



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

PAUL R. LePAGE  
GOVERNOR

February 17, 2011  
Subject: **Brunswick, Freeport**  
Federal Project No's: 15236.20 & 15236.30  
State PINs: 015236.20 & 015236.30  
**Amendment No. 1**

Dear Sir/Ms:

Make the following changes to the Bid Documents:

In the Bid Book (pages 48 and 49), **REMOVE** "SPECIAL PROVISIONS, SECTION 104, Utilities" 2 pages dated December 20, 2010 and **REPLACE** with the attached "SPECIAL PROVISIONS, SECTION 104, Utilities" 5 pages dated January 18, 2011.

In the Bid Book (page 59), **DELETE** in its entirety "SPECIAL PROVISIONS, SECTION 107, TIME, Incentives/Disincentives"

The following questions have been received:

**Question:** Special Provision, Section 104 is incorrect as it references the Saco project. Please clarify.

**Response:** Please see the above change.

**Question:** SP Section 107, Incentive/Disincentive references back to SP Section 104. I cannot find this?

**Response:** There are no Incentives/Disincentives associated with this project. Please see the above change.

**Question:** The MDOT owns the right-of-way, so is it possible to eliminate paragraph 9 (c) of the railroad indemnification (page 229 of the Bid Book)?

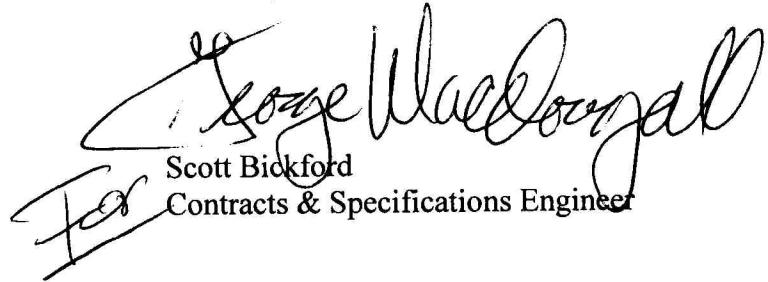
**Response:** Maine DOT does not own all of the Right of Way in conjunction with this project, so Paragraph 9(c) of the Railroad Indemnification will NOT be eliminated.



PRINTED ON RECYCLED PAPER

Consider these changes and information prior to submitting your bid on February 23, 2011.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Scott Bickford".

For  
Scott Bickford  
Contracts & Specifications Engineer

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

**MEETING**

A Preconstruction Utility Conference, as defined in Subsection 104.4.6 of the Standard Specifications is required and will be in conjunction with the Project Preconstruction Meeting.

**GENERAL INFORMATION**

These Special Provisions outline the arrangements that have been made by the Department for utility related work to be undertaken for this project. The following list identifies all known utilities and related contacts having facilities presently located within the limits of this project or intending to install facilities in the area.

*Summary of Utilities Involved:*

<b>Utility/Railroad</b>	<b>Aerial</b>	<b>Underground</b>	<b>Railroad</b>
Town of Freeport		X	
Brunswick Public Works		X	
Pan Am Railways			X
Maine Eastern Railroad			X

**UTILITY RELATED CONTACT INFORMATION**

Brunswick Public Works

John Foster, Town Engineer/P.W. Director  
Telephone: 207-725-6654  
Fax: 207-725-6655  
E-mail: [jfoster@brunswickme.org](mailto:jfoster@brunswickme.org)

Town of Freeport

Albert Presgraves, Town Engineer  
Telephone: 207-865-4743 ext. 106  
E-mail: [Apresgra@freeportmaine.com](mailto:Apresgra@freeportmaine.com)

Pan Am Railways

George Thayer  
Telephone: 978-314-3689  
E-mail: [gthayer@panamrailways.com](mailto:gthayer@panamrailways.com)

**Town:** Brunswick/Freeport  
**Project:** 15236.20 & 15236.30  
**Date:** January 18, 2011

Maine Eastern Railroad

Denny Mohn, General Manager  
Telephone: 207-798-4520  
Fax: 207-798-4077  
E-mail: [dmohn@maineeasternrailroad.com](mailto:dmohn@maineeasternrailroad.com)

Northern New England passenger Rail Authority

Jim Russell, Special Projects Manager  
Telephone: 207-780-1000 ext. 104  
Fax: 207-780-1001  
E-mail: [james@nnepra.com](mailto:james@nnepra.com)

Maine Department of Transportation  
(MDOT Project Manager)

Paul Pottle, Assistant Program Manager  
Telephone: 207.624.3555  
E-mail: [paul.pottle@maine.gov](mailto:paul.pottle@maine.gov)

Maine Department of Transportation  
(MDOT Construction Manager)

Jen Paul, Const. Manager  
Telephone: 207-446-3316  
E-mail: [Jennifer.L.Paul@maine.gov](mailto:Jennifer.L.Paul@maine.gov)

Maine Department of Transportation

Charles Guy, Resident  
Telephone: 207-557-9078  
E-mail: [Charles.Guy@maine.gov](mailto:Charles.Guy@maine.gov)

## **RAILROAD INSURANCE REQUIREMENTS**

### Railroad Protective Insurance

1. The Contractor shall furnish, with respect to the operations of the Contractor or any of the Contractor's subcontractors performing within the Railroad right-of-way, broad form Railroad Protective Liability Insurance covering all work performed under this Contract in the amount of not less than \$2,000,000 per occurrence, \$6,000,000 aggregate combined bodily injury and property damage.
2. The insurance hereinbefore shall be written on an occurrence basis.
3. The Department and applicable railroads shall be named insured on the insurance herein- before.
4. The Contractor shall furnish to the Department and railroad companies a signed original of the policy for Railroad Protective Liability prior to entry upon the railroad right-of-way.
5. All certificates shall be endorsed to provide 30 days notice to each named insured by the insurance company before any change or cancellation of the policies.

**Town:** Brunswick/Freeport  
**Project:** 15236.20 & 15236.30  
**Date:** January 18, 2011

6. The required Railroad Protective Insurance provided herein must be in the form commonly referred to as the AAR-AASHTO- Form (not Oregon).
7. Original policies and certificates shall be made out to the Department and applicable railroads and mailed to:

Department: Paul Pottle, Project Manager  
Maine Department of Transportation  
Multimodal Program  
16 State House Station  
Augusta, ME 04333-0016  
Tel. (207) 624-3420

Pan Am Railways: Pan Am Railways, Maine Central Railroad Co. and  
Springfield Terminal Railway Company  
c/o Guilford Transportation Industries, Inc.  
Iron Horse Park  
North Billerica, MA 01862

Maine Eastern Railroad: Denny Mohn, General Manager  
Maine Eastern Railroad  
16 Station Ave.  
Brunswick, Maine 04011  
Telephone: (207) 798-4520

## **RAILROAD GENERAL REQUIREMENTS**

The contractor will be required to enter into a Railroad Service Agreement with Pan Am Railways for doing work at the Freeport location. A sample copy of this agreement can be found in the appendices. The contractor will also be required to have a railroad flagger on site with them every day that they perform work in Freeport and Brunswick. The cost of a flagger for the day in Freeport is \$550 and will be paid by the contractor directly to the railroad and said costs will be incidental to the contractors bid. The cost for a flagger in the Brunswick area is \$500 and will be paid by the contractor directly to the railroad and said costs will be incidental to the contractors bid.

## **SPECIAL NOTES TO CONTRACTOR**

The intent of this MDOT Special Provisions, Section 104 Specification is to specify the utility coordination issues that are to be executed during the construction process by the Contractor. The Department has established utility accounts with the utilities involved as well as communicated to the utilities the intent of the project and Contractor's scope of work. As a result, there should be a mutual understanding of what is required of both the Contractor and the involved utilities.

**Town:** Brunswick/Freeport  
**Project:** 15236.20 & 15236.30  
**Date:** January 18, 2011

The intent of this Specification is not to define the complete scope of the Contractor regarding the entire project. The complete Contractor's scope of work is defined in the specification developed by McFarland Johnson, titled "Passenger Rail Upgrade - Platforms, Brunswick and Freeport, Maine", dated January, 2011 and related drawings. However, it is reiterated in this specification that as part of the Contractors scope of work, the Contractor shall work with and follow the rules established by the operating railroads for each segment of work.

Utilities need ample time to respond. It is the Contractors responsibility to provide adequate notification regarding coordination and inspections of utility related facilities as required.

All utility related work shall comply with the most recent version of any Code that governs the installation of infrastructure, as applicable.

## **UNDERGROUND**

The Contractor is being made aware that there are underground facilities associated with the developments at both locations and that these locations should be carefully identified and marked. While it is not the intent to impact or re-locate these utilities for they should be located outside of the railroad right of way, but they will be very close to it. Every effort should be made not to disturb the utilities and should there be a need to do so, then the contractor will work with the effected utility and provide sufficient notice to the utility that support is required.

## **UNDERGROUND UTILTIY FACILITY LOCATIONS**

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 drawings 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.

## **DIG SAFE**

The Contractor is responsible for determining the presence of underground utility facilities prior to any excavation work and shall notify the area utilities in accordance with State of Maine Title 23, MRSA 3360-A. Call 1-888-344-7233.

## **BLASTING**

**Town:** Brunswick/Freeport  
**Project:** 15236.20 & 15236.30  
**Date:** January 18, 2011

No blasting will be allowed without prior approval from the Department and proper coordination with all utilities in the area.