



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

Janet T. Mills  
GOVERNOR

Bruce A. Van Note  
COMMISSIONER

December 27, 2023  
Subject: Highway Rehabilitation  
State WIN: 028690.00  
Location: **Newry & Grafton**  
**Amendment No. 3**

Dear Sir/Ms.:

In the Bid Book:

**Remove** pages sixteen to seventeen titled Proposal Schedule of Items dated 12/22/2023 and **Replace** with the attached Proposal Schedule of Items dated 12/27/2023

**Remove** pages thirty-two to thirty-eight titled General Decision Number : ME20230040 dated 01/06/2023 and **Replace** with the attached General decision Number : ME 20230040 dated 12/22/2023

The following questions have been received:

**Question:** Section 401 references complimentary notes in section 403. Section 401 basis of payment references method A, B, C & D and section 403 complimentary notes. We could not find section 403 in the specifications book. Please provide section 403 and the complimentary notes.

**Response:** A Special Provision Section 403 is not intended to be included but can be added if needed.

Included in the bid documents is a 400 special provision that outlines detail as it applies to F.O.B. mix manufacture. A paving crew special provision is also included outlining crew, placement, and compaction requirements.

A 64-28 PGAB utilizing an approved warm mix additive is required.

It is intended that all lower base mix lifts be placed at approximately 3 inches, and all upper base mix lifts be placed at 2 inches, for a total of 5 inches.

Contractor method D QC testing will not be specifically required but is encouraged to produce a consistent product.

Acceptance of mixtures will be made by onsite Department plant inspector personnel on a visual basis. Compaction will be at the direction of Department personnel.

Pay adjustments for PGAB, gradation, volumetrics or density do not apply.

**Question:** We are assuming that the ditches that are full of washed-out shoulder material will need to be cleaned up to drain. How is this being paid for.

**Answer:** If the material can be utilized to back up or restore the inslope it will be paid for by APE. If the material needs to be excavated and hauled away then it will be paid with appropriate rental items.

**Question:** Existing guardrail removal and disposal is generally incidental to common excavation. If there is existing guardrail to remove, how will it be paid for?

**Response:** Removed guardrail will become property of the contractor. Removal will be paid for by appropriate equipment rental items.

Mixture samples may be taken for informational purposes with the intent to support plant adjustments should they be needed

**Question:** Can I bid and then get prequalified for this project?

**Answer:** No. All bidders must have an MaineDOT Annual prequal in order to bid.

Consider these changes and information prior to submitting your bid on **December 27, 2023**.

Sincerely,



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

Maine Department of Transportation

Proposal Schedule of Items

Proposal ID: 028690.00

Project(s): 028690.00

SECTION: 1 INITIAL GROUP

Alt Set ID: Alt Mbr ID:

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

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0010	203.25 GRANULAR BORROW	1,300.000 CY	_____	 _____	_____	 _____
0020	304.10 AGGREGATE SUBBASE COURSE - GRAVEL	3,500.000 CY	_____	 _____	_____	 _____
0030	403.01 HOT MIX ASPHALT - FOB	2,100.000 T	_____	 _____	_____	 _____
0040	409.15 BITUMINOUS TACK COAT - APPLIED	320.000 G	_____	 _____	_____	 _____
0050	419.30 SAW CUTTING BITUMINOUS PAVEMENT	1,000.000 LF	_____	 _____	_____	 _____
0060	606.1301 31" W-BM GR, MID-WAY SPLICE-SGL FACED	375.000 LF	_____	 _____	_____	 _____
0070	606.1306 31" W-BM GR, MID-WAY SPLICE TANGENT TERMINAL	6.000 EA	_____	 _____	_____	 _____
0080	606.23 GUARDRAIL TYPE 3C - SINGLE RAIL	175.000 LF	_____	 _____	_____	 _____
0090	610.08 PLAIN RIPRAP	4,000.000 CY	_____	 _____	_____	 _____
0100	610.16 HEAVY RIPRAP	1,000.000 CY	_____	 _____	_____	 _____
0110	620.54 STABILIZATION/REINFORCEMENT GEOTEXTILE	1,500.000 SY	_____	 _____	_____	 _____
0120	620.58 EROSION CONTROL GEOTEXTILE	4,000.000 SY	_____	 _____	_____	 _____

Maine Department of Transportation

Proposal Schedule of Items

Proposal ID: 028690.00

Project(s): 028690.00

SECTION: 1 INITIAL GROUP

Alt Set ID: Alt Mbr ID:

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

Proposal Line Number	Item ID Description	Approximate Quantity and Units	Unit Price		Bid Amount	
			Dollars	Cents	Dollars	Cents
0130	629.05 HAND LABOR, STRAIGHT TIME	25.000 HR	_____	 _____	_____	 _____
0140	631.12 ALL PURPOSE EXCAVATOR (INCLUDING OPERATOR)	300.000 HR	_____	 _____	_____	 _____
0150	631.161 PAVING CREW	40.000 HR	_____	 _____	_____	 _____
0160	631.162 PAVING CREW (OVERTIME)	10.000 HR	_____	 _____	_____	 _____
0170	631.172 TRUCK - LARGE (INCLUDING OPERATOR)	600.000 HR	_____	 _____	_____	 _____
0180	631.175 CONTRACTOR TRUCKING	2,100.000 T	_____	 _____	_____	 _____
0190	652.39 WORK ZONE TRAFFIC CONTROL	LUMP SUM		LUMP SUM	_____	 _____
0200	659.10 MOBILIZATION	LUMP SUM		LUMP SUM	_____	 _____
<b>Section: 1</b>			<b>Total:</b>		_____	 _____
			<b>Total Bid:</b>		_____	 _____

Superseded General Decision Number: ME20220040

State: Maine

Construction Type: Highway

County: Oxford 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).

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:	. 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.
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:	. 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.

Additional information on contractor requirements and worker protections under the Executive Orders is available at <http://www.dol.gov/whd/govcontracts>.

Modification Number	Publication Date
0	01/06/2023
1	12/22/2023

\* ENGI0004-022 12/01/2023

	Rates	Fringes
POWER EQUIPMENT OPERATOR: Grader/Blade, Milling Machine.....	\$ 34.87	32.21

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\* SUME2014-035 06/23/2017

	Rates	Fringes
CARPENTER, Includes Form Work....	\$ 18.34	2.84
HIGHWAY/PARKING LOT STRIPING: Laborer.....	\$ 14.80 **	1.27
IRONWORKER, REINFORCING.....	\$ 16.27	0.00
LABORER: Asphalt, Includes Raker, Shoveler, Spreader and Distributor.....	\$ 15.40 **	2.69
LABORER: Common or General.....	\$ 15.83 **	1.99
LABORER: Landscape.....	\$ 18.69	2.70
LABORER: Wheelman.....	\$ 15.64 **	4.29
OPERATOR: Backhoe/Excavator/Trackhoe.....	\$ 18.80	4.16
OPERATOR: Bobcat/Skid Steer/Skid Loader.....	\$ 20.38	1.66
OPERATOR: Broom/Sweeper.....	\$ 19.09	5.20
OPERATOR: Bulldozer.....	\$ 17.30	3.50
OPERATOR: Loader.....	\$ 18.59	5.53
OPERATOR: Mechanic.....	\$ 22.07	8.73
OPERATOR: Paver (Asphalt, Aggregate, and Concrete).....	\$ 21.46	8.78
OPERATOR: Screed.....	\$ 19.02	4.82
OPERATOR: Roller (Earth).....	\$ 16.43	3.40
OPERATOR: Roller Asphalt.....	\$ 24.16	3.55
TRAFFIC CONTROL: Flagger.....	\$ 9.38 **	0.00
TRAFFIC CONTROL: Laborer-Cones/ Barricades/Barrels - Setter/Mover/Sweeper.....	\$ 17.47	4.80
TRUCK DRIVER: Dump Truck.....	\$ 15.83 **	1.16
TRUCK DRIVER: TackTruck.....	\$ 20.18	7.75

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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)).

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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.

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## 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:

Wage and Hour Administrator  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

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.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION

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