

**Updated 1/19/10**

# **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, 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™ webbased service, b) a Bid Guaranty (as described below) 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.
4. Include a 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.
5. If a paper Bid is to be sent, Federal Express overnight delivery is suggested as the package is delivered directly to the DOT Headquarters Building located at 16 Child Street in Augusta.
6. Other means, such as U.S. Postal Service's Express Mail has proven not to be reliable.

### **IN ADDITION, FOR FEDERAL AID PROJECTS:**

7. Complete the DBE Proposed Utilization form in the proper amounts, and submit with your bid on bid opening day. If you are submitting your bid electronically, you must FAX your DBE Utilization Form to (207) 624-3431.

*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, Revision of December 2002.*

# 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 a planholders 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 provide an email address to Diane Barnes or David Venner at 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 Larry Childs at [Larry.Childs@maine.gov](mailto:Larry.Childs@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 faxing questions and comments concerning specific Contracts that have been Advertised for Bid. Include additional numbered pages as required. Questions are to be faxed to the number listed in the Notice to Contractors. This is the only allowable mechanism 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.

# REQUEST FOR INFORMATION

Response By: \_\_\_\_\_ Date: \_\_\_\_\_

September 14, 2007

### **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/vendorinfo/vss.htm> .



# 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 Kennebunk Bridge Replacement in the town of KENNEBUNK" 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 September 8, 2010 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, 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: Project No. 015098.00

Location: In York County, project is located on US-1 over Mousam River approximately 0.2 mile northerly of route 9A/99.

Scope of Work: Kennebunk Bridge replacement plus other incidental work.

### The basis of award will be Section 0001 only

**A pre-bid meeting is scheduled at the project site on September 1, 2010 at 9:30 am. Attendance is highly recommended.**

For general information regarding Bidding and Contracting procedures, contact Scott Bickford at (207)624-3410. Our webpage at [http://www.maine.gov/mdot/contractor-consultant-information/contractor\\_cons.php](http://www.maine.gov/mdot/contractor-consultant-information/contractor_cons.php) contains a copy of the schedule of items, Plan Holders List, written portions of bid amendments (not drawings), and bid results. For Project-specific information fax all questions to **Project Manager Kevin Cummings** at (207)624-3431. 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. Hearing impaired persons may call the Telecommunication Device for the Deaf at 888-516-9364.

Plans, specifications and bid forms may be seen at the Maine DOT Building in Augusta, Maine and at the Department of Transportation's Regional Office in Scarborough. 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 \$48.00 (\$52.50 by mail). Half size plans \$24.00 (\$27.00 by mail), Bid Book \$10 (\$13 by mail), Single Sheets \$2, payment in advance, all non-refundable.

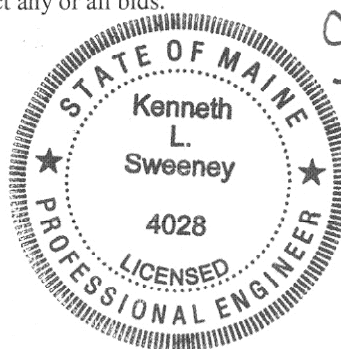
Each Bid must be made upon blank forms provided by the Department and must be accompanied by a bid bond at 5% of the bid amount or an official bank check, cashier's check, certified check, certificate of deposit, or United States postal money order in the amount of \$100,000.00 payable to Treasurer, 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 Federal Laws.

All work shall be governed by "State of Maine, Department of Transportation, Standard Specifications, Revision of December 2002", price \$10 [\$13 by mail], and Standard Details, Revision of December 2002, price \$20 [\$25 by mail]. Standard Detail updates can be found at [http://www.maine.gov/mdot/contractor-consultant-information/contractor\\_cons.php](http://www.maine.gov/mdot/contractor-consultant-information/contractor_cons.php)

The right is hereby reserved to the MDOT to reject any or all bids.

Augusta, Maine  
August 18, 2010



A handwritten signature in black ink, appearing to read "Kenneth L. Sweeney".

KENNETH L. SWEENEY 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/comprehensive-list-projects/project-information.php>. 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)

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).]

## SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 015098.00

PROJECT(S): 015098.00

CONTRACTOR : \_\_\_\_\_

| LINE<br>NO              | ITEM<br>DESCRIPTION                           | APPROX.<br>QUANTITY<br>AND UNITS | UNIT PRICE |     | BID AMOUNT |     |
|-------------------------|-----------------------------------------------|----------------------------------|------------|-----|------------|-----|
|                         |                                               |                                  | DOLLARS    | CTS | DOLLARS    | CTS |
| SECTION 0001 MAIN ITEMS |                                               |                                  |            |     |            |     |
| 0010                    | 201.23 REMOVING SINGLE<br>TREE TOP ONLY       | 1.000<br>EA                      |            |     |            |     |
| 0020                    | 201.24 REMOVING STUMP                         | 1.000<br>EA                      |            |     |            |     |
| 0030                    | 202.19 REMOVING EXISTING<br>BRIDGE            | LUMP                             | LUMP       |     |            |     |
| 0040                    | 203.20 COMMON EXCAVATION                      | 1250.000<br>CY                   |            |     |            |     |
| 0050                    | 203.20 COMMON EXCAVATION<br>SLUICEWAY REMOVAL | 2200.000<br>CY                   |            |     |            |     |
| 0060                    | 203.2312 HEALTH AND<br>SAFETY PLAN            | LUMP                             | LUMP       |     |            |     |
| 0070                    | 203.24 COMMON BORROW                          | 10.000<br>CY                     |            |     |            |     |
| 0080                    | 203.24 COMMON BORROW<br>SLUICEWAY REMOVAL     | 500.000<br>CY                    |            |     |            |     |
| 0090                    | 203.25 GRANULAR BORROW                        | 1610.000<br>CY                   |            |     |            |     |
| 0100                    | 203.25 GRANULAR BORROW<br>SLUICEWAY REMOVAL   | 300.000<br>CY                    |            |     |            | 4   |

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|------------|-------------------------------------------------------------------------------------------|----------------------------------|------------|-----|------------|-----|
|            |                                                                                           |                                  | DOLLARS    | CTS | DOLLARS    | CTS |
| 0110       | 206.061 STRUCTURAL EARTH<br>EXCAVATION - DRAINAGE<br>AND MINOR STRUCTURES,<br>BELOW GRADE | 10.000<br>CY                     |            |     |            |     |
| 0120       | 206.07 STRUCTURAL ROCK<br>EXCAVATION - DRAINAGE<br>AND MINOR STRUCTURES                   | 10.000<br>CY                     |            |     |            |     |
| 0130       | 206.082 STRUCTURAL EARTH<br>EXCAVATION - MAJOR<br>STRUCTURES                              | 1900.000<br>CY                   |            |     |            |     |
| 0140       | 206.092 STRUCTURAL ROCK<br>EXCAVATION - MAJOR<br>STRUCTURES                               | 75.000<br>CY                     |            |     |            |     |
| 0150       | 304.10 AGGREGATE SUBBASE<br>COURSE - GRAVEL                                               | 940.000<br>CY                    |            |     |            |     |
| 0160       | 403.207 HOT MIX ASPHALT<br>19.0 MM HMA                                                    | 210.000<br>T                     |            |     |            |     |
| 0170       | 403.209 HOT MIX ASPHALT<br>9.5 MM (SIDEWALKS,<br>DRIVES, INCIDENTALS)                     | 50.000<br>T                      |            |     |            |     |
| 0180       | 403.210 HOT MIX ASPHALT<br>9.5 MM                                                         | 295.000<br>T                     |            |     |            |     |
| 0190       | 403.213 HOT MIX ASPHALT<br>12.5 MM BASE                                                   | 140.000<br>T                     |            |     |            |     |
| 0200       | 409.15 BITUMINOUS TACK<br>COAT - APPLIED                                                  | 106.000<br>G                     |            |     |            |     |

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|------------|----------------------------------------------------------------------------------|----------------------------------|------------|-----|------------|-----|
|            |                                                                                  |                                  | DOLLARS    | CTS | DOLLARS    | CTS |
| 0210       | 502.21 STRUCTURAL<br>CONCRETE, ABUTMENTS AND<br>RETAINING WALLS                  | 865.000<br>CY                    |            |     |            |     |
| 0220       | 502.261 STRUCTURAL<br>CONCRETE ROADWAY &<br>SIDEWALK SLAB ON<br>CONCRETE BRIDGE  | LUMP                             | LUMP       |     |            |     |
| 0230       | 502.31 STRUCTURAL<br>CONCRETE APPROACH SLABS                                     | LUMP                             | LUMP       |     |            |     |
| 0240       | 502.49 STRUCTURAL<br>CONCRETE CURBS AND<br>SIDEWALKS                             | LUMP                             | LUMP       |     |            |     |
| 0250       | 502.56 CONCRETE FILL                                                             | 260.000<br>CY                    |            |     |            |     |
| 0260       | 503.12 REINFORCING STEEL,<br>FABRICATED AND DELIVERED                            | 64800.000<br>LB                  |            |     |            |     |
| 0270       | 503.13 REINFORCING STEEL,<br>PLACING                                             | 64800.000<br>LB                  |            |     |            |     |
| 0280       | 503.30 CORROSION<br>RESISTANT REINFORCING<br>SYSTEM, FABRICATED AND<br>DELIVERED | 850.000<br>LB                    |            |     |            |     |
| 0290       | 503.31 CORROSION<br>RESISTANT REINFORCING<br>SYSTEM, PLACING                     | 850.000<br>LB                    |            |     |            |     |
| 0300       | 508.14 HIGH PERFORMANCE<br>WATERPROOFING MEMBRANE                                | LUMP                             | LUMP       |     |            |     |

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| LINE<br>NO | ITEM<br>DESCRIPTION                                                                                 | APPROX.<br>QUANTITY<br>AND UNITS | UNIT PRICE |     | BID AMOUNT |     |
|------------|-----------------------------------------------------------------------------------------------------|----------------------------------|------------|-----|------------|-----|
|            |                                                                                                     |                                  | DOLLARS    | CTS | DOLLARS    | CTS |
| 0310       | 510.12 SPECIAL<br>DETOUR__FOOT ROADWAY<br>WIDTH, VEHICULAR AND<br>PEDESTRIAN TRAFFIC<br>SEPARATED   | LUMP                             | LUMP       |     |            |     |
| 0320       | 511.07 COFFERDAM:<br>ABUTMENT NO.1                                                                  | LUMP                             | LUMP       |     |            |     |
| 0330       | 511.07 COFFERDAM:<br>ABUTMENT NO.2                                                                  | LUMP                             | LUMP       |     |            |     |
| 0340       | 511.07 COFFERDAM:<br>SLUICeway REMOVAL                                                              | LUMP                             | LUMP       |     |            |     |
| 0350       | 511.08 COFFERDAM -<br>SPECIAL TEMPORARY EARTH<br>SUPPORT STRUCTURE<br>(LAFAYETTE BUILDING)          | LUMP                             | LUMP       |     |            |     |
| 0360       | 511.08 COFFERDAM -<br>SPECIAL TEMPORARY EARTH<br>SUPPORT STRUCTURE<br>(MOUSAM RIVER<br>IMPOUNDMENT) | LUMP                             | LUMP       |     |            |     |
| 0370       | 511.08 COFFERDAM -<br>SPECIAL TEMPORARY EARTH<br>SUPPORT STRUCTURE<br>(RELOCATED ELEC. VAULT)       | LUMP                             | LUMP       |     |            |     |
| 0380       | 512.081 FRENCH DRAINS                                                                               | LUMP                             | LUMP       |     |            |     |
| 0390       | 514.06 CURING BOX FOR<br>CONCRETE CYLINDERS                                                         | 1.000<br>EA                      |            |     |            |     |

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|------------|----------------------------------------------------------|----------------------------------|------------|-----|------------|-----|
|            |                                                          |                                  | DOLLARS    | CTS | DOLLARS    | CTS |
| 0400       | 515.21 PROTECTIVE<br>COATING FOR CONCRETE<br>SURFACES    | LUMP                             | LUMP       |     |            |     |
| 0410       | 523.52 BEARING<br>INSTALLATION                           | 14.000<br>EA                     |            |     |            |     |
| 0420       | 523.5401 LAMINATED<br>ELASTOMERIC BEARINGS,<br>FIXED     | 7.000<br>EA                      |            |     |            |     |
| 0430       | 523.5402 LAMINATED<br>ELASTOMERIC BEARINGS,<br>EXPANSION | 7.000<br>EA                      |            |     |            |     |
| 0440       | 525.61 EXISTING GRANITE<br>WALL REPAIR                   | LUMP                             | LUMP       |     |            |     |
| 0450       | 526.301 TEMPORARY<br>CONCRETE BARRIER TYPE I             | LUMP                             | LUMP       |     |            |     |
| 0460       | 526.323 TEXAS CLASSIC<br>RAIL                            | LUMP                             | LUMP       |     |            |     |
| 0470       | 527.303 ENERGY ABSORBING<br>SYSTEM (ET-PLUS)             | 1.000<br>EA                      |            |     |            |     |
| 0480       | 535.61 PRESTRESSED<br>STRUCTURAL CONCRETE<br>I-GIRDERS   | LUMP                             | LUMP       |     |            |     |
| 0490       | 603.175 18 INCH<br>REINFORCED CONCRETE PIPE<br>CLASS III | 22.000<br>LF                     |            |     |            |     |
| 0500       | 603.179 18 INCH CULVERT<br>PIPE OPTION III               | 104.000<br>LF                    |            |     |            | 8   |



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|------------|-------------------------------------------------------|----------------------------------|------------|-----|------------|-----|
|            |                                                       |                                  | DOLLARS    | CTS | DOLLARS    | CTS |
| 0510       | 604.072 CATCH BASIN TYPE<br>A1-C                      | EA 6.400                         |            |     |            |     |
| 0520       | 604.15 MANHOLE                                        | EA 1.000                         |            |     |            |     |
| 0530       | 604.16 ALTERING CATCH<br>BASIN TO MANHOLES            | EA 1.000                         |            |     |            |     |
| 0540       | 604.18 ADJUSTING MANHOLE<br>OR CATCH BASIN TO GRADE   | EA 2.000                         |            |     |            |     |
| 0550       | 604.23 STEP                                           | EA 11.000                        |            |     |            |     |
| 0560       | 605.13 18 INCH<br>UNDERDRAIN TYPE C                   | LF 80.000                        |            |     |            |     |
| 0570       | 606.1721 BRIDGE<br>TRANSITION - TYPE 1                | EA 1.000                         |            |     |            |     |
| 0580       | 606.353 REFLECTORIZED<br>FLEXIBLE GUARDRAIL<br>MARKER | EA 2.000                         |            |     |            |     |
| 0590       | 606.356 UNDERDRAIN<br>DELINEATOR POST                 | EA 2.000                         |            |     |            |     |
| 0600       | 607.25 REMOVE AND RESET<br>CHAIN LINK FENCE           | LF 24.000                        |            |     |            |     |
| 0610       | 607.421 SCREENING FENCE                               | LF 110.000                       |            |     |            |     |

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|------------|-----------------------------------------------------|----------------------------------|------------|-----|------------|-----|
|            |                                                     |                                  | DOLLARS    | CTS | DOLLARS    | CTS |
| 0620       | 608.253 MASONRY PAVER<br>WITH TRUNCATED DOME        | SF 76.000                        |            |     |            |     |
| 0630       | 609.11 VERTICAL CURB<br>TYPE 1                      | LF 375.000                       |            |     |            |     |
| 0640       | 609.12 VERTICAL CURB<br>TYPE 1 - CIRCULAR           | LF 2.000                         |            |     |            |     |
| 0650       | 609.13 VERTICAL BRIDGE<br>CURB TYPE 1               | LF 195.000                       |            |     |            |     |
| 0660       | 609.237 TERMINAL CURB<br>TYPE 1 - 7 FOOT            | EA 11.000                        |            |     |            |     |
| 0670       | 610.08 PLAIN RIPRAP                                 | CY 29.000                        |            |     |            |     |
| 0680       | 615.07 LOAM                                         | CY 20.000                        |            |     |            |     |
| 0690       | 618.1301 SEEDING METHOD<br>NUMBER 1 - PLAN QUANTITY | UN 3.500                         |            |     |            |     |
| 0700       | 618.15 TEMPORARY SEEDING                            | LB 0.500                         |            |     |            |     |
| 0710       | 619.1201 MULCH - PLAN<br>QUANTITY                   | UN 4.500                         |            |     |            |     |
| 0720       | 620.58 EROSION CONTROL<br>GEOTEXTILE                | SY 12.000                        |            |     |            |     |

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| LINE<br>NO | ITEM<br>DESCRIPTION                                                     | APPROX.<br>QUANTITY<br>AND UNITS | UNIT PRICE |     | BID AMOUNT |     |
|------------|-------------------------------------------------------------------------|----------------------------------|------------|-----|------------|-----|
|            |                                                                         |                                  | DOLLARS    | CTS | DOLLARS    | CTS |
| 0730       | 621.043 EVERGREEN TREES<br>(6 FOOT - 8 FOOT) GROUP<br>A                 | 12.000<br>EA                     |            |     |            |     |
| 0740       | 621.053 EVERGREEN TREES<br>(10 FOOT - 12 FOOT)<br>GROUP B               | 1.000<br>EA                      |            |     |            |     |
| 0750       | 621.101 PLUG/ STARTER<br>PLANT                                          | 600.000<br>EA                    |            |     |            |     |
| 0760       | 621.121 SMALL DECIDUOUS<br>TREES (5 FOOT - 6 FOOT)<br>GROUP B           | 3.000<br>EA                      |            |     |            |     |
| 0770       | 621.273 LARGE DECIDUOUS<br>TREE (2 INCH - 2.50 INCH<br>CALIPER) GROUP A | 8.000<br>EA                      |            |     |            |     |
| 0780       | 621.281 LARGE DECIDUOUS<br>TREE (2.50 INCH - 3 INCH<br>CALIPER) GROUP C | 6.000<br>EA                      |            |     |            |     |
| 0790       | 621.409 DWARF EVERGREENS<br>(2.50 FOOT - 3 FOOT)<br>GROUP C             | 18.000<br>EA                     |            |     |            |     |
| 0800       | 621.499 BROADLEAF<br>EVERGREENS (2.50 FOOT -<br>3 FOOT) GROUP B         | 24.000<br>EA                     |            |     |            |     |
| 0810       | 621.54 DECIDUOUS SHRUBS<br>(18 INCH - 24 INCH)<br>GROUP A               | 48.000<br>EA                     |            |     |            |     |
| 0820       | 621.541 DECIDUOUS SHRUBS<br>(18 INCH - 24 INCH)<br>GROUP B              | 42.000<br>EA                     |            |     |            |     |
| 0830       | 621.546 DECIDUOUS SHRUBS<br>(2 FOOT - 3 FOOT) GROUP<br>A                | 12.000<br>EA                     |            |     |            |     |

## SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 015098.00

PROJECT(S): 015098.00

CONTRACTOR : \_\_\_\_\_

| LINE<br>NO | ITEM<br>DESCRIPTION                                            | APPROX.<br>QUANTITY<br>AND UNITS | UNIT PRICE |     | BID AMOUNT |     |
|------------|----------------------------------------------------------------|----------------------------------|------------|-----|------------|-----|
|            |                                                                |                                  | DOLLARS    | CTS | DOLLARS    | CTS |
| 0840       | 621.553 DECIDUOUS SHRUBS<br>(3 FOOT - 4 FOOT) GROUP<br>B       | 9.000<br>EA                      |            |     |            |     |
| 0850       | 621.71 HERBACEOUS<br>PERENNIALS GROUP A                        | 124.000<br>EA                    |            |     |            |     |
| 0860       | 621.80 ESTABLISHMENT<br>PERIOD                                 | LUMP                             | LUMP       |     |            |     |
| 0870       | 626.11 PRECAST CONCRETE<br>JUNCTION BOX                        | 10.000<br>EA                     |            |     |            |     |
| 0880       | 626.21 METALLIC CONDUIT                                        | 85.000<br>LF                     |            |     |            |     |
| 0890       | 626.22 NON-METALLIC<br>CONDUIT                                 | 950.000<br>LF                    |            |     |            |     |
| 0900       | 626.31 18 INCH<br>FOUNDATION                                   | 8.000<br>EA                      |            |     |            |     |
| 0910       | 627.733 4" WHITE OR<br>YELLOW PAINTED PAVEMENT<br>MARKING LINE | 1300.000<br>LF                   |            |     |            |     |
| 0920       | 627.75 WHITE OR YELLOW<br>PAVEMENT & CURB MARKING              | 970.000<br>SF                    |            |     |            |     |
| 0930       | 627.76 TEMPORARY PVMT.<br>MARK LINE, W OR YELLOW               | LUMP                             | LUMP       |     |            |     |
| 0940       | 627.77 REMOVING PAVEMENT<br>MARKINGS                           | 470.000<br>SF                    |            |     |            |     |

## SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 015098.00

PROJECT(S): 015098.00

CONTRACTOR : \_\_\_\_\_

| LINE<br>NO | ITEM<br>DESCRIPTION                                       | APPROX.<br>QUANTITY<br>AND UNITS | UNIT PRICE |     | BID AMOUNT |     |
|------------|-----------------------------------------------------------|----------------------------------|------------|-----|------------|-----|
|            |                                                           |                                  | DOLLARS    | CTS | DOLLARS    | CTS |
| 0950       | 629.05 HAND LABOR,<br>STRAIGHT TIME                       | 80.000<br>HR                     |            |     |            |     |
| 0960       | 631.10 AIR COMPRESSOR<br>(INCLUDING OPERATOR)             | 40.000<br>HR                     |            |     |            |     |
| 0970       | 631.11 AIR TOOL<br>(INCLUDING OPERATOR)                   | 40.000<br>HR                     |            |     |            |     |
| 0980       | 631.12 ALL PURPOSE<br>EXCAVATOR (INCLUDING<br>OPERATOR)   | 80.000<br>HR                     |            |     |            |     |
| 0990       | 631.13 BULLDOZER<br>(INCLUDING OPERATOR)                  | 10.000<br>HR                     |            |     |            |     |
| 1000       | 631.172 TRUCK - LARGE<br>(INCLUDING OPERATOR)             | 40.000<br>HR                     |            |     |            |     |
| 1010       | 631.18 CHAIN SAW RENTAL<br>(INCLUDING OPERATOR)           | 20.000<br>HR                     |            |     |            |     |
| 1020       | 631.32 CULVERT CLEANER<br>(INCLUDING OPERATOR)            | 10.000<br>HR                     |            |     |            |     |
| 1030       | 634.161 BRIDGE AND<br>HIGHWAY LIGHTING,<br>INCLUDING WIRE | LUMP                             | LUMP       |     |            |     |
| 1040       | 637.071 DUST CONTROL                                      | LUMP                             | LUMP       |     |            |     |
| 1050       | 639.18 FIELD OFFICE TYPE<br>A                             | 1.000<br>EA                      |            |     |            |     |

## SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 015098.00

PROJECT(S): 015098.00

CONTRACTOR : \_\_\_\_\_

| LINE<br>NO | ITEM<br>DESCRIPTION                                                          | APPROX.<br>QUANTITY<br>AND UNITS | UNIT PRICE |     | BID AMOUNT |     |
|------------|------------------------------------------------------------------------------|----------------------------------|------------|-----|------------|-----|
|            |                                                                              |                                  | DOLLARS    | CTS | DOLLARS    | CTS |
| 1060       | 642.183 GRANITE STEP                                                         | LUMP                             | LUMP       |     |            |     |
| 1070       | 643.711 TRAFFIC SIGNAL<br>MODIFICATION (TEMPORARY)<br>ROUTE 1 - WATER STREET | LUMP                             | LUMP       |     |            |     |
| 1080       | 652.30 FLASHING ARROW<br>BOARD                                               | EA 2.000                         |            |     |            |     |
| 1090       | 652.312 TYPE III<br>BARRICADE                                                | EA 20.000                        |            |     |            |     |
| 1100       | 652.33 DRUM                                                                  | EA 50.000                        |            |     |            |     |
| 1110       | 652.34 CONE                                                                  | EA 50.000                        |            |     |            |     |
| 1120       | 652.35 CONSTRUCTION<br>SIGNS                                                 | SF 1050.000                      |            |     |            |     |
| 1130       | 652.36 MAINTENANCE OF<br>TRAFFIC CONTROL DEVICES                             | CD 427.000                       |            |     |            |     |
| 1140       | 652.38 FLAGGER                                                               | HR 1600.000                      |            |     |            |     |
| 1150       | 652.41 PORTABLE<br>CHANGEABLE MESSAGE SIGN                                   | EA 2.000                         |            |     |            |     |
| 1160       | 656.75 TEMPORARY SOIL<br>EROSION AND WATER<br>POLLUTION CONTROL              | LUMP                             | LUMP       |     |            |     |

## SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 015098.00

PROJECT(S): 015098.00

CONTRACTOR : \_\_\_\_\_

| LINE<br>NO | ITEM<br>DESCRIPTION | APPROX.<br>QUANTITY<br>AND UNITS | UNIT PRICE |     | BID AMOUNT |     |
|------------|---------------------|----------------------------------|------------|-----|------------|-----|
|            |                     |                                  | DOLLARS    | CTS | DOLLARS    | CTS |
| 1170       | 659.10 MOBILIZATION | LUMP                             | LUMP       |     |            |     |
| 1180       | 841.48 BOLLARDS     | 9.000<br>EA                      |            |     |            |     |
|            | SECTION 0001 TOTAL  |                                  |            |     |            | .   |

## SECTION 0002 OPTION NO.1 - BRICK S.W

|      |                                               |               |  |  |  |   |
|------|-----------------------------------------------|---------------|--|--|--|---|
| 1190 | 608.15 BRICK SIDEWALK<br>WITH BITUMINOUS BASE | 390.000<br>SY |  |  |  |   |
|      | SECTION 0002 TOTAL                            |               |  |  |  | . |

## SECTION 0003 OPTION NO.2 - FAIRPOINT

|      |                                                     |                |      |  |  |   |
|------|-----------------------------------------------------|----------------|------|--|--|---|
| 1200 | 806.671 FIBERGLASS<br>CONDUIT SYSTEM 4"<br>DIAMETER | 2200.000<br>LF |      |  |  |   |
| 1210 | 890.01 SPECIAL WORK #1<br>TELEPHONE SYSTEM          | LUMP           | LUMP |  |  |   |
|      | SECTION 0003 TOTAL                                  |                |      |  |  | . |

## SECTION 0004 OPTION NO.3 - K.L.P.

SCHEDULE OF ITEMS

REVISED:

CONTRACT ID: 015098.00

PROJECT(S): 015098.00

CONTRACTOR : \_\_\_\_\_

| LINE<br>NO | ITEM<br>DESCRIPTION                                                    | APPROX.<br>QUANTITY<br>AND UNITS | UNIT PRICE |     | BID AMOUNT |     |
|------------|------------------------------------------------------------------------|----------------------------------|------------|-----|------------|-----|
|            |                                                                        |                                  | DOLLARS    | CTS | DOLLARS    | CTS |
| 1220       | 890.021 SPECIAL WORK #2<br>KENNEBUNK LIGHT AND<br>POWER CONDUIT SYSTEM | LUMP                             | LUMP       |     |            |     |
|            | SECTION 0004 TOTAL                                                     |                                  |            |     |            |     |
|            | TOTAL BID                                                              |                                  |            |     |            |     |



## **CONTRACT AGREEMENT, OFFER & AWARD**

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

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

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

### **A. The Work.**

The Contractor agrees to complete all Work as specified or indicated in the Contract including Extra Work in conformity with the Contract, PIN **015098.00** for the **Kennebunk Bridge Replacement** in the town of **Kennebunk**, County of **York** 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 **December 31, 2011**. Further, the Department may deduct from moneys otherwise due the Contractor, not as a penalty, but as Liquidated Damages in accordance with Sections 107.7 and 107.8 of the State of Maine Department of Transportation Standard Specifications, Revision of December 2002 and related Special Provisions.

**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 0001 \$** \_\_\_\_\_

**Section 0002 \$** \_\_\_\_\_

**Section 0003 \$** \_\_\_\_\_

**Section 0004 \$** \_\_\_\_\_

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, Revision of December 2002, Standard Details Revision of December 2002 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 Appendix A to Division 100 of the Standard Specifications Revision of December 2002 (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 December 2002, Standard Details Revision of December 2002 as updated through advertisement, Supplemental Specifications, Special Provisions, Contract Agreement; and Contract Bonds contained herein for construction of: **PIN 015098.00 Kennebunk Bridge Replacement**, 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 December 2002, 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 December 2002 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 0001 ☐

Section 0002 ☐

Section 0003 ☐

Section 0004 ☐

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

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

MAINE DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Date

\_\_\_\_\_  
By: David A. Cole, 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 December 2002 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 December 2002, Standard Details, Revision of December 2002, 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 December 2002 (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 December 2002, Standard Details Revision of December 2002, 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 December 2002, 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

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

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

**G. Award.**

Your offer is hereby accepted.  
documents referenced herein.

This award consummates the Contract, and the

MAINE DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Date

\_\_\_\_\_  
By: David A. Cole, 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:

Signature.....  
Print Name Legibly .....

Signature .....  
Print Name Legibly .....

SURETY ADDRESS:

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

TELEPHONE.....

SIGNATURES:

CONTRACTOR:

.....  
Print Name Legibly .....

SURETY:

.....  
Print Name Legibly .....

NAME OF LOCAL AGENCY:

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

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 .....

SURETY:

Signature.....

Print Name Legibly .....

SURETY ADDRESS:

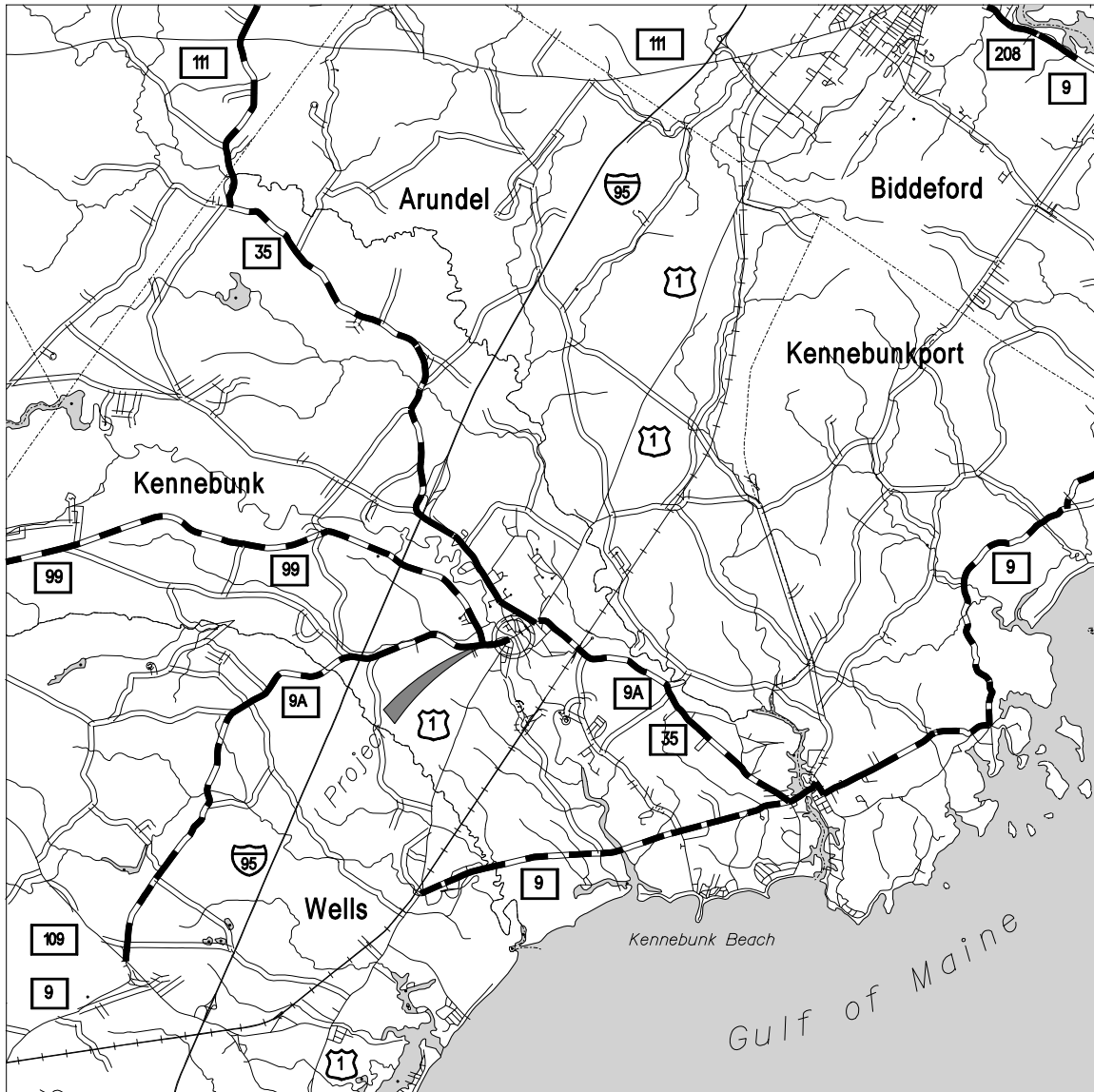
NAME OF LOCAL AGENCY:

..... ADDRESS .....

.....

TELEPHONE .....

# BRIDGE NO. 2431



LOCATION MAP

State of Maine  
Department of Labor  
Bureau of Labor Standards  
Technical Services 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 : Kennebunk Bridge Replacement, 15098**

**Location of Project : Kennebunk, York County**

**2010 Fair Minimum Wage Rates  
Heavy & Bridge York County**

| <u>Occupation Title</u>     | <u>Minimum Wage</u> | <u>Minimum Benefit</u> | <u>Total</u> | <u>Occupation Title</u>    | <u>Minimum Wage</u> | <u>Minimum Benefit</u> | <u>Total</u> |
|-----------------------------|---------------------|------------------------|--------------|----------------------------|---------------------|------------------------|--------------|
| Asbestos/Lead Removal       | \$17.00             | \$0.85                 | \$17.85      | Ironworker - Structural    | \$22.00             | \$8.95                 | \$30.95      |
| Backhoe Loader Operator     | \$28.88             | \$4.13                 | \$33.01      | Laborers/Helper/Tender     | \$13.00             | \$1.85                 | \$14.85      |
| Blaster                     | \$14.50             | \$1.91                 | \$16.41      | Laborer - Skilled          | \$15.75             | \$2.16                 | \$17.91      |
| Boilermaker                 | \$30.19             | \$16.99                | \$47.18      | Line Erector, Power        | \$22.99             | \$4.50                 | \$27.49      |
| Boom Truck Operator         | \$17.00             | \$3.13                 | \$20.13      | Loader Op, Front-End       | \$14.00             | \$1.44                 | \$15.44      |
| Bulldozer Operator          | \$17.35             | \$2.64                 | \$19.99      | Mechanic - Maintenance     | \$19.00             | \$4.48                 | \$23.48      |
| Carpenter                   | \$19.00             | \$4.70                 | \$23.70      | Millwright                 | \$22.25             | \$6.32                 | \$28.57      |
| Carpenter - Rough           | \$16.00             | \$2.02                 | \$18.02      | Painter                    | \$14.00             | \$0.54                 | \$14.54      |
| Cement Mason/Finisher       | \$17.00             | \$1.30                 | \$18.30      | Pile Driver Operator       | \$23.91             | \$3.99                 | \$27.90      |
| Commun Equip Installer      | \$13.80             | \$1.11                 | \$14.91      | Pipe/Stm/Sprkler Fitter    | \$23.38             | \$4.07                 | \$27.45      |
| Commun Trans Erectr         | \$19.74             | \$2.36                 | \$22.10      | Pipelayer                  | \$24.00             | \$12.42                | \$36.42      |
| Crane Op =>15 Tons          | \$20.50             | \$5.39                 | \$25.89      | Plumber - Licensed         | \$21.50             | \$3.77                 | \$25.27      |
| Driller - Rock              | \$16.00             | \$9.13                 | \$25.13      | Plumber Helper - Lic       | \$16.00             | \$3.06                 | \$19.06      |
| Electrician, Licensed       | \$27.83             | \$5.71                 | \$33.54      | Rigger                     | \$23.00             | \$2.87                 | \$25.87      |
| Electrician Hlpr (Licensed) | \$16.50             | \$2.57                 | \$19.07      | Roller Operator - Earth    | \$12.80             | \$2.35                 | \$15.15      |
| Excavator Operator          | \$15.00             | \$3.18                 | \$18.18      | Sheet Metal Worker         | \$23.38             | \$16.12                | \$39.50      |
| Fence Setter                | \$13.00             | \$1.33                 | \$14.33      | Truck Driver - Light       | \$15.75             | \$2.17                 | \$17.92      |
| Flagger                     | \$13.40             | \$2.05                 | \$15.45      | Truck Driver - Medium      | \$14.70             | \$5.84                 | \$20.54      |
| Grader/Scraper Operator     | \$17.39             | \$3.67                 | \$21.06      | Truck Driver, Heavy        | \$12.75             | \$1.44                 | \$14.19      |
| Insulation Installer        | \$16.00             | \$6.19                 | \$22.19      | Truck Driver, Tractor Trlr | \$16.00             | \$1.91                 | \$17.91      |
| Ironworker - Reinforcing    | \$21.15             | \$17.05                | \$38.20      |                            |                     |                        |              |

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-039-2010

A true copy

Filing Date: August 5, 2010

Attest:   
William A. Peabody  
Director  
Bureau of Labor Standards

Expiration Date: 12-31-2010

BLS 424HB (R2010) (Heavy & Bridge York)

SPECIAL PROVISION  
SECTION 102.3  
EXAMINATION OF DOCUMENTS, SITE, AND OTHER INFORMATION  
(Geotechnical Information)

Add the following to Section 102.3, Examination of Documents, Site and Other Information:

102.3.1 Geotechnical Information In most cases, Geotechnical Information pertaining to the project has been collected and assembled. Bidders and Contractors are obligated to examine and, if necessary, obtain geotechnical information. If one is available, the project geotechnical report may be accessed at the following web address:

<http://www.maine.gov/mdot/comprehensive-list-projects/project-information.php>.

The Department shall not be responsible for the Bidders' and Contractors' interpretations of or estimates or conclusions drawn from the Geotechnical Information. Data provided may not be representative of the subsurface conditions between the boring locations.

This section does not diminish the duties imposed upon parties in Section 102 or in any other sections.

**Town: Kennebunk**  
**Project: BH-1509(800)X**  
**PIN: 015098.00**  
**Date: July 27, 2010**

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

**MEETING**

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

**Overview**

| <b>Utility/Railroad</b>                 | <b>Aerial</b> | <b>Underground</b> | <b>Railroad</b> |
|-----------------------------------------|---------------|--------------------|-----------------|
| Kennebunk Light & Power District        | X             | X                  | None            |
| Fairpoint Communications                | X             | X                  | None            |
| Kennebunk, Kennebunkport Water District | None          | X                  | X               |
| Town of Kennebunk                       | None          | X                  | None            |
| Kennebunk Sewer District                | None          | X                  | X               |

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.

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

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 be prepared to clear trees to the Right of Way line in the vicinity of proposed new poles and utility lines. No clearing shall begin until after the preconstruction utility meeting. Also see General Construction Note #5 in regards to clearing.

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### **Temporary Detour Structure**

#### **Water Street**

##### **Aerial**

Kennebunk Light and Power District has existing facilities on the river side of Water Street. They do not anticipate doing any work at this time to be discussed in greater detail at the pre-construction utility meeting.

Time Warner Cable has raised their existing cables. Their work has been completed.

Fairpoint Communications plan to raise their existing cables, their estimated time one (1) working day. They plan to have this work accomplish prior to the contractor starting work.

##### **Underground**

Kennebunk, Kennebunkport, and Wells Water District, and Kennebunk Sewer District have existing facilities on Water Street. They do not anticipate doing any work at this time. This is to be discussed in greater details at the Pre-Construction Utility Meeting.

#### **Brown Street**

##### **Aerial**

Kennebunk Light and Power District has existing facilities on the river side of Brown Street. They do not anticipate doing any work at this time. This is to be discussed in greater detail at the Pre-Construction Utility Meeting.

Time Warner Cable has raised their existing cables. Their work has been completed.

Fairpoint Communications plan is to raise their existing cables. Their estimated time one (1) working day. They plan to have this work accomplish prior to the contractor starting work.

##### **Underground**

Kennebunk, Kennebunkport and Wells Water District plan to raise a small number of gate valve boxes to finish grade on Brown Street. Their estimated time one (1) working day.

Kennebunk Sewer District plan to raise a small number of manholes to finish grade, on Brown Street. Their estimated time one (1) working day.



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Fairpoint Communications has an existing conduit system on the river side of Brown Street. They do not anticipate doing any work at this time. This will be discussed in greater detail at the Pre-Construction Utility meeting.

### **New Permanent Rt. 1 Bridge over the Mousam River**

#### **Aerial**

Kennebunk Light and Power District and Fairpoint Communications have no existing aerial facilities except at Station 13 + 80 and at Station 17 + 25 which crosses U.S. Rt. 1 (Main Street). They do not anticipate doing any work at this time. This will be discussed in greater detail at the Pre-Construction Utility meeting.

Time Warner Cable has existing facilities which they plan to relocate outside the project limits. This work should be accomplished by the end of August 2010.

#### **Underground**

Kennebunk Sewer District plans to line the existing Sewer Main that crosses Main Street on Water Street and Storer Street. Also, they plan to remove the existing manhole on Main Street and install 2 new manholes (1 on Storer Street and 1 on Water Street). This work is to be accomplished in Mid September 2010. Their estimated time five (5) working days.

Fairpoint Communications has included as part of the bridge contract the temporary support of their existing conduit system. This includes the temporary support of the existing conduit system, and the installation of the new conduit system with hangers.

A Pre-Bid conference on the existing telephone conduit system is going to be held on the project the date and time of this conference is in the notice to contractors. Site with test holes of the existing conduit system being provided, for the Bidders to look at.

Kennebunk, Kennebunkport and Wells Water District have an existing 12 inch Cast Iron Water Main attached to the existing bridge. They plan to cut a permanent gap in their existing Main. The old Main shall become the property of the contractor.

The Water District plans to cut and cap this 12 inch line 10 to 20 feet from the existing gate valves, their estimated time to do this work is five (5) working days. The Contractor, Resident Engineer and the District are to meet on the project site, prior to the start of the Bridge removal. This is to be discussed at the Pre-Construction Utility Meeting. The District has up to 10 Gate Valve Boxes to adjust to finish Grade, their estimated time five (5) working days.

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The Water District is planning to remove the existing Hydrant at Station 17 + 08 on the left (Main Street and Storer Street) and install a new Hydrant on Water Street. Their estimated time for the above work two (2) working days. They plan to check with the Town of Kennebunk's Fire Department on whether or not the other Hydrant at Station 14 + 05 left is to remain in its present location or to be moved to a new location.

The District plans to set up for a future temporary Water Main this is going to be accomplish at the same time that they cut and cap their existing 12 inch Cast Iron Water Main.

Kennebunk Light and Power District is planning to install 2 – 4 inch PVC conduits on the New Bridge. They shall attach their new 4 inch PVC conduit on the new telephone hanger system. They would have their conduits start at Station 13 + 95+/- on the left at the riser pole to Station 16 + 50+/- on the right at a new pad mounted transformer. The District has included the installation of the new 4 inch PVC conduit as part of the Bridge Contract. They shall supply the new 4 inch conduit.

The District plans to remove their existing transformer and install a new transformer further back from the existing transformer. This should clear the area for construction. Their estimated time to do the above work is ten (10) working days. This work is to be discussed in greater detail at the Pre-Construction Utility Meeting.

#### **Contractor**

See Fairpoint Communications Special Provision for their work that has been made a part of the Bridge Contract. Fairpoint Communications reserve the right to remove their work from the Department's Contract if the Bid Price exceeds the Engineer's estimate by more than 25%. The successful Bid is responsible to have a Professional Engineer design Fairpoint Communications temporary support system of their existing conduit system. For more information please see Item No 890.01 Special Work. Telephone Conduit and Fairpoint Communications specification are at the end of the Bid Book. Telephone work is to be Lump Sum under Item No 890.01. At present in the existing sidewalk there exist 6 -4 inch creosote wood telephone conduits. Upon completion of the telephone conduit work there shall be 14 conduits (6 existing telephone conduits) (4 new telephone conduits, 2 lighting conduits and 2 power conduits). These 14 conduits shall be in a new location under the new bridge. On the 4 new telephone conduits the bridge contractor is responsible for the installation in the approaches just beyond the approach slabs. On the Kennebunk Light & Power District new 2 - 4 inch power conduit work is Lump Sum under Item No. 890.021.

**Town: Kennebunk**  
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**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.

**Utility Contact Information**

The utility contact information is provided as part of contract documents for utility correspondence after contract award. If the Contractor has any questions regarding the utility work or relocations associated with the Project during bidding, the Contractor shall submit questions through the Request for Information process outlined in the contract documents.

**Dig Safe**

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 TO CONDUCT HIS WORK  
ACCORDINGLY**

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

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

I. In-Water Work shall not be allowed between the dates of 10/2 and 7/14 (**In-Water work is allowed from 7/15 to 10/1**).

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

1. Mousam River at proposed bridge, centerline of stream is at approximately Sta 15+50
2. Mousam River at temporary detour, centerline of stream is at approximately Sta 32+50

III. Special Conditions:

1. Cofferdam installation may occur outside of the In-water work window at anytime.
2. Cofferdam removal may occur outside the In-water work window except coffer dams may not be removed between April 1 and July 15. The Maine Department of Inland Fisheries & Wildlife (IF&W) shall be notified at least two days prior to coffer dam removal. Contact at IF&W: James Pellerin, (207) 657-2345 or (207) 592-2775

IV. Approvals:

1. Temporary Soil Erosion and Water Pollution Control Plan

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

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

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

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

**SPECIAL PROVISION  
SECTION 105.9  
HISTORIC RESOURCES**

Standard Specification 105.9 of the State of Maine Standard Specifications (Revision of December 2002) is deleted and replaced by this Special Provision.

The MaineDOT has conducted consultation in accordance with Section 106 of the National Historic Preservation Act (16 U.S.C. 470f), the Regulation (36 CFR Part 800), and the 2004 Section 106 Maine Programmatic Agreement.

The following requirements are project specific:

- *The property (The Lafayette Center) at station 16+00 to 17+00+ (left) is eligible for the National Register of Historic Places. The undertaking depicted on the contract plans was determined to have no adverse effect on the historic integrity of the property. This is based on careful removal of the northerly abutment. No blasting is allowed and visual monitoring of the Lafayette Center for changes in visual and structural integrity is required. Any deviations from plans in the vicinity of this property must be reviewed by the MaineDOT Environmental Office (David Gardner at david.gardner@maine.gov) prior to approval of change.*

The following requirements are general requirements for all projects:

- *Changes to the project during construction must be approved by the Project Manager. These changes could have adverse effects to Historic Resources, as well as jeopardize federal funding.*
- *If the Contractor or any subcontractor discovers any object of potential historic archaeological or other historic interest, all work that could disturb the object will immediately cease and will not resume until investigation of the object and related deposits have been completed, and if necessary recovered. The Contractor will notify the MaineDOT immediately. (The first indications of deposits may be burial grounds or campsites of Native Americans that reveal the bones of the dead and implements. Also the exposure of marine fossils or shells found mainly in clay deposits, as well as, exposure of dumps in landfill areas, abandoned campfire sites, and building foundations.)*
- *Any delay of the Contractor's operations resulting from the above will be analyzed in accordance with MaineDOT Standard Specification Section 109.5 – Adjustment for Delay, except that in no event will such delay be a compensable delay.*
- *The Contractor is notified of a Maine Statute, 27 MRSA §371, which states that artifacts, specimens, and material, which are public property by virtue of having been found on, in, or beneath State controlled lands, and places ownership of the same in the State of Maine.*

KENNEBUNK  
ROUTE 1  
HIGHWAY IMPROVEMENTS  
PIN 15098.00

GENERAL NOTE

The Maine Department of Environmental Protection (MDEP) has found evidence of petroleum-related soil contamination at The Cumberland Farms located on Route 1 immediately adjacent to the planned repair of the bridge. Maine Department of Transportation (MaineDOT) performed environmental borings in the vicinity of the store and did not detect obvious indications of subsurface contamination in the right-of-way. However, in light of MDEP's and MaineDOT's findings, 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 additional 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 MDOT'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  
SECTION 105  
LEGAL RELATIONS WITH AND RESPONSIBILITY TO PUBLIC  
(NPDES)

105.8.2 Permit Requirements This Section is revised by the addition of the following paragraph:

"The Contractor is advised that the Environmental Protection Agency has issued a final National Pollutant Discharge Elimination System (NPDES) General Permit for storm water discharges from construction sites disturbing more than 2 ha [5 acres]. This permit requires:

- Storm Water Pollution Prevention Plan
- Submission of a Notification of Intent (NOI) at least 48 hours before construction commences
- Submission of a Notification of Termination (NOT) when a site has been finally stabilized and all storm water discharges from construction activities are eliminated.

If the project's land disturbances is 2 ha [5 acres] or more, the Department will prepare the plan and submit the NOI (and NOT). The Contractor shall prepare plans and submit NOI's (and NOT's) for regulated construction activities beyond the project limits (e.g., borrow pits).

The Contractor shall be familiar with and comply with these regulations."

**SPECIAL PROVISION 105**  
**OVERLIMIT PERMITS**

**Title 29-A § 2382 MRSA Overlimit Movement Permits.**

**1. Overlimit movement permits issued by State.** The Secretary of State, acting under guidelines and advice of the Commissioner of Transportation, may grant permits to move nondivisible objects having a length, width, height or weight greater than specified in this Title over a way or bridge maintained by the Department of Transportation

**2. Permit fee.** The Secretary of State, with the advice of the Commissioner of Transportation, may set the fee for single trip permits, at not less than \$6, nor more than \$30, based on weight, height, length and width. The Secretary of State may, by rule, implement fees that have been set by the Commissioner of Transportation for multiple trip, long-term overweight movement permits. Rules established pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

**3. County and municipal permits.** A county commissioner or municipal officer may grant a permit, for a reasonable fee, for travel over a way or bridge maintained by that county or municipality

**4. Permits for weight.** A vehicle granted a permit for excess weight must first be registered for the maximum gross vehicle weight allowed for that vehicle.

**5. Special mobile equipment.** The Secretary of State may grant a permit, for no more than one year, to move pneumatic-tire equipment under its own power, including Class A and Class B special mobile equipment, over ways and bridges maintained by the Department of Transportation. The fee for that permit is \$15 for each 30-day period.

**6. Scope of permit.** A permit is limited to the particular vehicle or object to be moved, the trailer or semitrailer hauling the overlimit object and particular ways and bridges.

**7. Construction permits.** A permit for a stated period of time may be issued 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.

**8. Gross vehicle weight permits.** The following may grant permits to operate a vehicle having a gross vehicle weight exceeding the prescribed limit:

A. The Secretary of State, with the consent of the Department of Transportation, for state and state aid highways and bridges within city or compact village limits;

B. Municipal officers, for all other ways and bridges within that city and compact village limits; and

C. The county commissioners, for county roads and bridges located in unorganized territory.

**9. Pilot vehicles.** The following restrictions apply to pilot vehicles.

A. Pilot vehicles required by a permit must be equipped with warning lights and signs as required by the Secretary of State with the advice of the Department of Transportation.

B. Warning lights may be operated and lettering on the signs may be visible on a pilot vehicle only while it is escorting a vehicle with a permit on a public way.

With the advice of the Commissioner of Transportation and the Chief of the State Police, the Secretary of State shall establish rules for the operation of pilot vehicles.

**9-A. Police escort.** A person may not operate a single vehicle or a combination of vehicles of 125 feet or more in length or 16 feet or more in width on a public way unless the vehicle or combination of vehicles is accompanied by a police escort. The Secretary of State, with the advice of the Commissioner of Transportation, may require a police escort for vehicles of lesser dimensions.

A. The Bureau of State Police shall establish a fee for state police escorts to defray the costs of providing a police escort. A county sheriff or municipal police department may establish a fee to defray the costs of providing police escorts.

B. The Bureau of State Police shall provide a police escort if a request is made by a permittee. A county sheriff or municipal police department may refuse a permittee's request for a police escort.

C. A vehicle or combination of vehicles for which a police escort is required must be accompanied by a state police escort when operating on the interstate highway system.

**10. Taxes paid.** A permit for a mobile home may not be granted unless the applicant provides reasonable assurance that all property taxes, sewage disposal charges and drain and sewer assessments applicable to the mobile home, including those for the current tax year, have been paid or that the mobile home is exempt from those taxes. A municipality may waive the requirement that those taxes be paid before the issuance of a permit if the mobile home is to be moved from one location in the municipality to another location in the same municipality for purposes not related to the sale of the mobile home.

**11. Violation.** A person who moves an object over the public way in violation of this section commits a traffic infraction.

Section History:

PL 1993, Ch. 683, §A2 (NEW).

PL 1993, Ch. 683, §B5 (AFF).

PL 1997, Ch. 144, §1,2 (AMD).

PL 1999, Ch. 117, §2 (AMD).

PL 1999, Ch. 125, §1 (AMD).

PL 1999, Ch. 580, §13 (AMD).

PL 2001, Ch. 671, §30 (AMD).

PL 2003, Ch. 166, §13 (AMD).

PL 2003, Ch. 452, §Q73,74 (AMD).

PL 2003, Ch. 452, §X2 (AFF).

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

A Construction Area located in the **Town of Kennebunk** 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 town of Kennebunk, York County on US-1 over the Mousam River.
- (b) (US-1) over Mousam River station 13+83.31 to station 17+27.23 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 **Town of Kennebunk** 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 105  
SCOPE OF WORK  
(Maintenance During Winter Construction)**

Subsection 105.4.3 of the Standard Specifications is amended as follows:

Winter maintenance of Route 1, Main Street, within the project limits shall be the responsibility of the Contractor. Winter maintenance shall consist of but not limited to plowing, sanding, and salting of the roadway, temporary bridge and approaches in a similar manner and condition as DOT or Town maintains Route 1. All driveways located on the project shall be accessible at all times unless otherwise noted in the plans.

The Contractor shall coordinate their winter maintenance efforts with the DOT Regional Maintenance Division or Town.

SPECIAL PROVISION  
SECTION 106  
QUALITY  
(Quality Level Analysis- Structural Concrete)

106.7.1 Standard Deviation Method Under H. Replace the Method A payfactor with the following;

“Method A:  $PF = [32.5 + (\text{Quality Level} * 0.75)] * 0.01$ ”

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

The Contractor shall conduct his operation in such a manner that the new bridge will be Complete and open to 3 lanes of traffic with parking on or before October 31<sup>st</sup>, 2011.

The Contractor will be assessed Supplemental Liquidated Damages at the rate of one thousand dollars (\$1000) per each day for each day that the bridge is not complete and open to traffic after October 31<sup>st</sup>, 2011.

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

The Specified contract completion date is May 15, 2012.

SPECIAL PROVISION  
SECTION 107  
SCHEDULING OF WORK

Replace Section 107.4.2 with the following:

"107.4.2 Schedule of Work Required Within 21 Days of Contract Execution and before beginning any on-site activities, the Contractor shall provide the Department with its Schedule of Work. The Contractor shall plan the Work, including the activity of Subcontractors, vendors, and suppliers, such that all Work will be performed in Substantial Conformity with its Schedule of Work. The Schedule must include sufficient time for the Department to perform its functions as indicated in this Contract, including QA inspection and testing, approval of the Contractor's TCP, SEWPCP and QCP, and review of Working Drawings.

At a minimum, the Schedule of Work shall include a bar chart which shows the major Work activities, milestones, durations, and a timeline. Milestones to be included in the schedule include: (A) start of Work, (B) beginning and ending of planned Work suspensions, (C) Completion of Physical Work, and (D) Completion. If the Contractor Plans to Complete the Work before the specified Completion date, the Schedule shall so indicate.

Any restrictions that affect the Schedule of Work such as paving restrictions or In-Stream Work windows must be charted with the related activities to demonstrate that the Schedule of Work complies with the Contract.

The Department will review the Schedule of Work and provide comments to the Contractor within 20 days of receipt of the schedule. The Contractor will make the requested changes to the schedule and issue the finalized version to the Department."

SPECIAL PROVISION

SECTION 107

TIME

(Scheduling of Work – Projected Payment Schedule)

Description The Contractor shall also provide the Department with a Quarterly Projected Payment Schedule that estimates the value of the Work as scheduled, including requests for payment of Delivered Materials. The Projected Payment Schedule must be in accordance with the Contractor's Schedule of Work and prices submitted by the Contractor's Bid. The Contractor shall submit the Projected Payment Schedule as a condition of Award.



SPECIAL PROVISION  
SECTION 108  
PAYMENT  
(Asphalt Escalator)

108.4.1 Price Adjustment for Hot Mix Asphalt: For all contracts with hot mix asphalt in excess of 500 tons total, a price adjustment for performance graded binder will be made for the following pay items:

Item 403.206 Hot Mix Asphalt - 25 mm  
Item 403.207 Hot Mix Asphalt - 19 mm  
Item 403.208 Hot Mix Asphalt - 12.5 mm  
Item 403.2081 Hot Mix Asphalt - 12.5 mm (PG 70-28)  
Item 403.2083 Warm Mix Asphalt - 12.5 mm  
Item 403.209 Hot Mix Asphalt - 9.5 mm (sidewalks, drives, & incidentals)  
Item 403.210 Hot Mix Asphalt - 9.5 mm  
Item 403.2102 Hot Mix Asphalt - 9.5 mm  
Item 403.2103 Warm Mix Asphalt - 9.5 mm  
Item 403.211 Hot Mix Asphalt - Shim  
Item 403.2113 Warm Mix Asphalt - Shim  
Item 403.212 Hot Mix Asphalt - 4.75 mm  
Item 403.213 Hot Mix Asphalt - 12.5 mm (base and intermediate course)  
Item 403.2131 Hot Mix Asphalt - 12.5 mm (base and intermediate course PG 70-28)  
Item 403.2132 Hot Mix Asphalt - 12.5 mm (Asphalt Rich Base and intermediate course)  
Item 403.2133 Warm Mix Asphalt - 12.5 mm (base and intermediate course)  
Item 461.13 Maintenance Surface Treatment

Price adjustments will be based on the variance in costs for the performance graded binder component of hot mix asphalt. They will be determined as follows:

The quantity of hot mix asphalt for each pay item will be multiplied by the performance graded binder percentages given in the table below times the difference in price between the base price and the period price of asphalt cement. Adjustments will be made upward or downward, as prices increase or decrease.

|                     |                     |
|---------------------|---------------------|
| Item 403.206: 4.8%  | Item 403.2102: 6.2% |
| Item 403.207: 5.2%  | Item 403.211: 6.2%  |
| Item 403.208: 5.6%  | Item 403.2113: 6.2% |
| Item 403.2081: 5.6% | Item 403.212: 6.8%  |
| Item 403.2083: 5.6% | Item 403.213: 5.6%  |
| Item 403.209: 6.2%  | Item 403.2131: 5.6% |
| Item 403.210: 6.2%  | Item 403.2132: 5.6% |
| Item 403.2103: 6.2% | Item 403.2133: 5.6% |
| Item 461.13: 6.4%   |                     |

Hot Mix Asphalt: The quantity of hot mix asphalt will be determined from the quantity shown on the progress estimate for each pay period.

Base Price: The base price of performance graded binder to be used is the price per standard ton current with the bid opening date. This price is determined by using the average New England Selling Price, as listed in the Asphalt Weekly Monitor.

Period Price: The period price of performance graded binder will be determined by the Department by using the average New England Selling Price, listed in the Asphalt Weekly Monitor current with the paving date. The maximum Period Price for paving after the adjusted Contract Completion Date will be the Period Price on the adjusted Contract Completion Date.

**SPECIAL PROVISION**  
**SECTION 109.5**  
**ADJUSTMENTS FOR DELAY**  
**(Delays due to Flooding)**

Subsection 109.5.1, Definitions- Types of Delays, is replaced with the following:

109.5.1 Definitions - Types of Delays Delays are defined as follows and may be divided into more than one type depending upon cause.

A. Excusable Delay Except as expressly provided otherwise by this Contract, an "Excusable Delay" is a Delay to the Critical Path that is directly and solely caused by: (1) an Uncontrollable Event, or (2) a flooding event at the effected location of the Project that results in a Q25 headwater elevation, or greater, but less than a Q50 headwater elevation. Theoretical headwater elevations will be determined by the Department; actual headwater elevations will be determined by the Contractor and verified by the Department.

B. Compensable Delay A "Compensable Delay" is a Delay to the Critical Path that is directly and solely caused by: (1) a weather related Uncontrollable Event of such an unusually severe nature that a Federal Emergency Disaster is declared. The Contractor will only be entitled to an Equitable Adjustment if the Project falls within the geographic boundaries prescribed under the disaster declaration (2) an Uncontrollable Event caused by a Utility Company or other third party (not Subcontractors) Working on Project-related Work within the Project Limits if, and only if, the Utility Company or such other third party offers the Department reimbursement for such Delay; (3) acts by the Department that are in violation of applicable laws or the Contract, or (4) a flooding event at the effected location of the Project that results in a Q50 headwater elevation, or greater. Theoretical Q50 headwater elevations will be determined by the Department; actual headwater elevations will be determined by the Contractor and verified by the Department.

C. Inexcusable Delay "Inexcusable Delays" are all Delays that are not Excusable Delays or Compensable Delays.

For a related provision, see Section 101.2 - Definition of Uncontrollable Event.

SPECIAL PROVISION  
SECTION 203  
EXCAVATION AND EMBANKMENT  
(Dredge Materials)

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

Bridge work associated with the Kennebunk Bridge Reconstruction Project will require the excavation of select Dredge Material. It is anticipated that less than 100-cubic yards of Dredge Material will be excavated at the project. There is onsite Beneficial Use for all of the Dredge Materials.

It is acknowledged that the excavation of Dredge 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.

The contractor shall Beneficially Use all Dredge Material excavated from the water body in areas adjacent to and draining into the dredged water body. No more than 100-cubic yards of Dredge Material may be excavated at this project.

CONSTRUCTION REQUIREMENTS

**Management:** The contractor shall Beneficially Use all Dredge Material excavated at the site in areas adjacent to and draining into the dredged water body. No more than 100-cubic yards of Dredge Material may be excavated at the site.

**Method of Measurement:** Dredge Material will be measured by the cubic yard of material removed.

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

Payment shall be full compensation for excavation, dewatering, managing, transporting, and placement of the Dredge Materials.

SPECIAL PROVISION  
DIVISION 400  
PAVEMENTS

SECTION 401 - HOT MIX ASPHALT PAVEMENT

401.01 Description The Contractor shall furnish and place one or more courses of Hot Mix Asphalt Pavement (HMA) on an approved base in accordance with the contract documents and in reasonably close conformity with the lines, grades, thickness, and typical cross sections shown on the plans or established by the Resident. The Department will accept this work under Quality Assurance provisions, in accordance with these specifications and the requirements of Section 106 – Quality, the provisions of AASHTO M 323 except where otherwise noted in sections 401 and 703 of these specifications, and the Maine DOT Policies and Procedures for HMA Sampling and Testing.

401.02 Materials Materials shall meet the requirements specified in Section 700 - Materials:

|                             |        |
|-----------------------------|--------|
| Asphalt Cement              | 702.01 |
| Aggregates for HMA Pavement | 703.07 |
| HMA Mixture Composition     | 703.09 |

401.021 Recycled Asphalt Materials Recycled Asphalt Pavement (RAP) may be introduced into the mixture at percentages approved by the Department. If approved by the Department, the Contractor shall provide documentation stating the source, test results for average residual asphalt content, and stockpile gradations showing RAP materials have been sized to meet the maximum aggregate size requirements of each mix designation. The Department will obtain samples for verification and approval prior to its use.

For specification purposes, RAP will be categorized as follows:

Classified RAP – RAP consisting of processed millings from federal, state or municipal roadways that is free of materials not generally considered to be asphalt pavement. Millings from other sources that have been fractionated or otherwise processed so as to improve the consistency of the RAP may be considered Classified RAP if approved by the Department.

Unclassified RAP – RAP from unknown sources, from excavated or reclaimed pavements, millings from repaired areas or other sources.

In the event that RAP source or properties change, the Contractor shall notify the Department of the change and submit new documentation stating the new source or properties a minimum of 72 hours prior to the change to allow for obtaining new samples and approval.

401.03 Composition of Mixtures The Contractor shall compose the Hot Mix Asphalt Pavement with aggregate, Performance Graded Asphalt Binder (PGAB), and mineral filler if required. HMA shall be designed and tested according to AASHTO R35 and the volumetric criteria in Table 1. The Contractor shall size, uniformly grade, and combine the aggregate fractions in proportions that provide a mixture meeting the grading requirements of the Job Mix Formula (JMF). The Contractor may use a maximum of 20 percent Classified RAP in any base, binder, surface, or shim course. For Unclassified RAP stockpiles no more than 15 percent shall be used. The Contractor may be allowed to use more than 20 percent Classified RAP, up to a maximum of 25 percent Classified RAP, in a base, binder, or shim course provided that PG 58-34 asphalt binder is used in the mixture. A PG 52-34 may be used when approved by the Department.

The Contractor shall submit for Department approval a JMF to the Central Laboratory in Bangor for each mixture to be supplied. The Department may approve 1 active design per nominal maximum size, per traffic level, per plant, plus a 9.5mm “fine” mix for shimming and where required, a non-RAP design for bridge decks. The Department shall then have 15 calendar days in which to process a new design before approval. The JMF shall establish a single percentage of aggregate passing each sieve size within the limits shown in section 703.09. The mixture shall be designed and produced, including all production tolerances, to comply with the allowable control points for the particular type of mixture as outlined in 703.09. The JMF shall state the original source, gradation, and percentage to be used of each portion of the aggregate including RAP when utilized, and mineral filler if required. It shall also state the proposed PGAB content, the name and location of the refiner, the supplier, the source of PGAB submitted for approval, the type of PGAB modification if applicable, and the location of the terminal if applicable.

In addition, the Contractor shall provide the following information with the proposed JMF:

- Properly completed JMF indicating all mix properties (Gmm, VMA, VFB, etc.)
- Stockpile Gradation Summary
- Design Aggregate Structure Consensus Property Summary
- Design Aggregate Structure Trial Blend Gradation Plots (0.45 power chart)
- Trial Blend Test Results for at least three different asphalt contents
- Design Aggregate Structure for at least three trial blends
- Test results for the selected aggregate blend at a minimum of three binder contents
- Specific Gravity and temperature/viscosity charts for the PGAB to be used
- Recommended mixing and compaction temperatures from the PGAB supplier
- Material Safety Data Sheets (MSDS) For PGAB
- Asphalt Content vs. Air Voids trial blend curve
- Test report for Contractor’s Verification sample
- Summary of RAP test results (if used), including count, average and standard deviation of binder content and gradation

At the time of JMF submittal, the Contractor shall identify and make available the stockpiles of all proposed aggregates at the plant site. There must be a minimum of 150 Mg [150 ton] for stone stockpiles, 75 Mg [75 ton] for sand stockpiles, and 50 Mg [50 ton] of blend sand before the Department will sample. The Department shall obtain samples for laboratory testing. The Contractor shall also make available to the Department the PGAB proposed for use in the mix in sufficient quantity to test the properties of the asphalt and to produce samples for testing of the mixture. Before the start of paving, the Contractor and the Department shall split a production sample for evaluation. The Contractor shall test its split of the sample and determine if the results meet the requirements of the Department’s written policy for mix design verification (See Maine DOT Policies and Procedures for HMA Sampling and Testing available at the Central Laboratory in Bangor). If the results are found to be acceptable, the Contractor will forward their results to the Department’s Lab, which will test the Department’s split of the sample. The results of the two split samples will be compared and shared between the Department and the Contractor. If the Department finds the mixture acceptable, an approved JMF will be forwarded to the Contractor and paving may commence. The first day’s production shall be monitored, and the approval may be withdrawn if the mixture exhibits undesirable characteristics such as checking, shoving or displacement. The Contractor shall be allowed to submit aim changes within 24 hours of receipt of the first Acceptance test result. Adjustments will be allowed of up to 2% on the percent passing the 2.36 mm sieve through the 0.075 mm and 3% on the percent passing the 4.75 mm or larger sieves. Adjustments will be allowed on the %PGAB of up to 0.2%. Adjustments will be allowed on GMM of up to 0.010.

The Contractor shall submit a new JMF for approval each time a change in material source or materials properties is proposed. The same approval process shall be followed. The cold feed percentage of any aggregate may be adjusted up to 10 percentage points from the amount listed on the JMF, however no aggregate listed on the JMF shall be eliminated. The cold feed percentage for RAP may be adjusted up to 5

percentage points from the amount listed on the JMF but shall not exceed the maximum allowable percentage for RAP for the specific application.

TABLE 1: VOLUMETRIC DESIGN CRITERIA

| Design<br>ESAL's<br>(Millions<br>) | Required Density<br>(Percent of G <sub>mm</sub> ) |                     |                  | Voids in the Mineral Aggregate<br>(VMA)(Minimum Percent) |      |      |      |      | Voids Filled<br>with Binder<br>(VFB)<br>(Minimum<br>%) | Fines/Eff.<br>Binder<br>Ratio |
|------------------------------------|---------------------------------------------------|---------------------|------------------|----------------------------------------------------------|------|------|------|------|--------------------------------------------------------|-------------------------------|
|                                    |                                                   |                     |                  | Nominal Maximum Aggregate Size (mm)                      |      |      |      |      |                                                        |                               |
|                                    | N <sub>initial</sub>                              | N <sub>design</sub> | N <sub>max</sub> | 25                                                       | 19   | 12.5 | 9.5  | 4.75 |                                                        |                               |
| <0.3                               | ≤91.5                                             | 96.0                | ≤98.0            | 13.0                                                     | 14.0 | 15.0 | 16.0 | 16.0 | 70-80                                                  | 0.6-1.2**                     |
| 0.3 to <3                          | ≤90.5                                             |                     |                  |                                                          |      |      |      |      | 65-80                                                  |                               |
| 3 to <10                           | ≤89.0                                             |                     |                  |                                                          |      |      |      |      | 65-80*                                                 |                               |
| 10 to <30                          |                                                   |                     |                  |                                                          |      |      |      |      |                                                        |                               |
| > 30                               |                                                   |                     |                  |                                                          |      |      |      |      |                                                        |                               |

\*For 9.5 mm nominal maximum aggregate size mixtures, the maximum VFB is 82.

\*For 4.75 mm nominal maximum aggregate size mixtures, the maximum VFB is 84.

\*\*For 4.75 mm nominal maximum aggregate size mixtures, the Fines/Effective Binder Ratio is 0.6-1.4.

401.04 Temperature Requirements After the JMF is established, the temperatures of the mixture shall conform to the following tolerances:

In the truck at the mixing plant – allowable range 135° to 163°C [275 to 325°F]

At the Paver – allowable range 135° to 163°C [275 to 325°F]

The JMF and the mix subsequently produced shall meet the requirements of Tables 1 and Section 703.07.

401.05 Performance Graded Asphalt Binder Unless otherwise noted in Special Provision 403 - Hot Mix Asphalt Pavement, the PGAB shall be 64-28, except that for mixtures containing greater than 20 percent but no more than 25 percent RAP the PGAB shall be PG 58-34 (or PG 52-34 when approved by the Department). The PGAB shall meet the applicable requirements of AASHTO M320 - Standard Specification for PGAB. The Contractor shall provide the Department with an approved copy of the Quality Control Plan for PGAB in accordance with AASHTO R 26 Certifying Suppliers of PGAB.

The Contractor shall request approval from the Department for a change in PGAB supplier or source by submitting documentation stating the new supplier or source a minimum of 24 hours prior to the change. In the event that the PGAB supplier or source is changed, the Contractor shall make efforts to minimize the occurrence of PGAB co-mingling.

401.06 Weather and Seasonal Limitations The State is divided into two paving zones as follows:

- a. Zone 1 Areas north of US Route 2 from Gilead to Bangor and north of Route 9 from Bangor to Calais.
- b. Zone 2 Areas south of Zone 1 including the US Route 2 and Route 9 boundaries.

The Contractor may place Hot Mix Asphalt Pavement for use other than a traveled way wearing course in either Zone between the dates of April 15<sup>th</sup> and November 15<sup>th</sup>, provided that the air temperature as determined by an approved thermometer (placed in the shade at the paving location) is 4°C [40°F] or higher and the area to be paved is not frozen. The Contractor may place Hot Mix Asphalt Pavement as traveled way wearing course in Zone 1 between the dates of May 1st and the Saturday following October 1st and in Zone 2 between the dates of April 15<sup>th</sup> and the Saturday following October 15<sup>th</sup>, provided the air temperature determined as above is 10°C [50°F] or higher. For the purposes of this Section, the traveled way includes truck lanes, ramps, approach roads and auxiliary lanes. The atmospheric temperature for all courses on bridge decks shall be 10°C [50°F] or higher.

Hot Mix Asphalt Pavement used for curb, driveways, sidewalks, islands, or other incidentals is not subject to seasonal limitations, except that conditions shall be satisfactory for proper handling and finishing of the mixture. All mixtures used for curb, driveways, sidewalks, islands, or other incidentals shall conform to section 401.04 - Temperature Requirements. Unless otherwise specified, the Contractor shall not place Hot Mix Asphalt Pavement on a wet or frozen surface and the air temperature shall be 4°C [40°F] or higher.

On all sections of overlay with wearing courses less than 25 mm [1 in] thick, the wearing course for the travelway and adjacent shoulders shall be placed between the dates of May 15<sup>th</sup> and the Saturday following September 15<sup>th</sup>.

On all sections of overlay with wearing courses less than 1 inch thick, the wearing course for the travelway and adjacent shoulders shall be placed between the dates of June 1<sup>st</sup> and the Saturday following September 1<sup>st</sup> if the work is to be performed, either by contract requirement, or Contractor option, during conditions defined as “night work”.

#### 401.07 Hot Mix Asphalt Plant

401.071 General Requirements HMA plants shall conform to AASHTO M156.

a. Truck Scales When the hot mix asphalt is to be weighed on scales meeting the requirements of Section 108 - Payment, the scales shall be inspected and sealed by the State Sealer as often as the Department deems necessary to verify their accuracy.

Plant scales shall be checked prior to the start of the paving season, and each time a plant is moved to a new location. Subsequent checks will be made as determined by the Resident. The Contractor will have at least ten 20 Kg [50 pound] masses for scale testing.

401.072 Automation of Batching Batch plants shall be automated for weighing, recycling, and monitoring the system. In the case of a malfunction of the printing system, the requirements of Section 401.074 c. of this specification will apply.

The batch plant shall accurately proportion the various materials in the proper order by weight. The entire batching and mixing cycle shall be continuous and shall not require any manual operations. The batch plant shall use auxiliary interlock circuits to trigger an audible alarm whenever an error exceeding the acceptable tolerance occurs. Along with the alarm, the printer shall print an asterisk on the delivery slip in the same row containing the out-of-tolerance weight. The automatic proportioning system shall be capable of consistently delivering material within the full range of batch sizes. When RAP is being used, the plant must be capable of automatically compensating for the moisture content of the RAP.

All plants shall be equipped with an approved digital recording device. The delivery slip load ticket shall contain information required under Section 108.1.3 - Provisions Relating to Certain Measurements, Mass and paragraphs a, b, and c of Section 401.073

401.073 Automatic Ticket Printer System on Automatic HMA Plant An approved automatic ticket printer system shall be used with all approved automatic HMA plants. The requirements for delivery slips for payment of materials measured by weight, as given in the following Sections, shall be waived: 108.1.3 a., 108.1.3 b., 108.1.3 c., and 108.1.3 d. The automatic printed ticket will be considered as the Weight Certificate.



The requirements of Section 108.1.3 f. - Delivery Slips, shall be met by the weigh slip or ticket, printed by the automatic system, which accompanies each truckload, except for the following changes:

- a. The quantity information required shall be individual weights of each batch or total net weight of each truckload.
- b. Signatures (legible initials acceptable) of Weighmaster (required only in the event of a malfunction as described in 401.074 c.).
- c. The MDOT designation for the JMF.

401.074 Weight Checks on Automatic HMA Plant At least twice during each 5 days of production either of the following checks will be performed:

a. A loaded truck may be intercepted and weighed on a platform scale that has been sealed by the State Sealer of Weights and Measures within the past 12 months. Whenever the discrepancy in net weights is greater than 1.0%, but does not exceed 1.5%, the plant inspector will notify the producer to take corrective action; payment will still be governed by the printed ticket.

The producer will be allowed a period of two days to make any needed repairs to the plant and/or platform scales so that the discrepancy in net weights between the two is less than 1.0%. If the discrepancy exceeds 1.5%, the plant will be allowed to operate as long as payment is determined by truck platform scale net weight. Effective corrective action shall be taken within two working days.

b. Where platform scales are not readily available, a check will be made to verify the accuracy and sensitivity of each scale within the normal weighing range and to assure that the interlocking devices and automatic printer system are functioning properly.

c. In the event of a malfunction of the automatic printer system, production may be continued without the use of platform truck scales for a period not to exceed the next two working days, providing total weights of each batch are recorded on weight tickets and certified by a Licensed Public Weighmaster.

401.08 Hauling Equipment Trucks for hauling Hot Mix Asphalt Pavement shall have tight, clean, and smooth metal dump bodies, which have been thinly coated with a small amount of approved release agent to prevent the mixture from adhering to the bodies. Solvent based agents developed to strip asphalts from aggregates will not be allowed as release agents.

All truck dump bodies shall have a cover of canvas or other water repellent material capable of heat retention, which completely covers the mixture. The cover shall be securely fastened on the truck, unless unloading.

All truck bodies shall have an opening on both sides, which will accommodate a thermometer stem. The opening shall be located near the midpoint of the body, at least 300 mm [12 in] above the bed.

401.09 Pavers Pavers shall be self-contained, self-propelled units with an activated screed (heated if necessary) capable of placing courses of Hot Mix Asphalt Pavement in full lane widths specified in the contract on the main line, shoulder, or similar construction.

On projects with no price adjustment for smoothness, pavers shall be of sufficient class and size to place Hot Mix Asphalt Pavement over the full width of the mainline travel way with a 3 m [10 ft] minimum main screed with activated extensions.

The Contractor shall place Hot Mix Asphalt Pavement on the main line with a paver using an automatic grade and slope controlled screed, unless otherwise authorized by the Department. The controls shall automatically adjust the screed and increase or decrease the layer thickness to compensate for irregularities in the preceding course. The controls shall maintain the proper transverse slope and be readily adjustable so that transitions and superelevated curves can be properly paved. The controls shall operate from a fixed or moving reference such as a grade wire or ski type device (floating beam) with a minimum length of 10 m [30 ft], a non-contact grade control with a minimum span of 7.3 m [24 ft], except that a 12 m [40 ft] reference shall be used on Expressway projects.

The Contractor shall operate the paver in such a manner as to produce a visually uniform surface texture and a thickness within the requirements of Section 401.101 - Surface Tolerances. The paver shall have a receiving hopper with sufficient capacity for a uniform spreading operation and a distribution system to place the mixture uniformly, without segregation in front of the screed. The screed assembly shall produce a finished surface of the required evenness and texture without tearing, shoving, or gouging the mixture. Pavers with extendible screeds shall have auger extensions and tunnel extenders as per the manufacturer's recommendations, a copy of which shall be available if requested.

The Contractor shall have the paver at the project site sufficiently before the start of paving operations to be inspected and approved by the Department. The Contractor shall repair or replace any paver found worn or defective, either before or during placement, to the satisfaction of the Department. Pavers that produce an unevenly textured or non-uniform mat will be repaired or replaced before continuing to place HMA on MaineDOT projects.

On a daily basis, the Contractor shall perform nuclear density testing across the mat being placed, prior to being compacted by equipment., at 300 mm [12 in] intervals, If the density values vary by more than 2.0% from the mean, the Contractor shall make adjustments to the screed until the inconsistencies are remedied.

Failure to replace or repair defective placement equipment may result in a letter of suspension of work and notification of a quality control violation resulting in possible monetary penalties as governed by Section 106 - Quality

401.10 Rollers Rollers shall be static steel, pneumatic tire, or approved vibrator type. Rollers shall be in good mechanical condition, capable of starting and stopping smoothly, and be free from backlash when reversing direction. Rollers shall be equipped and operated in such a way as to prevent the picking up of hot mixed material by the roller surface. The use of rollers, which result in crushing of the aggregate or in displacement of the HMA will not be permitted. Any Hot Mix Asphalt Pavement that becomes loose, broken, contaminated, shows an excess or deficiency of Performance Graded Asphalt Binder, or is in any other way defective shall be removed and replaced at no additional cost with fresh Hot Mix Asphalt Pavement, which shall be immediately compacted to conform to the adjacent area.

The Contractor shall repair or replace any roller found to be worn or defective, either before or during placement, to the satisfaction of the Department. Rollers that produce grooved, unevenly textured or non-uniform mat will be repaired or replaced before continuing to place HMA on MaineDOT projects.

The type of rollers to be used and their relative position in the compaction sequence shall generally be the Contractor's option, provided specification densities are attained and with the following requirements:

- a. On variable-depth courses, the first lift of pavement over gravel, reclaimed pavement, an irregular surface, or on bridges, at least one roller shall be 14.5 Mg [16 ton] pneumatic-tired. Unless otherwise allowed by the Resident, pneumatic-tired rollers shall be equipped with skirting to minimize the pickup of

HMA materials from the paved surface. When required by the Resident, the roller shall be ballasted to 18.1 Mg [20 ton].

b. Compaction with a vibratory or steel wheel roller shall precede pneumatic-tired rolling, unless otherwise authorized by the Department.

c. Vibratory rollers shall not be operated in the vibratory mode when checking or cracking of the mat occurs, or on bridge decks.

d. Any method, which results in cracking or checking of the mat, will be discontinued and corrective action taken.

The maximum operating speed for a steel wheel or pneumatic roller shall not exceed the manufacturer's recommendations, a copy of which shall be available if requested.

401.101 Surface Tolerances The Department will check surface tolerance utilizing the following methods :

- a.) A 5 m [16 ft] straightedge or string line placed directly on the surface, parallel to the centerline of pavement.
- b.) A 3 m [10 ft] straightedge or string line placed directly on the surface, transverse to the centerline of pavement.

The Contractor shall correct variations exceeding 6 mm [ $\frac{1}{4}$  in] by removing defective work and replacing it with new material as directed by the Department. The Contractor shall furnish a 10 foot straightedge for the Departments use.

401.11 Preparation of Existing Surface The Contractor shall thoroughly clean the surface upon which Hot Mix Asphalt Pavement is to be placed of all objectionable material. When the surface of the existing base or pavement is irregular, the Contractor shall bring it to uniform grade and cross section. All surfaces shall have a tack coat applied prior to placing any new HMA course. Tack coat shall conform to the requirements of Section 409 – Bituminous Tack Coat, Section 702 – Bituminous Material, and all applicable sections of the contract.

401.12 Hot Mix Asphalt Documentation The Contractor and the Department shall agree on the amount of Hot Mix Asphalt Pavement that has been placed each day.

401.13 Preparation of Aggregates The Contractor shall dry and heat the aggregates for the HMA to the required temperature. The Contractor shall properly adjust flames to avoid physical damage to the aggregate and to avoid depositing soot on the aggregate.

401.14 Mixing The Contractor shall combine the dried aggregate in the mixer in the amount of each fraction of aggregate required to meet the JMF. The Contractor shall measure the amount of PGAB and introduce it into the mixer in the amount specified by the JMF.

The Contractor shall produce the HMA at the temperature established by the JMF.

The Contractor shall dry the aggregate sufficiently so that the HMA will not flush, foam excessively, or displace excessively under the action of the rollers. The Contractor shall introduce the aggregate into the mixer at a temperature of not more than 14°C [25°F] above the temperature at which the viscosity of the PGAB being used is 0.150 Pa·s.

The Contractor shall store and introduce into the mixer the Performance Graded Asphalt Binder at a uniformly maintained temperature at which the viscosity of the PGAB is between 0.150 Pa·s and 0.300 Pa·s. The aggregate shall be coated completely and uniformly with a thorough distribution of the PGAB. The Contractor shall determine the wet mixing time for each plant and for each type of aggregate used.

401.15 Spreading and Finishing On areas where irregularities or unavoidable obstacles make the use of mechanical spreading and finishing equipment impracticable, the Contractor shall spread, rake, and lute the HMA with hand tools to provide the required compacted thickness. Solvent based agents developed to strip asphalts from aggregates will not be allowed as release agents.

On roadways with adjoining lanes carrying traffic, the Contractor shall place each course over the full width of the traveled way section being paved that day, unless otherwise noted by the Department in Section 403 - Hot Bituminous Pavement.

401.16 Compaction Immediately after the Hot Mix Asphalt Pavement has been spread, struck off, and any surface irregularities adjusted, the Contractor shall thoroughly and uniformly compact the HMA by rolling.

The Contractor shall roll the surface when the mixture is in the proper condition and when the rolling does not cause undue displacement, cracking, or shoving. The Contractor shall prevent adhesion of the HMA to the rollers or vibrating compactors without the use of fuel oil or other petroleum based release agents. Solvents designed to strip asphalt binders from aggregates will not be permitted as release agents on equipment, tools, or pavement surfaces.

The Contractor shall immediately correct any displacement occurring as a result of the reversing of the direction of a roller or from other causes to the satisfaction of the Department. Any operation other than placement of variable depth shim course that results in breakdown of the aggregate shall be discontinued. Any new pavement that shows obvious cracking, checking, or displacement shall be removed and replaced for the full lane width as directed by the Resident at no cost to the Department.

Along forms, curbs, headers, walls, and other places not accessible to the rollers, the Contractor shall thoroughly compact the HMA with mechanical vibrating compactors. The Contractor shall only use hand tamping in areas inaccessible to all other compaction equipment. On depressed areas, the Contractor may use a trench roller or cleated compression strips under a roller to transmit compression to the depressed area.

Any HMA that becomes unacceptable due to cooling, cracking, checking, segregation or deformation as a result of an interruption in mix delivery shall be removed and replaced, with material that meets contract specifications at no cost to the Department.

401.17 Joints The Contractor shall construct wearing course transverse joints in such a manner that minimum tolerances shown in Section 401.101 - Surface Tolerances are met when measured with a straightedge.

The paver shall maintain a uniform head of HMA during transverse and longitudinal joint construction.

The HMA shall be free of segregation and meet temperature requirements outlined in section 401.04. Transverse joints of the wearing course shall be straight and neatly trimmed. The Contractor may form a vertical face exposing the full depth of the course by inserting a header, by breaking the bond with the underlying course, or by cutting back with hand tools. The Department may allow feathered or "lap" joints on lower base courses or when matching existing base type pavements.

Longitudinal joints shall be generally straight to the line of travel, and constructed in a manner that best ensure joint integrity. Methods or activities that prove detrimental to the construction of straight, sound longitudinal joints will be discontinued.

The Contractor shall apply a coating of emulsified asphalt immediately before paving all joints to the vertical face and 75 mm [3 in] of the adjacent portion of any pavement being overlaid except those formed by pavers operating in echelon. The Contractor shall use an approved spray apparatus designed for covering a narrow surface. The Department may approve application by a brush for small surfaces, or in the event of a malfunction of the spray apparatus, but for a period of not more than one working day.

Where pavement under this contract joins an existing pavement, or when the Department directs, the Contractor shall cut the existing pavement along a smooth line, producing a neat, even, vertical joint. The Department will not permit broken or raveled edges. The cost of all work necessary for the preparation of joints is incidental to related contract pay items.

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.

Prior to placing any mix, the Department and the Contractor shall hold a Pre-paving conference to discuss the paving schedule, source of mix, type and amount of equipment to be used, sequence of paving pattern, rate of mix supply, random sampling, project lots and sublots and traffic control. A copy of the QC random numbers to be used on the project shall be provided to The Resident. The Departments' random numbers for Acceptance testing shall be generated and on file with the Resident and the Project Manager. All field and plant supervisors including the responsible onsite paving supervisor shall attend this meeting.

The QCP shall address any items that affect the quality of the Hot Mix Asphalt Pavement including, but not limited to, the following:

- a. JMF(s)
- b. Hot mix asphalt plant details
- c. Stockpile Management (to include provisions for a minimum 2 day stockpile)
- d. Make and type of paver(s)
- e. Make and type of rollers including weight, weight per inch of steel wheels, and average contact pressure for pneumatic tired rollers
- f. Name of QCP Administrator, and certification number
- g. Name of Process Control Technician(s) and certification number(s)
- h. Name of Quality Control Technicians(s) and certification number(s)
- i. Mixing & transportation including process for ensuring that truck bodies are clean and free of debris or contamination that could adversely affect the finished pavement
- j. Testing Plan
- k. Laydown operations including longitudinal joint construction, procedures for avoiding paving in inclement weather, type of release agent to be used on trucks tools and rollers, compaction of shoulders, tacking of all joints, methods to ensure that segregation is minimized, procedures to determine the maximum rolling and paving speeds based on best engineering practices as well as past experience in achieving the best possible smoothness of the pavement. Solvent based agents developed to strip asphalts from aggregates will not be allowed as release agents.
- l. Examples of Quality Control forms including a daily plant report and a daily paving report

- m. Silo management and details (can show storage for use on project of up to 36 hours)
- n. Provisions for varying mix temperature due to extraordinary conditions.
- o. Name and responsibilities of the Responsible onsite Paving Supervisor.
- p. Method for calibration/verification of Density Gauge
- q. A note that all testing will be done in accordance with AASHTO and the Maine DOT Policies and Procedures for HMA Sampling and Testing.
- r. A detailed description of RAP processing, stockpiling and introduction into the plant as well as a note detailing conditions under which the percent of RAP will vary from that specified on the JMF.
- s. A detailed procedure outlining when production will be halted due to QC or Acceptance testing results.
- t. A plan to address the change in PGAB source or supplier and the potential co-mingling of differing PGAB's.
- u. A procedure to take immediate possession of acceptance samples once released by MaineDOT and deliver said samples to the designated acceptance laboratory.

The QCP shall include the following technicians together with following minimum requirements:

- a. QCP Administrator - A qualified individual shall administer the QCP. The QCP Administrator must be a full-time employee of or a consultant engaged by the Contractor or paving subcontractor. The QCP Administrator shall have full authority to institute any and all actions necessary for the successful operation of the QCP. The QCP Administrator (or its designee in the QCP Administrator's absence) shall be available to communicate with the Department at all times. The QCP Administrator shall be certified as a Quality Assurance Technologist certified by the New England Transportation Technician Certification Program (NETTCP).
- b. Process Control Technician(s) (PCT) shall utilize test results and other quality control practices to assure the quality of aggregates and other mix components and control proportioning to meet the JMF(s). The PCT shall inspect all equipment used in mixing to assure it is operating properly and that mixing conforms to the mix design(s) and other Contract requirements. The QCP shall detail how these duties and responsibilities are to be accomplished and documented, and whether more than one PCT is required. The Plan shall include the criteria to be utilized by the PCT to correct or reject unsatisfactory materials. The PCT shall be certified as a Plant Technician by the NETTCP.
- c. Quality Control Technician(s) (QCT) shall perform and utilize quality control tests at the job site to assure that delivered materials meet the requirements of the JMF(s). The QCT shall inspect all equipment utilized in transporting, laydown, and compacting to assure it is operating properly and that all laydown and compaction conform to the Contract requirements. The QCP shall detail how these duties and responsibilities are to be accomplished and documented, and whether more than one QCT is required. The QCP shall include the criteria utilized by the QCT to correct or reject unsatisfactory materials. The QCT shall be certified as a Paving Inspector by the NETTCP.

The QCP shall detail the coordination of the activities of the Plan Administrator, the PCT and the QCT. 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 Hot Mix Asphalt Pavement in accordance with the following minimum frequencies:

TABLE 2 : MINIMUM QUALITY CONTROL FREQUENCIES

| Test or Action                             | Frequency                                       | Test Method         |
|--------------------------------------------|-------------------------------------------------|---------------------|
| Temperature of mix                         | 6 per day at street and plant                   | -                   |
| Temperature of mat                         | 4 per day                                       | -                   |
| %TMD (Surface)                             | 1 per 125 Mg [125 ton]<br>(As noted in QC Plan) | ASTM D2950          |
| %TMD (Base)                                | 1 per 250 Mg [250 ton]<br>(As noted in QC Plan) | AASHTO T269         |
| Fines / Effective Binder                   | 1 per 500 Mg [500 ton]                          | AASHTO T 312*       |
| Gradation                                  | 1 per 500 Mg [500 ton]                          | AASHTO T30          |
| PGAB content                               | 1 per 500 Mg [500 ton]                          | AASHTO T164 or T308 |
| Voids at $N_{design}$                      | 1 per 500 Mg [500 ton]                          | AASHTO T 312*       |
| Voids in Mineral Aggregate at $N_{design}$ | 1 per 500 Mg [500 ton]                          | AASHTO T 312*       |
| Rice Specific Gravity                      | 1 per 500 Mg [500 ton]                          | AASHTO T209         |
| Coarse Aggregate Angularity                | 1 per 5000 Mg [5000 ton]                        | ASTM D5821          |
| Flat and Elongated Particles               | 1 Per 5000 Mg [5000 ton]                        | ASTM D4791          |
| Fine Aggregate Angularity                  | 1 Per 5000 Mg [5000 ton]                        | AASHTO T304         |

\*Method A and B only

The Contractor may utilize innovative equipment or techniques not addressed by the Contract documents to produce or monitor the production of the mix, subject to approval by the Department.

The Contractor shall submit all Hot Mix Asphalt Pavement plant test reports, inspection reports and updated pay factors in writing, signed by the appropriate technician and present them to the Department by 1:00 P.M. on the next working day, except when otherwise noted in the QCP due to local restrictions. The Contractor shall also retain splits of the previous 5 QC tests, with QC results enclosed for random selection and testing by The Department during QA inspections of the HMA production facility. Test results of splits that do not meet the Dispute Resolution Variance Limits in Table 10 shall trigger an investigation by the MDOT Independent Assurance Unit, and may result in that lab losing NETTCP certification and the ability to request a dispute [Section 401.223 - Process for Dispute Resolution (Methods A , B and C only)].

The Contractor shall make density test results, including randomly sampled densities, available to the Department onsite. Summaries of each day's results, including a daily paving report, shall be recorded and signed by the QCT and presented to the Department by 1:00 p.m. the next working day.

The Contractor shall have a testing lab at the plant site, equipped with all testing equipment necessary to complete the tests in Table 2. The Contractor shall locate an approved Gyratory Compactor at the plant testing lab or within 30 minutes of the plant site.

The Contractor shall fill all holes in the pavement resulting from cutting cores by the Contractor or the Department with a properly compacted, acceptable mixture no later than the following working day. Before filling, the Contractor shall carefully clean the holes and apply a coating of emulsified asphalt. On surface courses, cores shall not be cut except for Verification of the Nuclear Density Gauge, at a rate not to exceed 3 per day or 2 per 1000 Mg [1000 ton] placed.

The Contractor shall monitor plant production using running average of three control charts as specified in Section 106 - Quality. Control limits shall be as noted in Table 3 below. The UCL and LCL, shall not exceed the allowable control points for the particular type of mixture as outlined in Table 1 of section 703.09

TABLE 3: Control Limits

| Property                          | UCL and LCL       |
|-----------------------------------|-------------------|
| Passing 4.75 mm and larger sieves | Target +/-4.0     |
| Passing 2.36 mm sieve             | Target +/-2.5     |
| Passing .075 mm sieve             | Target +/-1.2     |
| PGAB Content*                     | Target +/-0.3     |
| Voids in the Mineral Aggregate    | LCL = LSL + 0.2   |
| % Voids at $N_{design}$           | JMF Target +/-1.3 |

\*Based on AASHTO T 308

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

- 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.
- 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.
- Method C: The Pay Factor for VMA, Voids @  $N_d$ , 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.
- 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.
- 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.
- The Flat and Elongated Particles value exceeds 10% by ASTM D4791.
- There is any visible damage to the aggregate due to over-densification other than on variable depth shim courses.
- The Contractor fails to follow the approved QCP.

The Contractor shall notify the Resident in writing as to the reason for shutdown, as well as the proposed corrective action, by the end of the work day. Failure to do so will be treated as a second incident under 106.4.6 QCP Non-compliance. The Department will consider corrective action acceptable if the pay factor for the failing property increases, based on samples already in transit, or a verification sample is tested and the property falls within the specification limits.

In cases where the corrective action can be accomplished immediately, such as batch weight or cold feed changes, the Contractor may elect to resume production once the corrective action is completed. Additional QC testing shall be performed to verify the effectiveness of the corrective action. Subsequent occurrences of shutdown for the same property in a Lot in progress will require paving operations to cease. Paving operations shall not resume until the Contractor and the Department determines that material meeting the Contract requirements will be produced. The Department may allow the Contractor to resume production based upon a passing QC sample, with a split of the sample being sent to the Department for verification testing. If the submitted verification sample test results fall outside the specification limits, the Contractor shall cease production until a verification sample is submitted to the Department has been tested by the Department and found to be within specification limits.



If the Contractor's control chart shows the process to be out of control (defined as a single point outside of the control limits on the running average of three chart) on any property listed in Table 3: Control Limits, the Contractor shall notify the Resident in writing of any proposed corrective action by 1:00 PM the next working day.

The Department retains the exclusive right, with the exception of the first day's production of a new JMF, to determine whether the resumption of production involves a significant change to the production process. If the Department so determines, then the current lot will be terminated, a pay factor established, and a new lot will begin.

401.19 Quality Control Method D For Items covered under Method D, the Contractor shall submit a modified QC Plan detailing, how the mix is to be placed, what equipment is to be used, and what HMA plant is to be used. All mix designs (JMF) shall be approved and verified by MDOT prior to use. Certified QC personnel shall not be required. The Contractor shall certify the mix and the test results for each item by a Certificate of Compliance.

401.20 Acceptance Method A, B & C These methods utilizes Quality Level Analysis and pay factor specifications.

For Hot Mix Asphalt Pavement designated for acceptance under Quality Assurance provisions, the Department will sample once per subplot on a statistically random basis, test, and evaluate in accordance with the following Acceptance Criteria:

TABLE 4: ACCEPTANCE CRITERIA

| PROPERTIES                | POINT OF SAMPLING      | TEST METHOD  |
|---------------------------|------------------------|--------------|
| Gradation                 | Paver Hopper           | AASHTO T30   |
| PGAB Content              | Paver Hopper           | AASHTO T308  |
| %TMD (Surface)            | Mat behind all Rollers | AASHTO T269  |
| %TMD (Base or Binder)     | Mat behind all Rollers | AASHTO T269  |
| Air Voids at $N_d$        | Paver Hopper           | AASHTO T 312 |
| %VMA at $N_d$             | Paver Hopper           | AASHTO T 312 |
| Fines to Effective Binder | Paver Hopper           | AASHTO T 312 |
| %VFB                      | Paver Hopper           | AASHTO T 312 |

In the event the Department terminates a Lot prematurely but fails to obtain the required number of acceptance samples to calculate the volumetric property pay factor under the test method specified in the contract, the pay factor shall be calculated using the number of samples actually obtained from the contract. Should the number of acceptance samples taken total less than three, the resulting pay factor shall be 1.0 for volumetric properties. A minimum of three cores will be used for a density pay factor, if applicable, for quantities placed to date.

Should the Contractor request a termination of the Lot in progress prior to three acceptance samples being obtained, and the Department agrees to terminate the Lot, then the pay factor for mixture properties shall be 0.80. A minimum of three cores will be used to determine a density pay factor, if applicable, for quantities placed to date.

Lot Size For purposes of evaluating all acceptance test properties, a lot shall consist of the total quantity represented by each item listed under the lot size heading.

Sublot size - Refer to section 401.201, 401.202, and 401.203 for minimum size and number of sublots. The quantity represented by each sample will constitute a sublot.

If there is less than one-half of a sublot remaining at the end, then it shall be combined with the previous sublot. If there is more than one-half sublot remaining at the end, then it shall constitute the last sublot and shall be represented by test results. If it becomes apparent partway through a Lot that, due to an underrun, there will be insufficient mix quantity to obtain the minimum number of sublots needed, the Resident may adjust the size of the remaining sublots and select new sample locations based on the estimated quantity of material remaining in the Lot.

Acceptance Testing The Department will obtain samples of Hot Mix Asphalt Pavement in conformance with AASHTO T168 Sampling Bituminous Paving Mixtures, and the Maine DOT Policies and Procedures for HMA Sampling and Testing, which will then be transported by the Contractor to the designated MDOT Laboratory within 48 hours (except when otherwise noted in the project specific QCP due to local restrictions), as directed by MDOT in approved transport containers to be provided by the Department, unless otherwise directed by the Resident. Failure to deliver an acceptance sample to the designated acceptance laboratory will be considered the second incident under 106.4.6—QCP Non-Compliance.

The Department will take the sample randomly within each sublot. Target values shall be as specified in the JMF. The Department will use Table 5 for calculating pay factors for gradation, PGAB Content, Air Voids at  $N_{\text{design}}$ , VMA, Fines to Effective Binder and VFB. The Department will withhold reporting of the test results for the Acceptance sample until 7:00 AM, on the second working day of receipt of the sample, or after receipt of the Contractors results of the Acceptance sample split. Upon conclusion of each lot, where there is a minimum of four sublots, results shall be examined for statistical outliers, as stated in Section 106.7.2 - Statistical Outliers.

Isolated Areas During the course of inspection, should it appear that there is an isolated area that is not representative of the lot based on a lack of observed compactive effort, excessive segregation or any other questionable practice, that area may be isolated and tested separately. An area so isolated that has a calculated pay factor below 0.80, based on three random tests shall be removed and replaced at the expense of the Contractor for the full lane width and a length not to be less than 50 m [150 ft].

Pavement Density The Department will measure pavement density using core samples tested according to AASHTO T-166. The Department will randomly determine core locations. The Contractor shall cut 6 inch diameter cores at no additional cost to the Department by the end of the working day following the day the pavement is placed, and immediately give them to the Department. Cores for Acceptance testing shall be cut such that the nearest edge is never within 0.225 m (9 inches) of any joint. The cores will be placed in a transport container provided by the Department and transported by the Contractor to the designated MDOT Lab as directed by the Department. Pre-testing of the cores will not be allowed. At the time of sampling, the Contractor and the Department shall mutually determine if a core is damaged. If it is determined that the core(s) is damaged, the Contractor shall cut new core(s) at the same offset and within 1 m [3 ft] of the initial sample. At the time the core is cut, the Contractor and the Department will mutually determine if saw cutting of the core is needed, and will mark the core at the point where sawing is needed. The core may be saw cut by the Contractor in the Department's presence onsite, or in an MDOT Lab by The Department, without disturbing the layer being tested to remove lower layers of Hot Mix Asphalt Pavement, gravel, or RAP. No recuts are allowed at a test location after the core has been tested. Upon conclusion of each lot, density results shall be examined for statistical outliers as stated in Section 106.7.2.

On all sections of overlay with wearing courses designed to be 19 mm [3/4 in] or less in thickness, there shall be no pay adjustment for density otherwise noted in Section 403 - Hot Bituminous Pavement. For overlays designed to be 19 mm [3/4 in] or less in thickness, density shall be obtained by the same rolling train and methods as used on mainline travelway surface courses with a pay adjustments for density, unless otherwise directed by the Department.

There shall be no pay adjustment for density on shoulders unless otherwise noted in Section 403 - Hot Bituminous Pavement. Density for shoulders shall be obtained by the same rolling train and methods as used on mainline travelway, unless otherwise directed by the Department. Efforts to obtain optimum compaction will not be waived by the Department unless it is apparent during construction that local conditions make densification to this point detrimental to the finished pavement surface course.

**401.201 Method A** 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 Mg [4500 tons], with unanticipated over-runs of up to 1500 Mg [1500 ton] rolled into the last lot. Sublot sizes shall be 750 Mg [750 ton] for mixture properties, 500 Mg [500 ton] for base or binder densities and 250 Mg [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 5: METHOD A 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 +/-4%                                               |
| Passing 0.60 mm                   | Target +/-3%                                               |
| Passing 0.30 mm to 0.075 mm sieve | Target +/-2%                                               |
| PGAB Content                      | Target +/-0.4%                                             |
| Air Voids                         | 4.0% +/-1.5%                                               |
| Fines to Effective Binder         | 0.6 to 1.2                                                 |
| Voids in the Mineral Aggregate    | LSL Only from Table 1                                      |
| Voids Filled with Binder          | Table 1 values plus a 4% production tolerance for USL only |
| % TMD (In place density)          | 95.0% +/- 2.5%                                             |

\*\*For 4.75 mm nominal maximum aggregate size mixtures, the Fines/Effective Binder Ratio is 0.6-1.4.

**401.202 Method B** Lot Size will be the entire production per JMF for the project and shall be divided into 3 equal sublots for Mixture Properties and 3 equal sublots for density.

TABLE 6: METHOD B ACCEPTANCE LIMITS

| Property                                  | USL and LSL                                    |
|-------------------------------------------|------------------------------------------------|
| Percent Passing 4.75 mm and larger sieves | Target +/-7                                    |
| Percent Passing 2.36 mm to 1.18 mm sieves | Target +/-5                                    |
| Percent Passing 0.60 mm                   | Target +/-4                                    |
| Percent Passing 0.30 mm to 0.075 mm sieve | Target +/-3                                    |
| PGAB Content                              | Target +/-0.5                                  |
| Air Voids                                 | 4.0% +/-2.0                                    |
| Fines to Effective Binder                 | 0.6 to 1.4                                     |
| Voids in the Mineral Aggregate            | LSL from Table 1                               |
| Voids Filled with Binder                  | Table1 plus a 4% production tolerance for USL. |
| % TMD (In-place Density)                  | 95.0% +/- 2.5%                                 |

**401.203 Testing 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 Mg [4500 tons], with unanticipated over-runs of up to 1500 Mg [1500 ton] rolled into the last lot. Sublot sizes shall be 750 Mg [750 ton] for mixture properties, 500 Mg [500 ton] for base or binder densities and 250 Mg [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%                                             |
| Air Voids                         | 4.0% +/-1.5%                                               |
| Fines to Effective Binder         | 0.6 to 1.2                                                 |
| Voids in the Mineral Aggregate    | LSL Only from Table 1                                      |
| Voids Filled with Binder          | Table 1 values plus a 4% production tolerance for USL only |
| % TMD (In place density)          | 95.0% +/- 2.5%                                             |

\*\*For 4.75 mm nominal maximum aggregate size mixtures, the Fines/Effective Binder Ratio is 0.6-1.4.

**401.204 Testing Method D** For hot mix asphalt items designated as Method D in Section 403 - Hot Bituminous Pavement, one sample will be taken from the paver hopper or the truck body per 250 Mg [250 ton] per pay item. The mix will be tested for gradation and PGAB content. Disputes will not be allowed. If the mix is within the tolerances listed in Table 8: Method D Acceptance Limits, the Department will pay the contract unit price. If the test results for each 250 Mg [250 ton] increment are outside these limits, the following deductions (Table 8b) shall apply to the HMA quantity represented by the test.

TABLE 8: METHOD D ACCEPTANCE LIMITS

| Property                                  | USL and LSL    |
|-------------------------------------------|----------------|
| Percent Passing 4.75 mm and larger sieves | Target +/-7    |
| Percent Passing 2.36 mm to 1.18 mm sieves | Target +/-5    |
| Percent Passing 0.60 mm                   | Target +/-4    |
| Percent Passing 0.30 mm to 0.075 mm sieve | Target +/-3    |
| PGAB Content                              | Target +/-0.5  |
| % TMD (In-place Density)                  | 95.0% +/- 2.5% |

TABLE 8b Method "D" Price Adjustments

|                |       |
|----------------|-------|
| PGAB Content   | -5%   |
| 2.36 mm sieve  | -2%   |
| 0.30 mm sieve  | -1%   |
| 0.075 mm sieve | -2%   |
| Density        | -10%* |

\*Only applies when called for in Section 403 - Hot Bituminous Pavement. Contractor shall cut two 150 mm [6 in] cores, which shall be tested for percent TMD per AASHTO T-269. If the average for the two tests falls below 92.5% the disincentive shall apply.

401.21 Method of Measurement The Department will measure Hot Mix Asphalt Pavement by the Mg [ton] in accordance with Section 108.1 - Measurement of Quantities for Payment.

401.22 Basis of Payment The Department will pay for the work, in place and accepted, in accordance with the applicable sections of this Section, for each type of HMA specified.

The Department will pay for the work specified in Section 401.11, for the HMA used, except that cleaning objectionable material from the pavement and furnishing and applying bituminous material to joints and contact surfaces is incidental.

Payment for this work under the appropriate pay items shall be full compensation for all labor, equipment, materials, and incidentals necessary to meet all related contract requirements, including design of the JMF, implementation of the QCP, obtaining core samples, transporting cores and samples, filling core holes, applying emulsified asphalt to joints, and providing testing facilities and equipment.

The Department will make a pay adjustment for quality as specified below.

401.221 Pay Adjustment The Department will sample, test, and evaluate Hot Mix Asphalt Pavement in accordance with Section 106 - Quality and Section 401.20 - Acceptance, of this Specification.

401.222 Pay Factor (PF) The Department will use the following criteria for pay adjustment using the pay adjustment factors under Section 106.7 - Quality Level Analysis:

Density If the pay factor for Density falls below 0.80 for Method A or C or 0.86 for Method B, all of the cores will be randomly re-cut by Sublot. A new pay factor will be calculated that combines all initial and retest results. If the resulting pay factor is below 0.80 for Method A or C or below 0.86 for Method B, the entire Lot shall be removed and replaced with material meeting the specifications at no additional cost to the Department, except that the Department may, when it appears that there is a distinct pattern of defective material, isolate any defective material by investigating each mix sample subplot and require removal of defective mix sample sublots only, leaving any acceptable material in place if it is found to be free of defective material. Pay factors equal to or greater than the reject level will be paid accordingly.

Gradation For HMA evaluated under Acceptance Method A or B, the Department will determine a composite pay factor (CPF) using applicable price adjustment factors "f" from Table 9: Table of Gradation Composite "f" Factors, and Acceptance limits from Table 5: Method A Acceptance Limits, for Method A or Table 6: Method B Acceptance Limits, for Method B. The Department will not make price adjustments for gradation on Methods A and B, but will monitor them as shutdown criteria.

TABLE 9: TABLE OF GRADATION COMPOSITE "f" FACTORS (Methods A and B)

| Constituent |          | "f" Factor |         |        |         |
|-------------|----------|------------|---------|--------|---------|
|             |          | 19 mm      | 12.5 mm | 9.5 mm | 4.75 mm |
| Gradation   | 25 mm    | -          | -       | -      | -       |
|             | 19 mm    | 4          | -       | -      | -       |
|             | 12.5 mm  |            | 4       | 4      | -       |
|             | 9.50 mm  |            |         |        | 4       |
|             | 2.36 mm  | 6          | 6       | 6      | 8       |
|             | 1.18 mm  |            |         |        |         |
|             | 0.60 mm  | 2          | 2       | 2      | 2       |
|             | 0.30 mm  | 2          | 2       | 2      | 2       |
|             | 0.075 mm | 6          | 6       | 6      | 8       |

For HMA evaluated under Acceptance Method C, the Department will determine a pay factor using acceptance limits from Table 7: Method C Acceptance Limits.

VMA, Air Voids, VFB and Fines to Effective Binder The Department will determine a pay factor (PF) using the applicable Acceptance Limits.

The following variables will be used for pay adjustment:

- PA = Pay Adjustment
- Q = Quantity represented by PF in Mg [ton]
- P = Contract price per Mg [ton]
- PF = Pay Factor

#### Pay Adjustment Method A

The Department will use the following criteria for pay adjustment: density, Performance Graded Asphalt Binder content, voids @N<sub>d</sub>, VMA, VFB, F/B<sub>eff</sub>, and the screen sizes listed in Table 9 for the type of HMA represented in the JMF. If any single pay factor for PGAB Content, VMA, or Air Voids falls below 0.80, then the composite pay factor for PGAB Content, VMA, and Air Voids shall be 0.55.

Density: For mixes having a density requirement, the Department will determine a pay factor using Table 5: Method A Acceptance Limits:

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

PGAB Content, VMA and Air Voids: The Department will determine a pay adjustment using Table 5: Method A Acceptance Limits as follows:

$$PA = (\text{voids @ } N_d \text{ PF} - 1.0)(Q)(P) \times 0.20 + (\text{VMA @ } N_d \text{ PF} - 1.0)(Q)(P) \times 0.20 + (\text{PGAB PF} - 1.0)(Q)(P) \times 0.10$$

VFB and Fines to Effective Binder The Department will determine a pay factor (PF) using Table 5: Method A Acceptance Limits. The Department will not make price adjustments for VFB or Fines to Effective Binder, but will monitor them as shutdown criteria.

#### Pay Adjustment Method B

The Department will use the following criteria for pay adjustment: density, Performance Graded Asphalt Binder content, voids @N<sub>d</sub>, VMA, VFB, F/B<sub>eff</sub>, and the screen sizes listed in Table 9 for the type of HMA represented in the JMF. If any single pay factor for PGAB Content, VMA, or Air Voids falls below 0.86, then the composite pay factor for PGAB Content, VMA, and Air Voids shall be 0.70.

Density: For mixes having a density requirement, the Department will determine a pay factor using Table 6: Method B Acceptance Limits:

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

PGAB Content, VMA and Air Voids: The Department will determine a pay adjustment using Table 6: Method B Acceptance Limits as follows:

$$PA = (\text{voids @ } N_d \text{ PF} - 1.0)(Q)(P) \times 0.20 + (\text{VMA @ } N_d \text{ PF} - 1.0)(Q)(P) \times 0.20 + (\text{PGAB PF} - 1.0)(Q)(P) \times 0.10$$

VFB and Fines to Effective Binder The Department will determine a pay factor (PF) using Table 6: Method B Acceptance Limits. The Department will not make price adjustments for VFB or Fines to Effective Binder, but will monitor them as shutdown criteria.

#### 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:

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

VMA, Air Voids, VFB and Fines to Effective Binder The Department will determine a pay factor (PF) using Table 7: Method C Acceptance Limits. The Department will not make price adjustments for VMA, Air Voids, VFB or Fines to Effective Binder, but will monitor them as shutdown criteria.

#### Pay Adjustment Method D

The Department will use density, Performance Graded Asphalt Binder content, and the screen sizes listed in Table 8b for the type of HMA represented in the JMF. If test results do not meet the Table 8 requirements, deducts as shown in Table 8b shall be applied to the quantity of mix represented by the test.

#### 401.223 Process for Dispute Resolution (Methods A B & C only)

a. Dispute Resolution sampling At the time of Hot-Mix Asphalt sampling, the Department will obtain a split sample of each Acceptance test random sample for possible dispute resolution testing. The Contractor shall also obtain a split sample of the HMA at this same time. If the Contractor wishes to retain the option of requesting dispute testing of the initial Acceptance sample, the Contractor will test their split of the

Acceptance sample and shall report their results to the Resident, with a copy to the QA Engineer at the Central Laboratory in Bangor by 7:00 AM, on the second working day from time of QA sampling, otherwise dispute resolution will not be initiated. The Department's dispute resolution split sample will be properly labeled and stored for a period of not more than two weeks, or until the sample is tested.

**b. Disputing Acceptance results** The Contractor may dispute the Department's Acceptance results and request (Methods A, B, & C) that the dispute resolution split sample be tested by notifying the Department's Resident and the QA Engineer at the Central Laboratory in Bangor in writing within two working days after receiving the results of the Acceptance test. The following shall be provided in the request:

- Acceptance sample reference number
- The specific test result(s) or property(ies) being disputed, and
- The complete, signed report of the Contractor's testing (In a lab certified by the NETTCP and MDOT) of their split of the Acceptance sample indicating that the variances in Table 10: Dispute Resolution Variance Limits, for the specific test result(s) or property(ies) were exceeded.

**c. Disputable items** The Contractor may dispute any or all of the following Method A or B test results when the difference between the Department's value and the Contractor's value for that test equals or exceeds the corresponding allowable variation in Table 10: Dispute Resolution Variance Limits, PGAB content,  $G_{mb}$ , and  $G_{mm}$ . In addition, if the allowable variation for these tests is not met or exceeded, the Contractor may dispute either or both of the following material properties provided the difference between results for them equals or exceeds the corresponding allowable variation in Table 10: Voids at  $N_{design}$ , and VMA.

For Method C only: The results for PGAB content and the screen sizes used for pay adjustment may be disputed.

**d. Outcome** The value of any disputed result or property reported for the initial Acceptance sample shall stand if the value reported for the dispute resolution sample is not closer to the value the Contractor reported for their split sample than to the value reported for the initial Acceptance sample. If the value reported for the dispute resolution falls precisely half-way between the other two values the value reported for the dispute resolution will replace the original acceptance value. Otherwise, the value reported for the dispute resolution sample will replace the value reported for the initial Acceptance sample, and will be used to re-calculate any other affected results or properties.

TABLE 10: DISPUTE RESOLUTION VARIANCE LIMITS

|                                   |           |
|-----------------------------------|-----------|
| PGAB Content                      | +/-0.4%   |
| $G_{mb}$                          | +/-0.030  |
| $G_{mm}$                          | +/-0.020  |
| Voids @ $N_d$                     | +/-0.8%   |
| VMA                               | +/-0.8%   |
| Passing 4.75 mm and larger sieves | +/- 4.0%  |
| Passing 2.36 mm to 0.60 mm sieves | +/- 3.0%  |
| Passing 0.30 mm to 0.15           | +/- 2.0 % |
| 0.075 mm sieve                    | +/- 1.0%  |

## SECTION 402 - PAVEMENT SMOOTHNESS

**402.00 Smoothness Projects** Projects to have their pavement smoothness analyzed in accordance with this Specification will be so noted in Special Provision 403 - Bituminous Box

**402.01 Pavement Smoothness** The final pavement surface shall be evaluated for smoothness using a Class I or Class II profiler as defined by ASTM E950 (94). Smoothness measurements will be expressed in terms of the International Roughness Index (IRI) as defined by the World Bank, in units of inches/mile.



402.02 Lot Size Lot size for smoothness will be 1000 lane-meters [3000 lane-feet]. A subplot will consist of 20 lane-meters [50 lane-feet]. Partial lots will be included in the previous lot if less than one-half the size of a normal lot. If equal to or greater than one-half the normal lot size, it will be tested as a separate lot.

402.03 Acceptance Testing The Department will conduct Acceptance testing following completion of the surface course. Sections to be excluded from testing include the following:

- Bridge decks and joints (no smoothness measurements will be taken within 30 m [100 ft] of bridge joints)
  - Acceleration and deceleration lanes
  - Shoulders and ramps
  - Side streets and roads
  - Within 30 m [100 ft] of transverse joints at the beginning and end of the project
  - Within 30 m [100 ft] of railroad crossings
  - Urban areas with speed limits of 50 kph [30 mph] or lower
- Each lot shall have 2 measurements made in each wheel path. The average of the 4 measurements will determine the smoothness for that lot.

The smoothness measurements will be statistically evaluated for pay factors as described in Subsection 106.7 - Quality Level Analysis, using the specification limits shown below.

| ACCEPTANCE LIMITS |                        |
|-------------------|------------------------|
| Level             | USL                    |
| I                 | 0.95 m/km [60 in/mile] |
| II                | 1.10 m/km [70 in/mile] |
| III               | 1.25 m/km [80 in/mile] |

Computation of Smoothness Pay Adjustment:

$$PA = (PF-1.0)(Q)(P)$$

where:

Q = Quantity of surface course in the Lot (excluding shoulders, side streets, bridge decks, ramps, acceleration and deceleration lanes)

PF = smoothness pay factor for the Lot

P = Contract unit price for surface pavement

PA = pay adjustment

402.04 Unacceptable Work In the event that any Lot is found to have a pay factor less than 0.80, the Contractor shall take whatever remedial action is required to correct the pavement surface in that Lot at no additional expense to the Department. Such remedial action may include but is not limited to removal and replacement of the unacceptable pavement. In the event remedial action is necessary, the Contractor shall submit a written plan to the Resident outlining the scope of the remedial work. The Resident must approve this plan before the remedial work can begin. Following remedial work, the Lot shall be retested, and will be subject to the specification limits listed above. The resulting pay factor, if within the acceptable range, will be used in the final pay adjustment. The Contractor shall pay the cost of retesting the pavement following corrective action.

Localized surface tolerance defects will be subject to the provisions outlined in Section 401.101 Surface Tolerances.

Payment will be made under:

| <u>Pay Item</u>                                     | <u>Pay Unit</u> |
|-----------------------------------------------------|-----------------|
| 402.10 Incentive/Disincentive - Pavement Smoothness | Lump Sum        |

## SECTION 403 - HOT BITUMINOUS PAVEMENT

403.01 Description This work shall consist of constructing one or more courses of bituminous pavement on an approved base in accordance with these specifications, and in reasonably close conformity with the lines, grades, thickness and typical cross sections shown on the plans or established.

The bituminous pavement shall be composed of a mixture of aggregate, filler if required, and bituminous material.

403.02 General The materials and their use shall conform to the requirements of Section 401 - Hot Mix Asphalt Pavement.

403.03 Construction The construction requirements shall be as specified in Section 401 - Hot Mix Asphalt Pavement.

In addition, hot bituminous pavement placed on bridges shall also conform to the following requirements.

- a. The mixture shall be composed of aggregate, PGAB and mineral filler but no recycled asphalt pavement and placed in courses as specified in the Special Provisions.
- b. The bottom course shall be placed with an approved rubber mounted bituminous paver of such type and operated in such a manner that the membrane waterproofing will not be damaged in any way.
- c. The top course shall not be placed until the bottom course has cooled sufficiently to provide stability.
- d. The Contractor will not be required to cut sample cores from the compacted pavement on the bridge deck.
- e. After the top course has been placed, the shoulder areas shall be sealed 1 meter [3 ft] wide with two applications of an emulsified bituminous sealer meeting the requirements of Section 702.12 - Emulsified Bituminous Sealing Compound. The first application shall be pre-mixed with fine, sharp sand, similar to mortar sand, as needed to fill all voids in the mix in the area being sealed. The second application may be applied without sand. The sealer shall be carried to the curb at the gutter line in sufficient quantity to leave a bead or fillet of material at the face of the curb. The area to be sealed shall be clean, dry and the surface shall be at ambient temperature.
- f. The furnishing and applying of the required quantity of sealer for the bridge shoulder areas shall be incidental to placing the hot bituminous pavement.
- g. The atmospheric temperature for all courses on bridge decks shall be 10°C [50°F] or higher.

403.04 Method of Measurement Hot bituminous pavement will be measured as specified in Section 401.21- Method of Measurement.

403.05 Basis of Payment The accepted quantities of hot bituminous pavement will be paid for at the contract unit price per Megagram [ton] for the bituminous mixtures, including bituminous material complete in place.

Method A, Method B, Method C and Method D shall be used for acceptance as specified in Section 401 - Hot Mix Asphalt Pavements. (See Complementary Notes, Section 403 - Hot Bituminous Pavement, for Method location).

Payment will be made under:

| <u>Pay Item</u>                                                                                                    | <u>Pay Unit</u> |
|--------------------------------------------------------------------------------------------------------------------|-----------------|
| 403.102 Hot Mix Asphalt Pavement for Special Areas                                                                 | MG [Ton]        |
| 403.206 Hot Mix Asphalt, 25 mm Nominal Maximum Size                                                                | MG [Ton]        |
| 403.207 Hot Mix Asphalt, 19.0 mm Nominal Maximum Size                                                              | MG [Ton]        |
| 403.2071 Hot Mix Asphalt , 19.0 mm Nominal Maximum Size                                                            | MG [Ton]        |
| 403.2072 Asphalt Rich Hot Mix Asphalt, 19.0 mm Nominal Maximum Size<br>(Asphalt Rich Base and Intermediate course) | MG [Ton]        |
| 403.208 Hot Mix Asphalt, 12.5 mm Nominal Maximum Size                                                              | MG [Ton]        |
| 403.2081 Hot Mix Asphalt - 12.5 mm Nominal Maximum Size (PG 70-28)                                                 | MG [Ton]        |
| 403.209 Hot Mix Asphalt, 9.5 mm Nominal Maximum Size<br>(sidewalks, drives, islands & incidentals)                 | MG [Ton]        |
| 403.210 Hot Mix Asphalt, 9.5 mm Nominal Maximum Size                                                               | MG [Ton]        |
| 403.2101 Hot Mix Asphalt - 9.5 mm Nominal Maximum Size (PG 70-28)                                                  | MG [Ton]        |
| 403.2102 Asphalt Rich Hot Mix Asphalt, 9.5 mm Nominal Maximum Size<br>(Asphalt Rich Intermediate course)           | MG [Ton]        |
| 403.211 Hot Mix Asphalt (shimming)                                                                                 | MG [Ton]        |
| 403.212 Hot Mix Asphalt, 4.75 mm Nominal Maximum Size                                                              | MG [Ton]        |
| 403.2131 Hot Mix Asphalt, 12.5 mm Nominal Maximum Size, (PG 70-28)<br>(Base and Intermediate Base course)          | MG [Ton]        |
| 403.2132 Asphalt Rich Hot Mix Asphalt, 12.5 mm Nominal Maximum Size<br>(Base and Intermediate Base course)         | MG [Ton]        |

**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>Bridge Deck</u></b>                                       |                     |                    |                           |                    |                      |                    |
| Wearing                                                         | 9.5 mm              | 403.210            | N/A                       | 1.5 in             | 1                    | 1,2,5,8            |
| Base                                                            | 9.5 mm              | 403.210            | N/A                       | 1.5 in             | 1                    | 1,2,5,8            |
| <b><u>Route 1 Travel Way and Shoulder Approach Areas</u></b>    |                     |                    |                           |                    |                      |                    |
| Wearing                                                         | 9.5 mm              | 403.210            | N/A                       | 3.0 in             | 2                    | 5,8,12,15          |
| Binder                                                          | 12.5 mm             | 403.213            | N/A                       | 2.0 in             | 1                    | 5,8,15             |
| Base                                                            | 19.0 mm             | 403.207            | N/A                       | 3.0 in             | 1                    | 5,8,15             |
| <b><u>Brown St Travel Way &amp; Shoulder - Overlay Area</u></b> |                     |                    |                           |                    |                      |                    |
| Wearing                                                         | 9.5 mm              | 403.210            | N/A                       | 2.0 in             | 1                    | 4,8,12             |
| <b><u>Sidewalks, Drives, Islands &amp; Incidentals</u></b>      |                     |                    |                           |                    |                      |                    |
| Wearing                                                         | 9.5 mm              | 403.209            | N/A                       | 2 in               | 2/more               | 2,3,10,13          |

**COMPLEMENTARY NOTES**

1. The use of Recycled Asphalt Pavement (RAP) will not be permitted.
2. The density requirements are waived. In addition, the use of an oscillating steel roller shall be required to compact all HMA pavements placed on bridge decks.
3. The design traffic level for mix placed shall be <0.3 million ESALS.
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**.
5. The aggregate qualities shall meet the design traffic level of 3 to <10 million ESALS for mix placed under this contract. The design, verification, Quality Control, and Acceptance tests for this mix will be performed at **75 gyrations**. (Ndesign)
8. Section 106.6 Acceptance, (2) Method B.
10. Section 106.6 Acceptance, (2) Method D.
12. A mixture meeting the gradation of 12.5 mm hot mix asphalt may be used at the option of the contractor.
13. A mixture meeting the requirements of section 703.09 Grading 'D', with a minimum PGAB content of 6%, and the limits of Special Provision 401, Table 9 (Drives and Sidewalks) for PGAB content and gradation may be substituted for this item. A job mix formula shall be submitted to the department for approval.
15. Testing shall be Method 'A' for volumetrics and density. The density requirements shall be 92.5 to 97.5, or the same as the specified for the travel lane, ramps, and sideroads. The incentive / disincentive for density and volumetrics shall apply.

**Kennebunk  
15098.00  
Route 1  
Bridge Replacement  
July 22, 2010**

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 / intermediate course and the surface course, at a rate not to exceed 0.025 gal/yd<sup>2</sup>.

Tack used between layers of pavement 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<br>CONCRETE | ITEM<br>NUMBER | DESCRIPTION                                                        | P     | METHOD |
|----------------------|----------------|--------------------------------------------------------------------|-------|--------|
| A                    | 502.219        | Structural Concrete Abut. & Ret.Walls                              | \$400 | A      |
| A                    | 502.261        | Structural Concrete Roadway & Sidewalk<br>Slab on Concrete Bridges | \$400 | A      |
| A                    | 502.31         | Structural Concrete Approach Slab                                  |       | C      |
| LP                   | 502.49         | Structural Concrete Curbs and Sidewalks                            | \$425 | B      |
| Fill                 | 502.56         | Concrete Fill                                                      |       | C      |
|                      |                |                                                                    |       |        |

P values listed above reflect the price per cubic yard (YD<sup>3</sup>) for all pay adjustment purposes.

SPECIAL PROVISION  
SECTION 502  
STRUCTURAL CONCRETE  
(Quality Level Analysis)

502.01 Description In second sentence, replace "...METHOD B Small Quantity Product Verification..." with "...METHOD B Statistical Acceptance..."

502.05 Composition and Proportioning Delete Table 1 and replace with the following;

TABLE 1- Methods A, B, and C

| Concrete CLASS | Compressive Strength (PSI) |       | Permeability (COULOMBS) |       | Entrained Air (%) |     | Notes     |
|----------------|----------------------------|-------|-------------------------|-------|-------------------|-----|-----------|
|                | LSL                        | USL   | LSL                     | USL   | LSL               | USL |           |
| S              | 2,900                      | N/A   | N/A                     | N/A   | 6.0               | 8.5 | 1, 5      |
| A              | 4,350                      | ----- | -----                   | 2,400 | 6.0               | 8.5 | 1,2,5,6   |
| P              | -----                      | ----- | -----                   | ----- | 5 ½               | 7 ½ | 1,2,3,4,5 |
| LP             | 5,075                      | ----- | -----                   | 2,000 | 6.0               | 8.5 | 1,2,5,6   |
| Fill           | 2,900                      | N/A   | N/A                     | N/A   | N/A               | N/A | 6         |

502.503 Delete and replace with the following;

"502.0503 Quality Assurance METHOD B The Department will determine the acceptability of the concrete through a quality assurance program.

The Department will take Quality Assurance samples a minimum of once per subplot on a statistically random basis. Quality Assurance tests will include compressive strength, air content and permeability.

Concrete sampling for quality assurance tests will be taken at the discharge point, with pumped concrete sampling taken at the discharge end of the pump line.

Lot Size A lot size shall consist of the total quantity represented by each class of concrete in the Contract, except in the case when the same class of concrete is paid for under both lump sum items and unit price items in the Contract; in this case, the lump sum item quantities shall comprise 1 lot and the unit price item quantities shall comprise a separate lot. A lot shall consist of a minimum of 3 and a maximum of 10 sublots. If a lot is comprised of more than 10 sublots, sized in accordance with Table #3, then this quantity shall be divided equally into 2, or more, lots such that there is a minimum of 3 and a maximum of 10 sublots per lot. If there is insufficient quantity in a lot to meet the recommended minimum subplot size, then the lot shall be divided into 3 equal sublots.

Sublot Size, General The size of each sublot shall be determined in accordance with Table #3. The Resident may vary sublot sizes based on placement sizes and sequence.

Sublot Size, Unit Price Items Sublot sizes will initially be determined from estimated quantities. When the actual final quantity of concrete is determined: If there is less than one-half the estimated sublot quantity in the remaining quantity, then this quantity shall be combined with the previous sublot, and no further Acceptance testing will be performed; if there is more than one-half the estimated sublot quantity in the remaining quantity, then this quantity shall constitute the last sublot and shall be represented by Acceptance test results. If it becomes apparent part way through a lot that, due to an underrun in quantity, there will be an insufficient quantity of concrete to comprise three sublots, then the Resident may adjust the sizes of the remaining sublots and select new sample locations based on the revised estimated quantity of concrete remaining in the lot.

Sublot Size, Lump Sum Items Each lot shall be divided into sublots of equal size, based on the estimated quantity of concrete.

TABLE 3

| Quantity m <sup>3</sup> [cy] | Recommended Sublot Size m <sup>3</sup> [cy] |
|------------------------------|---------------------------------------------|
| 0-400 [0-500]                | 40 [50]                                     |
| 401-800 [501-1000]           | 60 [75]                                     |
| 801-1600 [1001-2000]         | 80 [100]                                    |
| 1601 [2001] or greater       | 200 [250]                                   |

Determination of the concrete cover over reinforcing steel for structural concrete shall be made prior to concrete being placed in the forms. Bar supports, chairs, slab bolsters, and side form spacers shall meet the requirements of Concrete Reinforcing Steel Institute (CRSI) Manual of Standard Practice, Chapter 3 Section 2.5 Class 1, Section 2.6 Class 1A, or Section 4. All supports shall meet the requirements for type and spacing as stated in the CRSI Manual of Standard Practice, Chapter 3. Concrete will not be placed until the placing of the reinforcing steel and supports have been approved by the Resident. If the Contractor fails to secure Department approval prior to placement, the Contractor's failure shall be cause for removal and replacement at the Contractor's expense. The Contractor shall notify the Resident, at least 48 hours prior to the placement, when the reinforcing steel will be ready for checking. Sufficient time must be allowed for the checking process and any needed repairs.

Evaluation of materials will be made using the specification limits in Table 1.

Compressive strength tests will be completed by the Department in accordance with AASHTO-T22 at  $\geq 28$  days, except that no slump will be taken. The average of two concrete cylinders per sublot will constitute a test result and this average will be used to determine the compressive strength for pay adjustment computations.



Testing for Entrained Air in concrete, at the rate of one test per subplot, shall be in accordance with AASHTO T152.

Rapid Chloride Permeability test specimens will be completed by the Resident in accordance with AASHTO T-277 at an age  $\geq$  56 days. Two 100 mm x 200 mm [4 in x 8 in] cylinders will be taken per subplot placed.

Surface Tolerance, Alignment and Trueness, Plumb and Batter, and Finish will be measured as described in Section 502.0502.

Rejection by Resident For an individual subplot with a calculated pay factor of less than 0.80, the Department will, at its sole discretion:

A. Require the Contractor to remove and replace the entire affected placement with concrete meeting the Contract requirements at no additional expense to the Department, or

B. Accept the material, at a reduced payment as determined by the Department. (See also Section 502.191)

For a lot in progress, the Contractor shall discontinue operations whenever one or more of the following occurs:

A. The pay factor for any property drops below 1.00 and the Contractor is taking no corrective action

B. The pay factor for any property is less than 0.90

C. The Contractor fails to follow the QC Plan”

502.18 Method of Measurement Under Section E. make the following change from “...Method A, and under Section 502.19...” to “...Method A, Section 502.0503- Quality Assurance Method B, and under Section 502.19...”

502.19 Basis of Payment Modify the first sentence of the seventh paragraph from “...accepted under Method A.” to “...accepted under Method A and Method B.”

502.191 Pay Adjustment for Compressive Strength Add the following as the second sentence to the first paragraph; “Pay factors (PF) for pay adjustments for compressive strength will be determined using the Quality Level Analysis as specified in Section 106.”

502.192 Pay Adjustment for Chloride Permeability Delete and replace with the following;

“Pay factors (PF) for pay adjustments for Chloride Permeability will be determined using the Quality Level Analysis as specified in Section 106.

Values greater than 4000 coulombs shall be subject to rejection and replacement at no additional cost to the Department.”

502.193 Pay Adjustment for Air Content Delete and replace with the following;

“Pay factors (PF) for pay adjustments for air content will be determined using the Quality Level Analysis as specified in Section 106.”

Add the following Section;

“502.195 Pay Adjustments for Compressive Strength, Chloride Permeability and Air Content The Composite Pay Factor (CPF) for each lot of concrete shall be computed as follows:

$$\text{CPF} = [(\text{Compressive Strength PF}-1)(0.20)] + [(\text{Air Content PF}-1)(0.40)] \\ + [(\text{Chloride Permeability PF}-1)(0.40)]$$

The pay adjustment for each lot of concrete shall be computed as follows:

$$\text{Lot Pay Adjustment} = P \times \text{CPF} \times \text{Lot Size}$$

There will be no positive pay adjustments for Method B Concrete.”

**SPECIAL PROVISION  
SECTION 503  
REINFORCING STEEL  
(Corrosion Resistant Reinforcing System, Fabricated and Delivered)  
(Corrosion Resistant Reinforcing System, Placing)**

The following are corrections, additions and revisions to the Standard Specification Section 503, Reinforcing Steel.

**503.01 Description:**

This work shall consist of furnishing and placing corrosion resistant reinforcing, in accordance with these specifications and in conformance with the Plans, Supplemental Specifications and Special Provisions.

**503.02 Materials**

Add the following:

Corrosion resistant reinforcing shall consist of any of the following materials:

- a) Galvanized reinforcing steel
- b) Stainless reinforcing steel
- c) ZBAR reinforcing steel

Corrosion resistant reinforcing systems shall be placed at the locations shown on the plans or as directed by the Resident.

All corrosion resistant reinforcing systems shall have a minimum yield strength,  $F_y = 60$  ksi.

Galvanized reinforcing systems shall be hot-dip galvanized in accordance with ASTM A767, Class II, two ounces per square foot with a minimum thickness of 3.5 mils. The bars shall be galvanized after fabrication. Reinforcing steel produced by Thermex method (water quenching) shall not be used.

Stainless reinforcing steel shall consist of deformed bars made of solid stainless steel meeting the requirements of ASTM A955.

ZBAR reinforcing steel shall consist of a dual-coated deformed bar with a metalized zinc inner layer under a polymer outer layer, meeting the requirements of ASTM A1055 and manufactured by Gerdau Ameristeel.

**503.04 Protection of Material**

The first sentence of the first paragraph is modified to read:

Reinforcement shall be stored on skids or other supports a minimum of 12 in above the ground surface and protected at all times from damage and surface contamination.

#### 503.06 Placing and Fastening

The following is added

Where required, bar cutting shall be accomplished by shearing or with a water-cooled saw. Torch cutting reinforcing steel shall not be permitted. Field welding as an aid to installation shall not be permitted. Tie wire shall be soft- annealed wire that has been nylon or plastic coated. Non- metallic ties may be used with approval from the Resident.

#### 503.07 Splicing

This section is removed in its entirety and replaced with the following:

Reinforcing bars shall be spliced in accordance with the requirements of this section, and in the locations shown on the plans. No modifications of, or additions to, the splice arrangements shown on the plans shall be made without the Resident's prior approval. Any additional splices authorized shall be staggered as much as possible. All splices shall be made in a manner that will ensure that not less than 75% of the clear concrete cover and not less than 75% of the minimum clear distance to other bars will be maintained, as compared to the cover and clear distance requirements for the unspliced bar.

Lapped splices shall be made by placing the bars in contact and wiring them together. Splice laps shall be made in accordance with the following table, unless noted otherwise on the plans:

| Minimum Lap Splice Length (inches)*  |          |    |    |    |    |    |    |     |     |
|--------------------------------------|----------|----|----|----|----|----|----|-----|-----|
| Bar Type                             | Bar Size |    |    |    |    |    |    |     |     |
|                                      | #3       | #4 | #5 | #6 | #7 | #8 | #9 | #10 | #11 |
| Stainless<br>Galvanized,<br>or Z-Bar | 21       | 26 | 32 | 39 | 46 | 61 | 77 | 97  | 120 |

\* Lap splice length are based on the following parameters: Minimum center to center spacing between bars of 6 inch; nominal yield strength of the reinforcing steel of 75 ksi; minimum 28 day compressive strength of concrete of 4350 psi. When any of the preceding parameters is altered appropriate minimum lap splice lengths will be determined by the Resident. When lap splices are placed horizontally in an element

where the concrete depth below the splice will be 12 inches or more, the indicated lap splice lengths shall be multiplied by a factor of 1.4.

Mechanical couplers may be used for splicing reinforcing bars, provided they are approved by the Resident and conform to the following requirements:

Couplers shall be made from the same material as the attached reinforcing bars to which they are attached, or shall be approved for use by the manufacturer of the corrosion resistant reinforcing system provided.

a. Tension couplers Coupler shall be able to develop 1.25 times the theoretical yield strength of the spliced bar in tension. Bolted and wedge-lock type couplers will not be allowed

b. Compression Couplers Couplers shall be capable of maintaining the spliced bars in alignment prior to and during concrete placement. For reinforcing bars designed to act in compression, the individual bars ends shall be within 1 1/2" of being "square" to the final 12 inches of the bar. Additionally, abutting bar ends shall be in contact, and the angle of the gap between abutting bar ends shall be 3°, or less.

Welded splices shall not be allowed.

#### 503.10 Method of Measurement

The first sentence is modified to read:

Corrosion resistant reinforcing shall be measured by the computed number of pounds of steel reinforcement authorized.

#### 503.11 Basis of Payment

The following sentence is added:

Payment for field cutting reinforcing steel and the treatment of cut ends shall be considered incidental to related contract items.

#### Pay Item:

#### Pay Unit:

503.30 Corrosion Resistant Reinforcing System,  
Fabricated and Delivered

Pound

503.31 Corrosion Resistant Reinforcing System,  
Placing

Pound

## **SECTION 510 - SPECIAL DETOURS**

510.01 Description This work shall consist of the design, construction, maintenance in good condition, and removal of temporary structures and approaches required for the satisfactory maintenance of vehicular and pedestrian traffic.

Easements or right-of-way for the Special Detour will be furnished by the Department and will be shown on the Contract Plans. If the Contractor proposes an alternative location for the Special Detour, and the alternative location is approved by Department, that easement may only be acquired by the Department. All additional costs associated with the acquisition, including but not limited to obtaining easements, environmental mitigation, restoration and Department time, shall be borne by the Contractor.

510.02 Materials Materials used for the Special Detour structure and approaches shall conform to the detailed plans and specifications submitted by the Contractor.

510.03 Vehicular and Pedestrian Traffic Not Separated The Special Detour shall be located as close as practicable to the new work or as shown on the plans.

The Special Detour, including the temporary structure and approaches, shall be designed and sealed by a Professional Engineer, licensed in accordance with the laws of the State of Maine. The Contractor shall submit the design computations and detailed plans of the temporary structure and approaches that will serve as the temporary detour to the Resident prior to beginning construction of the Special Detour. The temporary detour plan is subject to review by the MaineDOT, Town of Kennebunk and Kennebunk Sewer District.

In accordance with the environmental permits and Special Provision 105. No fill may be placed in a wetland/river associated with the temporary detour.

If the Department requires changes to Temporary Detour plans or computations, based on Contract requirements, then the Contractor shall implement the changes at no additional cost to the Department.

The Department shall have no obligation to review or comment on any design, construction, maintenance or removal of Temporary Detours. No review or comment by the Department, or any lack of review or comment by the Department, shall relieve the Contractor of its responsibility to properly design, construct, maintain in good condition, and remove Temporary Detours in accordance with the Contract, or to shift any responsibility to the Department. The Contractor shall be responsible for all damages resulting from the failure of temporary structures or approaches.

The Special Detour shall not be opened to traffic until the Contractor's Professional Engineer inspects the temporary structure and provides the Department with

a signed and sealed document certifying that the structure was built in accordance with the previously submitted sealed plans and design details of the structure and approaches.

510.031 Structure Design Temporary structures shall be designed in accordance with the AASHTO Standard Specifications for Highway Bridges, 17<sup>th</sup> Edition, 2002, or the current edition of AASHTO LRFD Bridge Design Specifications, except as noted herein, to meet live load requirements of HS20, for ASD and LFD, or HL-93, for LRFD designs.

a. Deflections Primary structural members shall be designed so that deflection due to live load plus impact shall not exceed 1/300 of the span.

b. Fatigue Stresses Fatigue stresses for steel need not be considered if the steel is judged by the Contractor's Professional Engineer to be in sound structural condition.

c. Bridge Railing Loads Bridge railing shall be designed in accordance with AASHTO Standard Specifications, 17<sup>th</sup> Edition, 2002 or the current edition of AASHTO LRFD Bridge Specifications, except that the Standard Specification design load "P" specified as 10 kips may be decreased to 5 kips. However, allowable design stresses for material used in bridge rails and posts shall not be increased above those allowed by AASHTO Standard Specifications.

d. Waterway Opening The minimum waterway opening of the temporary structure shall be designed to provide a hydraulic opening of 1400 sf minimum without any overtopping of the roadway.

e. Foundations Temporary foundations, embankment foundations and earth retaining structures shall be designed in accordance with the AASHTO Standard Specifications, 17<sup>th</sup> Edition, or the current edition of the AASHTO LRFD Bridge Design Specifications and AASHTO LRFD Bridge Construction Specifications, except as noted herein. The Contractor is responsible for determining the ultimate load carrying capacity of the foundation materials and foundation elements for the Special Detour. The determination of the ultimate load carrying capacity may require characterization of the subsurface conditions by the Contractor by means of subsurface investigation.

The applied loads on foundations shall consider both dead and live loads and all other applicable loads and forces. The Contractor is responsible for choosing an applicable factor of safety for foundations on soil and rock and an appropriate design load group. The factor of safety and maximum applied load, or LRFD factored applied loads and factored geotechnical resistances, used for each foundation design shall be clearly stated on the submitted calculations.

510.032 Geometric and Approach Design The geometric design of the Special Detour, except as otherwise shown on the plans or as noted herein, shall be designed in accordance with the current AASHTO Specification "A Policy on Geometric Design of Highways and Streets".

a. Horizontal Alignment Horizontal curve radius shall not be less than radii shown on the Plans.

Roadway width as indicated in the Contract shall be the minimum clear travel width between faces of bridge curbs, bridge rails or approach rails, whichever is less. The approach roadway shall have 2 feet wide shoulders, minimum, to the roadway berms, where guardrail is not required, in addition to the roadway width indicated in the Contract.

The roadway width shall be increased on curved portions of the Special Detour to account for the off tracking characteristics of a BUS-45 vehicle in accordance with Exhibit 3-49, Case I or Case III, of the AASHTO Standard Specifications.

b. Vertical Alignment Grades shall not exceed 10% and any change in grade shall accommodate all legal highway vehicle components or attached loads.

c. Approach Road Guardrail The Special Detour approaches shall have guardrail where side slopes are steeper than three horizontal to one vertical. Approach guardrail shall be attached to the bridge rail in a manner that develops the approach guardrail in tension. Approach guardrail shall consist of Type 3 guardrail or an approved equal, unless other rail or barriers are specified.

The termination of approach guardrail and the end treatment of the rail shall be in accordance with the current AASHTO Roadside Design Guide.

d. Approach embankments Approach embankments shall be constructed from suitable earth material, as shown in the Contractor's plans submitted to the Resident. The earth material shall have sufficient strength under the placement method specified in the Contractor's plans to maintain stability throughout the duration of the Special Detour.

e. Approach Road Base Drainage The approach road base structure shall consist of a 1 foot thick layer, minimum, of aggregate subbase course gravel, Type D or E. This layer shall be designed to support legal loads during the use of the detour. Drainage shall be designed to drain the approach area.

f. Approach Road Surface The approach road surface, including the shoulders, shall be paved with a 5 inch, minimum, thickness hot bituminous pavement layer accepted at the discretion of the Resident. Contractor to provide a 2" overlay on Brown Street and Cumberland Farms parking lot within the limits of the Special Detour as specified on the Contract Plans. Surface pavement shall be 1.5 inch Hot Mix Asphalt, 9.5mm or 12.5mm. Base pavement shall be Hot Mix Asphalt 12.5mm or 19.0mm.

g. Design Speed The design speed of the Special Detour shall be not less than the construction area posted speed limit, or the advisory speed limit, as applicable, unless otherwise indicated in the Contract.



510.04 Pedestrian Traffic Only The provisions of Section 510.03 - Vehicular and Pedestrian Traffic Not Separated, shall apply to this Section with the following modifications:

- a. Structures shall be designed for a live load of 85 lb/ft<sup>2</sup>.
- b. The Special Detour shall have a minimum clear width of 5 ft or as specified in the Contract.
- c. Vertical alignment and ramps shall be ADA compliant.
- d. Deflections due to live load shall not exceed 1/300 of the span.

510.05 Vehicular and Pedestrian Traffic Separated The provisions of both Section 510.03 - Vehicular and Pedestrian Traffic Not Separated, and Section 510.04 - Pedestrian Traffic Only, shall apply to this Section. If vehicles and pedestrians are carried on the same structure, each shall have its own lane as specified. The pedestrian lane shall be protected from vehicular traffic by being at least 225 mm [9 in] above the roadway surface or suitably protected by means of an adequate curb at least 225 mm [9 in] in height above the roadway surface. No bridge rail will be required between vehicle traffic and pedestrian traffic, unless otherwise specified, but shall be located at the exterior side of the sidewalk.

510.06 Special Detour Construction The Special Detour, including temporary structures and approaches, shall be constructed in accordance with the plans submitted by the Contractor. Barricades, warning signs, lights and other traffic control devices shall be provided in accordance with the Contract and the approved Traffic Control Plan.

The temporary structure's deck and floor members shall be fastened or anchored so that all contact surfaces with adjacent supporting members bear continuously. If timber plank decking is used, it shall be secured into timber nailer strips with screw-type nails, or securely fastened by an alternate method that will prevent the decking from loosening. Immediate corrective action shall be taken by the Contractor to remedy any condition in the structure that results in objectionable or distractive noise levels, or results in the decking becoming loose, when subject to traffic loads.

Screw-type nails will not be required to anchor timber plank decking for pedestrian traffic use.

The approach road surface, including shoulders, whether paved or graveled, shall be maintained in a compacted and smooth condition. The temporary structure travel surface shall be constructed and maintained in an acceptably smooth condition, as determined by the Resident. Immediate corrective action shall be taken by the Contractor to remedy objectionable roughness of the Special Detour riding surface.

Provisions shall be made for a skid resistant wearing surface throughout the period of time the temporary structure is open to public travel for vehicular and pedestrian traffic. A steel grid floor may be used for vehicular traffic if installed in accordance with the design plans and these specifications.

Erosion control shall be accomplished in accordance with Section 656 - Temporary Soil Erosion and Water Pollution Control.

When the Project has been opened to traffic, the temporary structure and approaches shall be removed to, or below, the streambed, finish ground line or original ground line, as applicable. The approaches shall be obliterated and the disturbed areas shall be stabilized to original, or better than original, conditions. The provisions of Section 104 - General Rights and Responsibilities, shall apply.

510.07 Contractor's Responsibility The Contractor shall be responsible for removal of snow from areas provided for pedestrian traffic as well as vehicular traffic in accordance with Section 105, General Scope of Work. In addition to normal maintenance, should any part, or all, of the Special Detour be damaged or destroyed by high water, or any other cause, prior to, or after, opening the Special Detour to traffic, it shall be repaired or replaced by the Contractor without additional compensation.

510.08 Method of Measurement Special Detours will be paid by the lump sum.

510.09 Basis of Payment The accepted Special Detour will be paid for at the contract lump sum price which price shall be full compensation for the respective items, as called for in the Contract, including design, construction, maintenance, complete removal, rehabilitation and permanent stabilization including loaming, seeding and mulching. All pavement, including pavement overlay on Brown Street and Cumberland Farms parking lot, gravel or borrow material, and excavation needed to accommodate changes in elevation between temporary structures and existing roadways shall be incidental to this item. Pavement butt joints within the limits of the Special Detour shall be considered incidental to this item. The lump sum price shall also include the cost of furnishing and revising, as necessary, all plans, computations and certifications, as called for in the Contract.

Traffic control devices, temporary erosion control, and dust control will be paid in accordance with the applicable Contract items.

Payment will be made under:

| <u>Pay Item</u>                                                                               | <u>Pay Unit</u> |
|-----------------------------------------------------------------------------------------------|-----------------|
| 510.12 Special Detour, 28 foot Roadway<br>Width Vehicular and Pedestrian Traffic<br>Separated | Lump Sum        |

SPECIAL PROVISION  
SECTION 511  
COFFERDAMS AND TEMPORARY EARTH SUPPORT STRUCTURES

511.01 Description This work shall consist of the complete design, construction, maintenance and removal of cofferdams, temporary earth support structures and other related work, including dewatering and inspection, required to allow for the excavation of foundation units, to permit and protect the construction of bridge or other structural units and to protect adjacent Roadways, embankments or other structural units, in accordance with the Contract.

511.02 Materials As specified in the Working Drawings.

511.03 Cofferdam and Temporary Earth Support Structure Construction

A. Working Drawings. The Contractor shall submit Working Drawings, showing the materials to be used and the proposed method of construction of cofferdams and temporary earth support structures to the Department. Working Drawings shall be prepared and sealed by a Professional Engineer, licensed in accordance with the laws of the State of Maine. The Contractor shall submit the design computations and Working Drawings of the cofferdams and temporary earth support structures to the Resident at least two weeks prior to beginning cofferdam construction or excavation for installation of cofferdams or temporary earth support structures, whichever is earlier. Any review of, or comment on, **or any lack of review or comment**, of these Working Drawings by the Department shall not result in any liability upon the Department and it shall not relieve the Contractor of the responsibility for the satisfactory functioning of the cofferdam.

If the Department requires changes to Working Drawings or computations, based on Contract requirements, then the Contractor shall implement the changes at no additional cost to the Department.

B. Construction. Construct cofferdams and temporary earth support structures in conformance with the submitted Working Drawings. Cofferdams and temporary earth support structures shall, in general, be carried below the elevation of the bottom of footings or excavations to adequate depths to ensure stability and adequate heights to seal off water. Cofferdams shall be braced and be as watertight as necessary for the safe and proper construction of the substructure Work inside them. With the exception of construction of a concrete foundation seal placed under water, the interior dimensions of cofferdams shall provide sufficient clearance for the construction and inspection of forms and to permit pumping outside of forms. The Contractor shall be responsible for the righting and resetting of cofferdams or temporary earth support structures that have tilted or moved laterally, as required for construction.

During the placing and curing of seal concrete, the elevation of the water inside the cofferdam shall be controlled to prevent flow through the concrete.

No timber or bracing shall be used in cofferdams or temporary earth support structures in such a way as to remain in the substructure Work.

Cofferdams shall be constructed to protect fresh concrete against damage from the sudden rising of the water body, to prevent damage by erosion and to prevent damage to adjacent Roadways, embankments or other structural units.

Unless otherwise noted, cofferdams and temporary earth support structures, including all sheeting and bracing involved, shall be removed after the completion of the substructure Work in a manner that prevents disturbance or injury to the finished Work.

Cofferdams and temporary earth support structures shall be constructed, dewatered and removed in accordance with the requirements of Section 656 - Temporary Soil Erosion and Water Pollution Control and related Special Provisions.

C. Inspection of Seal Cofferdams. Seal cofferdam excavations shall initially be inspected and approved by the Contractor.

For each seal cofferdam excavation, the Contractor shall submit a written procedure to the Resident for sediment/overburden removal and excavation inspection. For cofferdams where seal concrete is to be placed on bedrock, the inspection procedure shall describe the Contractor's final cleaning and inspection process for attaining cleanliness of each cofferdam excavation. For cofferdams where seal concrete is not excavated to bedrock, the procedure shall describe the Contractor's final cleaning and inspection process for attaining the bottom of seal elevation shown on the Plans.

The Contractor shall notify the Resident at least 48 hours prior to when each seal cofferdam excavation will be ready for final inspection by the Department. The Contractor shall allow adequate time for each occurrence of cofferdam excavation inspection by the Department. The Contractor shall provide and maintain access and equipment, such as steel probes, for the Resident and/or the Department's Dive Team to independently inspect each cofferdam excavation.

No seal concrete placement shall begin until the Department has approved the cofferdam excavation.

511.04 Pumping Pumping from the interior of any cofferdam or temporary earth support structure shall be done in such a manner as to prevent any current of water that would carry away or segregate the concrete.

Pumping to dewater a sealed cofferdam shall not commence until the seal concrete has set sufficiently to withstand the hydrostatic pressure and meets the following minimum curing time, after the completion of the installation of the seal concrete:

1. When the temperature of the water body outside the cofferdam is greater than 40°F, a minimum of 5 days.
2. When the temperature of the water body outside the cofferdam is less than 40°F, a minimum of 7 days.

Procedures for the removal of all water and materials from cofferdams and temporary earth support structures shall be described in the Soil Erosion and Water Pollution Control Plan as required in Section 656 Temporary Soil Erosion and Water Pollution Control and related Special Provisions.

511.05 Method of Measurement Cofferdams and temporary earth support structures will be measured as one lump sum unit for each location indicated, as indicated on the Plans or called for in the Contract.

511.06 Basis of Payment The accepted quantity of cofferdam or temporary earth support structure will be paid for at the Contract lump sum price for the respective cofferdam items, which price shall be full compensation for design, construction, maintenance, inspection and removal.

When required, the elevation of the bottom of the footing of any substructure unit may be lowered, without change in the price to be paid for cofferdams. However, if the average elevation of more than 25% of the area of the excavation is more than 3 feet below the elevation shown on the Plans, and if requested by the Contractor, then the additional costs incurred that are included in the cofferdam Pay Item will be paid for in accordance with Section 109.7 - Equitable Adjustments to Compensation. The Contractor shall immediately notify the Department when these additional costs commence. Failure of the Contractor to provide this notification will result in undocumented additional work that will be non-reimbursable. The Department will evaluate this additional work to determine an appropriate time extension, if warranted.

All costs for sedimentation control practices, including, but not limited to, constructing, maintaining, and removing sedimentation control structures, and pumping or transporting water and other materials for sedimentation control will not be paid for directly, but will be considered incidental to the cofferdam and temporary earth support structure Pay Item(s).

All costs for related temporary soil erosion and water pollution controls, including inspection and maintenance, will not be paid for directly, but will be considered incidental to the cofferdam or temporary earth support structure Pay Item(s).

All costs associated with preparation of Working Drawings, design calculations, written procedure for sediment/overburden removal and excavation inspection, and the inspection of the seal cofferdam excavation shall be considered incidental to the cofferdam or temporary earth support structure Pay Item(s). There shall be no additional payment for repeated inspection by the Department of the same cofferdam excavation.

All costs for cofferdams, temporary earth support structures and related temporary soil erosion and water pollution controls, including inspection and maintenance, will be considered incidental to related Pay Items, when a specific Pay Item for cofferdams is not included in the Contract.

Payment will be made under:

| <u>Pay Item</u>                                               | <u>Pay Unit</u> |
|---------------------------------------------------------------|-----------------|
| 511.07 Cofferdam                                              | Lump Sum        |
| 511.08 Cofferdam – Special: Temporary Earth Support Structure | Lump Sum        |

**SPECIAL PROVISION  
SECTION 525  
MASONRY  
(Existing Granite Wall Repair)**

This Subsection is deleted in its entirety and replaced with the following:

**525.01 Description**

This work shall include all labor, materials and equipment necessary to complete repairs to the existing dry-laid granite abutments and wingwalls. The work shall consist of filling voids in the existing substructure, as directed by the Resident, with a combination of Portland Cement mortar and stones as described in this section.

**525.02 Materials**

Except as provided below, the materials used shall meet the requirements of the following sections of Division 700 – Materials:

|              |        |
|--------------|--------|
| Water        | 701.02 |
| Joint Mortar | 705.02 |

Cement shall conform to the requirements of Portland cement AASHTO M85 (ASTM C150), Type IIA.

Stone shall consist of sound, durable granite that will not disintegrate by exposure to water or weather. Stones may be field stone, blasted or rough, unhewn quarry stone. Rounded stones or cobbles will not be permitted. Stone shall be delivered to the site in sizes and shapes appropriate for placement into the voids without the need for significant reshaping or working.

**502.03 Installation**

The Contractor shall fill voids in the existing granite abutments and wingwalls with stone and mortar as directed by the Resident. The intent is for voids greater than three inches in height or width to be identified for repair.

The abutments shall be cleaned prior to setting any stone or mortar to remove any dirt, loose stones or other debris that would inhibit the proper adhesion of the mortar. Cleaning shall be completed through the use of compressed air and hand tools to ensure a clean bonding surface is achieved. Small to medium sized loose stones shall be removed; rocks firmly in place shall remain. Large stones that are identified as being loose shall be thoroughly grouted into place. The Contractor shall use great care to avoid undermining or otherwise destabilizing the existing substructure.

A dry mixture of mortar shall be prepared and a number stones of varying size and shape shall be readily available to the installer. Prior to beginning any repair, the existing granite to receive the repair, as well as any stones to be incorporated into the repair, shall be thoroughly wetted with water. Using a trowel, mortar shall be placed into the void and thoroughly tamped into place to fill the rear of the cavity and to serve as a bedding material for the new stone. Alternating layers of stone and mortar shall then be installed and tamped firmly into place. Tamping shall be completed with a wooden mallet or similar tool to ensure the stones are properly set and that the void is adequately filled. If necessary, stones shall be coated with mortar prior to installation to prevent the formation of air pockets. Mortar and stone shall be added as needed to completely fill the void.

Wherever possible the thickness of the mortar layer between adjacent stones shall be limited to a maximum of two inches. As few stones as practicable shall be used to complete the repair, the minimum stone size shall be 1 ½". Once a void has been filled, the surface of the repair shall be given a neat, workmanlike finish.

525.09 Method of Measurement

Granite Wall Repairs will be measured by the Lump Sum.

502.05 Basis of Payment

All work done under the item "Granite Wall Repairs" shall be paid at the corresponding contract lump sum price. This payment shall be full compensation for furnishing all equipment, materials and labor to complete the work as described above and as directed by the Resident.

| <u>Pay Item</u>                     | <u>Unit</u> |
|-------------------------------------|-------------|
| 525.61 Existing Granite Wall Repair | Lump Sum    |



SPECIAL PROVISION  
SECTION 526  
CONCRETE BARRIER  
(Temporary Concrete Barrier)

Materials

Temporary concrete barriers must be connected in accordance with Standard Detail 526(02) except as indicated below:

The top of the rod may be hooked over the top connector instead of using the hex nut and washer.

SPECIAL PROVISION  
SECTION 527  
ENERGY ABSORBING UNIT  
(ET-PLUS System)

Description. This work consists of furnishing and installing a ET-PLUS crash cushion as a permanent energy absorbing system in accordance with these specifications at location(s) shown on the plans or established by the Resident.

Materials. The energy absorbing system shall be the NCHRP 350 Test Level 3 ET-PLUS System as manufactured by Trinity Highway Products as approved and crash tested by the Federal Highway Administration.

Installation. A set of installation drawings will be provided to the Resident for the system installed. The system shall be installed in accordance with the manufacturer's recommendations and the installation drawings.

Method of Measurement. Energy absorbing system will be measured by each unit, complete in place and accepted.

Basis of Payment. The accepted quantity of energy absorbing system will be paid for at the contract unit price which shall include full compensation for all labor, materials, equipment and all incidentals necessary.

Payment will be made under:

| <u>Pay Item</u>                           | <u>Pay Unit</u> |
|-------------------------------------------|-----------------|
| 527.303 Energy Absorbing System (ET-PLUS) | Each            |

SPECIAL PROVISION  
SECTION 535  
PRECAST, PRESTRESSED CONCRETE SUPERSTRUCTURE  
(Prestressed Structural Concrete I-Girders)

535.13 Concrete

Table 1 is hereby revised:

A calcium nitrite solution shall be added at the rate of 5.5 gallons per cubic yard.

535.211 Structural Steel

Diaphragms and utility supports shall be fabricated and erected in accordance with Section 504 – Structural Steel.

535.28 Method of Measurement

This Subsection is deleted and replaced with the following:

Prestressed structural concrete girders, utility supports, structural steel diaphragms and related items will be measured as one lump sum.

535.29 Basis of Payment

The following sentences are added:

Payment for all hardware embedded in the precast beams, including anchorages and embedded plates, shall be included in the contract lump sum price. Payment for fabrication and installation of structural steel diaphragms shabby included in the contract lump sum price.

Pay Item

Unit

|        |                                           |          |
|--------|-------------------------------------------|----------|
| 535.61 | Prestressed Structural Concrete I-Girders | Lump Sum |
|--------|-------------------------------------------|----------|

**SPECIAL PROVISION  
SECTION 603  
PIPE CULVERTS AND STORM DRAINS**

This Section is amended by addition of the following:

**Basis of Payment.**

Payment will be made under:

| Pay Item |                                         | Pay Unit    |
|----------|-----------------------------------------|-------------|
| 603.175  | 18" Reinforced Concrete Pipe, Class III | Linear Foot |

SPECIAL PROVISION  
SECTION 606  
GUARDRAIL

606.01 Description This work shall consist of furnishing and installing guardrail components in accordance with these specifications and in reasonably close conformity with the lines and grades shown on the plans or as established. The types of guardrail are designated as follows:

Type 3-Galvanized steel "w" beam, wood posts or galvanized steel posts.

Type 3a-Galvanized steel "w" beam, wood posts, wood or composite offset blocks.

Type 3aa-Corrosion resistant steel "w" beam, wood posts, wood or composite offset blocks.

Type 3b-Galvanized steel "w" beam, galvanized steel posts, galvanized steel offset blocks.

Type 3c-Galvanized steel "w" beam, wood posts or galvanized steel posts, wood or composite offset blocks.

Type 3d-Galvanized steel "w" beam, galvanized steel posts, wood or composite offset blocks.

Thrie Beam-Galvanized steel thrie beam, wood posts or galvanized steel posts, wood or composite offset blocks.

Median barriers shall consist of two beams of the above types, mounted on single posts. Except for thrie beam, median barriers may include rub rails when called for.

Bridge mounted guardrail shall consist of furnishing all labor, materials, and equipment necessary to install guardrail as shown on the plans. This work shall also include drilling for and installation of offset blocks if specified, and incidental hardware necessary for satisfactory completion of the work.

Remove and Reset and Remove, Modify, and Reset guardrail shall consist of removing the existing designated guardrail and resetting in a new location as shown on the plans or directed by the Resident. Remove, Modify, and Reset guardrail and Modify guardrail include the following guardrail modifications: Removing plate washers at all posts, except at anchorage assemblies as noted on the Standard Details, Adding offset blocks, and other modifications as listed in the Construction Notes or General Notes. Modifications shall conform to the guardrail Standard Details.

Bridge Connection shall consist of the installation and attachment of beam guardrail to the existing bridge. This work shall consist of constructing a concrete end post or modifying an existing endpost as required, furnishing, and installing a terminal connector, necessary hardware, and incidentals required to complete the work as shown on the plans. Bridge Transition shall consist of a bridge connection and furnishing and installing guardrail components as shown in the Standard Details.

606.02 Materials Materials shall meet the requirements specified in the following Sections of Division 700 - Materials:

|                     |        |
|---------------------|--------|
| Timber Preservative | 708.05 |
| Metal Beam Rail     | 710.04 |
| Guardrail Posts     | 710.07 |
| Guardrail Hardware  | 710.08 |

Guardrail components shall meet the applicable standards of "A Guide to Standardized Highway Barrier Hardware" prepared and approved by the AASHTO-AGC-ARTBA Joint Cooperative Committee, Task Force 13 Report.

Posts for underdrain delineators shall be "U" channel steel, 2.44m [8 ft] long, 3.72 kg/m [2 ½ lb/ft] minimum and have 9.5 mm [3/8 in] round holes, 25 mm [1 in] center to center for a minimum distance of 610 mm [2 ft] from the top of the post.

Reflectorized Flexible Guardrail Markers shall be mounted on all guardrails. A marker shall be mounted onto guardrail posts at the flared end treatment's terminal and its tangent point, both at the leading and trailing ends of each run of guardrail. The marker's flexible posts shall be grey with either silver-white or yellow reflectors (to match the edge line striping) at the tangents, red at leading ends, and green at trailing ends. Whenever the end treatment is not flared, markers will only be required at the end treatment's terminal. These shall be red or green as appropriate. Markers shall be installed on the protected side of guardrail posts unless otherwise approved by the Resident. Reflectorized flexible guardrail markers shall be from the Maine DOT's Approved Product List of Guardrail Material. The marker shall be grey, flexible, durable, and of a non-discoloring material to which 75 mm [3 in] by 225 mm [9 in] reflectors shall be applied, and capable of recovering from repeated impacts. Reflective material shall meet the requirements of Section 719.01 for ASTM D 4956 Type III reflective sheeting. The marker shall be secured to the guardrail post with two fasteners, as shown in the Standard Details.

Reflectorized beam guardrail ("butterfly"-type) delineators shall be mounted on all "w"-beam guardrail. The delineators shall be mounted within the guardrail beam at guardrail posts. Delineators shall be fabricated from high-impact, ultraviolet & weather resistant thermoplastic. Reflectorized beam guardrail delineators shall be placed at approximately 20 m [62.5 ft] intervals or every tenth post on tangents and at approximately 10 m [31.25 ft] intervals or every fifth post on curves. Exact locations of the delineators shall be as directed by the Resident. On divided highways, the left hand delineators shall be yellow and the right hand delineators shall be silver/white. On two directional highways, the right hand side shall be silver/white and no reflectorized delineator used on the left. All reflectors shall have reflective sheeting applied to only one side of the delineator facing the direction of traffic as shown in the Standard Detail 606(07). Reflectorized sheeting for guardrail delineators shall meet the requirements of Section 719.01.

Single wood post shall be of cedar, white oak, or tamarack, well seasoned, straight, and sound and have been cut from live trees. The outer and inner bark shall be removed and all knots trimmed flush with the surface of the post. Posts shall be uniform taper and free of kinks and bends.

Single steel post shall conform to the requirements of Section 710.07 b.

Single steel pipe post shall be galvanized, seamless steel pipe conforming to the requirements of ASTM A120, Schedule No. 40, Standard Weight.

Acceptable multiple mailbox assemblies shall be listed on the Department's Approved Products List and shall be NCHRP 350 tested and approved.

The Guardrail 350 Flared Terminal shall be a terminal with a 1.2 m [4 ft] offset as shown in the Manufacturer's installation instructions.

Existing materials damaged or lost during adjusting, removing and resetting, or removing, modifying, and resetting, shall be replaced by the Contractor without additional compensation. Existing guardrail posts and guardrail beams found to be unfit for reuse shall be replaced when directed by the Resident.

606.03 Posts Posts for guardrail shall be set plumb in holes or they may be driven if suitable driving equipment is used to prevent battering and distorting the post. When posts are driven through pavement, the damaged area around the post shall be repaired with approved bituminous patching. Damage to lighting and signal conduit and conductors shall be repaired by the Contractor.

When set in holes, posts shall be on a stable foundation and the space around the posts, backfilled in layers with suitable material, thoroughly tamped.

The reflectorized flexible guardrail markers shall be set plumb with the reflective surface facing the oncoming traffic. Markers shall be installed on the protected side of guardrail posts. Markers, which become bent or otherwise damaged, shall be removed and replaced with new markers.

Single wood posts shall be set plumb in holes and backfilled in layers with suitable material, thoroughly tamped. The Resident will designate the elevation and shape of the top. The posts, that are not pressure treated, shall be painted two coats of good quality oil base exterior house paint.

Single steel posts shall be set plumb in holes as specified for single wood posts or they may be driven if suitable driving equipment is used to prevent battering and distorting the post.

Additional bolt holes required in existing posts shall be drilled or punched, but the size of the holes shall not exceed the dimensions given in the Standard Details. Metal around the holes shall be thoroughly cleaned and painted with two coats of approved aluminum rust resistant paint. Holes shall not be burned.

606.04 Rails Brackets and fittings shall be placed and fastened as shown on the plans. Rail beams shall be erected and aligned to provide a smooth, continuous barrier. Beams shall be lapped with the exposed end away from approaching traffic.

End assemblies shall be installed as shown on the plans and shall be securely attached to the rail section and end post.

All bolts shall be of sufficient length to extend beyond the nuts but not more than 13 mm [ $\frac{1}{2}$  in]. Nuts shall be drawn tight.

Additional bolt holes required in existing beams shall be drilled or punched, but the size of the holes shall not exceed the dimensions given in the Standard Details. Metal around the holes shall be thoroughly cleaned and painted with two coats of approved aluminum rust resistant paint. Holes shall not be burned.

606.045 Offset Blocks The same offset block material is to be provided for the entire project unless otherwise specified.

606.05 Shoulder Widening At designated locations the existing shoulder of the roadway shall be widened as shown on the plans. All grading, paving, seeding, and other necessary work shall be in accordance with the Specifications for the type work being done.

606.06 Mail Box Post Single wood post shall be installed at the designated location for the support of the mailbox. The multiple mailbox assemblies shall be installed at the designated location in accordance with the Standard Details and as recommended by the Manufacturer. Attachment of the mailbox to the post will be the responsibility of the home or business owner.

606.07 Abraded Surfaces All galvanized surfaces of new guardrail and posts, which have been abraded so that the base metal is exposed, and the threaded portions of all fittings and fasteners and cut ends of bolts shall be cleaned and painted with two coats of approved rust resistant paint.

606.08 Method of Measurement Guardrail will be measured by the meter [linear foot] from center to center of end posts along the gradient of the rail except where end connections are made to masonry or steel structures, in which case measurement will be as shown on the plans.

Terminal section, low volume end, NCHRP 350 end treatments, reflectorized flexible guardrail marker, terminal end, bridge transition, bridge connection, multiple mailbox post, and single post will be measured by each unit of the kind specified and installed.

Widened shoulder will be measured as a unit of grading within the limits shown on the plans.

Excavation in solid rock for placement of posts will be measured by the cubic meter [cubic yard] determined from the actual depth of the hole and a hypothetical circle diameter of 600 mm [2 ft].

606.09 Basis of Payment The accepted quantities of guardrail will be paid for at the contract unit price per meter [linear foot] for the type specified, complete in place. Reflectorized beam guardrail ("butterfly"-type) delineators will not be paid for directly, but will be considered incidental to guardrail items. Terminal section, buffer end, NCHRP 350 end treatment, bridge connection, single post and reflectorized flexible guardrail markers will be paid for at the contract unit price each for the kind specified complete in place.

NCHRP 350 end treatments and low volume guardrail ends will be paid for at the contract price each, complete in place which price shall be full payment for furnishing and installing all components including the terminal section, posts, offset blocks, "w" beam, cable foundation posts, plates and for all incidentals necessary to complete the installation within the limits as shown on the Standard Details or the Manufacturer's installation instructions. Each end treatment will be clearly marked with the manufacturers name and model number to facilitate any future needed repair. Such payment shall also be full compensation for furnishing all material, excavating, backfilling holes, assembling, and all incidentals necessary to complete the work, except that for excavation for posts or anchorages in solid ledge rock, payment will be made under Pay Item 206.07. Type III Retroreflective Adhesive Sheeting



shall be applied to the approach buffer end sections and sized to substantially cover the end section. On all roadways, the ends shall be marked with alternating black and retroreflective yellow stripes. The stripes shall be 75 mm [3 in] wide and sloped down at an angle of 45 degrees toward the side on which traffic is to pass the end section. Guardrail 350 flared terminal shall also include a set of installation drawings supplied to the Resident.

Anchorage to bridge end posts will be part of the bridge work. Connections thereto will be considered included in the unit bid price for guardrail.

Guardrail to be placed on a radius of curvature of 45 m [150 ft] or less will be paid for under the designated radius pay item for the type guardrail being placed.

Widened shoulder will be paid for at the contract unit price each complete in place and will be full compensation for furnishing and placing, grading and compaction of aggregate subbase and any required fill material.

Adjust guardrail will be paid for at the contract unit price per meter and will be full compensation for adjusting to grade. Payment shall also include adjusting terminal end treatments where required.

Modify guardrail will be paid for at the contract unit price per meter and will be full compensation for furnishing and installing offset blocks, additional posts, and other specified modifications; removing, modifying, installing, and adjusting to grade existing posts and beams; removing plate washers and backup plates, and all incidentals necessary to complete the work. Payment shall also include removing and resetting terminal ends where required.

Remove and Reset guardrail will be paid for at the contract unit price per meter and will be full compensation for removing, transporting, storing, reassembling all parts, necessary cutting, furnishing new parts when necessary, reinstalling at the new location, and all other incidentals necessary to complete the work. Payment shall also include removing and resetting terminal ends when required. No payment will be made for guardrail removed, but not reset and all costs for such removal shall be considered incidental to the various contract pay items.

Remove, Modify, and Reset guardrail will be paid for at the contract unit price per meter and will be full compensation for the requirements listed in Modify guardrail and Remove and Reset guardrail.

Bridge Connections will be paid for at the contract unit price each. Payment shall include, attaching the connection to the endpost including furnishing and placing concrete and reinforcing steel necessary to construct new endposts if required, furnishing and installing the terminal connector, and all miscellaneous hardware, labor, equipment, and incidentals necessary to complete the work.

Bridge Transitions will be paid for at the contract unit price each. Payment shall include furnishing and installing the thrie beam or "w"-beam terminal connector, doubled beam section, and transition section, where called for, posts, hardware, precast concrete transition curb, and any other necessary materials and labor, including the bridge connection as stated in the previous paragraph.

Payment will be made under:

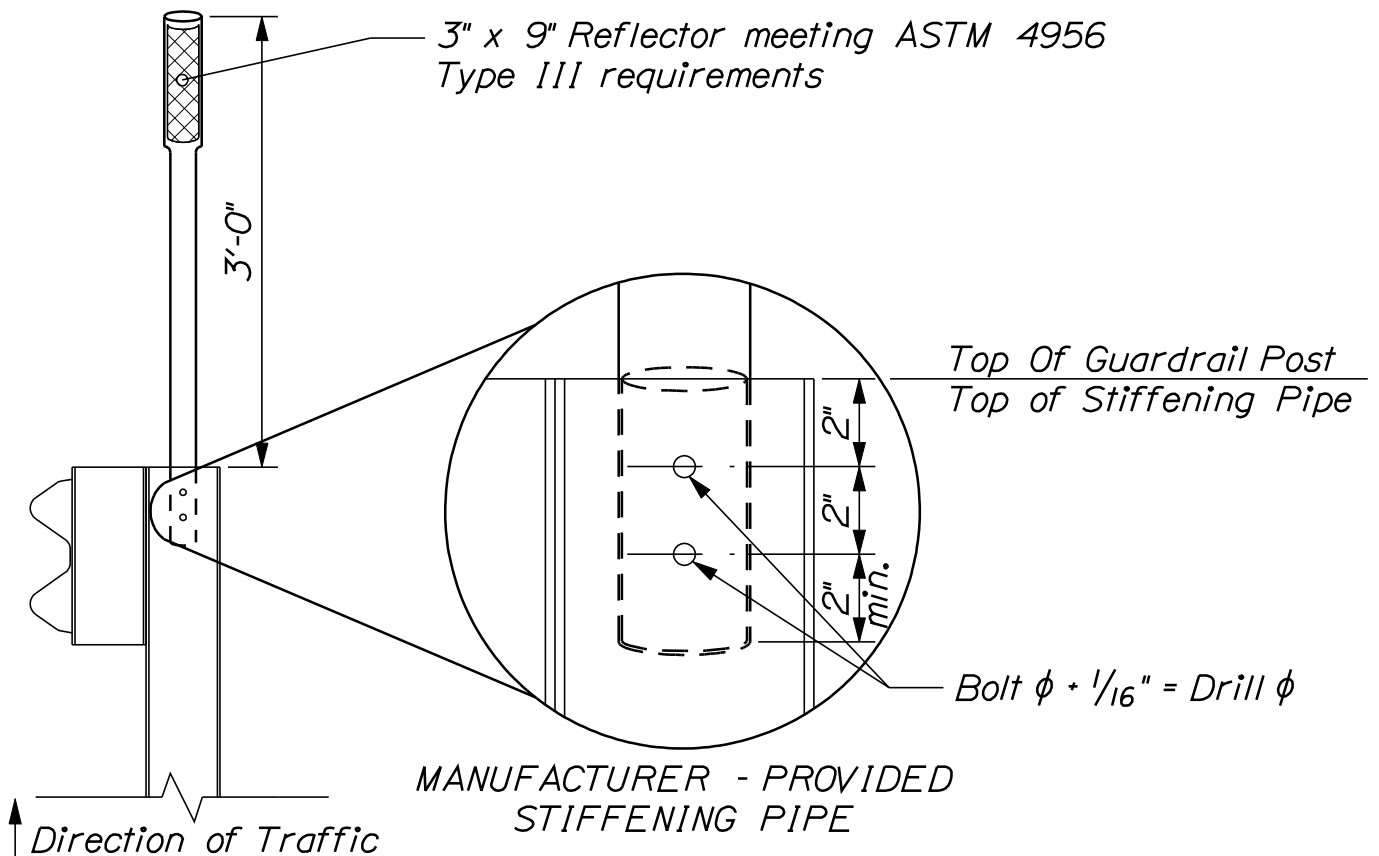
|          | <u>Pay Item</u>                                          | <u>Pay Unit</u>     |
|----------|----------------------------------------------------------|---------------------|
| 606.15   | Guardrail Type 3a-Single Rail                            | meter [Linear Foot] |
| 606.151  | Guardrail Type 3aa-Single Rail                           | meter [Linear Foot] |
| 606.17   | Guardrail Type 3b-Single Rail                            | meter [Linear Foot] |
| 606.1721 | Bridge Transition - Type I                               | Each                |
| 606.1722 | Bridge Transition - Type II                              | Each                |
| 606.1731 | Bridge Connection - Type I                               | Each                |
| 606.1732 | Bridge Connection - Type II                              | Each                |
| 606.178  | Guardrail Beam                                           | meter [Linear foot] |
| 606.18   | Guardrail Type 3b - Double Rail                          | meter [Linear foot] |
| 606.19   | Guardrail Type 3a - 4.5 m [15 ft] radius and less        | meter [Linear Foot] |
| 606.191  | Guardrail Type 3aa - 4.5 m [15 ft] radius and less       | meter [Linear Foot] |
| 606.20   | Guardrail Type 3a - over 4.5 m [15 ft] radius            | meter [Linear Foot] |
| 606.201  | Guardrail Type 3aa - over 4.5 m [15 ft] radius           | meter [Linear Foot] |
| 606.21   | Guardrail Type 3b - 4.5 m [15 ft] radius and less        | meter [Linear Foot] |
| 606.22   | Guardrail Type 3b - over 4.5 m [15 ft] radius            | meter [Linear Foot] |
| 606.23   | Guardrail Type 3c - Single Rail                          | meter [Linear Foot] |
| 606.2301 | Guardrail Type 3c - Double Rail                          | meter [Linear Foot] |
| 606.231  | Guardrail Type 3c - 4.5 m [15 ft] radius and less        | meter [Linear Foot] |
| 606.232  | Guardrail Type 3c - over 4.5 m [15 ft] radius            | meter [Linear Foot] |
| 606.24   | Guardrail Type 3d - Single Rail                          | meter [Linear Foot] |
| 606.2401 | Guardrail Type 3d - Double Rail                          | meter [Linear Foot] |
| 606.241  | Guardrail Type 3d - 4.5 m [15 ft] radius and less        | meter [Linear Foot] |
| 606.242  | Guardrail Type 3d - over 4.5 m [15 feet] radius          | meter [Linear Foot] |
| 606.25   | Terminal Connector                                       | Each                |
| 606.257  | Terminal Connector - Thrie Beam                          | Each                |
| 606.265  | Terminal End-Single Rail - Galvanized Steel              | Each                |
| 606.266  | Terminal End-Single Rail - Corrosion Resistant Steel     | Each                |
| 606.275  | Terminal End-Double Rail - Galvanized Steel              | Each                |
| 606.276  | Terminal End-Double Rail - Corrosion Resistant Steel     | Each                |
| 606.353  | Reflectorized Flexible Guardrail Marker                  | Each                |
| 606.354  | Remove and Reset Reflectorized Flexible Guardrail Marker | Each                |
| 606.356  | Underdrain Delineator Post                               | Each                |
| 606.358  | Guardrail, Modify, Type 3b to 3c                         | meter [Linear Foot] |
| 606.3581 | Guardrail, Modify Existing to Type 3d                    | meter [Linear Foot] |
| 606.362  | Guardrail, Adjust                                        | meter [Linear Foot] |
| 606.365  | Guardrail, Remove, Modify, and Reset, Type 3b to 3c      | meter [Linear Foot] |
| 606.3651 | Guardrail, Remove, Modify, and Reset Existing to Type 3d | meter [Linear Foot] |
| 606.366  | Guardrail, Removed and Reset, Type 3c                    | meter [Linear Foot] |
| 606.367  | Replace Unusable Existing Guardrail Posts                | Each                |
| 606.47   | Single Wood Post                                         | Each                |
| 606.48   | Single Galvanized Steel Post                             | Each                |
| 606.50   | Single Steel Pipe Post                                   | Each                |

|         |                                                      |                     |
|---------|------------------------------------------------------|---------------------|
| 606.51  | Multiple Mailbox Support                             | Each                |
| 606.55  | Guardrail Type 3 - Single Rail                       | meter [Linear Foot] |
| 606.551 | Guardrail Type 3 - Single Rail with Rub Rail         | meter [Linear Foot] |
| 606.56  | Guardrail Type 3 - Double Rail                       | meter [Linear Foot] |
| 606.561 | Guardrail Type 3 - Double Rail with Rub Rail         | meter [Linear Foot] |
| 606.568 | Guardrail, Modify Type 3c -Double Rail               | meter [Linear Foot] |
| 606.59  | Guardrail Type 3 - 4.5 m [15 ft] radius and less     | meter [Linear Foot] |
| 606.60  | Guardrail Type 3 - over 4.5 m [15 ft] radius         | meter [Linear Foot] |
| 606.63  | Thrie Beam Rail Beam                                 | meter [Linear Foot] |
| 606.64  | Guardrail Thrie Beam - Double Rail                   | meter [Linear Foot] |
| 606.65  | Guardrail Thrie Beam - Single Rail                   | meter [Linear Foot] |
| 606.66  | Terminal End Thrie Beam                              | Each                |
| 606.70  | Transition Section - Thrie Beam                      | Each                |
| 606.71  | Guardrail Thrie Beam - 4.5 m [15 ft] radius and less | meter [Linear Foot] |
| 606.72  | Guardrail Thrie Beam - over 4.5 m [15 ft] radius     | meter [Linear Foot] |
| 606.73  | Guardrail Thrie Beam - Single Rail Bridge Mounted    | meter [Linear Foot] |
| 606.74  | Guardrail Type 3 - Single Rail Bridge Mounted        | meter [Linear Foot] |
| 606.753 | Widen Shoulder for Low Volume Guardrail End - Type 3 | Each                |
| 606.754 | Widen Shoulder for Guardrail 350 Flared Terminal     | Each                |
| 606.78  | Low Volume Guardrail End - Type 3                    | Each                |
| 606.79  | Guardrail 350 Flared Terminal                        | Each                |

1. *Reflectorized Flexible Guardrail Markers shall be from Maine DOT's Approved Product List of Guardrail Material.*

2. *Installation:*

- a. *Each bolt-hole diameter shall be the bolt diameter +  $\frac{1}{16}$ ".*
- b. *Wood post attachment - attach marker with 2,  $\frac{5}{16}$ " diameter zinc-coated lag bolts, having 2" of embedment into wood post.*
- c. *Steel post attachment - attach marker with 2,  $\frac{1}{4}$ " diameter zinc-coated bolt, washer and nut assemblies, having  $\frac{1}{2}$ " of bolt extension behind steel post.*
- d. *When provided by the marker manufacturer, a stiffening pipe shall be inserted into the base of the marker prior to drilling bolt holes and shall remain in-place.*



## REFLECTORIZED FLEXIBLE GUARDRAIL MARKER DETAILS

606(34)

**SPECIAL PROVISION  
SECTION 607  
Screening Fence**

Description. This work shall consist of furnishing, installing and maintaining, adjusting a 4' tall privacy screen located on top of the temporary concrete barrier used on the sidewalk. The privacy screen shall be used on the temporary concrete barrier adjacent to the Lafayette Building for physical separation between pedestrians and the work zone. The gap in the privacy screen at the joints between the temporary concrete barriers shall be kept to a minimum. The privacy screen shall have adequate strength and a solid connection to the temporary concrete barrier.

Method of Measurement. Screening fence shall be measured for payment per linear foot.

Basis of Payment. The accepted quantity of screening fence will be paid for at the contract unit price of linear foot, which payment will be full compensation for furnishing, installing, maintaining, adjusting, and including all labor, equipment, materials and incidentals necessary to complete the work, accepted in place.

Payment will be made under:

Pay Item  
607.421 Screening Fence

Pay Unit  
Linear Feet

SPECIAL PROVISION  
SECTION 608  
DETECTABLE WARNINGS  
(Masonry Pavers)

Description. This work includes the installation of detectable warnings on concrete and/or asphalt curb ramps at the locations shown in the plans and in accordance with the plans or as established by Project Personnel.

Materials:

General. All base courses and joints shall conform to the applicable subsections of Division 700 of the Standard Specifications.

The Contractor shall provide new, vacuum dry-pressed, bevel-edged and kiln-fired, solid (uncored), hard-burned, frost-free, masonry pavers complying with the requirements of ASTM C902, Class SX, Application PS, with the following modifications:

- (a) The maximum absorption limit shall be 8 percent for the average of five bricks.
- (b) The minimum compressive, strength shall not be less than 8,000 pounds per square inch.
- (c) The modulus of rupture shall not be less than 1,000 pounds per square inch.
- (d) The bricks shall be No. 'I, water struck type for paving.

A. Samples and Submittals:

1. The following list is provided for information only, and does not limit the Contractor to the use of only these suppliers. However, the Contractor shall submit a sample of the product, the name of the selected supplier, and color samples to the Project Personnel for approval prior to start of work.

| <u>Vendor Name</u>                     | <u>Product</u> | <u>Phone Numbers</u> |
|----------------------------------------|----------------|----------------------|
| Whitacre-Greer<br>c/o Brooks Brick Co. | Masonry Pavers | (207) 989-3318       |
| Endicott Clay Products                 | Masonry Pavers | (402) 729-3315       |

- B. Masonry pavers and sand bedding shall conform to the following material requirements:
1. Detectable warnings on curb ramps shall be truncated domes of the dimensions shown in the plans. Domes shall be prefabricated by the manufacturer as a pattern on masonry pavers.
  2. Pavers shall meet all Americans with Disabilities Act Accessibility Guidelines (ADAAG) requirements for truncated domes, and when installed, shall be capable of producing the pattern of domes as shown in the plans. Pavers shall meet the requirements of ASTM C 902 or ASTM C 936.
  3. The domes and the underlying surface shall have a minimum of 70% contrast with the light reflectivity of the adjoining surface as specified under the Americans with Disabilities Act Accessibility Guidelines (ADAAG) requirements for truncated domes.
  4. The contrast shall be achieved by adding pigment during the fabrication of the pavers. Prior to start of work, the Contractor shall submit appropriate documentation from the manufacturer verifying that the contrast has been met, along with a sample paver, to the Project Personnel for approval.
  5. Bedding and joint sand shall be free of deleterious or foreign matter. The sand shall be natural or manufactured from crushed rock. Limestone screenings or stone dust shall not be used. Sand for bedding material shall conform to ASTM C 33. Sand that is to be placed between joints shall conform to ASTM C 144.

## CONSTRUCTION REQUIREMENTS

General Pre-fabricated masonry pavers for detectable warnings shall be brought to the site in steel banded, plastic banded or plastic wrapped cubes capable of being transported by a fork lift or clamp lift. Pavers shall be carefully removed and stacked in a manner that results in the least amount of damage. All pavers that are damaged during transport or delivery will be rejected and shall be replaced at the Contractor's expense. Minor cracks or chipping due to transport and handling that do not interfere with the structural integrity of the pavers or the overall pattern of truncated domes will not be deemed as grounds for rejection.

### Placing

A. Sand Setting Bed:

1. The Contractor shall spread the bedding sand evenly in the defined area and shall screed the sand to a depth of ¾" to 1 ½" over a compacted gravel base.

**B Paver Installation:**

1. Pavers shall be placed in a running bond pattern. Domes shall be aligned to create a square grid in the predominant direction of travel as shown in the plans. Pavers shall be installed such that the base of the truncated dome is at the same elevation as the adjoining surface, allowing for a smooth transition between the curb ramp and the detectable warning.

2. When cut pavers are required to fill gaps between the pavers and the edge of concrete, the Contractor shall bevel portions of the truncated domes at a 45-degree angle to create a smooth transition between the partial dome and the curb ramp surface. Unless otherwise directed by the Resident, pavers shall be cut and installed in such a manner that the domes on the cut sections will not significantly impact the overall pattern of the truncated domes.

**D. Compaction**

1. The Contractors shall use a plate vibrator to embed the pavers into the sand. The size and type of plate vibrator shall be in accordance with manufacturer's recommendations, or as directed by the Resident. All pavers that are damaged during embedment shall be replaced at the Contractor's expense.

2. Joint spacing between paver units shall be in accordance with the manufacturer's recommendations, or as approved by the Resident. Joints shall be filled completely with joint sand. Excess sand shall be removed by sweeping.

**Method of Measurement**

Detectable warnings on new curb ramps, including sand, pavers, and all other work and materials necessary for fabrication, transport, and installation will not be measured and paid for separately, but shall be included in the work.

Truncated domes that are installed on existing curb ramps will be measured by the actual number of square feet that are installed and accepted.

**Basis of Payment**

Payment will be full compensation for all labor, materials, and equipment required to install the - truncated domes including surface preparation and removal / replacement of concrete or asphalt.

**Pay Item**

608.253      Masonry Paver with Truncated Domes

**Pay Unit**

Square Foot



SPECIAL PROVISIONS  
SECTION 621  
LANDSCAPE  
(Plant Species Specification and Quantities List)

The following list of items provides the estimated quantities for use on this project. The scientific name of the plant material is provided along with the common name in parenthesis.

The contractor shall follow MDOT Standard Specifications (Dec 2002) for landscape materials and installation procedures (sec. 621).

In accordance with Section 104.5.9, a separate Performance Bond will not be required for the Landscape portion of this contract. A Maintenance Bond for a Two-Year Establishment period in the full value of the planting shall be included in this project.

The MDOT Landscape Architect or his designee will be available to inspect plant materials and stake the location of plant materials at the time of planting.

| ITEM NO | Description                                                  | Unit | Quantity | Total |
|---------|--------------------------------------------------------------|------|----------|-------|
| 621.043 | Evergreen Tree 6'-8' B&B Group A                             |      |          | 12    |
|         | Thuja occidentalis 'Nigra' (Arborvitae)                      |      | 12       |       |
| 621.053 | Evergreen Tree 10'-12' B&B Group B                           |      |          | 1     |
|         | Abies balsamea (Balsam Fir)                                  |      | 1        |       |
| 621.101 | Starter groundcover plugs 2 1/4" peat pots/<br>plugs Group B |      |          | 600   |
|         | Vinca minor (Periwinkle)                                     |      | 600      |       |
| 621.121 | Small Deciduous Trees 5' – 6' Multistem<br>Group B B&B       |      |          | 3     |
|         | Cercis canadensis alba (Shadblow)                            |      | 3        |       |
| 621.273 | Medium Deciduous Trees 2" – 2 1/2" cal<br>B&B Group B        |      |          | 8     |
|         | Acer saccharum 'Legacy' ('Legacy' Sugar<br>Maple)            |      | 2        |       |
|         | Malus 'Snowdrift' ('Snowdrift' Crabapple)                    |      | 6        |       |
| 621.281 | Medium Deciduous Trees – 2 1/2" – 3" cal<br>B&B Group C      |      |          | 6     |
|         | Zelkova 'Green Vase'<br>'(Green Vase' Japanese Zelkova)      |      | 6        |       |
| 621.409 | Dwarf Evergreens 30"-36" Group C                             |      |          | 18    |
|         | Taxus baccata repandens (Weeping Yew)                        |      | 18       |       |
| 621.499 | Broadleaf Evergreens 30"-36"                                 |      |          | 24    |
|         | Rhododendron 'PJM' ('Aglo' Light Pink<br>'PJM' Rhododendron) |      | 24       |       |
| 621.540 | Deciduous Flowering Shrub 18" – 24"<br>Group C Cont.         |      |          | 12    |

|         |                                                                           |    |    |     |
|---------|---------------------------------------------------------------------------|----|----|-----|
|         | Buddleia 'Empire Blue' ('Empire Blue' Butterfly Bush)                     |    | 12 |     |
| 621.541 | Deciduous Flowering Shrub 18" – 24" Group C Cont.                         |    |    | 42  |
|         | Philadelphus coronarius 'Snowflake' ('Snowflake' Dwarf Sweet Mock Orange) |    | 6  |     |
|         | Rosa x. hybrida 'Therese Bugnet' ('Therese Bugnet' Beach Rose)            |    | 36 |     |
| 621.546 | Deciduous Flowering Shrub 2" – 3" Group A Cont.                           |    |    | 12  |
|         | Forsythia suspensa 'Meadowlark' ('Meadowlark Forsythia)                   |    | 12 |     |
| 621.553 | Deciduous Flowering Shrub Group 3' – 4' Shrub Form Cont.                  |    |    | 9   |
|         | Hydrangea paniculata grandiflora (Pee-gee Snowball Bush) Shrub Form cont. |    | 6  |     |
|         | Hydrangea anomala petiolaris (Climbing Hydrangea)                         |    | 3  |     |
| 621.710 | Herbaceous Perennials Group A 1 gal cont.                                 |    |    | 124 |
|         | Hemerocallis c. 'Hall's Pink'                                             |    | 20 |     |
|         | Hemerocallis c. 'Barbara Mitchell'                                        |    | 20 |     |
|         | Hemerocallis c. 'Bama Music'                                              |    | 20 |     |
|         | Hemerocallis c. 'Beautiful Dreamer'                                       |    | 20 |     |
|         | Hemerocallis c. 'Megan's Love'                                            |    | 20 |     |
|         | Perovskia atriplicifolia (Russian Sage)                                   |    | 12 |     |
|         | Nepeta faassenii (Walkers Catmint)                                        |    | 12 |     |
| 621.80  | Establishment Period                                                      | LS |    | 1   |
|         | Establishment Period                                                      |    | 1  |     |

**SPECIAL PROVISION  
SECTION 626  
CONDUIT  
(Bridge Mounted Conduit)**

**626.01 Description**

The following sentence is added:

This work shall consist of furnishing and installing rigid metallic conduit, pull boxes, and flexible conduit along the north fascia of the Kennebunk bridge structure in accordance with these Specifications and in reasonably close conformity with the Plans.

**626.021 Materials**

The following paragraphs are added:

Conduit clamps for fastening the rigid metal conduit to the bridge fascia shall be hot dipped galvanized.

Anchor studs shall be hot dip galvanized and shall be either epoxy grouted or mechanically anchored. Mechanical anchors shall be “Set-Bolt” by Powers Fasteners, or an approved equal.

Flexible conduit and flexible conduit fittings shall be “Carflex Liquidtight Flexible Conduit” by Carlon Electrical Products, or an approved equal.

All junction boxes shall be outside flanged and listed by Underwriters Laboratories, Inc. as rain tight and water tight with neoprene gaskets or an approved equivalent. All cover screws for the junction box shall be stainless steel. The inside dimensions and wall thickness of the box shall meet the specifications of the National Electric Code, latest edition, or the dimensions shown on the Plans, whichever are greater. Junction boxes shall allow penetration through the back of the box. All openings not used in the final installation shall be sealed to provide a watertight condition.

**626.022 Equipment List and Drawings**

The following paragraph is added:

The Contractor shall submit his proposed junction box and expansion loop materials and installation details to the Resident for approval. This submittal shall include a summary of the proposed materials, product cut sheets, details and dimensions of the proposed installation, and all other information deemed relevant to the installation of the bridge conduit.

626.04 Method of Measurement

This Subsection is deleted and replaced with the following:

Bridge Mounted Conduit (metallic conduit 2") shall be measured by the linear foot.

626.05 Basis of Payment

This Subsection is deleted and replaced with the following:

Bridge Mounted Conduit (metallic conduit 2") satisfactorily installed will be paid for at the Contract linear foot price. Payment shall be full compensation for the bridge conduit, junction boxes, flexible conduit, anchorages, conduit straps, and all labor, equipment, materials, and incidentals required to complete the work.

Payment will be made under:

Pay Item

Pay Unit

626.21          Metallic Conduit (2")

Linear Foot

**SPECIAL PROVISION  
SECTION 627  
PAVEMENT MARKINGS**

The last paragraph of Subsection 627.10, Basis of Payment is revised by the addition of the following:

**Pay Item**

**Pay Unit**

627.733 4" White or Yellow Painted Pavement Marking Line

LF

SPECIAL PROVISION  
SECTION 634  
HIGHWAY LIGHTING  
Bridge and Highway Lighting, Including Wire

Description. This work consists of installing Bridge and Highway lighting as shown on the plans and in conformance with the specifications.

Materials. The lighting pole and fixtures shall be supplied by the Town of Kennebunk. All other materials or equipment used shall be supplied by the contractor and shall conform to Standard Provision Section 634 – Highway Lighting.

Method of Measurement. Bridge and Highway Lighting, Including Wire shall be measured by the lump sum.

Basis of Payment. The accepted quantity of Bridge and Highway Lighting, Including Wire will be paid for at the contract unit price, which shall include full compensation for all labor, materials, equipment and all incidentals necessary to complete the work.

Payment will be made under:

| <u>Pay Item</u>                                     | <u>Pay Unit</u> |
|-----------------------------------------------------|-----------------|
| 634.161 Bridge and Highway Lighting, Including Wire | LS              |

SPECIAL PROVISION  
SECTION 643  
TEMPORARY TRAFFIC SIGNAL  
Intersection of Main St/Route 1 and Water St/Storer S

Description. This work consists of modifying the existing traffic signal and timing of a traffic signal as shown and/or described on the plans and as required during construction, and resetting the traffic signal to the current existing configuration and timing.

Materials. The existing signal shall be used. Any incidental materials or equipment used shall be supplied by the contractor and shall conform to Standard Provision Section 643 – Traffic Signals.

Timing. The initial timing of the modified configuration shall be supplied to the contractor upon request. Timing changes may be made during construction as determined by the Departments Traffic Engineering Consultant.

Method of Measurement. Temporary Traffic Signal Modification shall be measured by the lump sum.

Basis of Payment. The accepted quantity of Temporary Traffic Signal Modification will be paid for at the contract unit price, which shall include full compensation for all labor, materials, equipment and all incidentals necessary.

Payment will be made under:

| <u>Pay Item</u>                                             | <u>Pay Unit</u> |
|-------------------------------------------------------------|-----------------|
| 643.711 Temporary Traffic Signal Modification: Rt1/Water St | LS              |

SPECIAL PROVISION  
Section 634 and 643  
Highway Lighting and Traffic Signals

Section 634.09 testing of highway lighting, the first sentence shall be amended as follows:

Before acceptance of the work, the contractor shall cause the following tests to be made on all lighting circuits, by a licensed electrician.

The tests do not need to be performed in the presence of the Resident, but the test results shall be recorded on the Highway Lighting Quality Control Check List and submitted to the Resident by the Contractor for acceptance. The form shall be signed by the licensed electrician certifying that the highway lighting meets the requirements of section 634.09.

Subsection 634.14, field testing of Traffic Signals, the first sentence shall be amended as follows:

Before acceptance of the work the contractor shall cause the following tests to be made on all traffic signal equipment and circuits, by a licensed electrician.

The tests do not need to be performed in the presence of the Resident, but the test results shall be recorded on the Traffic Signal Quality Control Check List and submitted to the Resident by the Contractor for acceptance. The form shall be signed by the licensed electrician certifying that the signal equipment and circuits meet the requirements of section 634.14.



# 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  
(YEAR)  
when tested, was functioning as intended.

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

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

**SPECIAL PROVISION**  
**SECTION 642**  
**STEPS**  
**(Granite Steps)**

Description.

This work shall consist of the furnishing and installing a concrete foundation, granite steps, and handrail in accordance with these specifications and in reasonably close conformity with dimensions and designs shown on the plans or as directed by the Resident.

Materials

The concrete foundation shall meet all requirements of class A concrete according to the MaineDOT standard specification section 502.

The reinforcing steel shall meet all requirements of MaineDOT standard specification 503.

The granite shall be dense, sound, durable and resistant to weathering action. The granite for the entire project shall be uniform in color and free from seams, cracks, starts and other structural defects.

Caulking of joints shall be accomplished with a two-component, epoxy-resin system design for the intended use. A quartzite aggregate shall be added in accordance with the manufacturer's recommendations. The material shall be moisture insensitive, of low modulus of elasticity, and of a gel-like non-sag viscosity. Color shall be gray. The materials shall be subject to the approval of the Resident.

Joint mortar shall comply with Section 705.02- Joint Mortar, except it shall contain an additive to insure water-tightness. The additive shall not contain a retarding agent or hydrated lime and shall be approved by the Resident.

The pipe rail post shall be secured to the granite stone using an anchoring material from the Department's Qualified Products list.

General

Granite masonry shall have all stones dressed and cut to exact dimension and laid up in joint mortar with joints 1 inch +/- 1/2 inch in thickness.

A complete setting plan shall be submitted for approval before ordering any stone. The arrangement and the length of the stones shall be as approved by the Resident.

Stones

The finish on exposed surfaced of the stones shall be free from tool marks. Irregular projections shall be limited to a maximum of 3 inch for any one stone measured from the pitch line. Irregular depressions shall be limited to a maximum of 1 inch for any one stone measured from the pitch line.

All stones shall be so finished that no holes or portions of holes shall show on surfaces that will be exposed in the finished work.

Stone heights shall be a minimum of 8 inches. The exposed granite stones shall be one continuous piece across the entire width of the steps.

Holes for the rail post shall be drilled in the stones before they are placed.

All work related to joint mortar and joint caulking shall be accomplished in accordance with Standard Specification Section 525, Granite Masonry.

Method of Measurement Granite steps will be measured by Lump Sum complete in place and accepted.

Basis of Payment The accepted granite steps will be paid for at the contract Lump Sum price, complete accepted in place which price shall be full compensation for furnish all materials (including but not limited to granite, concrete, reinforcement, joint mortar, caulking, rail posts, and rail), equipment, labor and other incidentals necessary to complete the work.

Concrete fill under the granite steps shall be paid for under item 502.56.

Payment will be made under:

| <u>Pay Item</u>       | <u>Pay Unit</u> |
|-----------------------|-----------------|
| 642.183 Granite Steps | Lump Sum        |

SPECIAL PROVISION  
SECTION 652  
 MAINTENANCE OF TRAFFIC  
 (Traffic Control)

Failure by the contractor to follow the Contracts 652 Special Provisions and Standard Specification and/or The Manual on Uniform Traffic Control Devices (MUTCD) and/or The Contractors own Traffic Control Plan will result in a violation letter and result in a reduction in payment as shown in the schedule below. The Departments Resident or any other representative of The Department reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Department shall not be held responsible for any delay in the work due to any suspension under this item. Any reduction in payment under this Special Provision will be in addition to forfeiting payment of maintenance of traffic control devices for that day.

**ORIGINAL CONTRACT AMOUNT**

| from             | Up to and        | Amount of Penalty            |
|------------------|------------------|------------------------------|
| <u>More Than</u> | <u>Including</u> | <u>Damages per Violation</u> |
| \$0              | \$100,000        | \$250                        |
| \$100,000        | \$300,000        | \$500                        |
| \$300,000        | \$500,000        | \$750                        |
| \$500,000        | \$1,000,000      | \$1,500                      |
| \$1,000,000      | \$2,000,000      | \$2,500                      |
| \$2,000,000      | \$4,000,000      | \$5,000                      |
| \$4,000,000      | and more         | \$10,000                     |

SPECIAL PROVISION  
SECTION 652  
MAINTENANCE OF TRAFFIC  
Construction Sign Sheeting Material

Super high intensity fluorescent retroreflective sheeting, ASTM D 4956 - Type VII, Type VIII, or Type IX (prismatic), is required for all construction signs.

**SPECIAL PROVISION**  
**SECTION 656**  
Temporary Soil Erosion and Water Pollution Control

The following is added to Section 656 regarding Project Specific Information and Requirements. All references to the Maine Department of Transportation Best Management Practices for Erosion and Sedimentation Control (a.k.a. Best Management Practices manual or BMP Manual) are a reference to the latest revision of said manual. The latest version is dated "February 2008" and is available at:

<http://www.maine.gov/mdot/environmental-office-homepage/surface-water-resources.php>

**Procedures specified shall be according to the BMP Manual unless stated otherwise.**

**Project Specific Information and Requirements**

The following information and requirements apply specifically to this Project. The temporary soil erosion and water pollution control measures associated with this work shall be addressed in the Soil Erosion and Water Pollution Control Plan (SEWPCP.)

**This project is in the Mousam River watershed and is considered SENSITIVE in accordance with Section IID of the 2008 BMP Manual.**

1. Newly disturbed earth shall be mulched by the end of each workday. Mulch shall be maintained on a daily basis.
2. The SEWPCP shall describe the location and method of temporary erosion and sediment control for existing and proposed catch basins, outlet areas and culvert inlets and outlets.
3. **If water is flowing within the drainage system, the water shall be diverted to a stable area or conduit and work shall be conducted in the dry.** The Contractor's plan shall address when and where the diversions will be necessary.
4. Dust control items other than those under Standard Specification 637, if applicable, shall be included in the plan.
5. Permanent slope stabilization measures shall be applied within one week of the last soil disturbance. Temporary slope stabilization is required on a daily basis.
6. Permanent seeding shall be done in accordance with *Special Provision, Section 618, Seeding* unless the Contract states otherwise.



**SPECIAL PROVISION**

**SECTION 656**

**Temporary Soil Erosion and Water Pollution Control**

7. Culvert inlet and outlet protection shall be installed within 48 hours of culvert installation, or prior to a storm event, whichever is sooner.
8. Temporary winter stabilization must be used between November 1<sup>st</sup> and April 1<sup>st</sup> or outside of that time period if the ground is frozen or snow covered. Temporary winter stabilization involves, at a minimum, covering all disturbed soils and seeded ground that is not Acceptable Work with an approved method. If temporary winter stabilization practices are used then spring procedures for permanent stabilization shall also be described in the SEWPCP. Use of these methods for over-winter temporary erosion control will be incidental to the contract and be paid for as part of Pay Item 656.75.
9. **Demolition debris (including debris from wearing surface removal, saw cut slurry, dust, concrete debris, etc.) shall be contained and shall not be allowed to discharge to any resource.** All demolition debris shall be disposed of in accordance with *Standard Specifications, Section 202.03, Removing Existing Superstructure, Structural Concrete, Railings, Curbs, Sidewalks and Bridges*. Containment and disposal of demolition debris shall be addressed in the Contractor's SEWPCP.
10. If a cofferdam sedimentation basin is used, it shall be located in an upland area where the water can settle and sink into the ground or be released slowly to the resource in a manner that will not cause erosion. The location of such a cofferdam sedimentation basin shall be addressed in the SEWPCP.
11. Prior to release to a natural resource, any impounded water that has been in contact with concrete placed during construction must have a pH between 7.0 and 8.5, must be within one pH unit of the background pH level of the resource and shall have a turbidity no greater than the receiving resource. This requirement is applicable to concrete that is placed or spilled (including leakage from forms) as well as indirect contact via tools or equipment. Water not meeting release criteria shall be addressed in the SEWPCP. Discharging impounded water to the stream must take place in a manner that does not disturb the stream bottom or cause erosion.
12. The Contractor shall be responsible for monitoring pH with a calibrated meter accurate to 0.1 units. A record of pH measurements shall be kept in the Environmental Coordinator's log (Section 656.4.4.)

**Kennebunk**  
**Kennebunk Bridge over the Mousam River**  
**Project: BH-1509(800)X**  
**PIN: 15098.00**

Special Provision  
Item No. 806.671  
Fiberglass Conduit System 4 inch diameter linear feet (L.F.)

See sheet 1 of 3 of American U-Tel location plan telephone conduit support under general notes and material list for specification on the fiberglass conduit and split conduit.

Also known as Appendix B

Basis of Payment

| Payment | Description        | Payment    |
|---------|--------------------|------------|
| 806.671 | Fiberglass conduit | Linear Ft. |

**SPECIAL PROVISIONS**

**SECTION 841**

**BOLLARD**

Description. This work shall consist of furnishing and installing 6” diameter steel tube bollards with concrete cap and associated hardware necessary to complete the work. All earth work, excavation and compacted backfill shall be incidental to the bollard.

Construction Steel Bollards shall be spaced and located as shown on the plans. Final locations shall be adjusted in the field.

Method of Measurement Bollards and all necessary incidentals to complete the work shall be paid for by each complete and accepted in place.

Basis of Payment The quantity of bollards will be paid for by the contract unit price for each installation. Such payment will be full compensation for all labor, excavation, backfill, tools, associated hardware, and any other incidentals necessary to complete the work.

Payment will be made under:

| <u>Pay Item</u>     | <u>Pay Unit</u> |
|---------------------|-----------------|
| 841.48      Bollard | Each            |

Kennebunk Bridge over the Mousam River, Kennebunk, Me.

Project: BH-1509(800)X PIN 15098.00

SPECIAL PROVISION  
ITEM NO. 890.01  
SPECIAL WORK – NEW TELEPHONE SYSTEM

**Description:** This work is to consist of temporary support of the telecommunications facilities located on the existing bridge during construction, attachment of the existing facilities to the new bridge, installation of new conduit system, installation of new hangar/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: 6 creosote wood duct conduit formation containing 1-1800 pair, 1-1200, 1-900 pair and 1-158 pair copper cable, 1-144 fiber, 2-72 fiber and 1-18 fiber optic cable. These cables were placed from 1983 to 2005 and located in the sidewalk of the existing bridge. These telecommunications facilities are the main toll links connecting greater Portland (and all points north) to Southern New England and beyond cannot be disrupted.

The existing 6 creosote wood duct system across the bridge was placed in 1955. 1 duct contains 4 fiber optic cables, weighing approx. 2 lbs/ft. 4 ducts contain copper cables weighing approximately 9 lbs/ft, and 1 duct contains 3 spare inner-ducts weighing approx. 1 lb/ft. These weights are cable and conduit combined. The total weight of the system is estimated at 12 lb/ft. MH 2 located on the North end of the bridge is 7'x4.5'x5' brick construction, placed in 1955. MH 3 on the South end of the bridge is 12'x6'x7' precast concrete placed in 1982. These manholes are permanent structures and can not be relocated.

**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                                                                                                                                                                    | 24 Inches                             |
| Vertical Movement, Including Sag                                                                                                                                                                     | 24 Inches                             |
| The maximum allowable displacements provided are an estimate, and will be more clearly defined at the pre-bid-utility conference and 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 FairPoint.

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

- Contractor provide all conduit, as specified in Special Provisions-Fiberglass Conduit 806.671.
- American U-Tel will provide hanger design and material list.

Kennebunk Bridge over the Mousam River, Kennebunk, Me.

Project: BH-1509(800)X PIN 15098.00

**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 Jerry Rand, Mobile: 207-468-0077 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.

Relocate cables to new permanent location, install schedule 40 PVC split duct around cables and secure. 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 must be performed by a qualified contractor experience in FairPoint conduit procedures.

There shall be no interruption in service to the existing cables and conduit system on the old bridge. No blasting within 20 Ft. of existing conduit system, remove ledge to required depth using non-explosive method ie; Hoe Ram.

Contractor cannot block tail;race. Dams are for hydro power, owned by Kennebunk Light & Power, FERC license.

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 required. FairPoint Communications requires a Contract Work Inspector to be present during this process. Contact Jerry Rand at 207-468-0077 © or 207-985-7430(O)

**Prebid Utility Conference.** A prebid conference will be held on project site 1-2 weeks before bid opening to discuss the work included in this Section. Existing conduit will be exposed on each side of bridge abutment to allow for visual inspection before bidding.

**Method of Measurement:**

Temporary Support of Telecommunications Facilities: shall include engineering and shop drawings for support of the facilities, all materials and labor to construct the temporary support system, and attachment the existing facilities to the support system. Measurement will be lump sum.

Installation of New Hangar Support System: shall include installation of hangers on the new bridge, and attachment of the existing facilities, new conduit system, and repaired facilities to the new bridge. Measurement will be by lump sum.

**Basis of Payment**

| Pay item | Description                        | Pay unit |
|----------|------------------------------------|----------|
| 890.01   | Special Work - #1 Telephone System | Lump Sum |

Special Provision  
Item No. 890.021  
Special Work No. 2  
Kennebunk Light & Power District Conduit

Installation of 2-4 inch PVC schedule 40 conduits from Station 13+95 +/- on the Left to Station 16+50+/- on the Right to a new transformer vault. The majority of this conduit system is going to be on the upstream sidewalk to Station 16+50+/- where it shall go across Main Street. This conduit system is to be encased in 12 inches of sand; 36 inches of cover over conduits. That portion that is to be installed on the bridge on Fairpoint Communications' new hanger system.

4 inch PVC conduit to be supplied by District to Contractor for installation.

Payment will be made under:

Pay Item

Pay Unit

890.021 Special Work No. 2 – Kennebec Light and Power Conduit System    LS

## STANDARD DETAIL UPDATES

Standard Details and Standard Detail updates are available at:

[http://www.maine.gov/mdot/contractor-consultant-information/ss\\_standard\\_details\\_updates.php](http://www.maine.gov/mdot/contractor-consultant-information/ss_standard_details_updates.php)

| <b><u>Detail #</u></b> | <b><u>Description</u></b>                                | <b><u>Revision Date</u></b> |
|------------------------|----------------------------------------------------------|-----------------------------|
| 504(15)                | Diaphragms                                               | 12/30/02                    |
| 507(04)                | Steel Bridge Railing                                     | 2/05/03                     |
| 526(33)                | Concrete Transition Barrier                              | 8/18/03                     |
| 645(06)                | H-Beam Posts – Highway Signing                           | 7/21/04                     |
| 645(09)                | Installation of Type II Signs                            | 7/21/04                     |
| 626(09)                | Electrical Junction Box for Traffic Signals and Lighting | 2/25/05                     |
| 604(01)                | Catch Basins                                             | 11/16/05                    |
| 604(05)                | Type “A” & “B” Catch Basin Tops                          | 11/16/05                    |
| 604(06)                | Type “C” Catch Basin Tops                                | 11/16/05                    |
| 604(07)                | Manhole Top “D”                                          | 11/16/05                    |
| 604(09)                | Catch Basin Type “E”                                     | 11/16/05                    |
| 606(02)                | Multiple Mailbox Support                                 | 11/16/05                    |
| 606(07)                | Reflectorized Beam Guardrail Delineator Details          | 11/16/05                    |
| 609(06)                | Vertical Bridge Curb                                     | 11/16/05                    |
| 504(23)                | Hand-Hold Details                                        | 12/08/05                    |
| 609(03)                | Curb Type 3                                              | 6/27/06                     |
| 609(07)                | Curb Type 1                                              | 6/27/06                     |
| 535(01)                | Precast Superstructure - Shear Key                       | 10/12/06                    |
| 535(02)                | Precast Superstructure - Curb Key & Drip Notch           | 10/12/06                    |
| 535(03)                | Precast Superstructure - Shear Key                       | 10/12/06                    |

|         |                                                |          |
|---------|------------------------------------------------|----------|
| 535(04) | Precast Superstructure - Shear Key             | 10/12/06 |
| 535(05) | Precast Superstructure - Post Tensioning       | 10/12/06 |
| 535(06) | Precast Superstructure - Sections              | 10/12/06 |
| 535(07) | Precast Superstructure - Precast Slab & Box    | 10/12/06 |
| 535(08) | Precast Superstructure - Sections              | 10/12/06 |
| 535(09) | Precast Superstructure - Sections              | 10/12/06 |
| 535(10) | Precast Superstructure - Sections              | 10/12/06 |
| 535(11) | Precast Superstructure - Sections              | 10/12/06 |
| 535(12) | Precast Superstructure - Sections              | 10/12/06 |
| 535(13) | Precast Superstructure - Sections              | 10/12/06 |
| 535(14) | Precast Superstructure - Stirrups              | 10/12/06 |
| 535(15) | Precast Superstructure - Plan                  | 10/12/06 |
| 535(16) | Precast Superstructure - Reinforcing           | 10/12/06 |
| 535(17) | Precast Superstructure - Notes                 | 10/12/06 |
| 801(01) | Drives on Sidewalk Sections                    | 2/06/07  |
| 801(02) | Drives on Non-Sidewalk Sections                | 2/06/07  |
| 535(03) | Precast Superstructure - Shear Key             | 12/5/07  |
| 535(04) | Precast Superstructure - Shear Key             | 12/5/07  |
| 535(05) | Precast Superstructure - Post Tensioning       | 12/5/07  |
| 535(17) | Precast Superstructure - Notes                 | 12/5/07  |
| 801(01) | Drives on Sidewalk Sections                    | 1/04/08  |
| 801(02) | Drives on Non-Sidewalk Sections                | 1/04/08  |
| 203(03) | Backslope Rounding                             | 1/29/08  |
| 535(02) | Precast Superstructure - Curb Key & Drip Notch | 5/20/08  |



|          |                                                   |         |
|----------|---------------------------------------------------|---------|
| 535(05)  | Precast Superstructure - Post Tensioning          | 5/20/08 |
| 502(03)  | Concrete Curb - Bituminous Wearing Surface        | 2/2/09  |
| 502(03)A | Concrete Curb - Concrete Wearing Surface          | 2/2/09  |
| 502(07)  | Precast Concrete Deck Panels - Layout Plan        | 2/2/09  |
| 502(07)A | Precast Concrete Deck Panels - Layout Plan        | 2/2/09  |
| 502(08)  | Precast Concrete Deck Panels - Panel Plan         | 2/2/09  |
| 502(09)  | Precast Concrete Deck Panels - Blocking Detail    | 2/2/09  |
| 502(10)  | Precast Concrete Deck Panels                      | 2/2/09  |
| 502(11)  | Precast Concrete Deck Panels                      | 2/2/09  |
| 502(12)  | Precast Concrete Deck Panels - Notes              | 2/2/09  |
| 502(12)A | Precast Concrete Deck Panels - Notes              | 2/2/09  |
| 526(06)  | Permanent Concrete Barrier                        | 2/2/09  |
| 526(08)  | Permanent Concrete Barrier – Type IIIA            | 2/2/09  |
| 526(08)A | Permanent Concrete Barrier – Type IIIA            | 2/2/09  |
| 526(13)  | Permanent Concrete Barrier – Type IIIB            | 2/2/09  |
| 526(14)  | Permanent Concrete Barrier – Type IIIB            | 2/2/09  |
| 526(21)  | Concrete Transition Barrier                       | 2/2/09  |
| 526(39)  | Texas Classic Rail – Between Window               | 2/2/09  |
| 526(40)  | Texas Classic Rail – Through Window               | 2/2/09  |
| 526(41)  | Texas Classic Rail – Through Post                 | 2/2/09  |
| 526(42)  | Texas Classic Rail – Through Nose                 | 2/2/09  |
| 606(20)  | Guardrail - Type 3 - Single Rail - Bridge Mounted | 2/2/09  |
| 606(21)  | Guardrail - Type 3 - Single Rail - Bridge Mounted | 2/2/09  |
| 606(22)  | Guardrail - Type 3 - Single Rail - Bridge Mounted | 2/2/09  |

|         |                                                   |        |
|---------|---------------------------------------------------|--------|
| 606(23) | Guardrail - Type 3 - Single Rail - Bridge Mounted | 2/2/09 |
| 609(06) | Vertical Bridge Curb                              | 2/2/09 |
| 609(08) | Precast Concrete Transition Curb                  | 2/2/09 |
| 502(12) | Precast Concrete Desk Panels                      | 9/09   |
| 504(22) | Diaphragm & Crossframe Notes                      | 9/09   |

## SUPPLEMENTAL SPECIFICATION

(Corrections, Additions, & Revisions to Standard Specifications - Revision of December 2002)

### SECTION 101

#### CONTRACT INTERPRETATION

##### 101.2 Definitions

Closeout Documentation Replace the sentence “A letter stating the amount..... DBE goals.” with “DBE Goal Attainment Verification Form”

Add “Environmental Information Hazardous waste assessments, dredge material test results, boring logs, geophysical studies, and other records and reports of the environmental conditions. For a related provision, see Section 104.3.14 - Interpretation and Interpolation.”

Add “Fabrication Engineer The Department’s representative responsible for Quality Assurance of pre-fabricated products that are produced off-site.”

Geotechnical Information Replace with the following: “Boring logs, soil reports, geotechnical design reports, ground penetrating radar evaluations, seismic refraction studies, and other records of subsurface conditions. For a related provision, see Section 104.3.14 - Interpretation and Interpolation.”

### SECTION 102

#### DELIVERY OF BIDS

102.7.1 Location and Time Add the following sentence “As a minimum, the Bidder will submit a Bid Package consisting of the Notice to Contractors, the completed Acknowledgement of Bid Amendments form, the completed Schedule of Items, 2 copies of the completed Agreement, Offer, & Award form, a Bid Bond or Bid Guarantee, and any other Certifications or Bid Requirements listed in the Bid Book.”

102.11.1 Non-curable Bid Defects Replace E. with “E. The unit price and bid amount is not provided or a lump sum price is not provided or is illegible as determined by the Department.”

### SECTION 103

#### AWARD AND CONTRACTING

103.3.1 Notice and Information Gathering Change the first paragraph to read as follows: “After Bid Opening and as a condition for Award of a Contract, the Department may require an Apparent Successful Bidder to demonstrate to the Department’s satisfaction that the Bidder is responsible and qualified to perform the Work.”

### SECTION 104

#### GENERAL RIGHTS AND RESPONSIBILITIES

104.3.14 Interpretation and Interpolation In the first sentence, change “...and Geotechnical Information.” to “...Environmental Information, and Geotechnical Information.”

Delete the entire Section 104.5.9 and replace with the following:

## SECTION 105 GENERAL SCOPE OF WORK

Delete the entire Section 105.6 and replace with the following:

105.6.1 Department Provided Services The Department will provide the Contractor with the description and coordinates of vertical and horizontal control points, set by the Department, within the Project Limits, for full construction Projects and other Projects where survey control is necessary. For Projects of 1,500 feet in length, or less: The Department will provide three points. For Projects between 1,500 and 5,000 feet in length: The Department will provide one set of two points at each end of the Project. For Projects in excess of 5,000 feet in length, the Department will provide one set of two points at each end of the Project, plus one additional set of two points for each mile of Project length. For non-full construction Projects and other Projects where survey control is not necessary, the Department will not set any control points and, therefore, will not provide description and coordinates of any control points. Upon request of the Contractor, the Department will provide the Department's survey data management software and Survey Manual to the Contractor, or its survey Subcontractor, for the exclusive use on the Department's Projects.

105.6.2 Contractor Provided Services Utilizing the survey information and points provided by the Department, described in Subsection 105.6.1, Department Provided Services, the Contractor shall provide all additional survey layout necessary to complete the Work. This may include, but not be limited to, reestablishing all points provided by the Department, establishing additional control points, running axis lines, providing layout and maintenance of all other lines, grades, or points, and survey quality control to ensure conformance with the Contract. The Contractor is also responsible for providing construction centerline, or close reference points, for all Utility Facilities relocations and adjustments as necessary to complete the Work. When the Work is to connect with existing Structures, the Contractor shall verify all dimensions before proceeding with the Work. The Contractor shall employ or retain competent engineering and/or surveying personnel to fulfill these responsibilities.

The Contractor must notify the Department of any errors or inconsistencies regarding the data and layout provided by the Department as provided by Section 104.3.3 - Duty to Notify Department If Ambiguities Discovered.

105.6.2.1 Survey Quality Control The Contractor is responsible for all construction survey quality control. Construction survey quality control is generally defined as, first, performing initial field survey layout of the Work and, second, performing an independent check of the initial layout using independent survey data to assure the accuracy of the initial layout; additional iterations of checks may be required if significant discrepancies are discovered in this process. Construction survey layout quality control also requires written documentation of the layout process such that the process can be followed and repeated, if necessary, by an independent survey crew.

105.6.3 Survey Quality Assurance It is the Department's prerogative to perform construction survey quality assurance. Construction survey quality assurance may, or may not, be performed by the Department. Construction survey quality assurance is generally defined as an independent check of the construction survey quality control. The construction survey

quality assurance process may involve physically checking the Contractor's construction survey layout using independent survey data, or may simply involve reviewing the construction survey quality control written documentation. If the Department elects to physically check the Contractor's survey layout, the Contractor's designated surveyor may be required to be present. The Department will provide a minimum notice of 48 hours to the Contractor, whenever possible, if the Contractor's designated surveyor's presence is required. Any errors discovered through the quality assurance process shall be corrected by the Contractor, at no additional cost to the Department.

105.6.4 Boundary Markers The Contractor shall preserve and protect from damage all monuments or other points that mark the boundaries of the Right-of-Way or abutting parcels that are outside the area that must be disturbed to perform the Work. The Contractor indemnifies and holds harmless the Department from all claims to reestablish the former location of all such monuments or points including claims arising from 14 MRSA § 7554-A. For a related provision, see Section 104.3.11 - Responsibility for Property of Others.

## SECTION 106 QUALITY

106.4.3 Testing Change the first sentence in paragraph three from "...maintain records of all inspections and tests." to "...maintain original documentation of all inspections, tests, and calculations used to generate reports."

106.6 Acceptance Add the following to paragraph 1 of A: "This includes Sections 401 - Hot Mix Asphalt, 402 - Pavement Smoothness, and 502 - Structural Concrete - Method A - Air Content."

Add the following to the beginning of paragraph 3 of A: "For pay factors based on Quality Level Analysis, and"

106.7.1 Standard Deviation Method Add the following to F: "Note: In cases where the mean of the values is equal to either the USL or the LSL, then the PWL will be 50 regardless of the computed value of s."

Add the following to H: "Method C Hot Mix Asphalt:  $PF = [55 + (Quality\ Level * 0.5)] * 0.01$ "

## SECTION 107 TIME

107.3.1 General Add the following: "If a Holiday occurs on a Sunday, the following Monday shall be considered a Holiday. Sunday or Holiday work must be approved by the Department, except that the Contractor may work on Martin Luther King Day, President's Day, Patriot's Day, the Friday after Thanksgiving, and Columbus Day without the Department's approval."

107.7.2 Schedule of Liquidated Damages Replace the table of Liquidated Damages as follows:

| From | Up to and | Amount of Liquidated |
|------|-----------|----------------------|
|------|-----------|----------------------|

| <u>More Than</u> | <u>Including</u> | <u>Damages per Calendar Day</u> |
|------------------|------------------|---------------------------------|
| \$0              | \$100,000        | \$225                           |
| \$100,000        | \$250,000        | \$350                           |
| \$250,000        | \$500,000        | \$475                           |
| \$500,000        | \$1,000,000      | \$675                           |
| \$1,000,000      | \$2,000,000      | \$900                           |
| \$2,000,000      | \$4,000,000      | \$1,000                         |
| \$4,000,000      | and more         | \$2,100                         |

## SECTION 108 PAYMENT

Remove Section 108.4 and replace with the following:

“108.4 Payment for Materials Obtained and Stored Acting upon a request from the Contractor and accompanied by bills or receipted bills, the Department will pay for all or part of the value of acceptable, non-perishable Materials that are to be incorporated in the Work, including Materials that are to be incorporated into the Work, not delivered on the Work site, and stored at places acceptable to the Department. Examples of such Materials include steel piles, stone masonry, curbing, timber and lumber, metal Culverts, stone and sand, gravel, and other Materials. The Department will not make payment on living or perishable Materials until acceptably planted in their final locations.

If payment for Materials is made to the Contractor based on bills, only, then the Contractor must provide receipted bills to the Department for these Materials within 14 days of the date the Contractor receives payment for the Materials. Failure of the Contractor to provide receipted bills for these Materials within 14 days of the date the Contractor receives payment will result in the paid amount being withheld from the subsequent progress payment, or payments, until such time the receipted bills are received by the Department.

Materials paid for by the Department are the property of the Department, but the risk of loss shall remain with the Contractor. Payment for Materials does not constitute Acceptance of the Material. If Materials for which the Department has paid are later found to be unacceptable, then the Department may withhold amounts reflecting such unacceptable Materials from payments otherwise due the Contractor.

In the event of Default, the Department may use or cause to be used all paid-for Materials in any manner that is in the best interest of the Department.”

## SECTION 109 CHANGES

109.1.1 Changes Permitted Add the following to the end of the paragraph: “There will be no adjustment to Contract Time due to an increase or decrease in quantities, compared to those estimated, except as addressed through Contract Modification(s).”

109.1.2 Substantial Changes to Major Items Add the following to the end of the paragraph: “Contract Time adjustments may be made for substantial changes to Major Items when the change affects the Critical Path, as determined by the Department”

109.4.4 Investigation / Adjustment Third sentence, delete the words “subsections (A) - (E)”

109.5.1 Definitions - Types of Delays

B. Compensable Delay Replace (1) with the following; “a weather related Uncontrollable Event of such an unusually severe nature that a Federal Emergency Disaster is declared. The Contractor will only be entitled to an Equitable Adjustment if the Project falls within the geographic boundaries prescribed under the disaster declaration.”

109.7.2 Basis of Payment Replace with the following: “Adjustments will be established by mutual Agreement based upon Unit or Lump Sum Prices. These agreed Unit or Lump Sum prices will be full compensation and no additions or mark-ups are allowed. If Agreement cannot be reached, the Contractor shall accept payment on a Force Account basis as provided in Section 109.7.5 - Force Account Work, as full and complete compensation for all Work relating to the Equitable Adjustment.”

109.7.3 Compensable Items Delete this Section entirely.

109.7.4 Non-Compensable Items Replace with the following: “The Contractor is not entitled to compensation or reimbursement for any of the following items:

- A. Total profit or home office overhead in excess of 15%,
- B. ....”

109.7.5 Force Account Work

C. Equipment

Paragraph 2, delete sentence 1 which starts; “Equipment leased....”

Paragraph 6, change sentence 2 from “The Contractor may furnish...” to read “If requested by the Department, the Contractor will produce cost data to assist the Department in the establishment of such rental rate, including all records that are relevant to the Actual Costs including rental Receipts, acquisition costs, financing documents, lease Agreements, and maintenance and operational cost records.”

Add the following paragraph; “Equipment leased by the Contractor for Force Account Work and actually used on the Project will be paid for at the actual invoice amount plus 10% markup for administrative costs.”

Add the following section;

“F. Subcontractor Work When accomplishing Force Account Work that utilizes Subcontractors, the Contractor will be allowed a maximum markup of 5% for profit and overhead on the Subcontractor’s portion of the Force Account Work. If the Department does not accept the Subcontractor quote, then the Subcontractor work will be subject to the Force Account provisions with a 5% markup for profit & overhead..”

## SECTION 110 INDEMNIFICATION, BONDING, AND INSURANCE

Delete the entire Section 110.2.3 and replace with the following:

110.2.3 Bonding for Landscape Establishment Period The Contractor shall provide a signed, valid, and enforceable Performance, Warranty, or Maintenance Bond complying with the Contract, to the Department at Final Acceptance.

The bond shall be in the full amount for all Pay Items for work pursuant to Sec 621, Landscape, payable to the “Treasurer - State of Maine,” and on the Department’s forms, on exact copies thereof, or on forms that do not contain any significant variations from the Department’s forms as solely determined by the Department.

The Contractor shall pay all premiums and take all other actions necessary to keep said bond in effect for the duration of the Landscape Establishment Period described in Special Provision 621.0036 - Establishment Period. If the Surety becomes financially insolvent, ceases to be licensed or approved to do business in the State of Maine, or stops operating in the United States, the Contractor shall file new bonds complying with this Section within 10 Days of the date the Contractor is notified or becomes aware of such change.

All Bonds shall be procured from a company organized and operating in the United States, licensed or approved to do business in the State of Maine by the State of Maine Department of Business Regulation, Bureau of Insurance, and listed on the latest Federal Department of the Treasury listing for “Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies.”

By issuing a bond, the Surety agrees to be bound by all terms of the Contract, including those related to payment, time for performance, quality, warranties, and the Department’s self-help remedy provided in Section 112.1 - Default to the same extent as if all terms of the Contract are contained in the bond(s).

Regarding claims related to any obligations covered by the bond, the Surety shall provide, within 60 Days of Receipt of written notice thereof, full payment of the entire claim or written notice of all bases upon which it is denying or contesting payment. Failure of the Surety to provide such notice within the 60-day period constitutes the Surety’s waiver of any right to deny or contest payment and the Surety’s acknowledgment that the claim is valid and undisputed.

## SECTION 202 REMOVING STRUCTURES AND OBSTRUCTIONS

202.02 Removing Buildings Make the following change to the last sentence in the final paragraph, change “...Code of Maine Regulations 401.” to “...Department of Environmental Protection Maine Solid Waste Management Rules, 06-096 CMR Ch. 401, Landfill Siting, Design and Operation.”



## SECTION 203 EXCAVATION AND EMBANKMENT

203.01 Description Under b. Rock Excavation; add the following sentence: “The use of perchlorate is not allowed in blasting operations.”

Delete the entire Section 203.041 and replace with the following:

“203.041 Salvage of Existing Hot Mix Asphalt Pavement All existing hot mix asphalt pavement designated to be removed under this contract must be salvaged for utilization. Existing hot mix asphalt pavement material shall not be deposited in any waste area or be placed below subgrade in any embankment.

Methods of utilization may be any of the following:

1. Used as a replacement for untreated aggregate surface course on entrances provided the material contains no particles greater than 50 mm [2 in] in any dimension. Payment will be made under Pay Item 411.09, Untreated Aggregate Surface Course or 411.10, Untreated Aggregate Surface Course, Truck Measure. Material shall be placed, shaped, compacted and stabilized as directed by the Resident.

2. Stockpiled at commercial or approved sites for commercial or MaineDOT use.

3. Other approved methods proposed by the Contractor, and approved by the Resident which will assure proper use of the existing hot mix asphalt pavement.

The cost of salvaging hot mix asphalt material will be included for payment under the applicable pay item, with no additional allowances made, which will be full compensation for removing, temporarily stockpiling, and rehandling, if necessary, and utilizing the material in entrances or other approved uses, or stockpiling at an approved site as described above. The material will also be measured and paid for under the applicable Pay Item if it is reused for aggregate in entrances, or other approved uses.”

## SECTION 502 STRUCTURAL CONCRETE

502.05 Composition and Proportioning: TABLE #1; NOTE #2; third sentence; Change “...alcohol based saline sealer...” to “alcohol based silane sealer...”. Add NOTE #6 to Class S Concrete.

502.0502 Quality Assurance Method A - Rejection by Resident Change the first sentence to read: “For an individual subplot with test results failing to meet the criteria in Table #1, or if the calculated pay factor for Air Content is less than 0.80.....”

502.0503 Quality Assurance Method B - Rejection by Resident Change the first sentence to read: “For material represented by a verification test with test results failing to meet the criteria in Table #1, the Department will.....”

502.0505 Resolution of Disputed Acceptance Test Results Combine the second and third sentence to read: "Circumstances may arise, however, where the Department may ....."

502.10 Forms and False work

D. Removal of Forms and False work 1., First paragraph; first, second, and third sentence; replace "forms" with "forms and false work"

502.11 Placing Concrete

G. Concrete Wearing Surface and Structural Slabs on Precast Superstructures Last paragraph; third sentence; replace "The temperature of the concrete shall not exceed 24° C [75° F] at the time of placement." with "The temperature of the concrete shall not exceed 24° C [75° F] at the time the concrete is placed in its final position."

502.15 Curing Concrete First paragraph; replace the first sentence with the following: "All concrete surfaces shall be kept wet with clean, fresh water for a curing period of at least 7 days after concrete placing, with the exception of vertical surfaces as provided for in Section 502.10 (D) - Removal of Forms and False work."

Second paragraph; delete the first two sentences.

Third paragraph; delete the entire paragraph which starts "When the ambient temperature...."

Fourth paragraph; delete "approved" to now read "...continuously wet for the entire curing period..."

Fifth paragraph; second sentence; change "...as soon as it is possible to do so without damaging the concrete surface." to "...as soon as possible."

Seventh paragraph; first sentence; change "...until the end of the curing period." to "...until the end of the curing period, except as provided for in Section 502.10(D) - Removal of Forms and False work."

502.19 Basis of Payment First paragraph, second sentence; add "pier nose armor" to the list of items included in the contract price for concrete.

## SECTION 503 REINFORCING STEEL

503.06 Placing and Fastening Change the second paragraph, first sentence from: "All tack welding shall be done in accordance with Section 504, Structural Steel." to "All tack welding shall be done in accordance with AWS D1.4 Structural Welding Code - Reinforcing Steel."

## SECTION 504 STRUCTURAL STEEL

504.09 Facilities for Inspection Add the follow as the last paragraph: "Failure to comply with the above requirements will be consider to be a denial to allow access to work by the Contractor. The Department will reject any work done when access for inspection is denied."

504.18 Plates for Fabricated Members Change the second paragraph, first sentence from: "...ASTM A 898/A 898 M..." to "...ASTM A 898/A 898 M or ASTM A 435/A 435 M as applicable and..."

504.31 Shop Assembly Add the following as the last sentence: "The minimum assembly length shall include bearing centerlines of at least two substructure units."

504.64 Non Destructive Testing-Ancillary Bridge Products and Support Structures Change the third paragraph, first sentence from "One hundred percent..." to "Twenty five percent..."

## SECTION 535 PRECAST, PRESTRESSED CONCRETE SUPERSTRUCTURE

535.02 Materials Change "Steel Strand for Concrete Reinforcement" to "Steel Strand." Add the following to the beginning of the third paragraph; "Concrete shall be Class P conforming to the requirements in this section. 28 day compressive strength shall be as stated on the plans. Coarse aggregate...."

535.05 Inspection Facilities Add the follow as the last paragraph: "If the above requirements are not met, the Contractor shall be considered to be in violation of Standard Specification 104.2.5 – Right to Inspect Work. All work occurring during a violation of this specification will be rejected."

535.26 Lateral Post-Tensioning Replace the first paragraph; "A final tension..." with "Overstressing strands for setting losses cannot be accomplished for chuck to chuck lengths of 7.6 m [25 ft] and less. In such instances, refer to the Plans for all materials and methods. Otherwise, post-tensioning shall be in accordance with PCI standards and shall provide the anchorage force noted in the Plans. The applied jacking force shall be no less than 100% of the design jacking force."

## SECTION 603 PIPE CULVERTS AND STORM DRAINS

603.0311 Corrugated Polyethylene Pipe for Option III Replace the Minimum Mandrel Diameter Table with the following:

| Nominal Size<br>US Customary (in) | Minimum Mandrel<br>Diameter (in) | Nominal Size<br>Metric (mm) | Minimum Mandrel<br>Diameter (mm) |
|-----------------------------------|----------------------------------|-----------------------------|----------------------------------|
| 12                                | 11.23                            | 300                         | 280.73                           |
| 15                                | 14.04                            | 375                         | 350.91                           |
| 18                                | 16.84                            | 450                         | 421.09                           |
| 24                                | 22.46                            | 600                         | 561.45                           |
| 30                                | 28.07                            | 750                         | 701.81                           |
| 36                                | 33.69                            | 900                         | 842.18                           |
| 42                                | 39.30                            | 1050                        | 982.54                           |
| 48                                | 44.92                            | 1200                        | 1122.90                          |

SECTION 604  
MANHOLES, INLETS, AND CATCH BASINS

604.02 Materials Add the following:

|                               |         |
|-------------------------------|---------|
| “Tops and Traps               | 712.07  |
| Corrugated Metal Units        | 712.08  |
| Catch Basin and Manhole Steps | 712.09” |

SECTION 605  
UNDERDRAINS

605.05 Underdrain Outlets Make the following change:

In the first paragraph, second sentence, delete the words “metal pipe”.

SECTION 606  
GUARDRAIL

606.02 Materials Delete the entire paragraph which reads “The sole patented supplier of multiple mailbox....” and replace with “Acceptable multiple mailbox assemblies shall be listed on the Department’s Approved Products List and shall be NCHRP 350 tested and approved.” Delete the entire paragraph which reads “Retroreflective beam guardrail delineators....” and replace with “Reflectorized sheeting for Guardrail Delineators shall meet the requirements of Section 719.01 - Reflective Sheeting. Delineators shall be fabricated from high-impact, ultraviolet and weather resistant thermoplastic.

606.09 Basis of Payment First paragraph; delete the second and third sentence in their entirety and replace with “Butterfly-type guardrail reflectorized delineators shall be mounted on all W-beam guardrail at an interval of every 10 posts [62.5 ft] on tangents sections and every 5 posts [31.25 ft] on curved sections as directed by the Resident. On divided highways, the delineators shall be yellow on the left hand side and silver/white on the right hand side. On two-way roadways, the delineators shall be silver/white on the right hand side. All delineators shall have retroreflective sheeting applied to only the traffic facing side. Reflectorized guardrail delineators will not be paid for directly, but will be considered incidental to the guardrail items.”

SECTION 609  
CURB

609.04 Bituminous Curb f., Delete the requirement “Color Natural (White)”

**SECTION 610**  
**STONE FILL, RIPRAP, STONE BLANKET,  
AND STONE DITCH PROTECTION**

Add the following paragraph to Section 610.02:

“Materials shall meet the requirements of the following Sections of Special Provision 703:

|                            |         |
|----------------------------|---------|
| Stone Fill                 | 703.25  |
| Plain and Hand Laid Riprap | 703.26  |
| Stone Blanket              | 703.27  |
| Heavy Riprap               | 703.28  |
| Definitions                | 703.32” |

Add the following paragraph to Section 610.032.a.

“Stone fill and stone blanket shall be placed on the slope in a well-knit, compact and uniform layer. The surface stones shall be chinked with smaller stone from the same source.”

Add the following paragraph to Section 610.032.b:

“Riprap shall be placed on the slope in a well-knit, compact and uniform layer. The surface stones shall be chinked with smaller stone from the same source.”

Add the following to Section 610.032: “Section 610.032.d. The grading of riprap, stone fill, stone blanket and stone ditch protection shall be determined by the Resident by visual inspection of the load before it is dumped into place, or, if ordered by the Resident, by dumping individual loads on a flat surface and sorting and measuring the individual rocks contained in the load. A separate, reference pile of stone with the required gradation will be placed by the Contractor at a convenient location where the Resident can see and judge by eye the suitability of the rock being placed during the duration of the project. The Resident reserves the right to reject stone at the job site or stockpile, and in place. Stone rejected at the job site or in place shall be removed from the site at no additional cost to the Department.”

**SECTION 615**  
**LOAM**

615.02 Materials Make the following change:

|                        |                                            |
|------------------------|--------------------------------------------|
| <u>Organic Content</u> | <u>Percent by Volume</u>                   |
| Humus                  | “5% - 10%”, as determined by Ignition Test |

**SECTION 618**  
**SEEDING**

618.01 Description Change the first sentence to read as follows: “This work shall consist of furnishing and applying seed .....” Also remove “,and cellulose fiber mulch” from 618.01(a).

618.03 Rates of Application In 618.03(a), remove the last sentence and replace with the following: “These rates shall apply to Seeding Method 2, 3, and Crown Vetch.”

In 618.03(c) “1.8 kg [4 lb]/unit.” to “1.95 kg [4 lb]/unit.”

618.09 Construction Method In 618.09(a) 1, sentence two, replace “100 mm [4 in]” with “25 mm [1 in] (Method 1 areas) and 50 mm [2 in] (Method 2 areas)”

618.15 Temporary Seeding Change the Pay Unit from Unit to Kg [lb].

## SECTION 620 GEOTEXTILES

### 620.03 Placement Section (c)

Title: Replace “Non-woven” in title with “Erosion Control”.

First Paragraph: Replace first word “Non-woven” with “Woven monofilament”.

Second Paragraph: Replace second word “Non-woven” with “Erosion Control”.

### 620.07 Shipment, Storage, Protection and Repair of Fabric Section (a)

Replace the second sentence with the following: “Damaged geotextiles, as identified by the Resident, shall be repaired immediately.”

### 620.09 Basis of Payment

Pay Item 620.58: Replace “Non-woven” with “Erosion Control”

Pay Item 620.59: Replace “Non-woven” with “Erosion Control”

## SECTION 621 LANDSCAPING

621.0036 Establishment Period In paragraph 4 and 5, change “time of Final Acceptance” to “end of the period of establishment”. In Paragraph 7, change “Final Acceptance date” to “end of the period of establishment” and change “date of Final Acceptance” to “end of the period of establishment”.

## SECTION 626 HIGHWAY SIGNING

626.034 Concrete Foundations Add to the following to the end of the second paragraph: “Pre-cast and cast-in-place foundations shall be warranted against leaning and corrosion for two years after the project is completed. If the lean is greater than 2 degrees from normal or the foundation is spalling within the first two years, the Contractor shall replace the foundation at no extra cost.”

## SECTION 627 PAVEMENT MARKINGS

627.10 Basis of Payment Add to the following to the end of the third paragraph: “If allowed by Special Provision, the Contractor may utilize Temporary Bi-Directional Yellow and White(As required) Delineators as temporary pavement marking lines and paid for at the contract lump sum price. Such payment will include as many applications as required and removal.”

## SECTION 637 DUST CONTROL

637.06 Basis of Payment Add the following after the second sentence of the third paragraph: “Failure by the Contractor to follow Standard Specification or Special Provision - Section 637 and/or the Contractor’s own Soil Erosion and Pollution Control Plan concerning Dust Control and/or the Contractor’s own Traffic Control Plan concerning Dust Control and/or visible evidence of excessive dust problems, as determined by the Resident, will result in a reduction in payment, computed by reducing the Lump Sum Total by 5% per occurrence per day. The Department’s Resident or any other representative of the Department reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Department shall not be held responsible for any delay in the work due to any suspension under this item. Additional penalties may also be assessed in accordance with Special Provision 652 - Work Zone Traffic Control and Standard Specification 656 - Temporary Soil Erosion and Water Pollution Control.”

## SECTION 639 ENGINEERING FACILITIES

639.04 Field Offices Change the forth to last paragraph from: “The Contractor shall provide a fully functional desktop copier...” to “....desktop copier/scanner...”

Description Change “Floor Area” to “Floor Area (Outside Dimension)”. Change Type B floor area from “15 (160)” to “20 (217)”.

639.09 Telephone Paragraph 1 is amended as follows:

“The contractor shall provide **two** telephone lines and two telephones,....”

Add- “In addition the contractor will supply one computer broadband connection, modem lease and router. The router shall have wireless access and be 802.11n or 802.11g capable and wireless. The type of connection supplied will be contingent upon the availability of services (i.e. DSL or Cable Broadband). It shall be the contractor’s option to provide dynamic or static IP addresses through the service. **The selected service will have a minimum downstream connection of 1.5 Mbps and 384 Kbps upstream.** The contractor shall be responsible for the installation charges and all reinstallation charges following suspended periods. Monthly service and maintenance charges shall be billed by the Internet Service Provider (ISP) directly to the contractor.”

## SECTION 652 MAINTENANCE OF TRAFFIC

652.2.3 Flashing Arrow Board Delete the existing 5 paragraphs and replace with the following: Flashing Arrow Panels (FAP) must be of a type that has been submitted to AASHTO’s National Transportation Product Evaluation Program (NTPEP) for evaluation and placed on the Maine Department of Transportations’ Approved Products List of Portable Changeable Message Signs & Flashing Arrow Panels.

FAP units shall meet requirements of the current Manual on Uniform Traffic Control Devices

(MUTCD) for Type “C” panels as described in Section 6F.56 - Temporary Traffic Control Devices. An FAP shall have matrix of a minimum of 15 low-glare, sealed beam, Par 46 elements capable of either flashing or sequential displays as well as the various operating modes as described in the MUTCD, Chapter 6-F. If an FAP consisting of a bulb matrix is used, each element should be recess-mounted or equipped with an upper hood of not less than 180 degrees. The color presented by the elements shall be yellow.

FAP elements shall be capable of at least a 50 percent dimming from full brilliance. Full brilliance should be used for daytime operation and the dimmed mode shall be used for nighttime operation. FAP shall be at least 2.4 M x 1.2 M [96” x 48”] and finished in non-reflective black. The FAP shall be interpretable for a distance not less than 1.6 km [1 mile].

Operating modes shall include, flashing arrow, sequential arrow, sequential chevron, flashing double arrow, and flashing caution. In the three arrow signals, the second light from the arrow point shall not operate.

The minimum element on-time shall be 50 percent for the flashing mode, with equal intervals of 25 percent for each sequential phase. The flashing rate shall be not less than 25 nor more than 40 flashes per minute. All on-board circuitry shall be solid state.

Primary power source shall be 12 volt solar with a battery back-up to provide continuous operation when failure of the primary power source occurs, up to 30 days with fully charged batteries. Batteries must be capable of being charged from an onboard 110 volt AC power source and the unit shall be equipped with a cable for this purpose.

Controller and battery compartments shall be enclosed in lockable, weather-tight boxes. The FAP shall be mounted on a pneumatic-tired trailer or other suitable support for hauling to various locations, as directed. The minimum mounting height of an arrow panel should be 2.1 M [7 feet] from the roadway to the bottom of the panel.

The face of the trailer shall be delineated on a permanent basis by affixing retro-reflective material, known as conspicuity material, in a continuous line as seen by oncoming drivers.

A portable changeable message sign may be used to simulate an arrow panel display.”

652.2.4 Other Devices Delete the last paragraph and add the following:

“652.2.5 Portable Changeable Message Sign Trailer mounted Portable Changeable Message Signs (PCMS) must be of a type that has been submitted to AASHTO’s National Transportation Product Evaluation Program (NTPEP) for evaluation and placed on the Maine Department of Transportations’ Approved Products List of Portable Changeable Message Signs & Flashing Arrow Panels. The PCMS unit shall meet or exceed the current specifications of the Manual on Uniform Traffic Control Devices (MUTCD), 6F.55.

The front face of the sign should be covered with a low-glare protective material. The color of the LED elements shall be amber on a black background. The PCMS should be visible from a distance of 0.8 km [0.5 mile] day and night and have a minimum 15° viewing angle. Characters must be legible from a distance of at least 200 M [650 feet].



The message panel should have adjustable display rates (minimum of 3 seconds per phase), so that the entire message can be read at least twice at the posted speed, the off-peak 85th-percentile speed prior to work starting, or the anticipated operating speed. Each message shall consist of either one or two phases. A phase shall consist of up to eight characters per line. The unit must be capable of displaying at least three lines of text with eight characters per line. Each character shall be 457 mm [18"] high. Each character module shall use at least a five wide and seven high pixel matrix. The text of the messages shall not scroll or travel horizontally or vertically across the face of the sign.

Units shall automatically adjust their brightness under varying light conditions to maintain legibility.

The control system shall include a display screen upon which messages can be reviewed before being displayed on the message sign. The control system shall be capable of maintaining memory when power is unavailable. Message must be changeable with either a notebook computer or an on-board keypad. The controller shall have the capability to store a minimum of 200 user-defined and 200 pre-programmed messages. Controller and battery compartments shall be enclosed in lockable, weather-tight boxes.

PCMS units shall have the capability of being made programmable by means of wireless communications. PCMS units shall also be fully capable of having an on-board radar system installed if required for a particular application.

PCMS' primary power source shall be solar with a battery back-up to provide continuous operation when failure of the primary power source occurs. Batteries must be capable of being charged from a 110 volt AC power source. The unit must also be capable of being operated solely from a 110 volt AC power source and be equipped with a cable for this purpose.

The PCMS shall be mounted on a trailer in such a way that the bottom of the message sign panel shall be a minimum of 2.1 M [7 ft] above the roadway in urban areas and 1.5 M [5 ft] above the roadway in rural areas when it is in the operating mode. PCMS trailers should be of a heavy duty type with a 51 mm [2"] ball hitch and a minimum of four leveling jacks (at each corner). The sign shall be capable of being rotated 360° relative to the trailer. The face of the trailer shall be delineated on a permanent basis by affixing retro-reflective material, known as conspicuity material, in a continuous line as seen by oncoming drivers."

652.3.3 Submittal of Traffic Control Plan In item e. change "A list of all certified flaggers..." to "A list of all the Contractor's certified flaggers..."

|| Add the follow to the list of requirements: "k. The plan for unexpected nighttime work along with a list of emergency nighttime equipment available on-site." ||

In the last paragraph add the following as the second sentence: "The Department will review and provide comments to the Contractor within 14 days of receipt of the TCP." Add the following as the last sentence: "The creation and modification of the TCP will be considered incidental to the related 652 items."

652.3.5 Installation of Traffic Control Devices In the first paragraph, first sentence; change "Signs shall be erected..." to "Portable signs shall be erected.." In the third sentence; change

“Signs must be erected so that the sign face...” to “Post-mounted signs must also be erected so that the sign face...”

652.4 Flaggers Replace the first paragraph with the following; “The Contractor shall furnish flaggers as required by the TCP or as otherwise specified by the Resident. All flaggers must have successfully completed a flagger test approved by the Department and administered by a Department-approved Flagger-Certifier who is employing that flagger. All flaggers must carry an official certification card with them while flagging that has been issued by their employer. Flaggers shall wear safety apparel meeting ANSI 107-2004 Class 2 risk exposure that clearly identifies the wearer as a person, and is visible at a minimum distance of 300 m [1000 ft], and shall wear a hardhat with 360° retro-reflectivity. For nighttime conditions, Class 3 apparel, meeting ANSI 107-2004, shall be worn along with a hardhat with 360° retro-reflectivity. Retro-reflective or flashing SLOW/STOP paddles shall be used, and the flagger station shall be illuminated to assure visibility in accordance with 652.6.2.”

Second paragraph, first sentence; change “...have sufficient distance to stop before entering the workspace.” to “...have sufficient distance to stop at the intended stopping point.” Third sentence; change “At a spot obstruction...” to “At a spot obstruction with adequate sight distance...”

Fourth paragraph, delete and replace with “Flaggers shall be provided as a minimum, a 10 minute break, every 2 hours and a 30 minute or longer lunch period away from the work station. Flaggers may only receive 1 unpaid break per day; all other breaks must be paid. Sufficient certified flaggers shall be available onsite to provide for continuous flagging operations during break periods. Breaker flaggers will not be paid for separately, but shall be considered incidental to the appropriate pay item.”

Add the following:

“652.5.1 Rumble Strip Crossing When lane shifts or lane closures require traffic to cross a permanent longitudinal rumble strip for 7 calendar days or less, the Contractor shall install warning signs that read “RUMBLE STRIP CROSSING” with a supplemental Motorcycle Plaque, (W8-15P).

When lane shifts or lane closures require traffic to cross a permanent longitudinal rumble strip for more than 7 calendar days, the Contractor shall pave in the rumble strips in the area that traffic will cross, unless otherwise directed by the Resident. Rumble strips shall be replaced prior to the end of the project, when it is no longer necessary to cross them.”

652.6 Nightwork Delete this section entirely and replace with the following:

“652.6.1 Daylight Work Times Unless otherwise described in the Contract, the Contractor is allowed to commence work and end work daily according to the Sunrise/Sunset Table at: <http://www.sunrisesunset.com/usa/Maine.asp> . If the Project town is not listed, the closest town on the list will be used as agreed at the Preconstruction Meeting. Any work conducted before sunrise or after sunset will be considered Night Work.

652.6.2 Night Work When Night Work occurs (either scheduled or unscheduled), the Contractor shall provide and maintain lighting on all equipment and at all work stations.

The lighting facilities shall be capable of providing light of sufficient intensity to permit good workmanship, safety and proper inspection at all times. The lighting shall be cut off and arranged on stanchions at a height that will provide perimeter lighting for each piece of equipment and will not interfere with traffic, including commercial vehicles, approaching the work site from either direction.

The Contractor shall have available portable floodlights for special areas.

The Contractor shall utilize padding, shielding or other insulation of mechanical and electrical equipment, if necessary, to minimize noise, and shall provide sufficient fuel, spare lamps, generators, etc. to maintain lighting of the work site.

The Contractor shall submit a lighting plan at the Preconstruction Conference, showing the type and location of lights to be used for night work. The Resident may require modifications be made to the lighting set up in actual field conditions.

Prior to beginning any Night Work, the Contractor shall furnish a light meter for the Residents use that is capable of measuring the range of light levels from 5 to 20 foot-candles.

Horizontal illumination, for activities on the ground, shall be measured with the photometer parallel to the road surface. For purposes of roadway lighting, the photometer is placed on the pavement. Vertical illumination, for overhead activities, shall be measured with the photometer perpendicular to the road surface. Measurements shall be taken at the height and location of the overhead activity.

The following minimum light levels are required for Night Work lighting;

Level I: (5 foot-candles)

- All work operations by Contractor's personnel in areas of general construction operations, including layout and measurements ahead of the actual work, , cleaning and sweeping, , and seeding.
- Areas where crew movement may take place.
- Stockpile areas.
- At the area of lane closure, continuously through the lane closure, including the setup and removal of the closures.
- State Field Offices and facilities.

Level II: (10 foot-candles)

- On and around (360 degrees) construction equipment in the work zone.
- 50 feet ahead of, 100 feet behind, and along the sides of paving or milling machines in the work zone.

Level III: (20 foot-candles)

- Flagging Stations
- Pavement or structural crack and pothole filling.
- Pavement patching and repairs.
- Installation of signal equipment, or other electrical or mechanical equipment.
- Curb work, drainage, sidewalk work, excavation, landscaping, and any other work using ground labor, supervision, or inspection.

All workers shall wear safety apparel labeled as meeting the ANSI 107-2004 standard performance for Class 3 risk exposure.

The Contractor shall apply 2- inch wide retro-reflective tape, with alternating red and white segments, to outline the front back and sides of construction vehicles and equipment, to define their shape and size to the extent practicable. Pickup trucks and personal vehicles are exempt from this requirement. The Contractor shall furnish approved signs reading "Construction Vehicle - Keep Back" to be used on trucks hauling to the project when such signs are deemed necessary by the Resident. The signs shall be a minimum of 30 inches by 60 inches, Black and Orange, ASTM D 4956 - Type VII, Type VIII, or Type IX (prismatic).

All vehicles used on the project, including pickup trucks and personal vehicles, shall be equipped with amber flashing lights, visible from both front and rear, or by means of single, approved type, revolving, flashing or strobe lights mounted so as to be visible 360°. The vehicle flashing system shall be in continuous operation while the vehicle is on any part of the project.

The Resident or any other representative of the Department reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Department shall not be held responsible for any delay in the work due to any suspension under this item.

Payment for lighting, vehicle mounted signs and other costs accrued because of night work will not be made directly but will be considered incidental to the related contract items."

652.8.2 Other Items Replace the last paragraph with the following: "There will be no payment made under any 652 pay items after the expiration of the adjusted total contract time."

### SECTION 653 POLYSTYRENE PLASTIC INSULATION

653.05 Placing Backfill In the second sentence; change "...shall be not less than 150 mm [6 in] loose measure." to "...shall be not less than 250 mm [10 in] loose measure." In the third sentence; change "...crawler type bulldozer of not more than 390 kg/m<sup>2</sup> [80 lb/ft<sup>2</sup>] ground contact pressure..." to "...crawler type bulldozer of not more than 4875 kg/m<sup>2</sup> [2000 lb/ft<sup>2</sup>] ground contact pressure..."

653.06 Compaction In the last sentence; change "...not more than 390 kg/m<sup>2</sup> [80 lb/ft<sup>2</sup>] ground contact..." to "...not more than 4875 kg/m<sup>2</sup> [2000 lb/ft<sup>2</sup>] ground contact..."

### SECTION 656 TEMPORARY SOIL EROSION AND WATER POLLUTION CONTROL

656.5.1 If Pay Item 656.75 Provided Replace the second paragraph with the following: "Failure by the Contractor to follow Standard Specification or Special Provision - Section 656

and/or the Contractor's own Soil Erosion and Pollution Control Plan will result in a reduction in payment, computed by reducing the Lump Sum Total by 5% per occurrence per day. The Department's Resident or any other representative of the Department reserves the right to suspend the work at any time and request a meeting to discuss violations and remedies. The Department shall not be held responsible for any delay in the work due to any suspension under this item."

## SECTION 701 STRUCTURAL CONCRETE RELATED MATERIALS

701.10 Fly Ash - Chemical Requirements Change all references from "ASTM C311" to "ASTM C114".

## SECTION 703 AGGREGATES

703.05 Aggregate for Sand Leveling Change the percent passing the 9.5 mm [3/8 in] sieve from "85 – 10" to "85 – 100"

703.06 Aggregate for Base and Subbase Delete the first paragraph: "The material shall have..." and replace with "The material shall have a minimum degradation value of 15 as determined by Washington State DOT Test Method T113, Method of Test for Determination of Degradation Value (March 2002 version), except that the reported degradation value will be the result of testing a single specimen from that portion of a sample that passes the 12.5 mm [1/2 in] sieve and is retained on the 2.00 mm [No. 10] sieve, minus any reclaimed asphalt pavement used."

703.07 Aggregates for HMA Pavements Delete the forth paragraph: "The composite blend shall have..." and replace with "The composite blend, minus any reclaimed asphalt pavement used, shall have a Micro-Deval value of 18.0 or less as determined by AASHTO T 327. In the event the material exceeds the Micro Deval limit, a Washington Degradation test shall be performed. The material shall be acceptable if it has a value of 30 or more as determined by Washington State DOT Test Method T 113, Method of Test for Determination of Degradation Value (March 2002 version) except that the reported degradation value will be the result of testing a single composite specimen from that portion of the sample that passes the 12.5mm [1/2 inch] sieve and is retained on the 2.00mm [No 10] sieve, minus any reclaimed asphalt pavement used."

703.09 HMA Mixture Composition The coarse and fine aggregate shall meet the requirements of Section 703.07. The several aggregate fractions for mixtures shall be sized, graded, and combined in such proportions that the resulting composite blends will meet the grading requirements of the following table.

### AGGREGATE GRADATION CONTROL POINTS

| SIEVE<br>SIZE | Nominal Maximum Aggregate Size---Control Points (Percent Passing) |               |                 |                |                 |
|---------------|-------------------------------------------------------------------|---------------|-----------------|----------------|-----------------|
|               | TYPE 25<br>mm                                                     | TYPE 19<br>mm | TYPE 12.5<br>mm | TYPE 9.5<br>mm | TYPE 4.75<br>mm |
|               | PERCENT BY WEIGHT PASSING - COMBINED AGGREGATE                    |               |                 |                |                 |
| 37.5 mm       | 100                                                               |               |                 |                |                 |
| 25 mm         | 90-100                                                            | 100           |                 |                |                 |
| 19 mm         | -90                                                               | 90-100        | 100             |                |                 |
| 12.5 mm       |                                                                   | -90           | 90-100          | 100            | 100             |
| 9.5 mm        |                                                                   | -             | -90             | 90-100         | 95-100          |
| 4.75 mm       |                                                                   | -             | -               | -90            | 80-100          |
| 2.36 mm       | 19-45                                                             | 23-49         | 28-58           | 32-67          | 40 - 80         |
| 1.18 mm       |                                                                   | -             | -               | -              | -               |
| 600 µm        |                                                                   | -             | -               | -              | -               |
| 300 µm        |                                                                   | -             | -               | -              | -               |
| 75 µm         | 1-7                                                               | 2-8           | 2-10            | 2-10           | 2-10            |

Gradation Classification---- The combined aggregate gradation shall be classified as coarse-graded when it passes below the Primary Control Sieve (PCS) control point as defined in the following table. All other gradations shall be classified as fine-graded.

### GRADATION CLASSIFICATION

| PCS Control Point for Mixture Nominal Maximum Aggregate Size<br>(% passing) |               |               |                 |                |
|-----------------------------------------------------------------------------|---------------|---------------|-----------------|----------------|
| Nominal Maximum Aggregate<br>Size                                           | TYPE 25<br>mm | TYPE 19<br>mm | TYPE 12.5<br>mm | TYPE 9.5<br>mm |
| Primary Control Sieve                                                       | 4.75 mm       | 4.75 mm       | 2.36 mm         | 2.36 mm        |
| PCS Control Point (% passing)                                               | 40            | 47            | 39              | 47             |

If a Grading “D” mixture is allowed per Special Provision Section 403, it shall meet the following gradation and the aggregate requirements of Section 703.07.

| Sieve<br>Designation | Percentage by Weight<br>Passing Square Mesh Sieves |
|----------------------|----------------------------------------------------|
| ½ inch               | 100                                                |
| ¾ inch               | 93-100                                             |
| No. 4                | 60-80                                              |
| No. 8                | 46-65                                              |
| No. 16               | 25-55                                              |
| No. 30               | 16-40                                              |
| No. 50               | 10-30                                              |
| No. 100              | 6-22                                               |
| No. 200              | 3.0-8.0                                            |

**703.18 Common Borrow** Replace the first paragraph with the following: “Common borrow shall consist of earth, suitable for embankment construction. It shall be free from frozen material, perishable rubbish, peat, and other unsuitable material including material currently or

previously contaminated by chemical, radiological, or biological agents unless the material is from a DOT project and authorized by DEP for use.”

703.22 Underdrain Backfill Material Change the first paragraph from “...for Underdrain Type B...” to “...for Underdrain Type B and C...”

Replace subsections 703.25 through 703.28 with the following:

“703.25 Stone Fill Stones for stone fill shall consist of hard, sound, durable rock that will not disintegrate by exposure to water or weather. Stone for stone fill shall be angular and rough. Rounded, subrounded, or long thin stones will not be allowed. Stone for stone fill may be obtained from quarries or by screening oversized rock from earth borrow pits. The maximum allowable length to thickness ratio will be 3:1. The minimum stone size (10 lbs) shall have an average dimension of 5 inches. The maximum stone size (500 lbs) shall have a maximum dimension of approximately 36 inches. Larger stones may be used if approved by the Resident. Fifty percent of the stones by volume shall have an average dimension of 12 inches (200 lbs).

703.26 Plain and Hand Laid Riprap Stone for riprap shall consist of hard, sound durable rock that will not disintegrate by exposure to water or weather. Stone for riprap shall be angular and rough. Rounded, subrounded or long thin stones will not be allowed. The maximum allowable length to width ratio will be 3:1. Stone for riprap may be obtained from quarries or by screening oversized rock from earth borrow pits. The minimum stone size (10 lbs) shall have an average dimension of 5 inches. The maximum stone size (200 lbs) shall have an average dimension of approximately 12 inches. Larger stones may be used if approved by the Resident. Fifty percent of the stones by volume shall have an average dimension greater than 9 inches (50 lbs).

703.27 Stone Blanket Stones for stone blanket shall consist of sound durable rock that will not disintegrate by exposure to water or weather. Stone for stone blanket shall be angular and rough. Rounded or subrounded stones will not be allowed. Stones may be obtained from quarries or by screening oversized rock from earth borrow pits. The minimum stone size (300 lbs) shall have minimum dimension of 14 inches, and the maximum stone size (3000 lbs) shall have a maximum dimension of approximately 66 inches. Fifty percent of the stones by volume shall have average dimension greater than 24 inches (1000 lbs).

703.28 Heavy Riprap Stone for heavy riprap shall consist of hard, sound, durable rock that will not disintegrate by exposure to water or weather. Stone for heavy riprap shall be angular and rough. Rounded, subrounded, or thin, flat stones will not be allowed. The maximum allowable length to width ratio will be 3:1. Stone for heavy riprap may be obtained from quarries or by screening oversized rock from earth borrow pits. The minimum stone size (500 lbs) shall have minimum dimension of 15 inches, and at least fifty percent of the stones by volume shall have an average dimension greater than 24 inches (1000 lbs).”

Add the following paragraph:

“703.32 Definitions (ASTM D 2488, Table 1).

Angular: Particles have sharp edges and relatively plane sides with unpolished surfaces

Subrounded: Particles have nearly plane sides but have well-rounded corners and edges

Rounded: Particles have smoothly curved sides and no edges”

## SECTION 706 NON-METALLIC PIPE

706.06 Corrugated Polyethylene Pipe for Underdrain, Option I and Option III Culvert Pipe Change the first sentence from "...300 mm diameters to 900 mm" to "...300 mm diameters to 1200 mm" Delete, in it's entirety, the last sentence which begins "This pipe and resins..." and replace with the following; "The manufacturing plants of polyethylene pipe shall be certified by the Eastern States Consortium. Polyethylene pipe shall be accepted based on third party certification by the AASHTO's National Transportation Product Evaluation Program."

## SECTION 709 REINFORCING STEEL AND WELDED STEEL WIRE FABIC

709.03 Steel Strand Change the second paragraph from "...shall be 12mm [½ inch] AASHTO M203M/M203 (ASTM A416/A416M)..." to "...shall be 15.24 mm [0.600 inch] diameter AASHTO M203 (ASTM A416)..."

## SECTION 710 FENCE AND GUARDRAIL

710.03 Chain Link Fabric Add the following sentence: "Chain Link fabric for PVC coated shall conform to the requirements of AASHTO M181, Type IV-Class B."

710.04 Metal Beam Rail Replace with the following: "Galvanized steel rail elements shall conform to the requirements of AASHTO M 180, Class A, Type II.

When corrosion resistant steel is specified, rail shall conform to AASHTO M 180, Class A, Type IV. Beams of corrosion resistant steel shall not be painted or galvanized. They shall be so handled and stored that the traffic face of these beams, used in a continuous run of guardrail, shall not show a distinctive color differential.

When metal beam rail is to be installed on a curve having a radius of curvature of 150 ft. or less, the beam sections shall be fabricated on an arc to the required radius and permanently stamped or embossed with the designated radius.

The engineer may take one piece of guardrail, a backup plate, and end or buffer section from each 200 pieces in a lot, or from each lot if less than 200 pieces are included therein for determination of compliance with specification requirements. If one piece fails to conform to the requirements of this specification, two other pieces shall be tested. If either of these pieces fails to conform to the requirements of this specification, the lot of material represented by these samples shall be rejected. A lot shall be considered that quantity of material offered for inspection at one time that bears the same heat and coating identification."

710.07 Guardrail Posts Section b. change "...AASHTO M183/M183M..." to "...AASHTO M 270M/M 270 Grade 250 (36)..."



## SECTION 712 MISCELLANEOUS HIGHWAY MATERIALS

712.04 Stone Curbing and Edging Delete the existing and replace with the following: “Stone for curbing and edging shall be approved granite from acceptable sources. The stone shall be hard and durable, predominantly gray in color, free from seams that would be likely to impair its structural integrity, and of a smooth splitting character. Natural grain size and color variations characteristic of the source deposit will be permitted. Such natural variations may include bands or clusters of mineral crystallization provided they do not impair the structural integrity of the curb stone. The Contractor shall submit for approval the name of the quarry that is the proposed source of the granite for curb materials along with full scale color photos of the granite. Such submission shall be made sufficiently in advance of ordering so that the Resident may have an opportunity to judge the stone, both as to quality and appearance. Samples of curbing shall be submitted for approval only when requested by the Resident. The dimensions, shape, and other details shall be as shown on the plans.”

712.06 Precast Concrete Units In the first paragraph, change “...ASTM C478M...” to “...AASHTO M199...” Delete the second paragraph and replace with the following; “Approved structural fibers may be used as a replacement of 6 x 6 #10 gauge welded wire fabric when used at an approved dosage rate for the construction of manhole and catch basin units. The material used shall be one of the products listed on the Maine Department of Transportation’s Approved Product List of Structural Fiber Reinforcement.” Delete the fifth paragraph and replace with the following; “The concrete mix design shall be approved by the Department. Concrete shall contain 6% air content, plus or minus 1½% tolerance when tested according to AASHTO T152. All concrete shall develop a minimum compressive strength of 28 MPa [4000 psi] in 28 days when tested according to AASHTO T22. The absorption of a specimen, when tested according to AASHTO T280, Test Method “A”, shall not exceed nine percent of the dry mass.”

Add the following:

“712.07 Tops, and Traps These metal units shall conform to the plan dimensions and to the following specification requirements for the designated materials.

Gray iron or ductile iron castings shall conform to the requirements of AASHTO M306 unless otherwise designated.”

712.08 Corrugated Metal Units The units shall conform to plan dimensions and the metal to AASHTO M36/M36M. Bituminous coating, when specified, shall conform to AASHTO M190 Type A.

712.09 Catch Basin and Manhole Steps Steps for catch basins and for manholes shall conform to ASTM C478M [ASTM C478], Section 13 for either of the following material:

- (a) Aluminum steps-ASTM B221M, [ASTM B211] Alloy 6061-T6 or 6005-T5.
- (b) Reinforced plastic steps Steel reinforcing bar with injection molded plastic coating copolymer polypropylene. Polypropylene shall conform to ASTM D 4101.

712.23 Flashing Lights Flashing Lights shall be power operated or battery operated as specified.

(a) Power operated flashing lights shall consist of housing, adapters, lamps, sockets, reflectors, lens, hoods and other necessary equipment designed to give clearly visible signal indications within an angle of at least 45 degrees and from 3 to 90 m [10 to 300 ft] under all light and atmospheric conditions.

Two circuit flasher controllers with a two-circuit filter capable of providing alternate flashing operations at the rate of not less than 50 nor more than 60 flashes per minute shall be provided.

The lamps shall be 650 lumens, 120 volt traffic signal lamps with sockets constructed to properly focus and hold the lamp firmly in position.

The housing shall have a rotatable sun visor not less than 175 mm [7 in] in length designed to shield the lens.

Reflectors shall be of such design that light from a properly focused lamp will reflect the light rays parallel. Reflectors shall have a maximum diameter at the point of contact with the lens of approximately 200 mm [8 in].

The lens shall consist of a round one-piece convex amber material which, when mounted, shall have a visible diameter of approximately 200 mm [8 in]. They shall distribute light and not diffuse it. The distribution of the light shall be asymmetrical in a downward direction. The light distribution of the lens shall not be uniform, but shall consist of a small high intensity portion with narrow distribution for long distance throw and a larger low intensity portion with wide distribution for short distance throw. Lenses shall be marked to indicate the top and bottom of the lens.

(b) Battery operated flashing lights shall be self-illuminated by an electric lamp behind the lens. These lights shall also be externally illuminated by reflex-reflective elements built into the lens to enable it to be seen by reflex-reflection of the light from the headlights of oncoming traffic. The batteries must be entirely enclosed in a case. A locking device must secure the case. The light shall have a flash rate of not less than 50 nor more than 60 flashes per minute from minus 30 °C [minus 20 °F] to plus 65 °C [plus 150 °F]. The light shall have an on time of not less than 10 percent of the flash cycle. The light beam projected upon a surface perpendicular to the axis of the light beam shall produce a lighted rectangular projection whose minimum horizontal dimension shall be 5 degrees each side of the horizontal axis. The effective intensity shall not have an initial value greater than 15.0 candelas or drop below 4.0 candelas during the first 336 hours of continuous flashing. The illuminated lens shall appear to be uniformly bright over its entire illuminated surface when viewed from any point within an angle of 9 degrees each side of the vertical axis and 5 degrees each side of the horizontal axis. The lens shall not be less than 175 mm [7 in] in diameter including a reflex-reflector ring of 13 mm [½ in] minimum width around the periphery. The lens shall be yellow in color and have a minimum relative luminous transmittance of 0.440 with a luminance of 2854° Kelvin. The lens shall be one-piece construction. The lens material shall be plastic and meet the luminous transmission requirements of this specification. The case containing the

batteries and circuitry shall be constructed of a material capable of withstanding abuse equal to or greater than 1.21 mm thick steel [No. 18 U.S. Standard Gage Steel]. The housing and the lens frame, if of metal shall be properly cleaned, degreased and pretreated to promote adhesion. It shall be given one or more coats of enamel which, when dry shall completely obscure the metal. The enamel coating shall be of such quality that when the coated case is struck a light blow with a sharp tool, the paint will not chip or crack and if scratched with a knife will not powder. The case shall be so constructed and closed as to exclude moisture that would affect the proper operation of light. The case shall have a weep hole to allow the escape of moisture from condensation. Photoelectric controls, if provided, shall keep the light operating whenever the ambient light falls below 215 lx [20 foot candles]. Each light shall be plainly marked as to the manufacturer's name and model number.

If required by the Resident, certification as to conformance to these specifications shall be furnished based on results of tests made by an independent testing laboratory. All lights are subject to random inspection and testing. All necessary random samples shall be provided to the Resident upon request without cost to the Department. All such samples shall be returned to the Contractor upon completion of the tests.

712.32 Copper Tubing Copper tubing and fittings shall conform to the requirements of ASTM B88M Type A [ASTM B88, Type K] or better.

712.33 Non-metallic Pipe, Flexible Non-metallic pipe and pipe fittings shall be acceptable flexible pipe manufactured from virgin polyethylene polymer suitable for transmitting liquids intended for human or animal consumption.

712.34 Non-metallic Pipe, Rigid Non-metallic pipe shall be Schedule 40 polyvinylchloride (PVC) that meets the requirement of ASTM D1785. Fittings shall be of the same material.

712.341 Metallic Pipe Metallic pipe shall be ANSI, Standard B36.10, Schedule 40 steel pipe conforming to the requirements of ASTM A53 Types E or S, Grade B. End plates shall be steel conforming to ASTM A36/A36M.

Both the sleeve and end plates shall be hot dip galvanized. Pipe sleeve splices shall be welded splices with full penetration weld before galvanizing.

712.35 Epoxy Resin Epoxy resin for grouting or sealing shall consist of a mineral filled thixotropic, flexible epoxy resin having a pot life of approximately one hour at 10°C [50°F]. The grout shall be an approved product suitable for cementing steel dowels into the preformed holes of curb inlets and adjacent curbing. The sealant shall be an approved product, light gray in color and suitable for coating the surface.

712.36 Bituminous Curb The asphalt cement for bituminous curb shall be of the grade required for the wearing course, or shall be Viscosity Grade AC-20 meeting the current requirements of Subsection 702.01 Asphalt Cement. The aggregate shall conform to the requirements of Subsection 703.07. The coarse aggregate portion retained on the 2.36 mm [No. 8] sieve may be either crushed rock or crushed gravel.

The mineral constituents of the bituminous mixture shall be sized and graded and combined in a composite blend that will produce a stable durable curbing with an acceptable texture.

Bituminous material for curb shall meet the requirements of Section 403 - Hot Bituminous Pavement.

712.37 Precast Concrete Slab Portland cement concrete for precast slabs shall meet the requirements of Section 502 - Structural Concrete, Class A.

The slabs shall be precast to the dimension shown on the plans and cross section and in accordance with the Standard Detail plans for Concrete Sidewalk Slab. The surface shall be finished with a float finish in accordance with Subsection 502.14(c). Lift devices of sufficient strength to hold the slab while suspended from cables shall be cast into the top or back of the slab.

712.38 Stone Slab Stone slabs shall be of granite from an acceptable source, hard, durable, predominantly gray in color, free from seams which impair the structural integrity and be of smooth splitting character. Natural color variations characteristic of the deposit will be permitted. Exposed surfaces shall be free from drill holes or indications of drill holes. The granite slabs in any one section of backslope must be all the same finish.

The granite slabs shall be scabble dressed or sawed to an approximately true plane having no projections or depressions over 13 mm [ $\frac{1}{2}$  in] under a 600 mm [2 ft] straightedge or over 25 mm [1 in] under a 1200 mm [4 ft] straightedge. The arris at the intersection of the top surface and exposed front face shall be pitched so that the arris line is uniform throughout the length of the installed slabs. The sides shall be square to the exposed face unless the slabs are to be set on a radius or other special condition which requires that the joints be cut to fit, but in any case shall be so finished that when the stones are placed side by side no space more than 20 mm [ $\frac{3}{4}$  in] shall show in the joint for the full exposed height.

Liftpin holes in all sides will be allowed except on the exposed face.

## SECTION 717 ROADSIDE IMPROVEMENT MATERIAL

717.03 C. Method #3 - Roadside Mixture #3 Change the seed proportions to the following:

|                  |       |
|------------------|-------|
| Crown Vetch      | 25%   |
| Perennial Lupine | 25%   |
| Red Clover       | 12.5% |
| Annual Rye       | 37.5% |

717.05 Mulch Binder Change the third sentence to read as follows:

“Paper fiber mulch may be used as a binder at the rate of 2.3 kg/unit [5 lb/unit].”

SECTION 720  
STRUCTURAL SUPPORTS FOR HIGHWAY SIGNS, LUMINAIRES, AND  
TRAFFIC SIGNALS

720.08 U-Channel Posts Change the first sentence from "..., U-Channel posts..." to "..., Rib Back U-Channel posts..."

SECTION 722  
GEOTEXTILES

722.01 Stabilization/Reinforcement Geotextile Add the following to note #3; "The strengths specified in the columns labeled "<50%" and "≥ 50%" refer to the elongation at which the geotextile material was tested. For example; if a fabric is tested at 15% elongation then it must meet or exceed the minimum strength shown in the "<50%" column. Submittals must include the percent elongation at which the material was tested."

722.02 Drainage Geotextile Add the following to note #3; "The strengths specified in the columns labeled "<50%" and "≥ 50%" refer to the elongation at which the geotextile material was tested. For example; if a fabric is tested at 15% elongation then it must meet or exceed the minimum strength shown in the "<50%" column. Submittals must include the percent elongation at which the material was tested."

722.01 Erosion Control Geotextile Add the following note to Elongation in the Mechanical Property Table; "The strengths specified in the columns labeled "<50%" and "≥ 50%" refer to the elongation at which the geotextile material was tested. For example; if a fabric is tested at 15% elongation then it must meet or exceed the minimum strength shown in the "<50%" column. Submittals must include the percent elongation at which the material was tested."

■ MDOT PIN: 15098.00

## 11. State transportation facilities

### A. Applicability

- (1) This section applies to the maintenance, repair, reconstruction, rehabilitation, replacement or minor construction of a State Transportation Facility carried out by, or under the authority of, the Maine Department of Transportation (MaineDOT) or the Maine Turnpike Authority, including any testing or preconstruction engineering, and associated technical support services.
- (2) This section does not apply to an activity within a coastal sand dune system.

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NOTE: The construction of a transportation facility other than roads and associated facilities may be subject to the Storm Water Management Law, 38 M.R.S.A. Section 420-D.

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### B. Standards

- (1) Photographs of the area to be altered by the activity must be taken before work on the site begins. The photographs must be kept on file and be made available at the request of the DEP.
- (2) The activity must be reviewed by the Department of Inland Fisheries and Wildlife and the Department of Marine Resources, as applicable. The applicant must coordinate with the reviewing agencies and incorporate any recommendations from those agencies into the performance of the activity.
- (3) All construction activities undertaken must be detailed in a site-specific Soil Erosion and Water Pollution Control Plan and conducted in accordance with MaineDOT's Best Management Practices for Erosion and Sediment Control, dated January 2000, and Standard Specifications, dated December 2002.
- (4) Alignment changes may not exceed a distance of 200 feet between the old and new center lines in any natural resource.
- (5) The activity may not alter more than 300 feet of shoreline (both shores added together) within a mile stretch of any river, stream or brook, including any bridge width or length of culvert.
- (6) The activity may not alter more than 150 feet of shoreline (both shores added together) within a mile stretch of any outstanding river segment identified in 38 M.R.S.A. 480-P, including any bridge width or length of culvert.
- (7) The activity must minimize wetland intrusion. The activity is exempt from the provisions of Chapter 310, the Wetland and Waterbodies Protection Rules, if the activity alters less than 15,000 square feet of natural resources per mile of roadway (centerline measurement) provided that the following impacts are not exceeded within the 15,000 square foot area:
  - (a) 1,000 square feet of coastal wetland consisting of salt tolerant vegetation or shellfish habitat; or

(b) 5,000 square feet of coastal wetland not containing salt tolerant vegetation or shellfish habitat; or

(c) 1,000 square feet of a great pond.

All other activities must be performed in compliance with all sections of Chapter 310, the Wetland Protection Rules, except 310.2(C), 5(A), 9(A), 9(B) and 9(C).

- (8) The activity may not permanently block any fish passage in any watercourse containing fish. The applicant must coordinate with the reviewing agencies listed in paragraph 2 above to improve fish passage and incorporate any recommendations from those agencies into the performance of the activity.

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NOTE: For guidance on meeting the design objectives for fish passage, including peak flow, maximum velocity, mining depth and gradient, see the MaineDOT Waterbody and Wildlife Crossing Policy and Design Guide (July 2008), developed in conjunction with state and federal resource and regulatory agencies.

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- (9) Rocks may not be removed from below the normal high water line of any coastal wetland, freshwater wetland, great pond, river, stream or brook except to the minimum extent necessary for completion of work within the limits of construction.
- (10) If work is performed in a river, stream or brook that is less than three feet deep at the time and location of the activity, the applicant must isolate the work area from the resource and divert stream flows around the work area, maintaining downstream flows while work is in progress.
- (11) Wheeled or tracked equipment may not operate in the water. Equipment operating on the shore may reach into the water with a bucket or similar extension. Equipment may cross streams on rock, gravel or ledge bottom. If avoiding the operation of wheeled or tracked equipment in the water is not possible, the applicant must explain the need to operate in the water. Approval from the DEP to operate in the water must be in writing, and any recommendations from the DEP must be incorporated into the performance of the activity.
- (12) All wheeled or tracked equipment that must travel or work in a vegetated wetland area must travel and work on mats or platforms.
- (13) Any debris or excavated material must be stockpiled either outside the wetland or on mats or platforms. Erosion and sediment control best management practices must be used, where necessary, to prevent sedimentation. Any debris generated during the activity must be prevented from washing downstream and must be removed from the wetland or water body. Disposal of debris must be in conformance with the Maine Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S.A. Section 1301 *et seq.*
- (14) Work below the normal high water line of a great pond, river, stream or brook must be done at low water except for emergency work or work agreed to by the resource agencies listed in paragraph 2 above.
- (15) Perimeter controls must be installed before the work starts. Disturbance of natural resources beyond the construction limits shown on the plans is not allowed under this rule.



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NOTE: Guidance on the location of construction limits can be obtained from the on site Construction Manager.

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- (16) The use of untreated lumber is preferred. Lumber pressure treated with chromated copper arsenate (CCA) may be used only if necessary and only if use is allowed under federal law and not prohibited from sale under 38 M.R.S.A. 1682, and provided it is cured on dry land in a manner that exposes all surfaces to the air for a period of at least 21 days prior to construction. Wood treated with creosote or pentachlorophenol may not be used where it will contact water.
- (17) A temporary road for equipment access must be constructed of crushed stone, blasted ledge, or similar materials that will not cause sedimentation or restrict fish passage. Such roads must be completely removed at the completion of the activity. In addition, any such temporary roads which are in rivers, streams or brooks, must allow for a passage of stormwater flows associated with a 10-year storm.
- (18) Non-native species may not be planted in restored areas.
- (19) Disposal of debris must be in conformance with Maine Hazardous Waste, Septage and Solid Waste Management Act, 38 M.R.S.A. Sections 1301 *et seq.*
- (20) Disturbance of vegetation must be avoided, if possible. Where vegetation is disturbed outside of the area covered by any road or structure construction, it must be reestablished immediately upon completion of the activity and must be maintained.
- (21) A vegetated area at least 25 feet wide must be established and maintained between any new stormwater outfall structure and the high water line of any open water body. A velocity reducing structure must be constructed at the outlet of the stormwater outfall that will create sheet flow of stormwater, and prevent erosion of soil within the vegetated buffer. If the 25 foot vegetated buffer is not practicable, the applicant must explain the reason for a lesser setback in writing. Approval from the DEP must be in writing and any recommendations must be incorporated into the activity.

**C. Definitions.** The following terms, as used in this chapter, have the following meanings, unless the context indicates otherwise:

- (1) Diversion. The rerouting of a river, stream or brook around a construction site and then back to the downstream channel.
- (2) Fill. a. (verb) To put into or upon, supply to, or allow to enter a water body or wetland any earth, rock, gravel, sand, silt, clay, peat, or debris; b. (noun) Material, other than structures, placed in or immediately adjacent to a wetland or water body.
- (3) Floodplain wetlands. Freshwater wetlands that are inundated with flood water during a 100-year flood event based on flood insurance maps produced by the Federal Emergency Agency or other site specific information.
- (4) Riprap. Heavy, irregularly shaped rocks that are fit into place, without mortar, on a slope as defined in the MaineDOT Standard Specifications, dated December 2002.



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

REPLY TO:  
ATTENTION OF:

MAINE PROGRAMMATIC GENERAL PERMIT (PGP)  
AUTHORIZATION LETTER AND SCREENING SUMMARY

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

CORPS PERMIT # NAE-2010-01091  
CORPS PGP ID# 10-177  
STATE ID# PBR

DESCRIPTION OF WORK:

Place fill below the ordinary high water line of the Mousam River at Kennebunk, Maine in order to replace the existing Route 1 bridge. Approximately 500 s.f. (0.011 acres) of river bed will be impacted by the project. This work is shown on the attached plans entitled "ME DOT - KENNEBUNK, ROUTE 1 MOUSAM RIVER BRIDGE, KENNEBUNK, ME" in four sheets undated.  
DOT PIN: 15098.00.00

LAT/LONG COORDINATES : 43.3850609° N 70.5425476° W USGS QUAD: KENNEBUNK, 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 Programmatic General Permit (PGP).** Accordingly, other than possibly performing a compliance inspection (condition 23 of the permit) at some later date, 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 PGP [including any attached Additional Conditions and any conditions placed on the State 401 Water Quality Certification including any required mitigation]. Please review the enclosed PGP carefully, including the PGP conditions beginning on page 7, to familiarize yourself with its contents. You are responsible for complying with all of the PGP 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 38 of the PGP (page 15) provides one year for completion of work that has commenced or is under contract to commence prior to the expiration of the PGP on October 11, 2010. You will need to apply for reauthorization for any work within Corps jurisdiction that is not completed by October 11, 2011.

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: ☒ TIER 1: \_\_\_\_\_ TIER 2: \_\_\_\_\_ TIER 3: \_\_\_\_\_ LURC: \_\_\_\_\_ DMR LEASE: \_\_\_\_\_ NA: \_\_\_\_\_

III. FEDERAL ACTIONS:

JOINT PROCESSING MEETING: 6/10/10 LEVEL OF REVIEW: CATEGORY 1: \_\_\_\_\_ CATEGORY 2: ☒ \_\_\_\_\_

AUTHORITY (Based on a review of plans and/or State/Federal applications): SEC 10 \_\_\_\_\_, 404 ☒ 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  
SENIOR PROJECT MANAGER  
MAINE PROJECT OFFICE

FRANK J. DEL GIUDICE  
CHIEF, PERMITS & ENFORCEMENT BRANCH  
REGULATORY DIVISION  
DATE 7/7/10



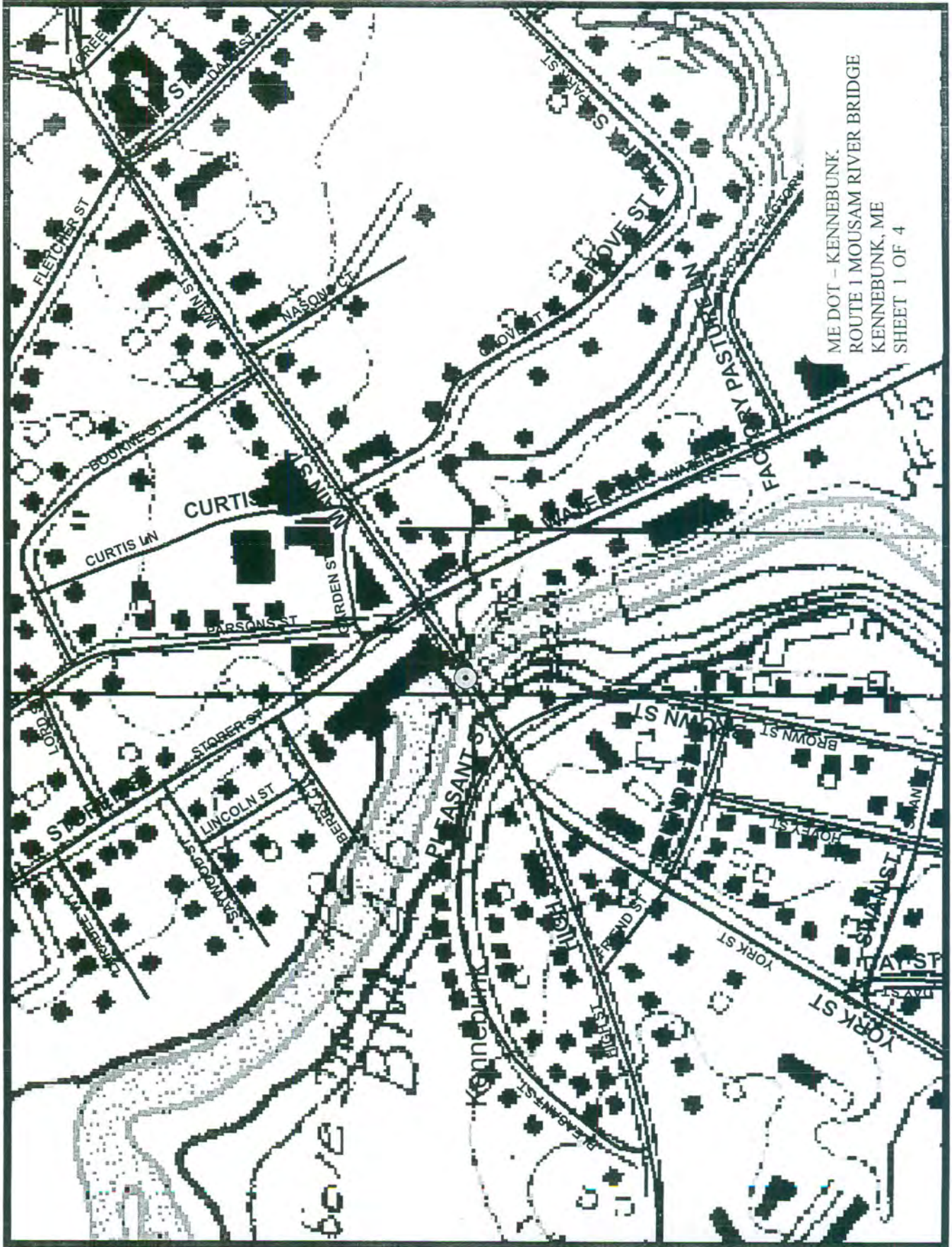


**US Army Corps  
of Engineers**®  
New England District

**PLEASE NOTE THE FOLLOWING GENERAL CONDITIONS FOR  
DEPARTMENT OF THE ARMY  
PROGRAMMATIC GENERAL PERMIT  
NO. NAE-2010-01091**

1. 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.
2. 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.
3. All exposed soils resulting from the construction will be promptly seeded and mulched in order to achieve vegetative stabilization.





Project Location

43.38504

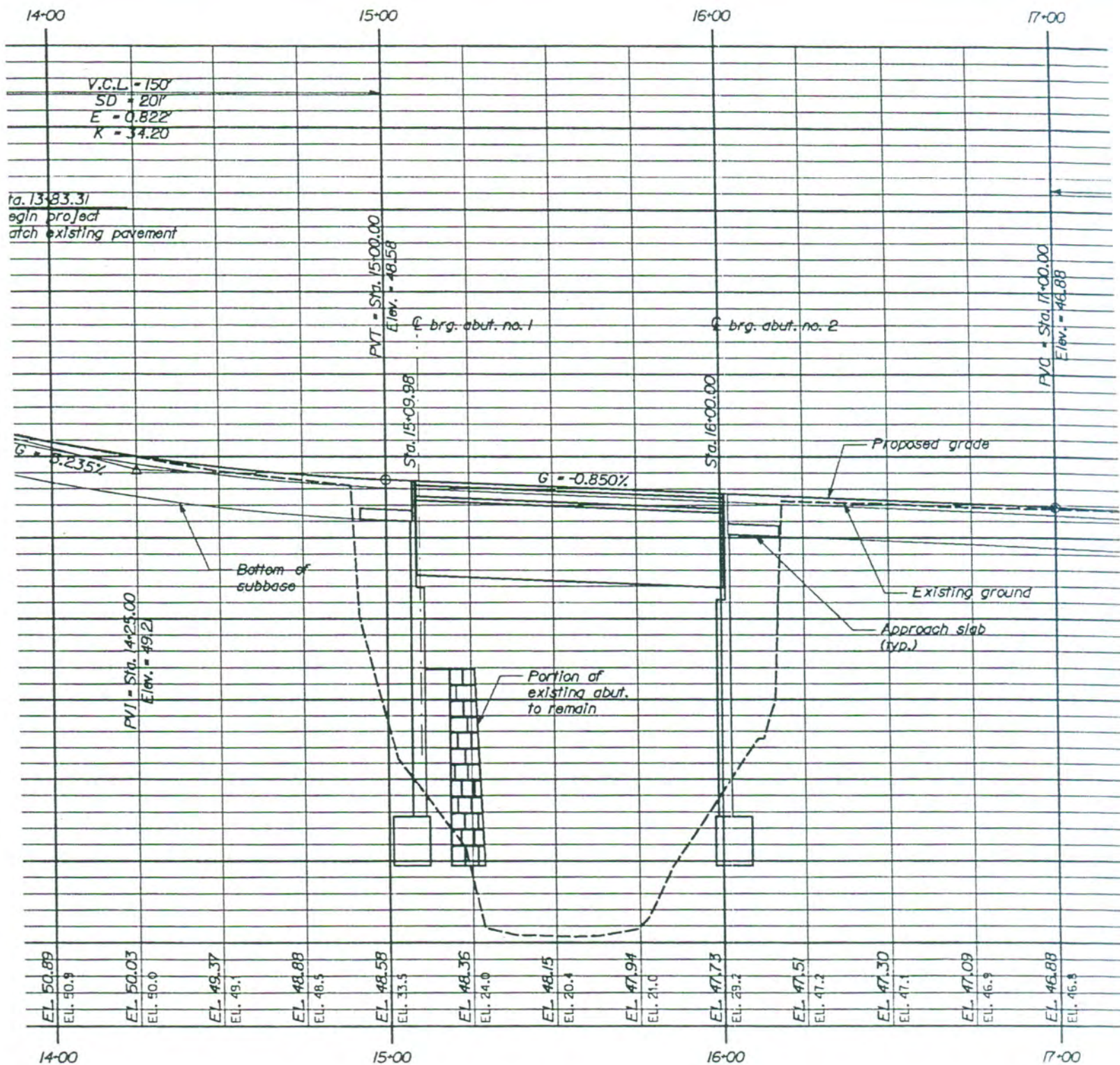
-70.54243

Coordinates in North American Datum 1983 (Decimal Degrees)

**Kennebunk 15098.00**

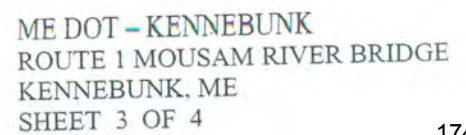


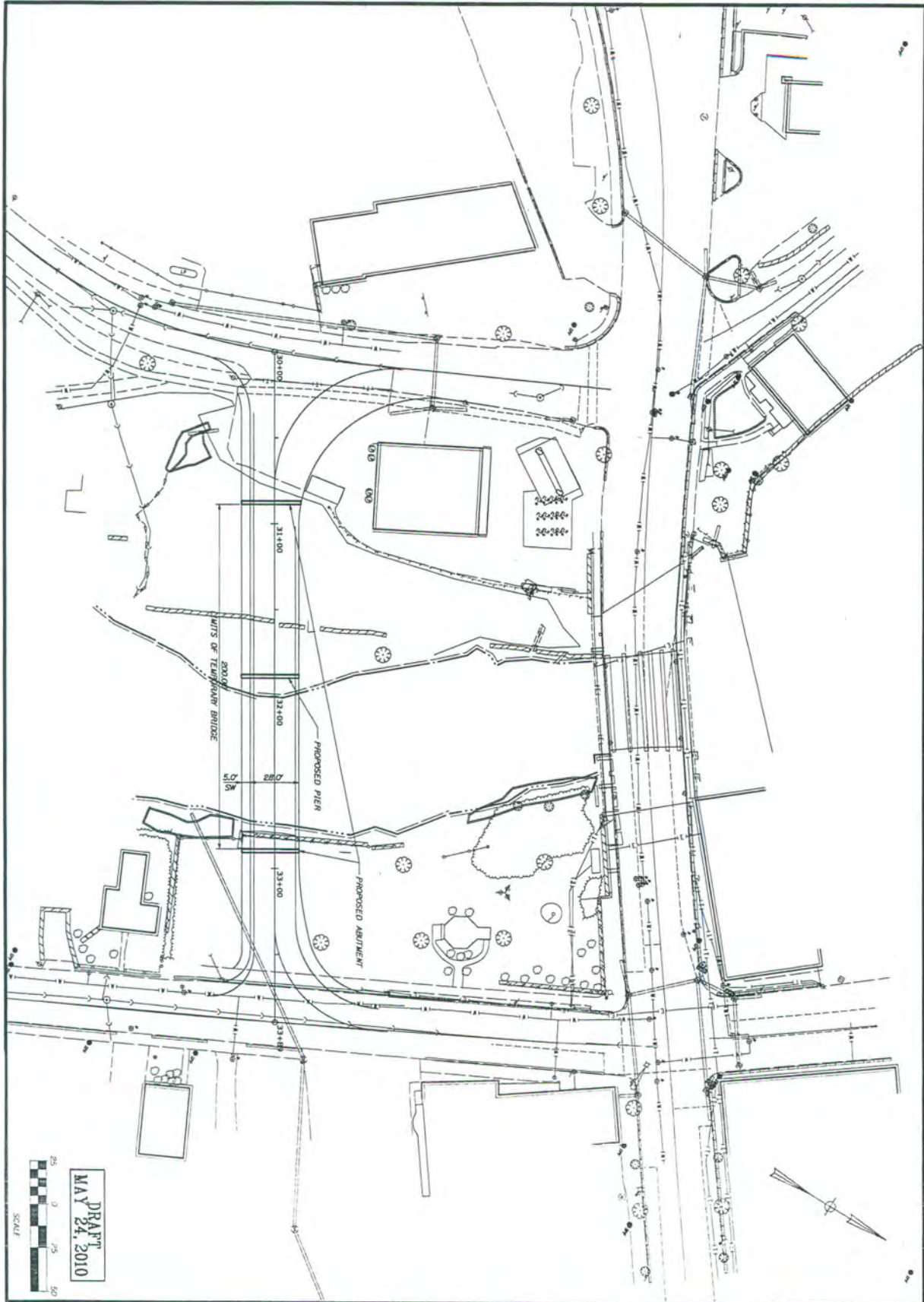






PI = 15+41.77  
D = 3° - 49' - 11.0"  
Δ = 9° - 07' - 47.4" Lt.  
R = 1500.00'  
L = 239.02'  
T = 119.76'  
E = 4.77'





DRAFT  
MAY 24, 2010

SCALE

OF 1

1

SHEET NUMBER

\$BRIDGENAMES\$  
\$RIVERNAMES\$  
\$TOWNORCITY\$

\$COUNTY\$

TEMPORARY DETOUR PLAN

| PROJ. NUMBER    | BY   | DATE |
|-----------------|------|------|
| DESIGN STARTED  | DATE |      |
| DESIGN REVIEWED | DATE |      |
| DESIGN APPROVED | DATE |      |
| DESIGN RELEASED | DATE |      |
| REVISIONS       |      |      |
| REVISION 1      |      |      |
| REVISION 2      |      |      |
| REVISION 3      |      |      |
| REVISION 4      |      |      |
| REVISION 5      |      |      |

SIGNATURE  
P.E. NUMBER  
DATE

|                                                |         |                  |
|------------------------------------------------|---------|------------------|
| STATE OF MAINE<br>DEPARTMENT OF TRANSPORTATION |         |                  |
| \$PROJECTNUMBER\$                              |         |                  |
| \$BRIDGENUMBERS\$                              | \$PIN\$ | \$BRIDGE PLANS\$ |

ME DOT - KENNEBUNK  
ROUTE 1 MOUSAM RIVER BRIDGE  
KENNEBUNK, ME  
SHEET 4 OF 4





US Army Corps  
of Engineers®  
New England District

**PGP**

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

\*\*\*\*\*  
\* MAIL TO: U.S. Army Corps of Engineers, New England District \*  
\* Policy Analysis/Technical Support Branch \*  
\* Regulatory Division \*  
\* 696 Virginia Road \*  
\* Concord, Massachusetts 01742-2751 \*  
\*\*\*\*\*

Corps of Engineers Permit No. **NAE-2010-01091** was issued to the **Maine Department of Transportation**. This work is located in the **Mousam River at the intersection with State Route 1 in Kennebunk, Maine**. The permit authorized the permittee to **place fill below the ordinary high water line of the Mousam River impacting 500 square feet of river bottom in order to replace the existing Route 1 bridge**. MDOT PIN 15098.00

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's Signature:** \_\_\_\_\_      **Date:** \_\_\_\_\_

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

\*\*\*\*\*  
**FOR USE BY THE CORPS OF ENGINEERS**

**PM:** \_\_\_\_\_      **Submittals Required:** \_\_\_\_\_

**Inspection Recommendation:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





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

**MDOT PIN 15098.00**  
(Minimum Notice: Permittee must sign and return notification  
within one month of the completion of work.)

## COMPLIANCE CERTIFICATION FORM

**USACE Project Number:** NAE-2010-01091

**Name of Permittee:** Maine Department of Transportation

**Permit Issuance Date:** 7/7/2010

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 \*  
\* Policy Analysis/Technical Support Branch, ATTN: Marie Farese \*  
\* 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 (\_\_\_\_) \_\_\_\_\_

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

The New England District of the U.S. Army Corps of Engineers hereby issues a Programmatic General Permit (PGP) that expedites review of minimal impact work in coastal and inland waters and wetlands within the State of Maine.

**I. GENERAL CRITERIA**

Activities with minimal impacts, as specified by the terms and conditions of this PGP and on the attached Appendix A, Definition of Categories, are either:

Category 1: Non-reporting. Eligible without screening (provided the authorizations are obtained which this permit states are necessary for activities to be eligible for authorization under this non-reporting category), or,

Category 2: Reporting. Require screening and a written determination of eligibility under the PGP by the Corps after coordination with the U.S. Fish and Wildlife Service (U.S. FWS), U.S. Environmental Protection Agency (EPA) and the National Marine Fisheries Service (NMFS).

This PGP does not affect the Corps Individual Permit review process or activities exempt from Corps jurisdiction.

**II. ACTIVITIES COVERED:**

Work and structures that are located in, or that affect, navigable waters of the United States (U.S.) (Corps regulates under Section 10 of the Rivers and Harbors Act of 1899); the discharge of dredged or fill material into waters of the United States (Corps regulates under Section 404 of the Clean Water Act); and the transportation of dredged material for the purpose of disposal in the ocean (Corps regulates under Section 103 of the Marine Protection, Research and Sanctuaries Act).

**III. PROCEDURES:**

**A. State Approvals**

For projects authorized pursuant to this PGP, the following State approvals are also required. The applicable permits must be obtained in order for this PGP authorization to be valid (applicants are responsible for ensuring that all required State permits and approvals have been applied for and obtained):

- Maine Department of Environmental Protection (DEP): Natural Resources Protection Act (NRPA) permit, including permit-by-rule and general permit authorizations (NRPA permit issuance constitutes both the state permit and the WQC); 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: Lease.
- Maine Department of Conservation, Bureau of Parks and Lands, Submerged Lands: Lease

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

## **B. Corps Authorizations**

### **CATEGORY 1 (Non-Reporting)**

#### **Eligibility Criteria**

Activities in Maine may proceed without application or notification to the Corps if they:

- Are subject to Corps jurisdiction (see General Condition 2, Page 7),
- Meet the definition of Category 1 in Appendix A - Definition of Categories, and
- Meet the General Conditions of the PGP (see Pages 7 - 15).

If the State or the Corps does not contact the applicant for DEP's Tier One permits during the DEP's Tier One 30-day review period, Corps approval may be assumed and the project may proceed. Refer to the Federal Screening Procedures (see Page 4) for additional information regarding screening.

Project proponents seeking Category 1 authorizations are not relieved of the obligation to comply with this PGP's General Conditions (see Page 7) and other Federal laws such as the National Historic Preservation Act, the Endangered Species Act (ESA) and the Wild and Scenic Rivers Act. Therefore, consultation with the Corps and/or outside experts such as the Maine Historic Preservation Commission and the appropriate Indian tribes is recommended when there is a high likelihood of the presence of resources of concern.

Although Category 1 projects are non-reporting, the Corps reserves the right to require screening under Category 2 or Individual Permit review if there are concerns for the aquatic environment or any other factor of the public interest (see General Condition 4, Discretionary Authority, Page 7).

Work that is not regulated by the State of Maine, but is subject to Corps jurisdiction, is eligible for Corps authorization under this PGP in accordance with the review thresholds and conditions contained herein. The Maine DEP and LURC have waived WQC for projects authorized under Categories 1 and 2 of this PGP and not subject to jurisdiction under the NRPA and LURC Land Use Districts and Standards.

**Enforcement cases.** This PGP 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 determines that the activity may proceed independently without compromising the enforcement action. The Corps may choose not to accept applications or issue permits to any applicant with outstanding violations.

### **CATEGORY 2 (Reporting – Requiring Screening)**

#### **Eligibility Criteria**

Activities in Maine require written approval from the Corps if they:

- Are subject to Corps jurisdiction (see General Condition 2, Page 7),
- Meet the definition of Category 2 in Appendix A - Definition of Categories, and
- Meet the General Conditions of the PGP (see Pages 7 - 15),

These projects will be reviewed through interagency screening (see Federal Screening Procedures below) to determine whether such activities may be authorized under this PGP. To be eligible and

subsequently authorized, an activity must result in minimal impacts to the aquatic environment as determined by the Corps based on comments from the review team and the criteria listed above. Mitigation may be required to compensate for unavoidable impacts to ensure net effects of a project are minimal.

For Category 2 projects, applicants must obtain a written authorization from the Corps and State approvals as stated on Page 1.

To ensure compliance with the conditions of this PGP, consultation with the Corps and outside experts is required. This includes consultation with the Maine Historic Preservation Commission and the appropriate Native American Indian tribes to ensure compliance with Condition 8. Also, note the review thresholds under Category 2 apply to single and complete projects only (see General Condition 5).

**Enforcement cases.** See previous section.

### **Application Procedures**

The Corps must review and approve in writing all Category 2 activities. Generally, the State will provide the Corps with a copy of State applications received, but it is ultimately the applicant's responsibility to ensure the Corps receives the application from the State. Therefore, it is recommended that applicants either verify with the Corps receipt of their application from the State (DEP or LURC), or apply directly to the Corps with either a copy of their State application or a Corps application (ENG Form 4345). Applicants must apply directly to the Corps using ENG Form 4345 if the work is not State regulated.

Upon receipt of the application, the Corps will determine if it:

- (a) requires additional information (see "information typically required" on the following page);
- (b) is appropriate for screening with the Federal resource agencies (see Category 2 Federal Screening Procedures on the following page);
- (c) is ineligible under the terms and/or conditions of this PGP; or
- (d) will require Individual Permit review, regardless of whether the terms and conditions of this PGP are met, based on concerns for the aquatic environment or any other factor of the public interest (see General Condition 4, Discretionary Authority).

If open water disposal is proposed, the Corps will make a suitability determination, fully coordinated with the Federal resource agencies, before coordinating a project at a joint processing meeting.

All Category 2 applicants shall submit a copy of their application materials to the Maine Historic Preservation Commission and the Indian tribe(s) listed on Page 17, at the same time, or before, they apply to the DEP, 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 Maine Historic Preservation Commission and tribes or a copy of the Historic Preservation Commission and tribal response letters is acceptable).

### **Information Typically Required**

The following information may not be necessary for all projects. Please see [www.nae.usace.army.mil](http://www.nae.usace.army.mil) for a more comprehensive checklist. Select "Regulatory/Permitting," "Forms" and then "Application and Plan Guideline Checklist." Please check with our Maine office for project-specific requirements.

- (a) purpose of project;
- (b) 8½"x 11" locus map. 8½"x 11" plan views of the entire property, including property lines, and project limits with existing and proposed conditions;
- (c) typical cross-section views of all wetland and waterway fill areas and wetland replication areas;
- (d) legible, reproducible plans. Show mean low water (MLW), mean high water (MHW) and high tide line (HTL) elevations in navigable waters;
- (e) each plan should show the NGVD 1929 equivalent for the project's vertical datum (MLW, MLLW, MHW, HTL or other tidal datum for tidal projects) with the vertical units. Do not use local datum;
- (f) wetland delineation for the site, Corps wetland delineation data sheets (see web site), and calculations of waterway and wetland impact areas (see General Condition 2);
- (g) delineation of submerged aquatic vegetation, e.g., eel grass beds, in tidal waters;
- (h) 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 ordinary high water in inland waters and below the high tide line in coastal waters;
- (i) limits of any Federal Navigation Project in the vicinity and State Plane Coordinates for the limits of the proposed work closest to the Federal Navigation Project;
- (j) on-site alternatives analysis. Please contact Corps for guidance;
- (k) identify and describe potential impacts to Essential Fish Habitat. See General Condition 11 and contact Corps for guidance;
- (l) photographs of wetland/waterway to be impacted.

**Information typically required for dredging projects:**

- (a) 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.
- (b) the area in square feet and volume of material to be dredged below mean high water;
- (c) existing and proposed water depths;
- (d) type of dredging equipment to be used;
- (e) nature of material (e.g., silty sand);
- (f) any existing sediment grain size and bulk sediment chemistry data for the proposed or any nearby projects;
- (g) information on the location and nature of municipal or industrial discharges and occurrence of any contaminant spills in or near the project area, location of the disposal site (include locus sheet);
- (h) shellfish survey;
- (i) identify and describe potential impacts to Essential Fish Habitat (see General Condition 11);
- (j) delineation of submerged aquatic vegetation (e.g., eelgrass beds).

**Federal Screening Procedures**

The Corps will review all complete applications for Category 2 projects requiring Corps approval at interagency screening meetings (or "joint processing" meetings) with the Federal resource agencies (U.S. FWS, EPA and NMFS) to determine whether such activities may be authorized under this PGP. The Federal resource agencies will comprise the interagency review team. The meetings are held at the Corps every three weeks, or coordinated as necessary to provide applicants with a timely response. The Corps and Federal resource agencies, at the branch chief or equivalent level, may agree on certain activities that do not need to be coordinated at these meetings.

If the Corps and Federal resource agencies determine that the activity is eligible for the PGP, the Corps will send an authorization letter directly to the applicant. The Corps will generally issue an eligibility determination within the State's review period, not to exceed 60 days. If the Corps determines that the activity is not eligible under the PGP or that additional information is required, the Corps will notify the applicant in writing and will send a copy of this notification to DEP or LURC.

For projects reviewed with the Federal resource agencies, the agencies may recommend, within ten business days, either 1) special conditions for projects to avoid or minimize adverse environmental effects and to ensure the terms and conditions of the PGP are met, or 2) Individual Permit review. The Corps will determine that a project is ineligible under this PGP and will begin its Individual Permit review procedures if any one of the Federal resource agencies, within ten business days of the screening meeting, expresses a concern within their area of expertise, states the resource or species that could be impacted by the project, and describes the impacts that, either individually or cumulatively, will be more than minimal.

This ten-day notice may be spoken and is not required to be fully documented, but must be confirmed with a written response within an additional ten working days from the date of the spoken comment. Written responses must be signed by the Federal resource agency field supervisor or branch chief, as appropriate, and must identify the affected resource within their area of expertise. The intent of the spoken notification is to allow the Corps to give timely notification to the applicant that additional information is needed and/or an Individual Permit may be required. The Corps may reinstate a project's eligibility under the PGP provided the Federal agencies' concerns are satisfied. The Federal resource agencies may request additional information within their area of expertise within ten business days of the screening meeting. This information shall be commensurate to the level of impact and agreed upon by the Corps. The agencies are allowed an additional ten business days after their receipt of additional information to provide special conditions or a written Individual Permit request to the Corps.

If the applicant is unable to resolve the concerns, the Corps, independently or at the request of the Federal resource agencies, will require an Individual Permit for the project. The applicant will be notified of this in writing, along with information about submitting the necessary application materials.

#### **Minerals Management Service (MMS) Review**

Projects with construction of solid fill structures or discharge of fill that may extend beyond the coastline or the baseline from which the territorial sea is measured (i.e., mean low water), must be coordinated with Minerals Management Service (MMS), Outer Continental Shelf (OCS) Survey Group, pursuant to the Submerged Lands Act (43 USC, Section 1301-1315, 33 CFR 320.4(f)). The Corps will forward project information to MMS for their review. The MMS will coordinate their determination with the Department of the Interior (DOI) Solicitor's Office. The DOI will have 15 calendar days from the date MMS is in receipt of project information to determine if the baseline will be affected. No notification to the Corps within 15-day review period will constitute a "no effect" determination. Otherwise, the solicitor's notification to the Corps may be spoken but must be followed with a written confirmation within ten business days from the date of the spoken notification. This procedure will be eliminated if the State of Maine provides a written waiver of interest in any increase in submerged lands caused by a change in the baseline resulting from solid fill structures or fills authorized under this PGP.

### Emergency Situations Procedures

Emergency situations are limited to sudden, unexpected occurrences that could potentially 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 an application under standard procedures. If an emergency situation requires action in less than 30 days after the occurrence, it qualifies for the amended notification procedures described below.

### Notification Procedures for Emergency Situations:

Any project proponent may request emergency authorization from the Corps, however the Corps will determine if a project qualifies for these emergency situation procedures. The Federal resource agencies, the Maine Historic Preservation Commission and the tribes will each designate an emergency contact and an alternate in the event the regular contact is unavailable. When an application for Category 2 work is received that the Corps determines is an “emergency” as defined above, the Corps will fax a copy of the plans and Determination of Eligibility to the agency representatives and their alternates. The resource agencies would then have 16 business hours to notify the Corps if they have any comments on authorization of the project under the PGP. Objections to the Corps determination of an “emergency” situation will not be accepted. If no response is received within 16 business hours, the Corps will proceed with a decision on the application. If the resource agencies have comments on the proposal, they will have 16 business hours to put their comments in writing. If written comments from the Federal agencies are not received within 16 business hours, the Corps will proceed with a decision on the application.

If a Federal agency requests that an Individual Permit be required for a project or requests modifications to the project based on concerns within their area(s) of expertise, the Corps will notify the applicant within one business day of receipt of that request that the project as proposed does not qualify for authorization under this PGP and the emergency Individual Permit procedures may be followed. In any event, the Corps will notify the applicant within 16 business hours of commencement of the screening process as to whether the project may proceed under this PGP.

## **IV. CORPS AUTHORIZATION: INDIVIDUAL PERMIT**

Work that is defined in the Individual Permit category of Appendix A – Definition of Categories, or that does not meet the terms and conditions of this PGP, will require an application for an Individual Permit from the Corps (see 33 CFR Part 325.1). The screening procedures outlined for Category 2 projects will only serve to delay project review in such cases. The applicant should submit the appropriate application materials (including the Corps application form) at the earliest possible date. General information and application forms can be obtained at our web site or by calling us (see Page 16). Individual water quality certification and coastal zone management consistency concurrence are required when applicable from the State of Maine before Corps permit issuance. The Federal resource agencies’ comments are due within ten working days after the Public Notice’s expiration date, unless the Corps receives and approves a written request for a time extension within ten working days after the notice’s expiration.

## V. PROGRAMMATIC GENERAL PERMIT CONDITIONS:

The following conditions apply to activities authorized under this Maine PGP, including all Category 1 (non-reporting) and Category 2 (reporting – requiring screening) activities:

### **General Requirements**

**1. Other Permits.** Authorization under this PGP 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 <http://www.maine.gov>.

**2. Federal Jurisdictional Boundaries.** Applicability of this PGP 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 328-329. These sections prescribe the policy, practice and procedures to be used in determining the extent of jurisdiction of the Corps concerning “waters of the U.S.” and “navigable waters of the U.S.” Wetland boundaries shall be delineated in accordance with the January 1987 Corps of Engineers Wetlands Delineation Manual, located at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg/wlman87.pdf>. The U.S. FWS publishes the National List of Plant Species that Occur in Wetlands, located at <http://www.nwi.fws.gov>. The Natural Resources Conservation Service (NRCS) develops the hydric soil definition and criteria, and publishes the current hydric soil lists, located at <http://soils.usda.gov/use/hydric/>.

**3. Minimal Effects.** Projects authorized by this PGP shall have no more than minimal individual and cumulative adverse environmental impacts as determined by the Corps.

**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 Individual Permit review based on the concerns stated above. This authority may be invoked for projects with 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 PGP and that warrants greater review. Whenever the Corps notifies an applicant that an Individual Permit may be required, authorization under this PGP is void and no work may be conducted until the individual Corps permit is obtained or until the Corps notifies the applicant that further review has demonstrated that the work may proceed under this PGP.

**5. Single and Complete Projects.** This PGP shall not be used for piecemeal work and shall be applied to single and complete projects. All components of a single project shall be treated together as constituting one single and complete 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) unless the Corps determines that a component has independent utility. (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.) For linear projects, such as power lines or pipelines with multiple



crossings, the “single and complete project” (i.e., single and complete crossing) will apply to each crossing of a separate water of the U.S. (i.e., single waterbody) at that location; except that for linear projects crossing a single waterbody several times at separate and distant locations, each crossing is considered a single and complete project, and may be reviewed for Category 1 eligibility. (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.) If any crossing requires a Category 2 activity, then the entire linear project shall be reviewed as one project under Category 2. Also, this PGP shall not be used for any activity that is part of an overall project for which an Individual Permit is required, unless the Corps determines the activity has independent utility.

**6. Permit On-Site.** For Category 2 projects, the permittee shall ensure that a copy of this PGP and the accompanying authorization letter are at the work site (and the project office) authorized by this PGP 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 PGP. This shall be achieved by including the entire permit authorization in the specifications for work. The term “entire permit authorization” means this PGP 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 as a change order. 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 PGP authorization, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps jurisdiction.

### **National Concerns**

**7. St. John/St. Croix Rivers.** This covers work within the Saint John and Saint Croix River basins that requires approval of the International Joint Commission. This includes any temporary or permanent use, obstruction or diversion of international boundary waters which could affect the natural flow or levels of waters on the Canadian side of the line, as well as any construction or maintenance of remedial works, protective works, dams, or other obstructions in waters downstream from boundary waters when the activity could raise the natural level of water on the Canadian side of the boundary.

**8. Historic Properties.** Any activity authorized by this PGP shall comply with Section 106 of the National Historic Preservation Act. Information on the location and existence of historic resources can be obtained from the Maine Historic Preservation Commission, the National Register of Historic Places, and the Penobscot, Passamaquoddy, Micmac, and Maliseet Tribal Historic Preservation Officers. See Page 17 for historic properties contacts. 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 Department of the Army jurisdiction, that might be eligible for listing in the National Register of Historic Places, he/she shall stop work and immediately notify the District Engineer and the Maine Historic Preservation Commission and/or applicable Tribe(s).

**9. National Lands.** Activities authorized by this PGP shall not 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.

**10. Endangered Species.** No activity may be authorized under this PGP which:

- is likely to adversely affect a threatened or endangered species, a proposed species, designated critical habitat, or proposed critical habitat as identified under the Federal ESA,
- would result in a “take” of any threatened or endangered species of fish or wildlife, or
- would result in any other violation of Section 9 of the ESA protecting threatened or endangered species of plants.

Applicants shall notify the Corps if any listed species or critical habitat, or proposed species or critical habitat, is in the vicinity of the project and shall not begin work until notified by the District Engineer (DE) that the requirements of the ESA have been satisfied and that the activity is authorized. Information on the location of threatened and endangered species and their critical habitat can be obtained from the U.S. FWS and NMFS (see Page 16 for addresses).

**11. Essential Fish Habitat.** As part of the PGP screening process, the Corps will 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.” Applicants may be required to describe and identify potential impacts to EFH. Conservation recommendations made by NMFS will normally be included as a permit requirement by the Corps. For additional information, see the EFH regulations at 50 CFR Part 600 (<http://www.nmfs.noaa.gov>). Additional information on the location of EFH can be obtained from NMFS (see Page 16 for contact information).

Any work in any aquatic habitat 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 PGP and must be screened for potential impacts to EFH.

|                    |                   |                         |                 |
|--------------------|-------------------|-------------------------|-----------------|
| Androscoggin River | Hobart Stream     | Passagassawaukeag River | Saco River      |
| Aroostook River    | Kennebec River    | Patten Stream           | Sheepscot River |
| Boyden River       | Machias River     | Penobscot River         | St. Croix River |
| Dennys River       | Narraguagus River | Pleasant River          | Tunk Stream     |
| Ducktrap River     | Orland River      | Presumpscot River       | Union River     |
| East Machias River |                   |                         |                 |

**12. Wild and Scenic Rivers.** Any activity that occurs in a component of, or within 0.25 mile up or downstream of, the main stem or tributaries of a river segment of the National Wild and Scenic River System, must be reviewed by the Corps under the procedures of Category 2 of this PGP regardless of size of impact. This condition applies to both designated Wild and Scenic Rivers and rivers designated by Congress as study rivers for possible inclusion while such rivers are in an official study status. The Corps will consult with the National Park Service (NPS) with regard to potential impacts of the proposed work on the resource values of the Wild and Scenic River. The culmination of this coordination will be a determination by the NPS and the Corps that the work: (1) may proceed as proposed; (2) may proceed with recommended conditions; or (3) could pose a direct and adverse effect on the resource values of the river and an individual permit is required. If

preapplication consultation between the applicant and the NPS has occurred whereby NPS has made a determination that the proposed project is appropriate for authorization under this PGP (with respect to Wild and Scenic River issues), this determination should be furnished to the Corps with submission of the application. (See NPS address on Page 16.) National Wild and Scenic Rivers System segments for Maine as of September 2005 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 B) 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.

**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 operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

**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 United States (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.

#### **Minimization of Environmental Impacts**

**16. Minimization.** Discharges of dredged or fill material into waters of the United States, including wetlands, shall be avoided and minimized to the maximum extent practicable. Permittees may only fill those jurisdictional wetlands that the Corps authorizes to be filled and impact those wetlands that the Corps authorizes as secondary impacts. For coastal structures such as piers and docks, the height above the marsh at all points should be equal to or exceed the width of the deck. The height shall be measured from the marsh substrate to the bottom of the longitudinal support beam. This will help ensure sunlight reaches the area beneath the structure.

**17. Heavy Equipment in Wetlands.** Heavy equipment, other than fixed equipment (drill rigs, fixed cranes, etc.), working within wetlands shall not be stored, maintained or repaired in wetlands unless it is less environmentally damaging otherwise, and as much as possible shall not be operated there. Where construction requires heavy equipment operation in wetlands, the equipment shall

either have low ground pressure (<3 psi), or shall not be located directly on wetland soils and vegetation; it shall be placed on swamp or timber mats that are adequate to support the equipment in such a way as to minimize disturbance of wetland soil and vegetation. (See General Condition 18 below.) Other support structures that are less impacting and are capable of safely supporting equipment may be used with written Corps authorization. Similarly, not using mats during frozen, dry or other conditions may be allowed with written Corps authorization. An adequate supply of spill containment equipment shall be maintained on site.

NOTE: "Swamp mats" is a generic term 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, and they include large timbers bolted or cabled together (timber mats). Corduroy roads, which are not considered to be swamp mats, are cut trees and/or saplings with the crowns and branches removed, and the trunks lined up next to one another.

**18. Temporary Fill.** Fill placed into waters of the U.S. (including wetlands) totaling greater than or equal to 4,300 SF (15,000 SF if a DEP Tier One Permit is issued) in total area (i.e., the sum of permanent and temporary fill areas) exceeds the Category 1 threshold and may not be discharged without written authorization from the Corps. When temporary fill is used (e.g., access roads, swamp mats, cofferdams), it shall be stabilized and maintained during construction in such a way as to prevent soil eroding into portions of waters of the U.S. where it is not authorized. Swamp or timber mats (see Gen.Cond. 17 above) are considered as temporary fill when they are removed immediately upon work completion. The area must be restored in accordance with Gen.Cond. 19.

- Unconfined temporary fill authorized for discharge into flowing water (rivers and streams) shall consist only of clean washed stone.
- Temporary fill authorized for discharge into wetlands shall be placed on geotextile fabric laid on the pre-construction wetland grade. (Swamp and timber mats are excluded from this requirement.)
- Temporary fill shall be removed as soon as it is no longer needed, and it shall be disposed of at an upland site and suitably contained to prevent subsequent erosion into waters of the U.S.
- Waters of the U.S. where temporary fill was discharged shall be restored (see Gen.Cond. 19).
- No temporary work shall drain a water of the U.S. by providing a conduit for water on or below the surface.

**19. Restoration.**

- Upon completion of construction, all disturbed wetland areas (the disturbance of these areas must be authorized) shall be stabilized with a wetland seed mix containing only plant species native to New England.
- The introduction or spread of invasive plant species in disturbed areas shall be controlled.
- 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.
- 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.

**20. Coastal Bank Stabilization.** Projects involving construction or reconstruction/maintenance of bank stabilization structures within Corps jurisdiction should be designed to minimize environmental effects, effects to neighboring properties, scour, etc. to the maximum extent practicable. For example, vertical bulkheads should only be used in situations where reflected wave energy can be tolerated. 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. For more information, see the Corps Coastal Engineering Manual (supersedes the Shore Protection Manual), located at <http://chl.erdc.usace.army.mil>. Select “Products/ Services,” “Publications.” Part 5, Chapter 7-8, a(2)c is particularly relevant.

**21. Sedimentation and Erosion Control.** Adequate sedimentation and erosion control management measures, practices and devices, such as phased construction, vegetated filter strips, geotextile silt fences, hay bales or other devices, 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. These devices must be removed in a timely manner upon completion of work, but not until the disturbed areas have been stabilized. The sediment collected by these devices shall be removed and placed at an upland location in a manner that will prevent its later erosion into a waterway or wetland. All exposed soil and other fills shall be permanently stabilized at the earliest practicable date.

## **22. Waterway Crossings.**

(a) All temporary and permanent crossings of waterbodies (waterways and wetlands) shall be suitably culverted, bridged, or otherwise designed to withstand and to prevent the restriction of high flows, to maintain existing low flows, and to not obstruct the movement of aquatic life indigenous to the waterbody beyond the actual duration of construction. (NOTE: Areas of fill and/or cofferdams must be included in total waterway/wetlands impacts to determine applicability of this PGP).

(b) Aquatic Life Movements. No activity may substantially disrupt the necessary life-cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity’s primary purpose is to impound water. For new permanent crossings, open bottom arches, bridge spans or embedded culverts are generally preferred over traditional culverts and should be installed when practicable. Coordination with the Corps is recommended for Category 1 projects when site constraints (e.g., placing footings) may render open bottom arches, bridge spans or embedded culverts impractical. In these cases, well-designed culverts may actually perform better. Culverts shall be installed with their inverts embedded below existing streambed grade to avoid “hanging” and associated impediments to fish passage. The “Design of Road Culverts for Fish Passage” provides design guidance and is available at [www.nae.usace.army.mil](http://www.nae.usace.army.mil), “Regulatory/Permitting,” “Other.”

(c) Culverts at waterbody crossings shall be installed in such a manner as to preserve hydraulic connectivity, at its present level, between the wetlands on either side of the road. The permittee shall take necessary measures to correct wetland damage due to lack of hydraulic connectivity.

(d) Culverts and bridges shall span the waterway a minimum of 1.2 times the bankfull width in probable fish bearing waterways to qualify as a Category 1 non-reporting activity. See “Design of Road Culverts for Fish Passage,” referenced in (b) above, for information on bankfull width.

- (e) Projects using slip lining (retrofitting an existing culvert by inserting a smaller diameter pipe), plastic pipes, and High Density Polyethylene Pipes (HDPP) are not allowed as non-reporting Category 1 activities, either as new work or maintenance activities.
- (f) Waterbody crossings shall be culverted to at least municipal or State standards. The Maine DEP's stream crossing standards are at 06-096, Chapter 305: Permit by Rule, Section 10. Stream crossings (bridges, culverts and fords).
- (g) Waterway crossings proposed by the Maine Dept. of Transportation should conform to the MDOT Fish Passage Policy and Design Guides.
- (h) Construction equipment shall not cross streams without the use of temporary bridges, culverts, or cofferdams.
- (i) 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.

**23. Discharge of Pollutants.** All activities involving any discharge of pollutants into waters of the U.S. authorized under this PGP shall be consistent with applicable water quality standards, effluent limitations, standards of performance, prohibitions, and pretreatment standards and management practices established pursuant to the 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 PGP, 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 District Engineer in consultation with the Regional Administrator of the EPA. Applicants may presume that State water quality standards are met with the issuance of a LURC or DEP NRPA permit.

**24. Spawning Areas.** Discharges of dredged or fill material, and/or suspended sediment producing activities in fish and shellfish spawning or nursery areas and amphibian and waterfowl breeding areas during spawning or breeding seasons shall be avoided. During all times of year, impacts to these areas shall be avoided or minimized to the maximum extent practicable.

**25. 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. 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 and 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.

**26. 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 so as to maintain as much as is practicable, and minimize any adverse impacts on existing fish, wildlife, and natural environmental functions and values.

**27. Protection of Vernal Pools.** Impacts to uplands in proximity (within 500 feet) to the vernal pools referenced in Appendix A - Definitions of Categories, shall be minimized to the maximum extent possible.

### **Procedural Conditions**

**28. Cranberry Development Projects.** For cranberry development projects authorized under the PGP, the following conditions apply:

- 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.
- No stream diversion shall be allowed under this permit.
- No impoundment of perennial streams shall be allowed under this permit.
- The project shall be designed and constructed to not cause flood damage on adjacent properties.

**29. Inspections.** The permittee shall allow the District Engineer (DE) or his authorized representative(s) to make periodic inspections at any time deemed necessary in order to ensure that the work is being performed in accordance with the terms and conditions of this permit. The DE may also require post-construction engineering drawings for completed work and post-dredging survey drawings for any dredging work.

**30. Work Start Notification Form and Compliance Certification.** Every permittee who receives a written Category 1 or 2 PGP authorization from the Corps must submit a 1) Work Start Notification Form (WSNF) two weeks before work commencement, and 2) signed 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). The Corps will forward the blank WSNF and Compliance Certification Form with the authorization letter. The Compliance Certification Form will include: (a) a statement that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions; (b) a statement that any required mitigation was completed in accordance with the permit conditions; and (c) the signature of the permittee certifying the completion of the work and mitigation.

**31. Maintenance.** The permittee shall maintain the work or structures authorized herein in good condition and in conformance with the terms and conditions of this permit. This does not include maintenance of dredging projects. Maintenance dredging is subject to the review thresholds in Appendix A and/or any conditions included in a written Corps authorization. Maintenance dredging includes only those areas and depths previously authorized and dredged. Some maintenance activities may not be subject to regulation under Section 404 in accordance with 33 CFR 323.4(a)(2).

**32. Property Rights.** This permit 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. If property associated with work authorized by the PGP is sold, the PGP authorization is automatically transferred to the new property owner. The new property owner should provide this information to the Corps in writing. No acknowledgement from the Corps is necessary.

**33. Modification, Suspension, and Revocation.** This permit 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.

**34. Restoration.** The permittee, upon receipt of a notice of revocation of authorization under this permit, 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.

**35. Special Conditions.** The Corps, independently or at the request of the Federal resource agencies, may impose other special conditions on a project authorized pursuant to this general permit that are determined necessary to minimize adverse environmental effects or based on any other factor of the public interest. Failure to comply with all conditions of the authorization, including special conditions, will constitute a permit violation and may subject the permittee to criminal, civil, or administrative penalties or restoration.

**36. False or Incomplete Information.** If the Corps makes a determination regarding the eligibility of a project under this permit and subsequently discovers that it has relied on false, incomplete, or inaccurate information provided by the permittee, the permit shall not be valid and the government may institute appropriate legal proceedings.

**37. Abandonment.** If the permittee decides to abandon the activity authorized under this general permit, unless such abandonment is merely the transfer of property to a third party, he/she must restore the area to the satisfaction of the District Engineer.

**Duration of Authorization/Grandfathering:**

**38. Duration of Authorization.** This PGP expires five years from the effective date listed at the top of Page 1. Activities authorized under Category 1 of this PGP that have commenced (i.e., are under construction) or are under contract to commence in reliance upon this PGP's authorization will remain authorized provided the activity is completed within 12 months of the PGP's expiration date. Activities authorized under Category 2 of this PGP will remain authorized in accordance with the project-specific date that the Corps provides to the permittee in the PGP authorization letter, unless:

- (a) The PGP is either modified or revoked, or
- (b) Discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.2 (e)(2).

**39. Previously Authorized Activities.**

- (a) Activities completed under the authorizations of past PGPs that were in effect at the time the activity was completed will continue to be authorized by those PGPs.
- (b) Completed projects that have received written verification or approval from the Corps, based on applications made to the Corps prior to issuance of this PGP or the previous nationwide permits, regional general permits, or letters of permission shall remain authorized as specified in each authorization.
- (c) Activities authorized pursuant to 33 CFR Part 330.3 ("Activities occurring before certain dates") are not affected by this PGP.



## VI. CONTACTS FOR MAINE PROGRAMMATIC GENERAL PERMIT:

### 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  
1168 Main Street  
Old Town, Maine 04468  
(207) 827-5938  
207-827-6099 (fax)

#### Wild and Scenic Rivers

National Park Service  
North Atlantic Region  
15 State Street  
Boston, Massachusetts 02109  
(617) 223-5203

#### Federal Endangered Species & Essential Fish Habitat

National Marine Fisheries Service  
One Blackburn Drive  
Gloucester, Massachusetts 01939  
(978) 281-9102  
(978) 281-9301 (fax)

#### Bridge Permits

Commander (obr)  
First Coast Guard District  
One South Street - Battery Bldg  
New York, New York 10004  
(212) 668-7021

### 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) 287-2111

Southern Maine Regional Office  
312 Canco Road  
Portland, Maine 04103  
(201) 822-6300

Eastern Maine Regional Office  
106 Hogan Road  
Bangor, Maine 04401  
(207) 941-4570

Northern Maine Regional Office  
1235 Central Drive - Skyway Park  
Presque Isle, Maine 04769  
(207) 764-0477

#### Maine Land Use Regulation Commission (LURC) [call (800) 452-8711 for appropriate LURC office]

22 State House Station  
Augusta, ME 04333-0022  
(207) 287-2631  
(207) 287-7439 (fax)

45 Radar Road  
Ashland, ME 04732-3600  
(207) 435-7963  
(207) 435-7184 (fax)

Lakeview Drive  
P.O. Box 1107  
Greenville, ME 04441  
(207) 695-2466  
(207) 695-2380 (fax)

(For CZM Determinations)

State Planning Office  
Coastal Program  
184 State Street  
State House Station 38  
Augusta, Maine 04333  
(207) 287-1009

(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

State House Station 65  
Augusta, Maine 04333-0065  
(207) 287-2132  
(207) 287-2335 (fax)

Aroostook Band of Micmacs

Attn: Mr. Williams Phillips, Chief  
7 Northern Road  
Presque Isle, Maine 04769  
(207) 764-1972  
(207) 764-7667 (fax)

Houlton Band of Maliseet Indians

Attn: Tribal Chief  
88 Bell Road  
Littleton, Maine 04730  
(207) 532-4273, x215  
(207) 532-2660 (fax)

191 Main Street  
East Millinocket, ME 04430  
(207) 746-2244  
(207) 746-2243

(For Aquaculture Leases)

Maine Department of Marine Resources  
P.O. Box 8  
West Boothbay Harbor, Maine 04575  
(207) 633-9500

Passamaquoddy Tribe of Indians

Pleasant Point Reservation  
Attn: Tribal Council  
P.O. Box 343  
Perry, Maine 04667  
(207) 853-2600  
(207) 853-6039 (fax)

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)

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                | <a href="http://www.nae.usace.army.mil">www.nae.usace.army.mil</a> (click "Regulatory/Permitting")   |
| Corps of Engineers Headquarters        | <a href="http://www.usace.army.mil">www.usace.army.mil</a> (click "Services for the Public")         |
| Environmental Protection Agency        | <a href="http://www.epa.gov/owow/wetlands/">www.epa.gov/owow/wetlands/</a>                           |
| National Marine Fisheries Service      | <a href="http://www.nmfs.noaa.gov">www.nmfs.noaa.gov</a>                                             |
| U.S. Fish and Wildlife Service         | <a href="http://www.fws.gov">www.fws.gov</a>                                                         |
| National Park Service                  | <a href="http://www.nps.gov/rivers/index.html">www.nps.gov/rivers/index.html</a>                     |
| State of Maine                         | <a href="http://www.maine.gov">www.maine.gov</a>                                                     |
| State of Maine -Aquaculture Guidelines | <a href="http://www.maine.gov/dmr/aquaculture/index.htm">www.maine.gov/dmr/aquaculture/index.htm</a> |

*for* Christine J. Grey 10-11-05  
District Engineer Date

## APPENDIX A: DEFINITION OF CATEGORIES

| <b>A. INLAND WATERS AND WETLANDS</b> | <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 PGP, 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 the next page.)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                   |
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|                                      | <b>CATEGORY 1</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>CATEGORY 2</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>INDIVIDUAL PERMIT</b>                                                                                                                                                                                                                                                                                                                          |
| (a) NEW FILL/ EXCAVATION DISCHARGES  | <p>&lt;4,300 SF inland waterway and/or wetland fill and associated secondary impacts (e.g., areas drained, flooded, cleared or excavated). Fill area includes all temporary and permanent fill, and excavation discharges (except for incidental fallback). Swamp mats are considered as fill. [See General Condition (GC) 18.]</p> <p><u>Provided:</u></p> <ul style="list-style-type: none"> <li>• In-stream (e.g., rivers, streams, brooks, etc.) work limited to Jul 15 - Oct 1</li> <li>• In-stream work of up to 4,300 SF of fill below OHW in waterways not designated as EFH for Atlantic salmon (see GC 11, Page 9) and performed in accordance with Maine Permit By Rule standards or a LURC permit.</li> <li>• Waterway crossings shall comply with GC 22.</li> <li>• Projects covered by a DEP Tier One permit with no cumulative impacts &gt;15,000 SF in inland wetlands from previous permits, unauthorized work, and/or other state permits.</li> <li>• Subdivision fill complies with GC 5, Single and Complete Projects (see Page 7).</li> </ul> <p><u>This category excludes:</u></p> <ul style="list-style-type: none"> <li>• Dams, dikes or activities involving water diversions.<sup>2</sup></li> <li>• Non-State approved sediment releases/sluiques from dams.</li> <li>• Open trench excavation in flowing waters (see GC 22, Page 12).</li> </ul> | <p>4,300 SF to &lt;3 acres inland waterway and/or wetland fill and associated secondary impacts (e.g., areas drained, flooded, cleared or excavated). Fill area includes all temporary and permanent fill, and excavation discharges (except for incidental fallback). Swamp mats filling any area ≥4,300 SF are reviewed in Category 2. (See GC 18, Page 11.)</p> <p><u>Includes:</u> In-stream work, including crossings (other than spanned crossing as described in Category 1) with any discharge of fill below ordinary high water in perennial waterways designated as EFH for Atlantic salmon. Time of year restrictions determined case-by-case.</p> <p>Projects with proactive restoration as a primary purpose with impacts of any area ≥4,300 SF. The Corps, in consultation with State &amp; Federal agencies, must determine that net adverse effects are not more than minimal.</p> <p>Specific activities with impacts of any area ≥4,300 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>≥3 acres inland waterway and/or wetland fill and secondary impacts (e.g., areas drained, flooded, cleared or excavated). Fill area includes all temporary and permanent fill, and excavation discharges (except for incidental fallback).<sup>5</sup></p> <p>EIS required by the Corps.</p> <p>In-stream work exceeding Category 2 limits.</p> |
| Maine PGP                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | October 11, 2005                                                                                                                                                                                                                                                                                                                                  |

|                                                       | CATEGORY 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | CATEGORY 2                                                                                                                                   | INDIVIDUAL PERMIT                                                                                       |
|-------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
|                                                       | <p>• Work in waters designated as EFH for Atlantic salmon (see GC 11, Page 9), unless the waterway is crossed with a span and footprints of the span abutments are outside ordinary high water with no more than 4,300 SF of associated wetland impact.</p> <p>• Work in Special Inland Waters or Wetlands<sup>3</sup> (vernal pools).</p> <p>• Work in special aquatic sites (SAS)<sup>4</sup> other than wetlands.</p> <p>• Work within ¼ mile of a Wild and Scenic River (see GC 12, Page 9).</p> <p>• Work on National Lands (see GC 9, Pg. 9).</p> <p>• Work affecting threatened or endangered species (see GC 10, Page 9) or EFH salmon migration (see GC 11, Page 9).</p> |                                                                                                                                              |                                                                                                         |
| <b>(b) BANK STABILIZATION PROJECTS</b>                | <p>Inland bank stabilization &lt;100 FT long and &lt;1 CY of fill per linear foot below OHW.</p> <p><u>Provided:</u></p> <ul style="list-style-type: none"> <li>• In-stream work limited to Jul 15 - Oct 1.</li> <li>• No work in special inland waters &amp; wetlands<sup>3</sup> and SAS<sup>4</sup>.</li> <li>• No open trench excavation in flowing waters (see GC 22, Page 12).</li> <li>• No structures angled steeper than 3H:1V allowed. Only rough-faced stone or fiber roll revetments allowed.</li> <li>• No work affects threatened or endangered species (see GC 10, Page 9) or EFH (see GC 11, Page 9).</li> </ul>                                                  | Inland bank stabilization ≥100 FT long and/or ≥1 CY of fill per linear foot, or any amount with fill in wetlands.                            |                                                                                                         |
| <b>(c) REPAIR AND MAINTENANCE OF AUTHORIZED FILLS</b> | <p>Repair or maintenance of existing, currently serviceable, authorized fills with no substantial expansion or change in use.</p> <p>*Conditions of the original authorization apply, however minor deviations in fill design allowed.<sup>6</sup></p>                                                                                                                                                                                                                                                                                                                                                                                                                            | <p>Replacement of non-serviceable fills, or repair/maintenance of serviceable fill, with expansion &lt;3 acres, or with a change in use.</p> | Replacement of non-serviceable fill, or repair/maintenance of serviceable fill, with expansion ≥1 acre. |

| <b>II. NAVIGABLE WATERS</b>     |                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Navigable Waters of the United States:</b> Waters that are subject to the ebb and flow of the tide and Federally designated navigable rivers (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 PGP, 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.                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                 |
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|                                 | <b>CATEGORY 1</b>                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>CATEGORY 2</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>INDIVIDUAL PERMIT</b>                                                                                                                                                                                                                                                                                                                                                        |
| (a) FILL                        | Discharges of dredged or fill material incidental to the construction of bridges across navigable waters of the United States, 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. Causeways and approach fills are not included in this category and require Category 2 or Individual Permit authorization. | <p>&lt;1 acre fill and/or secondary waterway impacts (e.g., areas drained, flooded or cleared). Fill includes temporary and permanent waterway fill.</p> <p>Temporary fill or excavation &lt;1 acre in SAS<sup>4</sup>.</p> <p>Permanent fill or excavation &lt;1,000 SF in SAS<sup>4</sup>.</p> <p>Permanent fill and/or excavation ≥1,000 SF in SAS<sup>5</sup> when associated with a project with proactive restoration as a primary purpose. The Corps, in consultation with Federal &amp; state agencies, must determine that net adverse effects are not more than minimal.</p> <p>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 be restored in place.</p> | <p>≥1 acre waterway fill and/or secondary waterways or wetland impacts (e.g., areas drained, flooded or cleared). Fill includes temporary and permanent waterway fill.</p> <p>Temporary fill or excavation ≥1 acre in SAS<sup>4</sup>.</p> <p>Permanent fill or excavation ≥1,000 SF in SAS<sup>4</sup> other than as specified in Cat. 2</p> <p>EIS required by the Corps.</p> |
| (b) REPAIR AND MAINTENANCE WORK | Repair or maintenance of existing, currently serviceable, authorized structure or fill with no substantial expansion or change in use.<br>*Conditions of the original authorization apply.<br>Must be rebuilt in same footprint, however minor deviations in structure design allowed <sup>6</sup>                                                                                                                                                    | Replacement of non-serviceable structures and fills or repair/maintenance of serviceable structures or fills, with fill, replacement or expansion <1 acre, or with a change in use.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Replacement of non-serviceable structures and fills or repair/maintenance of serviceable structures or fill, with replacement or expansion ≥1 acre.                                                                                                                                                                                                                             |

|                                      | CATEGORY 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | CATEGORY 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | INDIVIDUAL PERMIT                                                                                                                                                                                                                                                                                                                                                                                                           |
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| (c) DREDGING AND ASSOCIATED DISPOSAL | <p>Maintenance dredging for navigational purposes &lt;1,000 cy with upland disposal. Includes return water from upland contained disposal area.</p> <p><u>Provided:</u></p> <ul style="list-style-type: none"> <li>• Proper siltation controls are used.</li> <li>• Dredging &amp; disposal operation limited to November 1 - January 15.</li> <li>• No impact to special aquatic sites<sup>4</sup>.</li> <li>• No dredging in intertidal areas.</li> <li>• No work affects threatened or endangered species (see GC 10, Page 9) or EFH salmon migration (see GC 11, Page 9).</li> </ul>                                                                                                                                                                                                                                                                                      | <p>Maintenance dredging <math>\geq 1,000</math> CY, new dredging &lt;25,000 CY, or projects not meeting Category 1. Includes return water from upland contained disposal areas.</p> <p><u>Provided:</u></p> <ul style="list-style-type: none"> <li>• Disposal includes 1) upland, 2) beach nourishment (above MHW) of any area provided dredging's primary purpose is navigation or sand is from an upland source and Corps, in consultation w/Federal and State agencies, determines the net adverse effects are not more than minimal; and 3) open water &amp; confined aquatic disposal, if Corps, in consultation with Federal and State agencies, finds the material suitable.</li> </ul> | <p>Maintenance dredging and/or disposal (any amount) in or affecting a SAS<sup>4</sup>. See II(a) above for dredge disposal in wetlands or waters.</p> <p>New dredging <math>\geq 25,000</math> CY, or any amount in or affecting SAS<sup>4</sup>.</p> <p>Beach nourishment associated with dredging when the primary purpose is not navigation (i.e., aggregate/sand mining) or the material is from an upland source.</p> |
| (d) MOORINGS                         | <p>Private, non-commercial, non-rental, single-boat moorings authorized by the local harbormaster.</p> <p><u>Provided:</u></p> <ul style="list-style-type: none"> <li>• Not associated with any boating facility<sup>7</sup></li> <li>• Not located in a Federal Navigation Project other than a Federal Anchorage. Moorings in Federal Anchorage not associated with a boating facility<sup>7</sup>.</li> <li>• No interference with navigation</li> <li>• Not located in vegetated shallows<sup>8</sup></li> <li>• Within 1/4 mile of the owner's residence or a public access point.<sup>9</sup></li> </ul> <p>Minor relocation of previously authorized moorings and moored floats consistent with Harbormaster recommendations, provided it is also consistent with local regulations, is not located in vegetated shallows, and does not interfere with navigation.</p> | <p>Moorings associated with a boating facility<sup>7</sup>.</p> <p>Moorings that don't meet the terms in Category 1 and don't require an Individual Permit.</p> <p>Moorings located such that they, and/or vessels docked or moored at them, are within the buffer zone of the horizontal limits<sup>10</sup> of a Corps Federal Channel. (See Appendix B.) The buffer zone is equal to three times the authorized depth of that channel.</p>                                                                                                                                                                                                                                                  | <p>Moorings within the horizontal limits<sup>10</sup>, or with moored vessels that extend, into the horizontal limits of a Federal Navigation Project (See App. B), except those in Federal Anchorages under Category 1.</p> <p>Note: Federal Navigation Projects include both Federal Channels and Federal Anchorages.</p>                                                                                                 |

|                           | CATEGORY I                                                                                                                                                                                                                                                                                                                                                                                                                                                               | CATEGORY 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | INDIVIDUAL PERMIT                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (e) STRUCTURES AND FLOATS | <p>Reconfiguration of existing authorized structures or floats.</p> <p><u>Provided:</u></p> <ul style="list-style-type: none"> <li>• Structures not positioned over vegetated shallows<sup>8</sup> or salt marsh.</li> <li>• Floats supported off substrate at low tide.</li> <li>• No dredging, additional slips or expansion.</li> <li>• No work affects threatened or endangered species (see GC 10, Page 9) or EFH salmon migration (see GC 11, Page 9)..</li> </ul> | <p>Private structures or floats, including floatways/skidways, built to access waterway (seasonal and permanent)</p> <p>Expansions to existing boating facilities<sup>7</sup>.</p> <p>Compliance with the following is recommended, but not required:</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 above the substrate during all tides.</li> <li>• Structures &amp; floats not located within 25' of any vegetated shallows<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.</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>10</sup> of a Corps Federal Navigation Project (FNP) (See App. B). The buffer zone is equal to three times the authorized depth of that FNP.</li> </ul> | <p>Structures or floats, including floatways/skidways, located such that they and/or vessels docked or moored at them are within the horizontal limits of a Corps Federal Navigation Project (see App. B).</p> <p>Structures and floats associated with a new or previously unauthorized boating facility<sup>7</sup>.</p> <p>Note: Federal Navigation Projects include both Federal Channels and Federal Anchorages.</p> |
| (f) MISCELLANEOUS         | <p>Temporary buoys, markers, floats, etc. for recreational use during specific events, provided they are removed within 30 days after use is discontinued.</p> <p>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 part 66, Chapter I, subchapter C)."</p>                                                                                        | <p>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 MHW line.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>EIS required by the Corps.</p> <p>Shellfish/finfish (other than Atlantic salmon), or other aquaculture facilities with more than minimal individual and cumulative impacts to environmental resources or navigation. A 25' eelgrass set back is recommended.</p>                                                                                                                                                       |



|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                      |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p>Oil spill clean-up temporary structures or fill. Fish/wildlife harvesting structures/fill (as defined by 33 CFR 330, App. A-4)</p> <p>Scientific measurement devices and survey activities such as exploratory drilling, surveying and sampling activities. Does not include oil and gas exploration and fill for roads or construction pads.</p> <p>Shellfish seeding (brushing the flats<sup>12</sup>) projects.</p> <p>Provided:</p> <ul style="list-style-type: none"> <li>• No work in National Wildlife Refuges.</li> <li>• No work affects threatened or endangered species (see GC 10, Page 9) or EFH salmon migration (see GC 11, Page 9).</li> </ul> | <p>Shellfish/finfish (other than Atlantic salmon), or other aquaculture facilities with no more than minimal individual and cumulative impacts to environmental resources or navigation. A 25" eelgrass set back is recommended. 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>Aquaculture guidelines are provided at: <a href="http://www.maine.gov/dmr/aquaculture/index.htm">www.maine.gov/dmr/aquaculture/index.htm</a>.</p> |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|

<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 highwater mark (MHW 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> **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>3</sup> **Special Inland Waters and Wetlands:** Vernal Pools - Temporary to permanent bodies of water occurring in shallow depressions that fill during the spring and fall and may dry during the summer. Vernal pools have no permanent or viable populations of predatory fish. Vernal pools provide the primary breeding habitat for wood frogs, spotted salamanders, blue-spotted salamanders, and fairy shrimp, and provide habitat for other wildlife including several endangered and threatened species.

<sup>4</sup> **Special Aquatic Sites:** Includes wetlands and saltmarsh, mudflats, riffles and pools, and vegetated shallows.

<sup>5</sup> **IP Required:** The greater the impacts, the more likely an Individual Permit will be required. The Corps will determine the need for compensatory mitigation on a case-by-case basis.

<sup>6</sup> **Maintenance:** 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, which are necessary to make repair, rehabilitation, or replacement are permitted, provided the adverse environmental effects resulting from such repair, rehabilitation or replacement are minimal. No seaward expansion for bulkheads or any other fill activity is considered Category I maintenance. Currently serviceable means useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.

<sup>7</sup> **Boating Facilities:** Facilities that provide, rent, or sell mooring space, such as marinas, yacht clubs, boat clubs, boat yards, town facilities, dockominiums, etc.

<sup>8</sup> **Vegetated Shallows:** Subtidal areas that support rooted aquatic vegetation such as eelgrass

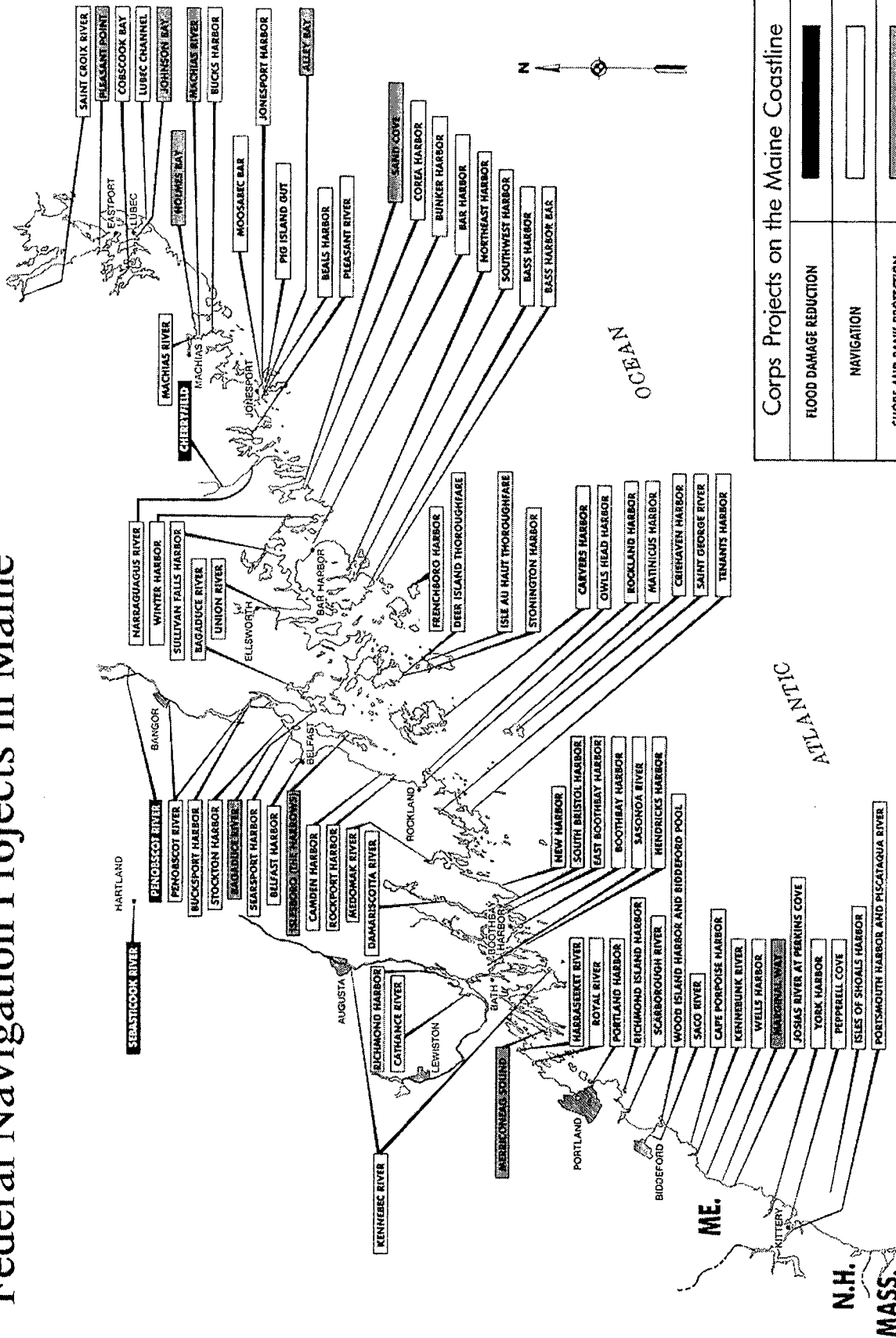
<sup>9</sup> **Mooring Location:** Cannot be at a remote location to create a convenient transient anchorage.

<sup>10</sup> **Horizontal Limits:** The outer edge of a Federal Navigation Project (FNP). Contact the Corps of Engineers for information on FNP's.

<sup>11</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.

<sup>12</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*).

# Federal Navigation Projects in Maine



| Corps Projects on the Maine Coastline |  |
|---------------------------------------|--|
| FLOOD DAMAGE REDUCTION                |  |
| NAVIGATION                            |  |
| SHORE AND BANK PROTECTION             |  |
|                                       |  |



## Environmental Summary Sheet

**Pin:** 15098.00  
**Town:** Kennebunk  
**CPD Team Leader:** Ben Condon/Kristen Chamberlain

**Date Submitted:** 7-26-2010

**NEPA Complete:** Not Applicable

☒ **Section 106**  
SHPO Concurrence  
Special Conditions: See Special Provision 105.9

☒ **Section 4(f) and 6(f)**  
Section 4(f)  
Review Complete- No USDOT \$  
Section 6(f)  
Not Applicable (no properties)

☒ **Maine Department of Inland Fisheries and Wildlife Essential Habitat**  
**Not Applicable** **Timing Window: Not Applicable**

☒ **Section 7**  
**Not Applicable**  
**Species of Concern:**  
**Comments/References: Not Applicable**

☒ **Maine Department of Conservation/Public Lands, Submerged Land Lease**  
**Not Applicable**

☒ **Maine Land Use Regulation Commission**  
**Not Applicable**

*\*Applicable Standards and Permits are included with the contract*

☒ **Maine Department of Environmental Protection**  
**Permit by Rule (PBR) #50322**

*\*Applicable Standards and Permits are included with the contract*

☒ **Army Corps of Engineers, Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Category 2**

*\*Applicable Standards and Permits are included with the contract*

☒ **Coast Guard**  
**Not Applicable**

☒ **Special Provisions Required**

|                                                  |                                         |                                                |
|--------------------------------------------------|-----------------------------------------|------------------------------------------------|
| Special Provision 105-Timing of Work Restriction | N/A <input type="checkbox"/>            | Applicable <input checked="" type="checkbox"/> |
| Special Provision 656-Erosion Control Plan       | N/A <input type="checkbox"/>            | Applicable <input checked="" type="checkbox"/> |
| Special Provision 203-Dredge Spec                | N/A <input type="checkbox"/>            | Applicable <input checked="" type="checkbox"/> |
| General Note for Hazardous Waste                 | N/A <input type="checkbox"/>            | Applicable <input checked="" type="checkbox"/> |
| Special Provision 203-Hazardous Waste            | N/A <input checked="" type="checkbox"/> | Applicable <input type="checkbox"/>            |
| Special Provision 105.9                          | N/A <input type="checkbox"/>            | Applicable <input checked="" type="checkbox"/> |

*\*All permits and approvals based on plans/scope as of: 1-28-2010*