ILF Agreement at [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg), “Mitigation” and then “Maine,” or [www.maine.gov/dep/blwq/docstand/nrpa/ILF\\_and\\_NRCP/index.htm](http://www.maine.gov/dep/blwq/docstand/nrpa/ILF_and_NRCP/index.htm).

## **6. GCs 19 and 29: Invasive Species.**

(a) Information on what are considered “invasive species” is provided in our “Compensatory Mitigation Guidance” document at [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) under “Mitigation.” The “Invasive Species” section has a reference to our “Invasive Species Control Plan (ISCP) Guidance” document, located at [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) under “Invasive Species,” which provides information on preparing an ISCP.

(b) The June 2009 “Corps of Engineers Invasive Species Policy” is at [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) under “Invasive Species” and provides policy, goals and objectives.

## **7. GC 20: Bank Stabilization.**

This generally eliminates bodies of water where the reflected wave energy may interfere with or impact on harbors, marinas, or other developed shore areas. A revetment is sloped and is typically employed to absorb the direct impact of waves more effectively than a vertical seawall. It typically has a less adverse effect on the beach in front of it, abutting properties and wildlife. See the Corps Coastal Engineering Manual [EM 1110-2-1100](#) at [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) under “Useful Links and Documents” for design and construction guidance.

## **8. GC 22: Stream Crossings and Work.**

(a) Projects should be designed and constructed to ensure long-term success using the most recent manual located at [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) under “Stream and River Continuity,” currently “Stream Simulation: An Ecological Approach to Providing Passage for Aquatic Organisms at Road-Stream Crossings, by the U.S. Forest Service.” Section 5.3.3 is of particular importance. Sections 7.5.2.3 Construction Methods and 8.2.11 Stream-Simulation Bed Material Placement both show important steps in the project construction.

(b) For more information on High-Quality Stream Segments and their components see:

i. High-Quality Stream Segments are shown at [www.maine.gov/dep/gis/datamaps](http://www.maine.gov/dep/gis/datamaps).

ii. Class A Waters or Class AA Waters:

[www.mainelegislature.org/legis/statutes/38/title38sec465.html](http://www.mainelegislature.org/legis/statutes/38/title38sec465.html), and

[www.mainelegislature.org/legis/statutes/38/title38sec467.html](http://www.mainelegislature.org/legis/statutes/38/title38sec467.html).

iii. Outstanding river segments [www.mainelegislature.org/legis/statutes/38/title38sec480-P.html](http://www.mainelegislature.org/legis/statutes/38/title38sec480-P.html).

(c) The Massachusetts Dam Removal and the Wetland Regulations guidance may be used to evaluate the positive and negative impacts of culvert replacement, including the loss of upstream wetlands, which may be offset by the overall benefits of the river restoration. See [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) and then “Stream and River Continuity.”

(d) The ME DOT’s document “Waterway and Wildlife Crossing Policy and Design Guide for Aquatic Organism, Wildlife Habitat, and Hydrologic Connectivity,” 3rd Edition, July 2008, may be used to

evaluate impacts to aquatic, wildlife and surface water resources when designing, constructing, repairing and maintaining stream crossings. Note: Adherence to this DOT document does not ensure compliance with this GP. Projects must comply with the requirements of this GP including GC 22 and the Corps General Stream Crossing Standards contained therein.

[www.maine.gov/mdot/environmental-office-homepage/fishpassage/3rd%20edition%20-%20merged%20final%20version%207-01-08a1.pdf](http://www.maine.gov/mdot/environmental-office-homepage/fishpassage/3rd%20edition%20-%20merged%20final%20version%207-01-08a1.pdf).

(e) GC 22(f): The Skidder Bridge Fact Sheet at [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) under “Stream and River Continuity” may be a useful temporary span construction method.

**9. GC 23: Wetland Crossings.** The Maine DEP’s crossing standards are at 06-096 DEP, Chapter 305: Permit by Rule, 9) Crossings (utility lines, pipes and cables).  
[www.maine.gov/dep/blwq/rules/NRPA/2009/305/305\\_effective\\_2009.pdf](http://www.maine.gov/dep/blwq/rules/NRPA/2009/305/305_effective_2009.pdf)

**10. GC 28: Protection of Vernal Pools.**

(a) The state’s Significant Wildlife Habitat rules ([Chapter 335](#), Section 9(C) “Habitat management standards for significant vernal pool habitat”) are located at [www.maine.gov/dep/blwq/docstand/nrpapage.htm#rule](http://www.maine.gov/dep/blwq/docstand/nrpapage.htm#rule) under “Rules.”

(b) The following documents provide conservation recommendations:

i. Best Development Practices: Conserving pool-breeding amphibians in residential and commercial development in the northeastern U.S., Calhoun and Klemens, 2002. Chapter III, Management Goals and Recommendations, Pages 15 – 26, is particularly relevant. (Available for purchase at [www.maineaudubon.org/resource/index.shtml](http://www.maineaudubon.org/resource/index.shtml) and on Corps website\*.)

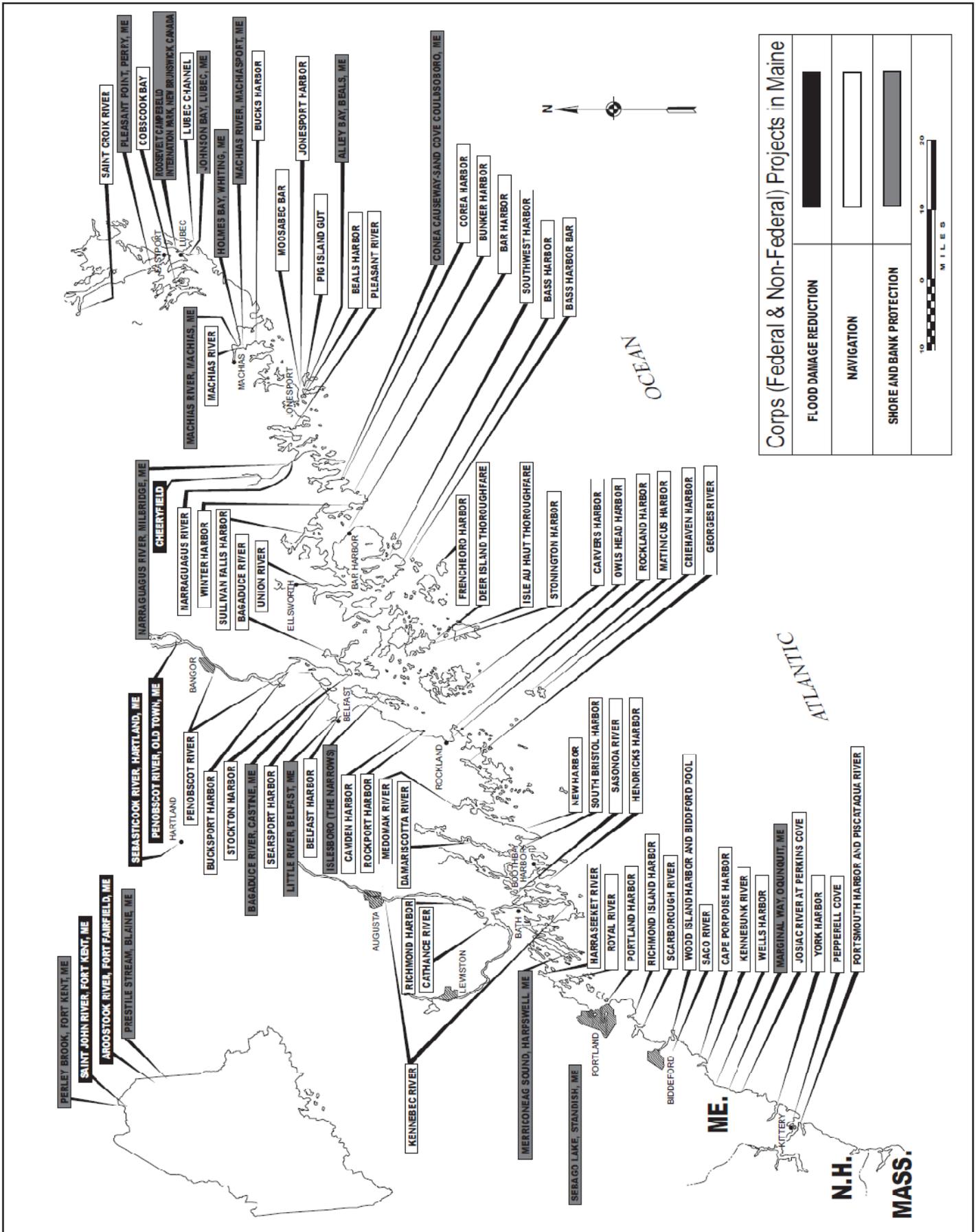
ii. Science and Conservation of Vernal Pools in Northeastern North America, Calhoun and deMaynadier, 2008. Chapter 12, Conservation Recommendations section, Page 241, is particularly relevant. (Available for purchase via the internet. Chapter 12 is available on Corps website\*.)  
\* [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) under “Vernal Pools.”

(c) Cape Cod Curbing: For smaller roads and driveways, the most important design feature to consider is curbing. Granite curbs and some traditional curbing can act as a barrier to amphibian and hatchling turtle movements. Large numbers of salamanders have been intercepted in their migrations by curbs and catch basins. Use of Cape Cod curbs rather than traditional curbing may be one solution. Alternatively, where storm water management systems require more traditional curbing, it may be possible to design in escape ramps on either side of each catch basin. Cape Cod curbing is shown on Page 35 of the document cited in 10.b.i above. Bituminous material is not required; other materials such as granite are acceptable.

(d) The VP Directional Buffer Guidance document is located at [www.nae.usace.army.mil/reg](http://www.nae.usace.army.mil/reg) under: 1) “State General Permits” and then “Maine,” and 2) “Vernal Pools.”

**11. GC 32: Maintenance.** River restoration projects that are designed to accommodate the natural dynamic tendencies of the fluvial system are maintained in accordance with the project’s design objectives (Category 1) or the Corps authorization letter (Category 2). These projects are generally designed to support and implement channel assessment and management practices that recognize a stream’s natural dynamic tendencies.

# Appendix F: Corps Projects in Maine





### Environmental Summary Sheet

WIN: 18233.00

Date Submitted: 1/29/15

Town: Saco-Biddeford

CPD Team Leader: Kristen Chamberlain

ENV Field Contact: Mike Clark

NEPA Complete: 8/14/14-Individual Categorical Exclusion

- Section 106**  
SHPO Concurrence- Adverse Effect; the bridge is NR-Eligible  
Section 106 Resources: None

---

- Section 4(f) and 6(f)**  
Section 4(f)  
Review Complete-Programmatic 4(f) for use of Section 106 property (NR-eligible bridge)  
Section 6(f)  
Not Applicable

---

- Maine Department of Inland Fisheries and Wildlife Essential Habitat**  
**Not Applicable**

---

- Section 7**  
**Species of Concern: Northern Long-Eared Bat**  
No Jeopardy. No Effect.

---

- Maine Department of Conservation/Public Lands, Submerged Land Lease**  
Not Applicable

---

- Maine Land Use Regulation Commission**  
Not Applicable

---

- Maine Department of Environmental Protection**  
Exempt from Permitting

---

- Army Corps of Engineers, Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Category 2**  
-Work Start Notification Form and Compliance Certification Form must be completed by Resident/ENV Field Contact and submitted to ACOE with copy to David Gardner and Kristen Chamberlain.  
-In water work window: July 1-August 31 and November 8-April 9  
*\*Applicable Standards and Permits included in contract documents.*

---

- Stormwater Review**  
N/A

---

- Special Provisions Required**

<b>Special Provision 105-Timing of Work Restriction</b>	N/A <input type="checkbox"/>	Applicable <input checked="" type="checkbox"/>
<b>Special Provision 656-Erosion Control Plan –N/A if using November 2014 Standard Specifications</b>		
<b>Special Provision 203-Dredge Spec</b>	N/A <input type="checkbox"/>	Applicable <input checked="" type="checkbox"/>
<b>General Note for Hazardous Waste</b>	N/A <input type="checkbox"/>	Applicable <input checked="" type="checkbox"/>
<b>Special Provision 203-Hazardous Waste</b>	N/A <input checked="" type="checkbox"/>	Applicable <input type="checkbox"/>
<b>Special Provision 105.9</b>	N/A <input checked="" type="checkbox"/>	Applicable <input type="checkbox"/>

*\*All permits and approvals based on plans/scope as of:1/22/15*



### Environmental Summary Sheet

WIN: 20234.00  
 Town: Biddeford-Saco  
 CPD Team Leader: Kristen Chamberlain  
 ENV Field Contact: Mike Clark

Date Submitted: 1/29/15

NEPA Complete: N/A No federal funds

- Section 106**  
SHPO Concurrence-PB-B  
Section 106 Resources: None

---

- Section 4(f) and 6(f)**  
Section 4(f)  
Review Complete- No USDOT \$-  
Section 6(f)  
Not Applicable

---

- Maine Department of Inland Fisheries and Wildlife Essential Habitat**  
**Not Applicable**

---

- Section 7**  
**Species of Concern: Northern Long-Eared Bat**  
No Jeopardy. No Effect.

---

- Maine Department of Conservation/Public Lands, Submerged Land Lease**  
Not Applicable

---

- Maine Land Use Regulation Commission**  
Not Applicable

---

- Maine Department of Environmental Protection**  
Exempt from Permitting

---

- Army Corps of Engineers, Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act.**  
N/A

---

- Stormwater Review**  
N/A

---

- Special Provisions Required**

Special Provision 105-Timing of Work Restriction	N/A <input checked="" type="checkbox"/>	Applicable <input type="checkbox"/>
Special Provision 656-Erosion Control Plan –N/A if using November 2014 Standard Specifications		
Special Provision 203-Dredge Spec	N/A <input checked="" type="checkbox"/>	Applicable <input type="checkbox"/>
General Note for Hazardous Waste	N/A <input checked="" type="checkbox"/>	Applicable <input type="checkbox"/>
Special Provision 203-Hazardous Waste	N/A <input checked="" type="checkbox"/>	Applicable <input type="checkbox"/>
Special Provision 105.9	N/A <input checked="" type="checkbox"/>	Applicable <input type="checkbox"/>

\*All permits and approvals based on plans/scope as of:1/29/15