

ADDENDUM NO. 2

NOTICE is hereby given to prospective Bidders of the following information, clarifications, and modifications to the Bidding Documents. The Bidding Documents remain unchanged except for modifications specifically indicated under Modifications. Bidders must acknowledge receipt of this Addendum in the Bid Form and comply with the requirements for submission of Bids as set forth in the Bidding Documents.

INFORMATION

NOTE: The date for receipt of Bids has been extended to July 25, 2023 as shown in the replacement pages issued with this Addendum.

The answers below are provided in response to questions and comments submitted by prospective Bidders during the mandatory pre-bid meeting.

Is the Contractor responsible for lightweight aggregate fill?

Answer: The Contractor is responsible for sourcing lightweight aggregate fill, and providing submittals in accordance with Section 31 00 00 and Division 01 General Requirements.

Will there be endangered species or wildlife on site? Will there be a list of species?

Answer: The Northern Long-Eared Bat has recently been reclassified as endangered and may be located within the Project area. See the Official Species List prepared by the United States Department of the Interior for this Project included as new attachment to Section 00 31 00 issued with this Addendum.

Will police details be the Town's responsibility (direct billed) or should the cost of police details be included in the Bid?

Answer: Per Section 01 15 30 of the Specifications, police details will be direct billed by the police department to the Owner. Police details scheduled and not used by the Contractor will be back charged to the Contractor.

What is the detour route for road closure?

Answer: A preliminary detour plan is issued with this Addendum as a new attachment to Section 00 31 00. Note that the plan is being reviewed by MassDOT and the Town of Agawam Police Department and is subject to change based upon comments received and implemented.

Will any utilities need to be relocated?

Answer: No utilities are anticipated to be relocated as part of this Project.

What material is the sewer line?

Answer: Record drawings provided by the Owner indicate the existing sewer is PVC.

MODIFICATIONS

NOTICE is hereby given that the Bidding Documents have been modified as follows.

Individual replacement pages are issued herewith, have an Issue Date of July 6, 2023, contain reference to “ADDENDUM NO. 2” in the footer, and text changes identified by double-underline for additions and ~~Strikeout~~ for deletions.

Replacement pages (with text changes shown)	Pages provided for purposes of double-sided printing only (reverse side of page with no changes) or only page endings revised
00 11 16-1	00 11 16-2
00 21 13-5	00 21 13-6
00 31 00-1	00 31 00-2
33 42 27-1 and 2	

The following new item(s) are herewith added.

Attachments to 00 31 00:

- United States Department of the Interior Fish and Wildlife Service, New England Ecological Services Field Office - List of threatened and endangered species – Issued July 5, 2023
- Detour Plan DP-1 dated May 2023

This Addendum and items listed above are provided to Bidders in Portable Document Format (.PDF) as indicated in the email notice.

Prepared and Issued by Woodard & Curran (Engineer) on behalf of Owner:

Town of Agawam, MA

REPLACEMENT PAGES

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SECTION 00 11 16

INVITATION TO BID

Town of Agawam, MA (Owner) invites Bidders to submit Bids for the North Street Culvert Replacement Project, which includes replacement of an existing culvert conveying flow from White Brook beneath North Street (a MassDOT classified urban minor arterial roadway), construction of an additional culvert beneath an adjacent private driveway, installation of stormwater structures and piping, and the rehabilitation of the existing roadway and surface conditions adjacent to the crossing culverts; and all materials and equipment, construction, and services inherent to the Work.

The Work shall be substantially complete within **60 calendar days** from the commencement of Contract Time and completed and ready for final payment within **90 calendar days** from the commencement of Contract Time.

The Project being bid is subject to Massachusetts General Laws, Chapter 30, Section 39M.

This Project is to be funded in part with monies made available through the American Rescue Plan Act (ARPA) and compliance with certain Federal provisions is required.

A mandatory pre-Bid conference will be held at 1:00 p.m. local time on June 28, 2023 at Department of Public Works conference room, located at 1000 Suffield Street, Agawam, MA, 01001. **Bidders are required to attend and participate in the conference.** Bids may not be accepted from Bidders who fail to attend the mandatory pre-Bid conference.

Sealed Bids will be received until **1:00 p.m. local time on July ~~18-25~~, 2023** by Owner at Town of Agawam, 1000 Suffield Street, Agawam, MA 01001, Attention: Jennifer Bonfiglio, Chief Procurement Officer. Bids will then be publicly opened and read aloud. Bids received after the time of announced opening will not be accepted.

Bidding Documents **may be obtained electronically at no cost on or after June 21, 2023 at 1:00 p.m.** by registering with the Engineer's bidding team (Issuing Office) via email at MunicipalBids@woodardcurran.com and subject line "**Agawam MA – North Street Culvert Replacement**" to obtain the Bidding Documents and other related public information. Instructions for downloading the Bidding Documents and accessing other related public information will then be provided by email. Documents from third parties are not considered official Bidding Documents.

Complete sets of Bidding Documents shall be used in preparing Bids; neither Owner nor Engineer assumes any responsibility for errors or misinterpretations resulting from the use of incomplete sets of Bidding Documents, Bidding Documents or any portion thereof provided by third parties, or for modifications to the Bidding Documents not made by official Addenda, including electronic conversion.

Bid security in the amount of 5 percent of the Bid must accompany the Bid in accordance with the Instructions to Bidders.

Prevailing wage rates as issued by the Director of the Executive Office of Labor and Workforce Development, Department of Labor Standards under the provisions of Massachusetts General Laws, Chapter 149, Sections 26 to 27D inclusive, as amended, apply to this Project. It is the responsibility of the Bidders, before Bid opening, to request if necessary, any additional information on prevailing wage rates for those trades people who may be employed for the proposed Work under the resulting Contract. Federal Minimum Wage Rates as determined by the United States Department of Labor under the Davis-Bacon Act also apply to this Project.

Owner reserves the right to reject any or all Bids, including without limitation, nonconforming, nonresponsive, unbalanced, or conditional Bids. Owner further reserves the right to reject the Bid of any Bidder whom it finds, after reasonable inquiry and evaluation, not to be responsible or eligible. Owner may also reject the Bid of any Bidder if Owner reasonably believes that it would not be in the best interest of the Project or the public to make an award to that Bidder. Owner also reserves the right to waive all informalities not involving price, time, or changes in the Work and to negotiate contract terms with the Successful Bidder.

END OF SECTION

ARTICLE 5 – PRE-BID CONFERENCE

- 5.01 A mandatory pre-Bid conference will be held as indicated in the Invitation to Bid. Bidders are required to attend and participate in the conference.
- A. Bids may not be accepted from Bidders who fail to attend the mandatory pre-Bid conference.
- 5.02 Addenda will be issued to all prospective Bidders of record considered necessary in response to questions arising at the conference as indicated in Article 7. Oral statements may not be relied upon and will not be binding or legally effective.

ARTICLE 6 – SITE AND OTHER AREAS

- 6.01 The Site is identified in the Bidding Documents. Easements for permanent structures or permanent changes in existing facilities are to be obtained and paid for by Owner unless otherwise provided in the Bidding Documents. All additional lands and access thereto required for temporary construction facilities, construction equipment, or storage of materials and equipment to be incorporated in the Work are to be obtained and paid for by Contractor.

ARTICLE 7 – INTERPRETATIONS AND ADDENDA

- 7.01 All questions about the meaning or intent of the Bidding Documents are to be submitted to Engineer in writing by email as follows.

Woodard & Curran, Inc.
Kendra Dow
Email: kdow@woodardcurran.com
(and a copy to rtsantoulis@woodardcurran.com)

- 7.02 Interpretations or clarifications considered necessary in response to such questions will be issued by Addenda to all parties recorded as having received the Bidding Documents. **Questions must be received by 5:00 p.m. local time on July 7th, 2023 to be answered. Questions received thereafter may not be answered.** Only answers in the Addenda will be binding. Oral statements, interpretations, and clarifications may not be relied upon and will not be binding or legally effective.
- 7.03 Addenda may be issued to clarify, correct, or change the Bidding Documents as deemed advisable by Owner or Engineer and all parties recorded as having received the Bidding Documents will be notified by email that Addenda has been posted along with instructions for accessing the Addenda.

ARTICLE 8 – BID SECURITY

- 8.01 A Bid must be accompanied by Bid security made payable to Owner in an amount of 5 percent of Bidder’s maximum Bid price and in the form of a certified check, treasurer’s or cashier’s check, or money order, or a Bid bond on or consistent with the form included in the Bidding Documents in Section 00 43 13 issued by a surety meeting the requirements of Paragraphs 5.01 and 5.02 of the General and Supplementary Conditions, if any.
- 8.02 The Bid security of the apparent Successful Bidder will be retained until Owner awards the Contract to such Bidder, and such Bidder has furnished the required Contract security, insurance documentation and met the other conditions of the Notice of Intent to Award or Notice of Award, and executed the Contract Documents, whereupon the Bid security will be released. If the Successful Bidder fails to furnish the required Contract security, insurance documentation, and meet the other conditions as stated in the Notice of Intent to Award or Notice of Award, and execute and deliver the Contract Documents, Owner may consider Bidder to be in default, annul the Notice of Intent to Award or Notice of Award, and the Bid security of that Bidder will be forfeited. Such forfeiture shall be Owner’s exclusive remedy if Bidder defaults.
- 8.03 The Bid security of other Bidders that Owner believes to have a chance of receiving the award may be retained by Owner until the earlier of 7 days after the Effective Date of the Agreement or 91 days after the Bid opening, whereupon Bid security furnished by such Bidders will be returned. See Supplementary Instructions to Bidders (if any) for additional information.
- 8.04 Bid security of other Bidders that Owner believes do not have a chance of receiving the award will be returned within 5 days after the Bid opening.

ARTICLE 9 – CONTRACT TIMES

- 9.01 The number of days within which, or the dates by which, the Work is to be substantially completed and ready for final payment are set forth in the Agreement.

ARTICLE 10 – LIQUIDATED DAMAGES

- 10.01 Provisions for liquidated damages, if any, are set forth in the Agreement.

ARTICLE 11 – SUBSTITUTE AND “OR-EQUAL” ITEMS

- 11.01 The Contract, if awarded, will be on the basis of materials and equipment and construction methods or procedures specified or described in the Bidding Documents, or those substitute or “or-equal” materials and equipment and construction methods or procedures as defined in Paragraph 6.05 of the General and Supplementary Conditions, approved by Engineer and identified by Addendum for proprietary items specified only.

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SECTION 33 42 27

ALUMINUM STRUCTURAL PLATE SINGLE RADIUS ARCH STRUCTURE AND HEADWALLS/WINGWALLS

PART 1 – GENERAL

1.01 SUMMARY

A. Section Includes

1. Provide aluminum structural plate single radius culvert crossing, aluminum sheet headwalls/wingwalls, and associated fittings/connections by Contech in accordance with this Section and applicable reference standards listed in Article 1.03.
2. The Owner has determined that specifying this proprietary structure for the Project is in the public's best interest as this structure's design was required to meet MassDOT review requirements. Equal manufacturers may be considered in accordance with the General Conditions.

1.02 PRICE AND PAYMENT PROCEDURES

- A. Measurement and payment requirements: per Division 01 General Requirements.

1.03 REFERENCES

A. Reference Standards

1. Refer to the drawings for applicable Reference Standards.

1.04 ADMINISTRATIVE REQUIREMENTS

- A. Coordination, sequencing, and scheduling: per Division 01 General Requirements.

1.05 SUBMITTALS

- A. Submit in accordance with Division 01 General Requirements.
- B. Product data
- C. Shop Drawings: stamped and signed by a professional engineer licensed in the location of the Project.
- D. Certificates
- E. Design data and submittals: stamped and signed by a professional engineer licensed in the location of the Project.

- F. Sample test reports and evaluations
- G. Manufacturer instructions
- H. Source and field quality control submittals
- I. Manufacturer reports
- J. Qualification statements
- K. Closeout and maintenance material submittals: per Division 01 General Requirements.

1.06 QUALITY ASSURANCE

- A. Provide in accordance with Division 01 General Requirements.
- B. Qualifications: per Division 01 General Requirements for installer.

1.07 DELIVERY, STORAGE, AND HANDLING

- A. Provide in accordance with Division 01 General Requirements.

1.08 SITE CONDITIONS

- A. Existing conditions: per Division 01 General Requirements.

PART 2 – PRODUCTS

2.01 GENERAL

- A. Provide in accordance with MassDOT Standard Specifications for Highways and Bridges Subsection 230, and MassDOT Construction Notes Specified on the Drawings.
- B. Culvert design: in accordance with AASHTO HL-93 live loading and MassDOT LRFD Bridge Manual Part I and II. Design sections to accommodate AASHTO HL-93 live loading in addition to utility loads and soil loading at Site location.

2.02 ALUMINUM SHEETING, HEADWALLS, AND ASSOCIATED HARDWARE

- A. Comply with applicable reference standards listed on the drawings.
- B. Performance/Design Criteria
 - 1. Design and manufacture: standard design in accordance with the Performance/Design Criteria indicated on the drawings.

NEW ITEMS

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United States Department of the Interior



FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104

In Reply Refer To:
Project Code: 2023-0100942
Project Name: North Street Culvert Replacement Project

July 05, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Updated 4/12/2023 - Please review this letter each time you request an Official Species List, we will continue to update it with additional information and links to websites may change.

About Official Species Lists

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Federal and non-Federal project proponents have responsibilities under the Act to consider effects on listed species.

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested by returning to an existing project's page in IPaC.

Endangered Species Act Project Review

Please visit the “**New England Field Office Endangered Species Project Review and Consultation**” website for step-by-step instructions on how to consider effects on listed

species and prepare and submit a project review package if necessary:

<https://www.fws.gov/office/new-england-ecological-services/endangered-species-project-review>

NOTE Please do not use the **Consultation Package Builder** tool in IPaC except in specific situations following coordination with our office. Please follow the project review guidance on our website instead and reference your **Project Code** in all correspondence.

Northern Long-eared Bat - (Updated 4/12/2023) The Service published a final rule to reclassify the northern long-eared bat (NLEB) as endangered on November 30, 2022. The final rule went into effect on March 31, 2023. You may utilize the **Northern Long-eared Bat Rangewide Determination Key** available in IPaC. More information about this Determination Key and the Interim Consultation Framework are available on the northern long-eared bat species page:

<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>

For projects that previously utilized the 4(d) Determination Key, the change in the species' status may trigger the need to re-initiate consultation for any actions that are not completed and for which the Federal action agency retains discretion once the new listing determination becomes effective. If your project was not completed by March 31, 2023, and may result in incidental take of NLEB, please reach out to our office at newengland@fws.gov to see if reinitiation is necessary.

Additional Info About Section 7 of the Act

Under section 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to determine whether projects may affect threatened and endangered species and/or designated critical habitat. If a Federal agency, or its non-Federal representative, determines that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Federal agency also may need to consider proposed species and proposed critical habitat in the consultation. 50 CFR 402.14(c)(1) specifies the information required for consultation under the Act regardless of the format of the evaluation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/service/section-7-consultations>

In addition to consultation requirements under Section 7(a)(2) of the ESA, please note that under sections 7(a)(1) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species. Please contact NEFO if you would like more information.

Candidate species that appear on the enclosed species list have no current protections under the ESA. The species' occurrence on an official species list does not convey a requirement to

consider impacts to this species as you would a proposed, threatened, or endangered species. The ESA does not provide for interagency consultations on candidate species under section 7, however, the Service recommends that all project proponents incorporate measures into projects to benefit candidate species and their habitats wherever possible.

Migratory Birds

In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see:

<https://www.fws.gov/program/migratory-bird-permit>

<https://www.fws.gov/library/collections/bald-and-golden-eagle-management>

Please feel free to contact us at **newengland@fws.gov** with your **Project Code** in the subject line if you need more information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat.

Attachment(s): Official Species List

Attachment(s):

- Official Species List
-

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

PROJECT SUMMARY

Project Code: 2023-0100942
Project Name: North Street Culvert Replacement Project
Project Type: Culvert Repair/Replacement/Maintenance
Project Description: Replacement of an existing culvert conveying White Brook in Agawam, MA with a new bridge structure. Project to be constructed in 2023-2024.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.079799550000004,-72.66223093020622,14z>



Counties: Hampden County, Massachusetts

ENDANGERED SPECIES ACT SPECIES

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

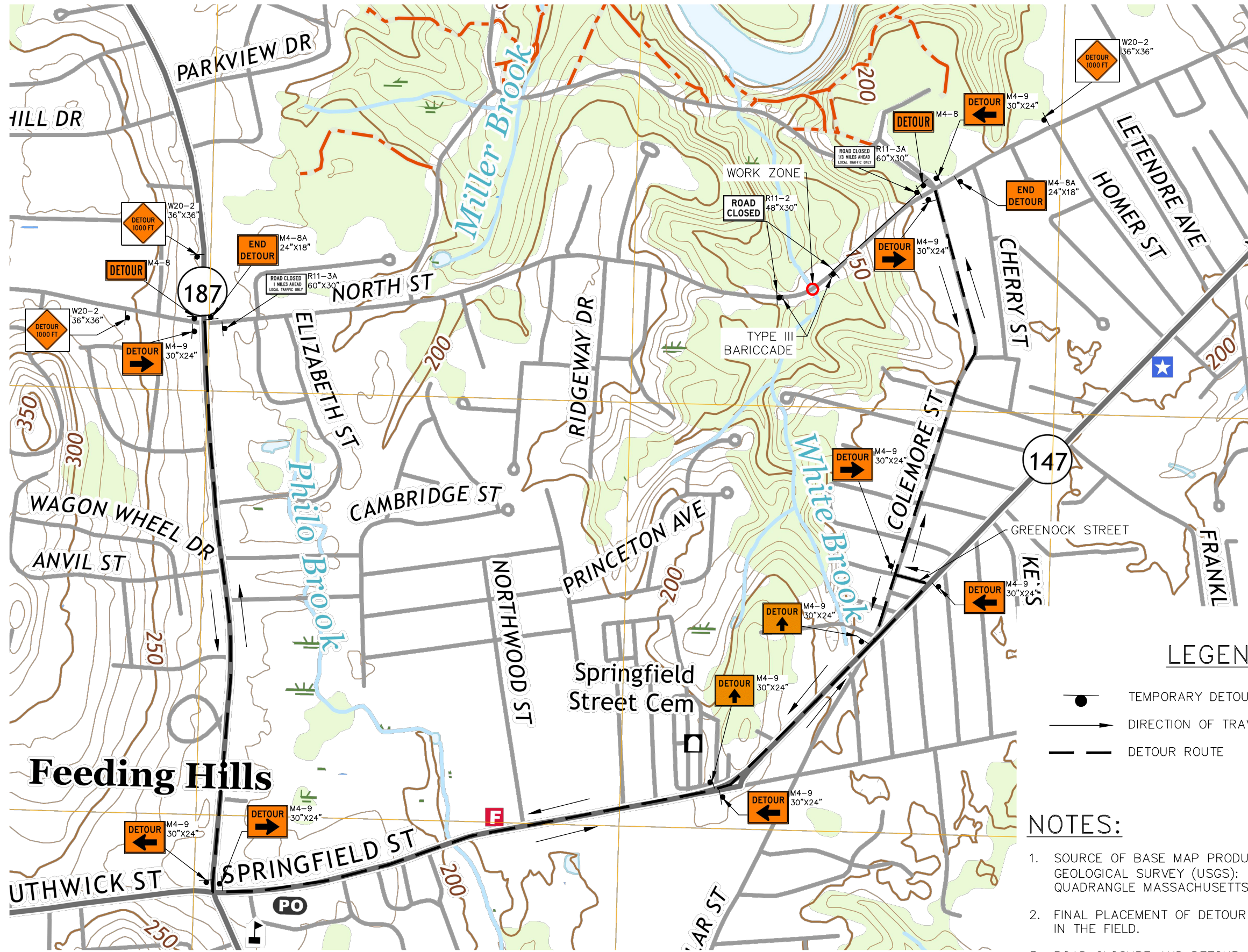
YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Andover town
Name: Kendra Dow
Address: 40 Shattuck Road
Address Line 2: Suite 110
City: Andover
State: MA
Zip: 01810
Email: kdow@woodardcurran.com
Phone: 9787753051

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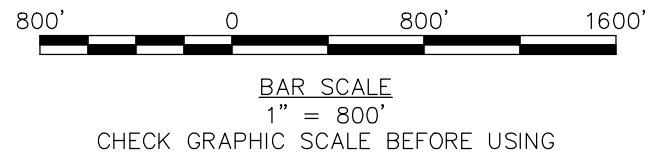


LEGEND

- TEMPORARY DETOUR SIGN
- DIRECTION OF TRAVEL FLOW
- DETOUR ROUTE

NOTES:

1. SOURCE OF BASE MAP PRODUCED BY UNITED STATES GEOLOGICAL SURVEY (USGS): WEST SPRINGFIELD QUADRANGLE MASSACHUSETTS-CONNECTICUT.
2. FINAL PLACEMENT OF DETOUR SIGNS TO BE ADJUSTED IN THE FIELD.
3. ROAD CLOSURE AND DETOUR SIGNS SHALL BE IN CONFORMANCE WITH THE LATEST REVISIONS OF MANUAL OF UNIFORM TRAFFIC DEVICES (M.U.T.C.D.).



40 Shattuck Road, Suite 110
Andover, Massachusetts 01810
866.702.6371 | www.woodardcurran.com

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PE SEAL:

FINAL

CLIENT INFO:

AGAWAM, MA.

NORTH STREET CULVERT REPLACEMENT PROJECT

JOB NO:	0233489.00
DATE:	MAY 2023
SCALE:	AS NOTED
DESIGNED BY:	HAO
DRAWN BY:	HAO
CHECKED BY:	KLD
FILENAME:	2023.05 DETOUR MAP.dwg

DRAWING TITLE:

DETOUR PLAN

DRAWING NO:

DP-1
SHEET: 1 OF 1

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