



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

Janet T. Mills
GOVERNOR

Bruce A. Van Note
COMMISSIONER

January 10, 2023
Subject: Interstate 95 Bridge
Preservation
State WIN: 025061.00
Location: **Waterville, Fairfield, &
Benton**
Amendment No. 2

Dear Sir/Ms.:

Make the following changes to the bid documents:

In the bid Book:

Remove pages thirty-six to forty-one titled General Decision Number : ME 20220037 dated 02/25/2022 totaling six pages and **Replace** with the attached General Decision Number : ME20230037 dated 01/06/2023 totaling six pages

Remove pages forty-two to forty-seven titled General Decision Number : ME20220042 dated 02/25/2022 totaling six pages and **Replace** with the attached General Decision Number : ME20220042 dated 01/06/2023 totaling six pages.

Remove pages one hundred to one hundred and two titled SPECIAL PROVISION SECTION 401 HOT MIX ASPHALT (special Seasonal Limitations for Bridge Paving) totaling two pages, dated December 6, 2022, and **Replace** with the attached SPECIAL PROVISION SECTION 401 HOT MIX ASPHALT (Special Seasonal Limitations for Bridge Paving) totaling two pages, dated January 9, 2023

The following questions have been received:

Question: Will Infrared heat be required or allowed to pave the wearing course over the base/intermediate course if the base course has cooled?

Answer: Please see the attached update 401 Special Provision - Season Limitations for Bridge Paving

Question: Is there an updated Davis Bacon Wage Rate for this project for 2023?

Answer: Please see the attached updated Davis Bacon Wage Rates.

Consider these changes and information prior to submitting your bid on **January 11, 2023**.

Sincerely,



George M. A. Macdougall P.E.
Contracts & Specifications Engineer

"General Decision Number: ME20230037 01/06/2023

Superseded General Decision Number: ME20220037

State: Maine

Construction Type: Highway

County: Kennebec County in Maine.

HIGHWAY CONSTRUCTION PROJECTS

Note: Contracts subject to the Davis-Bacon Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658. Please note that these Executive Orders apply to covered contracts entered into by the federal government that are subject to the Davis-Bacon Act itself, but do not apply to contracts subject only to the Davis-Bacon Related Acts, including those set forth at 29 CFR 5.1(a)(2)-(60).

<p>If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:</p>	<ul style="list-style-type: none">. Executive Order 14026 generally applies to the contract.. The contractor must pay all covered workers at least \$16.20 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2023.
<p>If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022:</p>	<ul style="list-style-type: none">. Executive Order 13658 generally applies to the contract.. The contractor must pay all covered workers at least \$12.15 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on that contract in 2023.

The applicable Executive Order minimum wage rate will be adjusted annually. If this contract is covered by one of the Executive Orders and a classification considered necessary for performance of work on the contract does not appear on this wage determination, the contractor must still submit a conformance request.

OPERATOR: Roller (Earth).....	\$ 16.43	3.40
TRAFFIC CONTROL: Flagger.....	\$ 9.38 **	0.00
TRAFFIC CONTROL: Laborer-Cones/ Barricades/Barrels - Setter/Mover/Sweeper.....	\$ 17.47	4.80
TRUCK DRIVER: Dump Truck.....	\$ 14.32 **	5.81
TRUCK DRIVER: TackTruck.....	\$ 20.18	7.75

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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 ** workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 (\$16.20) or 13658 (\$12.15). Please see the Note at the top of the wage determination for more information.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors applies to all contracts subject to the Davis-Bacon Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is a victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at <https://www.dol.gov/agencies/whd/government-contracts>.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5 (a) (1) (ii)).

The body of each wage determination lists the classification and wage rates that have been found to be prevailing for the cited type(s) of construction in the area covered by the wage

determination. The classifications are listed in alphabetical order of ""identifiers"" that indicate whether the particular rate is a union rate (current union negotiated rate for local), a survey rate (weighted average rate) or a union average rate (weighted union average rate).

Union Rate Identifiers

A four letter classification abbreviation identifier enclosed in dotted lines beginning with characters other than ""SU"" or ""UAVG"" denotes that the union classification and rate were prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2014. PLUM is an abbreviation identifier of the union which prevailed in the survey for this classification, which in this example would be Plumbers. 0198 indicates the local union number or district council number where applicable, i.e., Plumbers Local 0198. The next number, 005 in the example, is an internal number used in processing the wage determination. 07/01/2014 is the effective date of the most current negotiated rate, which in this example is July 1, 2014.

Union prevailing wage rates are updated to reflect all rate changes in the collective bargaining agreement (CBA) governing this classification and rate.

Survey Rate Identifiers

Classifications listed under the ""SU"" identifier indicate that no one rate prevailed for this classification in the survey and the published rate is derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As this weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SULA2012-007 5/13/2014. SU indicates the rates are survey rates based on a weighted average calculation of rates and are not majority rates. LA indicates the State of Louisiana. 2012 is the year of survey on which these classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. 5/13/2014 indicates the survey completion date for the classifications and rates under that identifier.

Survey wage rates are not updated and remain in effect until a new survey is conducted.

Union Average Rate Identifiers

Classification(s) listed under the UAVG identifier indicate that no single majority rate prevailed for those classifications; however, 100% of the data reported for the classifications was union data. EXAMPLE: UAVG-OH-0010 08/29/2014. UAVG indicates that the rate is a weighted union average rate. OH indicates the state. The next number, 0010 in the example, is an internal number used in producing the wage

determination. 08/29/2014 indicates the survey completion date for the classifications and rates under that identifier.

A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour National Office because National Office has responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

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The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

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END OF GENERAL DECISIO"

"General Decision Number: ME20230042 01/06/2023

Superseded General Decision Number: ME20220042

State: Maine

Construction Type: Highway

County: Somerset County in Maine.

HIGHWAY CONSTRUCTION PROJECTS

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A UAVG rate will be updated once a year, usually in January of each year, to reflect a weighted average of the current negotiated/CBA rate of the union locals from which the rate is based.

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END OF GENERAL DECISIO"

SPECIAL PROVISION SECTION 401
HOT MIX ASPHALT
 (Special Seasonal Limitations for Bridge Paving)

The following section of Section 400 has been revised as follows:

401.06 Weather and Seasonal Limitations The following language has been added to Section 401.06:

The Contractor may place Hot Mix Asphalt Pavement under the conditions as specified in Table 3A below:

TABLE 3A: SEASONAL AND TEMPERATURE ALLOWANCES

Use	Minimum Ambient Air Temperature	Extended Allowable Placement Dates		Requirements
		Start Date	End Date	
Travelway Wearing Course	40°F	Saturday following October 15th	November 18 th , 2023	WMA Technology
Permanent Base Course over Membrane			November 4 th , 2023	
Travelway Base/Intermediate Course	35°F	November 4 th , 2023	November 18 th , 2023	Infrared Heater Technology

The ambient air temperature shall be determined by an approved thermometer placed in the shade at the paving location. Unless otherwise specified, the Contractor shall not place Hot Mix Asphalt Pavement on a wet or frozen surface regardless of the ambient air temperature. The Hot Mix Asphalt Pavement produced with an approved WMA technology shall meet the requirements of section 401.04 - Temperature Requirements, unless otherwise approved by the Department. For the purposes of this Section, the traveled way includes truck lanes, ramps, approach roads and auxiliary lanes.

Warm Mix Technology HMA shall be produced with one of the WMA technologies listed below and must be approved for use by the Department.

- a. The use of organic WMA additives
- b. The use of manufactured liquid chemical WMA additives

The WMA additives shall be mixed with the asphalt at the HMA plant or the asphalt suppliers facility at a rate recommended by the manufacturer.

WMA additives introduced at the hot mix plant shall utilize a commercially manufactured system inspected and approved by the Department and be capable of being and tied directly to and control the additive rate to the hot mix asphalt plants rate of production.

WMA additives may be mixed with the asphalt at the asphalt terminal a rate recommended by the manufacturer in a manner to assure complete dispersion throughout the load. Should the WMA additives be added at the terminal, additive type, and total additive amounts shall be listed on the loading invoice.

The use of a controlled asphalt foaming system, utilizing an injection system to introduce water to the asphalt stream and “expand” the asphalt prior to mixing with the aggregate in asphalt mixture plant, will not be permitted to produce mix past the normal paving seasonal limitations deadline.

Payment for the use of WMA will be considered incidental to the HMA items.

Infrared Heating Technology Prior to any HMA placement, the Gravel Subbase, High-Performance Bridge Membrane, & HMA Layers (Base and Intermediate Layers) shall be preheated as per Special Provision 631.165.

The Department may require additional reheating of the layer being covered once paving operations commence due to heat loss during paving operations.

Payment for the use of the infrared heater technology shall be per Special Provision 631.165.

Adverse Conditions The Department may authorize the Contractor to place pavements in adverse conditions in order to open the project to traffic as defined in the project specifications. Any pavement placed outside of seasonal limitations (temperature and dates) and or in adverse weather conditions (rain, sleet, snow, etc.) by direction of the Department will not be subject to permanent pavement acceptance criteria.

If installed materials are determined to be temporary due to direction given from Department, removal and replacement shall be made under the appropriate contract items.

If installed materials are determined to be temporary due to any actions, or lack of action taken by the Contractor, removal and replacement shall not be paid for under the contract items.

Additional testing, such as cores and mix samples may be taken by the Department for testing to aid in determining acceptance of the material as either a permanent installation or a temporary installation.