RM

COMMONWEALTH OF MASSACHUSETTS

CONTRACT DOCUMENTS AND SPECIAL PROVISIONS

PROPOSAL NO.	612982-132268
P.V. =	$2,158,000.00
PLANS	YES

FOR

Federal Aid Project No. NHP(BNNHS)-0032(050)X
Bridge Replacement, E-10-011, Church Street over Keyup Brook

in the Town of

ERVING

In accordance with the STANDARD SPECIFICATIONS
for HIGHWAYS and BRIDGES dated 2025

This Proposal to be opened and read: **TUESDAY, OCTOBER 21, 2025 at 2:00 P.M.**

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DOCUMENT 00104

NOTICE TO CONTRACTORS

Electronic proposals for the following project will be received through the internet using www.bidx.com until the date and time stated below and will be posted on www.bidx.com forthwith after the bid submission deadline. No paper copies of bids will be accepted. All Bidders must have a valid vendor code issued by MassDOT in order to bid on projects. Bidders need to apply for a Digital ID at least 14 days prior to a scheduled bid opening date with www.bidx.com.

TUESDAY, OCTOBER 21, 2025 at 2:00 P.M. **
ERVING
Federal Aid Project No. NHP(BNNHS)-0032(050)X
Bridge Replacement, E-10-011, Church Street over Keyup Brook
****Date Subject to Change**

PROJECT VALUE = $2,158,000.00

Bidders must be pre-qualified by the Department in the BRIDGE - CONSTRUCTION category to bid on the above project. An award will not be made to a Contractor who is not pre-qualified by the Department prior to the opening of Proposals.

All prospective Bidders who intend to bid on this project must obtain "Request Proposal Form (R109)". The blank "Request Proposal Form (R109)" can be obtained at: https://www.mass.gov/prequalification-of-horizontal-construction-firms.

All prospective Bidders must complete and e-mail an electronic copy of "Request Proposal Form (R109)" to the MassDOT Director of Prequalification for approval: prequal.r109@dot.state.ma.us.

Proposal documents for official bidders are posted on www.bidx.com. Other interested parties may receive informational Contract Documents containing the Plans and Special Provisions, free of charge.

Bids will be considered, and the contract awarded in accordance with statutes governing such contracts in accordance with Massachusetts General Laws Chapter 30 § 39M.

The Project Bids File Attachments folder for proposals at www.bidx.com shall be used for submitting at the time of bid required information such as the Bid Bond required document, and other documents that may be requested in the proposal.

NOTICE TO CONTRACTORS (Continued)

All parties who wish to have access to information plans and specification must send a "Request for Informational Documents" to MassDOTBidDocuments@dot.state.ma.us.

A Proposal Guaranty in the amount of 5% of the value of the bid is required.

This project is subject to the schedule of prevailing wage rates as determined by the Commissioner of the Massachusetts Department of Labor and Workforce Development, and the Division of Occupational Safety, and the United States Department of Labor.

The Massachusetts Department of Transportation, in accordance with Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby affirmatively ensures that for any contract entered into pursuant to this advertisement, all bidders, including disadvantaged business enterprises, will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin in consideration for an Award.

This Proposal contains the "STANDARD FEDERAL EQUAL EMPLOYMENT OPPORTUNITY CONTRACT SPECIFICATIONS (EXECUTIVE ORDER 11246)". The goals and timetables applicable to this proposal for minority and female participation, expressed in percentage terms for the Contractor's aggregate work force in each trade on all work, are contained in Appendices A and B-80 of the above specifications.

The Contractor (hereinafter includes consultants) will comply with the Acts and Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this Contract as contained in Appendices C and D of the above specifications.

NOTICE TO CONTRACTORS (Continued)

PRICE ADJUSTMENTS

This Contract contains price adjustments for hot mix asphalt and Portland cement mixtures, diesel fuel, and gasoline. For reference the base prices are as follows: liquid asphalt $635.00 per ton, Portland cement $425.13 per ton, diesel fuel $2.733 per gallon, and gasoline $2.451 per gallon, and Steel Base Price Index 354.8. MassDOT posts the **Price Adjustments** on their Highway Division's website at
https://www.mass.gov/massdot-contract-price-adjustments

This Contract contains Price Adjustments for steel. See Document 00813 - PRICE ADJUSTMENT FOR STRUCTURAL STEEL AND REINFORCING STEEL for their application and base prices.

MassDOT projects are subject to the rules and regulations of the Architectural Access Board (521 CMR 1.00 et seq.)

Prospective bidders and interested parties can access this information and more via the internet at WWW.COMMBUYS.COM.

BY: Monica G. Tibbits-Nutt, Secretary and CEO, MassDOT
Jonathan L. Gulliver, Administrator, MassDOT Highway Division
SATURDAY, SEPTEMBER 6, 2025

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DOCUMENT 00210

REQUIREMENTS OF MASSACHUSETTS GENERAL LAWS
CHAPTER 30, SECTION 39R;
CHAPTER 30, SECTION 39O

July 1, 1981, updated October 2016

M.G.L. c. 30, § 39R. Award of Contracts; Accounting Statements; Annual Financial Statements; Definitions.

(a) The words defined herein shall have the meaning stated below whenever they appear in this section:

(1) “Contractor" means any person, corporation, partnership, joint venture, sole proprietorship, or other entity awarded a contract pursuant to sections thirty-eight A1/2 to thirty-eight O, inclusive, of chapter seven and any contract awarded or executed pursuant to section eleven C of chapter twenty-five A, section thirty-nine M of chapter thirty, or sections forty-four A to forty-four H, inclusive, of chapter one hundred and forty-nine, which is for an amount or estimated amount greater than one hundred thousand dollars.

(2) "Contract" means any contract awarded or executed pursuant to sections thirty-eight A1/2 to thirty-eight O, inclusive, of chapter seven and any contract awarded or executed pursuant to section eleven C of chapter twenty-five A, section thirty-nine M of chapter thirty, or sections forty-four A through forty-four H, inclusive, of chapter one hundred and forty-nine, which is for amount or estimated amount greater than one hundred thousand dollars.

(3) “Records" means books of original entry, accounts, checks, bank statements and all other banking documents, correspondence, memoranda, invoices, computer printouts, tapes, discs, papers and other documents or transcribed information of any type, whether expressed in ordinary or machine language.

(4) “Independent Certified Public Accountant" means a person duly registered in good standing and entitled to practice as a certified public accountant under the laws of the place of his residence or principal office and who is in fact independent. In determining whether an accountant is independent with respect to a particular person, appropriate consideration should be given to all relationships between the accountant and that person or any affiliate thereof. Determination of an accountant's independence shall not be confined to the relationships existing in connection with the filing of reports with the awarding authority.

(5) “Audit", when used in regard to financial statements, means an examination of records by an independent certified public accountant in accordance with generally accepted accounting principles and auditing standards for the purpose of expressing a certified opinion thereon, or, in the alternative, a qualified opinion or a declination to express an opinion for stated reasons.

(6) "Accountant's Report", when used in regard to financial statements, means a document in which an independent certified public accountant indicates the scope of the audit which he has made and sets forth his opinion regarding the financial statements taken as a whole with a listing of noted exceptions and qualifications, or an assertion to the effect that an overall opinion cannot be expressed. When an overall opinion cannot be expressed the reason therefor shall be stated. An accountant's report shall include as a part thereof a signed statement by the responsible corporate officer attesting that management has fully disclosed all material facts to the independent certified public accountant, and that the audited financial statement is a true and complete statement of the financial condition of the contractor.

(7) “Management", when used herein, means the chief executive officers, partners, principals or other person or persons primarily responsible for the financial and operational policies and practices of the contractor.

(8) Accounting terms, unless otherwise defined herein, shall have a meaning in accordance with generally accepted accounting principles and auditing standards.

(b) Subsection (a)(2) hereof notwithstanding, every agreement or contract awarded or executed pursuant to sections thirty-eight A 1/2 to thirty-eight O, inclusive, of chapter seven, or eleven C of chapter twenty-five A, and pursuant to section thirty-nine M of chapter thirty or to section forty-four A through H, inclusive, of chapter one hundred and forty-nine, shall provide that:

(1) The contractor shall make, and keep for at least six years after final payment, books, records, and accounts which in reasonable detail accurately and fairly reflect the transactions and dispositions of the contractor, and

(2) Until the expiration of six years after final payment, the office of inspector general, and the commissioner of capital asset management and maintenance shall have the right to examine any books, documents, papers or records of the contractor or of his subcontractors that directly pertain to, and involve transactions relating to, the contractor or his subcontractors, and

(3) If the agreement is a contract as defined herein, the contractor shall describe any change in the method of maintaining records or recording transactions which materially affect any statements filed with the awarding authority, including in his description the date of the change and reasons therefor, and shall accompany said description with a letter from the contractor's independent certified public accountant approving or otherwise commenting on the changes, and

(4) If the agreement is a contract as defined herein, the contractor has filed a statement of management on internal accounting controls as set forth in paragraph (c) below prior to the execution of the contract, and

(5) If the agreement is a contract as defined herein, the contractor has filed prior to the execution of the contracts and will continue to file annually, an audited financial statement for the most recent completed fiscal year as set forth in paragraph (d) below.

(c) Every contractor awarded a contract shall file with the awarding authority a statement of management as to whether the system of internal accounting controls of the contractor and its subsidiaries reasonably assures that:

(1) transactions are executed in accordance with management's general and specific authorization;

(2) transactions are recorded as necessary

i. to permit preparation of financial statements in conformity with generally accepted accounting principles, and

ii. to maintain accountability for assets;

(3) access to assets is permitted only in accordance with management's general or specific authorization; and

(4) the recorded accountability for assets is compared with the existing assets at reasonable intervals and appropriate action was taken with respect to any difference.

Every contractor awarded a contract shall also file with the awarding authority a statement prepared and signed by an independent certified public accountant, stating that he has examined the statement of management on internal accounting controls, and expressing an opinion as to:

(1) whether the representations of management in response to this paragraph and paragraph (b) above are consistent with the result of management's evaluation of the system of internal accounting controls; and

(2) whether such representations of management are, in addition, reasonable with respect to transactions and assets in amounts which would be material when measured in relation to the applicant's financial statements.

(d) Every contractor awarded a contract by the commonwealth or by any political subdivision thereof shall annually file with the commissioner of capital asset management and maintenance during the term of the contract a financial statement prepared by an independent certified public accountant on the basis of an audit by such accountant. The final statement filed shall include the date of final payment. All statements shall be accompanied by an accountant's report. Such statements shall be made available to the awarding authority upon request.

(e) The office of inspector general, the commissioner of capital asset management and maintenance and any other awarding authority shall enforce the provisions of this section. The commissioner of capital asset management and maintenance may after providing an opportunity for the inspector general and other interested parties to comment, promulgate pursuant to the provisions of chapter thirty A such rules, regulations and guidelines as are necessary to effectuate the purposes of this section. Such rules, regulations and guidelines may be applicable to all awarding authorities. A contractor's failure to satisfy any of the requirements of this section may be grounds for debarment pursuant to section forty-four C of chapter one hundred and forty-nine.

(f) Records and statements required to be made, kept or filed under the provisions of this section shall not be public records as defined in section seven of chapter four and shall not be open to public inspection; provided, however, that such records and statements shall be made available pursuant to the provisions of clause (2) of paragraph (b).

M.G.L. c. 30, § 39O: Suspension, Delay, or Interruption or Failure to Act by Awarding Authority; Adjustment in Contract Price; Submission of Claims.

Section 39O. Every contract subject to the provisions of section thirty-nine M of this chapter or subject to section forty-four A of chapter one hundred forty-nine shall contain the following provisions (a) and (b) in their entirety and, in the event a suspension, delay, interruption or failure to act of the awarding authority increases the cost of performance to any subcontractor, that subcontractor shall have the same rights against the general contractor for payment for an increase in the cost of his performance as provisions (a) and (b) give the general contractor against the awarding authority, but nothing in provisions (a) and (b) shall in any way change, modify or alter any other rights which the general contractor or the subcontractor may have against each other.

(a) The awarding authority may order the general contractor in writing to suspend, delay, or interrupt all or any part of the work for such period of time as it may determine to be appropriate for the convenience of the awarding authority; provided however, that if there is a suspension, delay or interruption for fifteen days or more or due to a failure of the awarding authority to act within the time specified in this contract, the awarding authority shall make an adjustment in the contract price for any increase in the cost of performance of this contract but shall not include any profit to the general contractor on such increase; and provided further, that the awarding authority shall not make any adjustment in the contract price under this provision for any suspension, delay, interruption or failure to act to the extent that such is due to any cause for which this contract provides for an equitable adjustment of the contract price under any other contract provisions.

(b) The general contractor must submit the amount of a claim under provision (a) to the awarding authority in writing as soon as practicable after the end of the suspension, delay, interruption or failure to act and, in any event, not later than the date of final payment under this contract and, except for costs due to a suspension order, the awarding authority shall not approve any costs in the claim incurred more than twenty days before the general contractor notified the awarding authority in writing of the act or failure to act involved in the claim.

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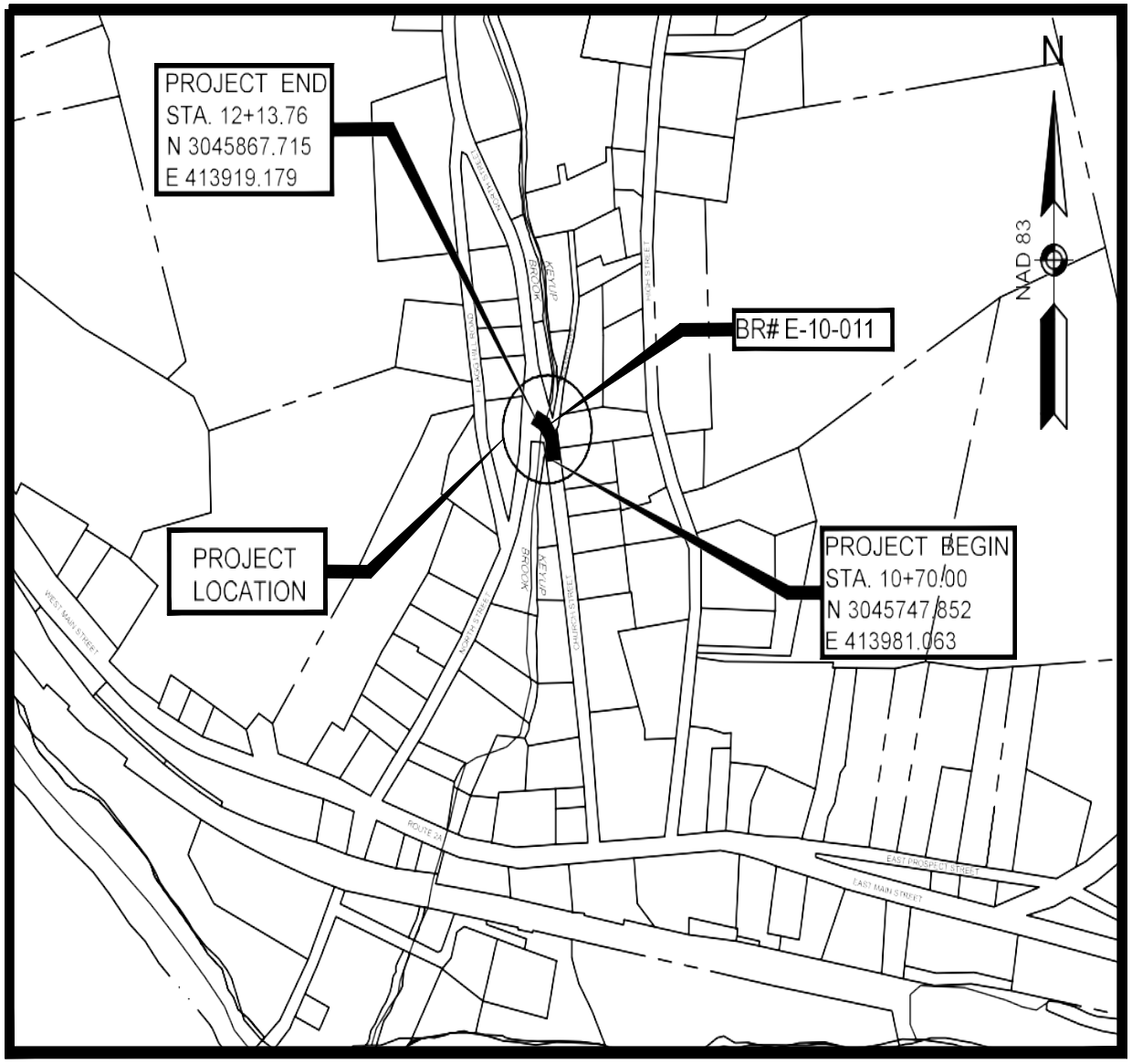
DOCUMENT 00331

LOCUS MAP

ERVING
Federal Aid Project No. NHP(BNNHS)-0032(050)X
Bridge Replacement, E-10-011, Church Street over Keyup Brook



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DOCUMENT 00439

Final Report ☐

Interim Report ☐

CONTRACTOR PROJECT EVALUATION FORM

For instructions on using this form, see Engineering Directive E-10-002, Dated 4/20/2010

Date: _____

City/Town: _____ Contractor: _____

Project: _____ Address: _____

F.A. No. _____ Contract Number: _____

Bid Price: _____ Notice to Proceed: _____

Funds: State: _____ Fed Aid: _____ Current Contract Completion Date: _____

Date Work Started: _____ Date Work Completed*: _____

Contractor's Superintendent: _____

Division: (indicates class of work) Highway: _____ Bridge: _____ Maintenance: _____

*If work was NOT completed within specified time (including extensions) give reasons on following page.

	Excellent 10	Very Good 9	Average 8	7	Fair 6	5	Poor 4	% Rating
1. Workmanship								x 2=
2. Safety								x 2=
3. Schedule								x 1.5=
4. Home Office Support								x 1=
5. Subcontractors Performance								x 1=
6. Field Supervision/ Superintendent								x 1=
7. Contract Compliance								x 0.5=
8. Equipment								x 0.5=
9. Payment of Accounts								x 0.5=
(use back for additional comments)						**Overall Rating:**		

(Give explanation of items 1 through 9 on the following page in numerical order if overall rating is below 80%. Use additional sheets if necessary.)

_____ _____

District Construction Engineer's Signature/Date Resident Engineer's Signature/Date

_____

Contractor's Signature Acknowledging Report/Date

Contractor Requests Meeting with the District: No ☐ Yes ☐ Date Meeting Held: _____

Contractor's Comments/Meeting Notes (extra sheets may be added to this form and noted here if needed): _____

_____

_____

CONTRACTOR PROJECT EVALUATION FORM (Continued)

Date: _____ Contract Number: _____

INFORMATION FOR DISTRICT HIGHWAY DIRECTORS RELATING TO PREQUALIFICATION

A deduction shall be recommended for unsatisfactory performance if computed overall rating is under 80%.
A deduction may be recommended for this project being completed late due to the Contractor's fault.

RECOMMENDATIONS FOR DEDUCTIONS FROM CONTRACTORS' ASSIGNED FACTOR
(*Write Yes or No in space provided*)

I recommend a deduction for Contractor's unsatisfactory performance: _____

I recommend a deduction for project completed late: _____

Signed: _____
District Highway Director

EXPLANATION OF RATINGS 1 – 9: _____

WORK NOT COMPLETED WITHIN SPECIFIED TIME: _____

Revised: 04/28/17

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DOCUMENT 00440

Final Report ☐

Interim Report ☐

SUBCONTRACTOR PROJECT EVALUATION FORM

For instructions on using this form, see Engineering Directive E-10-002, Dated 4/20/2010

Date: _____

City/Town: _____ Subcontractor: _____

Project: _____ Address: _____

F.A. No.: _____ Contract Number: _____

Prime Contractor _____ Current Contract Completion Date: _____

Date Work Started: _____ Date Work Completed*: _____

Subcontractor's Superintendent: _____

Type of Work Performed by Subcontractor: _____

*If work was NOT completed within specified time (including extensions) give reasons on following page.

	Excellent 10	Very Good 9	Average 8	7	Fair 6	5	Poor 4	% Rating
1. Workmanship								x 2=
2. Safety								x 2=
3. Schedule								x 1.5=
4. Home Office Support								x 1.5=
5. Field Supervision/ Superintendent								x 1=
6. Contract Compliance								x 1=
7. Equipment								x 0.5=
8. Payment of Accounts								x 0.5=
(use back for additional comments)							**Overall Rating:**	

(Give explanation of items 1 through 8 on the following page in numerical order if overall rating is below 80%. Use additional sheets if necessary.)

_____ _____

District Construction Engineer's Signature/Date Resident Engineer's Signature/Date

_____ _____

Contractor Signature Acknowledging Report/Date Subcontractor Signature Acknowledging Report/Date

Subcontractor Requests Meeting with the District: No ☐ Yes ☐ Date Meeting Held: _____

Subcontractor's Comments / Meeting Notes (extra sheets may be added to this form and noted here if needed):

_____

_____

Contractor's Comments: _____

_____

SUBCONTRACTOR PROJECT EVALUATION FORM (Continued)

Date: _____ Contract Number:_____

INFORMATION FOR DISTRICT HIGHWAY DIRECTORS RELATING TO PREQUALIFICATION

A deduction shall be recommended for unsatisfactory performance if computed overall rating is under 80%.
A deduction may be recommended for this project being completed late due to the Contractor's fault.

RECOMMENDATIONS FOR DEDUCTIONS FROM CONTRACTORS' ASSIGNED FACTOR
(*Write Yes or No in space provided*)

I recommend a deduction for Contractor's unsatisfactory performance: _____

I recommend a deduction for project completed late:_____

Signed: _____
District Highway Director

EXPLANATION OF RATINGS 1 – 8: _____

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WORK NOT COMPLETED WITHIN SPECIFIED TIME: _____

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Revised: 04/28/17

*** END OF DOCUMENT ***

DOCUMENT 00710
GENERAL CONTRACT PROVISIONS
Revised: 04-16-25

NOTICE OF AVAILABILITY

The STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES dated 2025, the SUPPLEMENTAL SPECIFICATIONS, the 1990 STANDARD DRAWINGS FOR SIGNS AND SUPPORTS; the 1968 STANDARD DRAWINGS FOR TRAFFIC SIGNALS AND HIGHWAY LIGHTING and the CONSTRUCTION STANDARD DETAILS are available online at https://www.mass.gov/massdot-highway-division-manuals-and-publications

SPECIAL PROVISIONS FOR RIGHT-TO-KNOW ACT REQUIREMENTS

The Contractor's attention is directed to Massachusetts General Laws, Chapter 111F, commonly known as the Right-To-Know Act, and to the regulations promulgated pursuant thereto. Among the provisions of the Right-To-Know Act is a requirement that employers make available to employees Materials Safety Data Sheets (MSDS) for any substance on the Massachusetts Substance List (MSL) to which employees are, have been, or may be exposed.

To ensure prompt compliance with these regulations and legislation, the Contractor shall:

1. Deliver to the Department, prior to the start of any work under this contract, copies of MSDS for all MSL substances to be used, stored, processed or manufactured at the worksite by the Contractor.

2. Train employees of the Department, who may be exposed to MSL substances as a result of the Contractor's work under this contract, with regard to those specific substances in accordance with requirements of the Right-To-Know Act.

3. Observe all safety precautions recommended on the MSDS for any MSL substance to be used, stored, processed, or manufactured at the worksite by the Contractor.

4. Inform the Department in writing regarding specific protective equipment recommended in the MSDS for MSL substances to which employees of the Department may be exposed as a result of the Contractor's work under this contract.

The Department shall not be liable for any delay or suspension of work caused by the refusal of its employees to perform any work due to the Contractor's failure to comply with the Right-To-Know Act. The Contractor agrees to hold the Department or the Commissioner of the Department harmless and fully indemnified for any and all claims, demands, fines, actions, complaints, and causes of action resulting from or arising out of the Contractor's failure to comply with the requirements of the Right-To-Know Act.

ALTERNATIVE DISPUTE RESOLUTION
Forum, Choice of Law and Mediations:

Any actions arising out of a contract shall be governed by the laws of Massachusetts and shall be brought and maintained in a State or federal court in Massachusetts which shall have exclusive jurisdiction thereof. MassDOT and the Contractor may both agree to mediation of any claim and will share the costs of such mediation pro rata based on the number of parties involved.

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DOCUMENT 00715

SUPPLEMENTAL SPECIFICATIONS

JUNE 30, 2025

The 2025 *Standard Specifications for Highways and Bridges* are amended by the following modifications, additions and deletions. These Supplemental Specifications prevail over those published in the Standard Specifications.

The Specifications Committee has issued these Supplemental Specifications for inclusion into each proposal until such time as they are updated or incorporated into the next Standard Specifications.

Contractors are cautioned that these Supplemental Specifications are dated and will change as they are updated.

DIVISION I

GENERAL REQUIREMENTS AND COVENANTS

SECTION 2.00: PROPOSAL REQUIREMENTS AND CONDITIONS

Subsection 2.09: Rejection of Proposals
Replace the first bullet in the third paragraph with the following:

- award of the contract would result in the Bidder exceeding the Aggregate Bonding Capacity or the Single Bonding Capacity established by its Surety Company, or the Bidder's Proposal exceeds its Single Contract Limit, or the Bidder was not prequalified in the specified class of work on or before the time of bid opening; or

SECTION 7.00: LEGAL RELATIONS AND RESPONSIBILITY TO PPUBLIC

Subsection 7.05: Insurance Requirements
Change the title of paragraph A to Workers' Compensation Insurance

Subsection 7.22: Labor, Lodging, Board, Maximum Hours of Employment, Weekly Payment, Keeping of Payroll Records.
In the second paragraph replace the word "workman" to "worker" and the word "workmen" to "workers".

Replace the third paragraph with the following:

Attention of Bidders is called to MGL Chapter 149, Section 148 requiring the weekly payment of employee wages.

SECTION 9.00: MEASUREMENT AND PAYMENT

Subsection 9.03: Payment for Extra Work

Replace paragraph B., first paragraph, numbers (2) and (3) with the following.

(2) Plus 13 percent of direct labor, for the estimated costs of Federal Insurance Contribution Act (FICA) including Medicare; Federal Unemployment Tax Act (FUTA); State Unemployment Tax Act (SUTA), which includes Unemployment Insurance, the Workforce Training Fund Program,-Employer Medical Assistance Contribution, and COVID-19 Recovery Assessment; Earned Sick Time (EST) Law (940 CMR 33.00); and Paid Family and Medical Leave (PFML) Act (458 CMR 2.00); or, as an alternative to the above 13 percent, the Contractor may elect to use actual rates for FICA, FUTA, SUTA, EST and PFML provided the actual rates are supported with verifiable documentation and shall be subject to review by MassDOT Audit Operations.

(3) Plus the estimated cost of Workers' Compensation and Liability Insurance, Health, Welfare and Pension benefits, and such additional fringe benefits which the Contractor is required to pay as a result of Union Labor Agreements and/or is required by authorized governmental agencies;

In paragraph B., second paragraph, number (3), replace the word "Workmen's" with "Workers'".

DIVISION II

CONSTRUCTION DETAILS

SECTION 300: WATER SYSTEMS

SUBSECTION 301: WATER SYSTEMS

Subsection 301.60G: Laying Pipe
Revise the third paragraph to read as follows:

Pipe sections shall be laid with the bell on the upgrade end. Before laying the pipe, the outside of the spigot and the inside of the bell shall be wire brushed and wiped clean and dry.

Subsection 301.80: Method of Measurement
Delete the words cast iron in the first paragraph.

Replace the second paragraph with the following:

Fittings, consisting of bends, tees, caps, wyes, sleeves, reducers, increasers, blow-off fittings and other special fittings, apply only when new materials are necessary and which are not specifically provided for under other items in the Proposal. Fittings other than new will not be paid separately but only under the applicable pipe items. When new fittings are measured separately for payment, the length of pipe occupied by the fittings will not be measured for payment.

SECTION 800: TRAFFIC CONTROL DEVICES

SUBECTION 850: TRAFFIC CONTROLS FOR CONSTRUCTION AND MAINTENANCE OPERATIONS

Subsection 850.29: Temporary Barrier and Temporary Barrier Removed and Reset
Delete this subsection.

Subsection 850.49: Temporary Barrier
Delete this subsection.

Subsection 850.69: Temporary Barrier and Temporary Barrier Removed and Reset
Delete this subsection.

Subsection 850.80: Method of Measurement
Delete the fifth paragraph from the end of this subsection.

Subsection 850.81: Basis of Payment
Delete the sixth and seventh paragraphs from the end of this subsection.

SUBECTION 853: TEMPORARY BARRIER

Subsection 853.: Temporary Barrier
Add this new subsection:

DESCRIPTION

853.20: General

Work under this Subsection consists of furnishing, placing, adjusting, resetting, maintaining, and removing temporary barrier.

MATERIALS

853.40: General

Materials shall meet the requirements specified in the following Subsections of Division III, Materials:

Material	Section
Precast, Prestressed, and Prefabricated Concrete Products	M4.09.0
Temporary Barrier	M10.16.0
Limited Deflection Temporary Barrier	M10.16.1
Delineators for Temporary Barrier	M10.16.2

The Contractor shall supply a temporary barrier system that meets or exceeds the Test Level (TL) designated in the description of the bid item.

If the Contractor uses a proprietary temporary barrier system, it shall be listed on the QTCE.

Temporary barrier segments that appear to be damaged or in otherwise unsuitable condition may be rejected or ordered to be replaced by the Engineer at no additional cost.

853.41: Deflection

The deflection of a temporary barrier system is defined as the measured deflection, permanent and/or dynamic, during MASH Test Designation 2-11 (for TL-2) or Test Designation 3-11 (for TL-3).

The Contractor shall supply a temporary barrier system that is equal to or less than the maximum allowable deflection (permanent and/or dynamic) for each run of temporary barrier, as shown in the Plans or stated in the Special Provisions. If no distinction between permanent and temporary deflection is shown in the plans or Special Provisions, then dynamic deflection shall govern.

853.42: Precast Concrete Barriers

Precast Concrete Barriers used as temporary barriers shall be fabricated in accordance with M4.09.0: Precast, Prestressed, and Prefabricated Concrete Products. The Contractor shall submit a Certificate of Compliance (CoC) attesting to meeting this requirement.

853.43: Delineation

Delineators installed at 20-ft intervals throughout the entire barrier run shall be included. The delineators shall conform to M10.16.2: Delineators for Temporary Barrier. Delineators that may act as a washer on a bolted connection shall not be used unless specifically allowed by the barrier manufacturer. Delineators that are damaged, are no longer reflective, or go missing while temporary barrier is deployed shall be replaced in kind by the Contractor.

Delineators may be top or side-mounted to the barrier and oriented in a manner to maximize reflectivity to approaching traffic.

Temporary barrier placed on the right side of the travel way, or top-mounted and separating two or more lanes traveling in the same direction, shall use white delineators. Temporary barrier placed on the left side of the travel way shall use amber or yellow delineators; if separating two-way traffic and top-mounted, the delineator shall be double-sided.

853.44: Anchored Barrier

Temporary barrier systems that include an anchor system in order to meet performance requirements of the contract and/or meet MASH testing requirements may be accepted for use at the discretion of the Department.

Barrier that utilizes an anchor system shall use the same pattern, placement, and material of anchors that was used in MASH crash testing.

853.45: Shop Drawings

Within 30 days of the Notice to Proceed, the Contractor shall provide Shop Drawings showing the proposed temporary barrier system and confirming that it conforms to 853.40: General and will meet the allowable deflection requirements as described in 853.41: Deflection.

If anchors are proposed, the means, methods, pattern, placement, and materials for anchoring and subsequent pavement and/or deck repairs following removal of the temporary barrier system shall be included in the Shop Drawing submittal. If the use of an anchor system is rejected by the Department, the Contractor shall select an unanchored system that meets or exceeds the contract specified performance requirements, at no additional cost.

Shop Drawings for proprietary barrier systems shall include manufacturer's instructions for installation.

CONSTRUCTION METHODS

853.60: General

A Traffic Management Plan approved by the Department is required prior to the installation of the temporary barrier system.

The Contractor shall install temporary barrier systems in accordance with the Plans.

Barrier ends shall not be exposed to approaching traffic during installation. Crashworthy shielding or attenuation shall be provided at all times.

Proprietary temporary barrier systems shall be installed per the manufacturer's instructions.

The Contractor shall not place any breaks in the temporary barrier system that will result in sections that are shorter than the tested minimum length-of-need (LON) under MASH Test 2-11 (for TL-2) or 3-11 (for TL-3). Exceptions shall be allowed for gate systems or changeable length segments placed over expansion joints, if those barrier segment types have been determined to be crashworthy per MASH.

Temporary barrier shall not be placed on unpaved surfaces, unless otherwise shown in the Plans.

The Contractor shall not store materials, vehicles, or other equipment within the measured dynamic deflection envelope, as defined in 853.41: Deflection.

853.61: Temporary Barrier Removed and Reset

Temporary Barrier Removed and Reset consists of relocating a string of temporary barrier from one alignment to another to support the sequence and phasing of construction, as shown in the Plans.

Temporary Barrier Removed and Reset does not include moving all or a portion of the temporary barrier system to gain access to a work area, for the convenience of the Contractor, or to realign units that have moved due to construction activities or a traffic incident.

853.62: Quality Control Inspection

After temporary barrier installation is completed, the Contractor shall perform a Quality Control (QC) Inspection in the presence of the Engineer. QC Inspection activities shall include, but are not limited to the following reviews:

- Installation location per the approved Plans.
- Alignment and connection mechanism between adjacent barrier segments.
- Alignment and connection mechanism between barrier segment and attenuator, if present.
- Anchor system installation, if present.

For proprietary barrier systems, the QC Inspection shall also include any manufacturer-specific inspection details or criteria found in the installation instructions.

Work behind the barrier shall not commence until the QC Inspection has been accepted by the Engineer.

COMPENSATION

853.80: Method of Measurement

Temporary Barrier will be measured by the foot installed, in place.

Temporary Barrier Removed and Reset will be measured by the foot removed and reset.

853.81: Basis of Payment

Temporary Barrier will be paid for at the contract unit price per foot which shall provide full compensation for fabrication, storage, transport, furnishment, installation, delineation, alignment, maintenance, repair, and final removal of the temporary barrier.

Temporary Barrier Removed and Reset will be paid for at the contract unit price per foot which shall provide full compensation for removing, relocating, transporting, and installing new anchorage (if used). If more than one accepted temporary barrier system is approved for use in a single contract, the unit cost for Temporary Barrier Removed and Reset shall not differ among systems.

All costs associated with fabrication, installation, and maintenance of temporary barrier delineators shall be considered incidental to the cost of the item.

All costs associated with Shop Drawings and COCs shall be considered incidental to the item.

All costs associated with patching or repairing the road surface or bridge deck due to the installation and removal of temporary barrier and/or anchors for a temporary barrier system shall be considered incidental to the cost of the item.

853.82: Payment Items

Item number	Description	Unit
853.2	Temporary Barrier (TL-2)	Foot
853.21	Temporary Barrier Removed and Reset	Foot
853.23	Temporary Barrier (TL-3)	Foot
853.33	Temporary Barrier – Limited Deflection (TL-3)	Foot

SECTION 900: STRUCTURES

SUBECTION 902: ULTA HIGH PERFORMANCE CONCRETE

Subsection 902.32: Mockup
In Table 902.32-1 change the Link Slab width to 2 ft – 0 in. and change the Joint Header width to 0 ft – 6 in.

Subsection 902.32: - 902.38
Renumber section 902.32 Surface Preparation to 902.33 Surface Preparation and renumber section 902.33 through 902.38 to 902.34 through 902.39.

DIVISION III

MATERIALS SPECIFICATIONS

SECTION M2: AGGREGATES AND RELATED MATERIALS

Subsection M2.01.0 Crushed Stone
Replace the fourth paragraph and the associated asterisk notes with the following;

The crushed stone shall have a maximum 45% wear as determined by the Los Angeles Abrasion Test (AASHTO T 96)

SECTION M5: PIPE, CULVERT SECTIONS AND CONDUIT

Subsection M5.01.0 Joint Materials for Pipe
Replace this subsection with the following:

- Jute or oakum furnished for use in pipe joints shall be of an accepted grade approved for common usage.
- Mortar shall conform to the requirements of M4.04.0: Cementitious Grout, Mortar and Concrete Products
- Standard couplers as approved by the manufacturer shall be used to join corrugated metal pipe
- Rubber ring or plastic gaskets for concrete pipe joints, or manholes section joints shall be of tough, flexible, chemical-resistant material, and of such size and shape as to ensure satisfactory pipe joints when incorporated in the work and shall conform to AWWA C153.
- Rubber gasket joints for ductile iron pipe shall be Styrene-Butadiene Rubber (SBR), Ethylene Propylene Diene Monomer (EPDM) or Nitrile and conform to AWWA C111

Subsection M5.05.03.B Gate Valves
Replace this subsection with the following:

Gate valves shall conform to the requirements of AWWA Standard C500 and/or to the type used by the municipality as specified in the Special Provisions.

SECTION M7: PAINTS, PROTECTIVE COATINGS AND PAVEMENT MARKINGS

Subsection M7.01.04 Fast Drying White and Yellow Waterborne Traffic Paint
Replace the subsection with the following:

Approved waterborne traffic paint shall be tested in accordance with AASHTO M 348 and be listed on the QCML The dry paint film shall be under the Toxicity Characteristic Leaching Procedure (TCLP) limits for all contaminants listed in 40 CFR 261.24. The markings shall be installed using reflective glass beads meeting the requirements of M7.01.07. For waterborne yellow paint use Organic Yellow No. 65 or No. 75 pigment.

SECTION M9: MISCELLANEOUS MATERIALS

Subsection M9.12.0 Reflectors for Barriers
Delete this subsection.

SECTION M10: TRAFFIC CONTROL DEVICES

Subsection M10.16.0: Temporary Barrier
Subsection M10.16.1: Limited Deflection Temporary Barrier
Subsection M10.16.2: Delineators for Temporary Barrier
Add these new subsections.

M10.16.0: Temporary Barrier

All Temporary Barrier shall be tested to MASH crash testing standards and the results of the following crash test designations must fall within the acceptable impact tolerances and evaluation criteria shown in Table 2-2A of MASH:

- Test Level 2: 2-10, 2-11
- Test Level 3: 3-10, 3-11

M10.16.1: Limited Deflection Temporary Barrier

To be classified as a Limited Deflection Temporary Barrier, the results of MASH Test Designation 3-11 must result in a measured dynamic deflection of 24 in. or less.

M10.16.2: Delineators for Temporary Barrier

Delineators for Temporary Barrier shall consist of a housing, retroreflective material, and an adhesive or mechanical fastener.

Housings for Delineators for Temporary Barrier shall be fabricated from a lightweight polymer material. Metal housings shall not be permitted.

Retroreflection shall be achieved using an acrylic reflector or retroreflective sheeting directly applied to the housing. If used, retroreflective sheeting shall be factory applied and conform to ASTM D4956 Type IV, Type V, or Type IX. A minimum of 8 $in.^2$ of reflective material shall be visible on any traffic-facing portion of the delineator.

Delineators shall be attached to temporary barriers using a manufacturer-approved adhesive or mechanical fastener.

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END OF SUPPLEMENTAL SPECIFICATIONS

DOCUMENT 00719

(Revised September 14, 2023 – for all Federally Aided Projects)

SPECIAL PROVISIONS FOR PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES

(IMPLEMENTING TITLE 49 OF THE CODE OF FEDERAL REGULATIONS, PART 26)

Section: Page 00719-

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POLICY

The Massachusetts Department of Transportation (MassDOT) receives Federal financial assistance from the Federal Highway Administration (FHWA), United States Department of Transportation (U.S. DOT), and as a condition of receiving this assistance, has signed an assurance that it will comply with 49 CFR Part 26 (Participation By Disadvantaged Business Enterprises In Department Of Transportation Financial Assistance Programs). The U.S. DOT Disadvantaged Business Enterprise Program is authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users ("SAFETEA-LU"), as amended, at Title 23, United States Code, § 1101.

Accordingly, MassDOT has established a Disadvantaged Business Enterprise (DBE) Program in accordance with 49 CFR Part 26. It is the policy of MassDOT to ensure that DBEs have an equal opportunity to receive and participate in U.S. DOT assisted Contracts, without regard to race, color, national origin, or sex. To this end, MassDOT shall not directly, or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the program objectives stated below:

- To ensure nondiscrimination in the award and administration of U.S. DOT assisted Contracts;
- To create a level playing field on which DBEs can compete fairly for U.S. DOT assisted Contracts;
- To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
- To help remove barriers to the participation of DBEs in U.S. DOT assisted Contracts; and
- To assist the development of firms that can compete successfully in the market place outside the DBE Program.

The Director of Civil Rights of MassDOT has been designated as the DBE Liaison Officer. The DBE Liaison Officer is responsible for implementing all aspects of the DBE Program. Other MassDOT employees are responsible for assisting the Office of Civil Rights in carrying out this obligation. Implementation of the DBE Program is accorded the same priority as compliance with all other legal obligations incurred by MassDOT in its financial assistance agreements with each operating administration of the U.S. DOT. Information on the Federal requirements and MassDOT's policies and information can be found at:

Type of Info	***Website***	***Description***
MassDOT Highway Division Policies and Info	https://www.mass.gov/disadvantaged-business-enterprise-goals-2019-2022	*MassDOT–Highway Div'n Page*
For copies of the Code of Federal Regulations	http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR	FDsys – US Gov't Printing Office
For information about the U.S.DOT DBE Program	https://www.transportation.gov/civil-rights/disadvantaged-business-enterprise	U.S. DOT/ FHWA page

1. DEFINITIONS

As used in these provisions, the terms set out below are defined as follows:

"Broker", for purposes of these provisions, shall mean a DBE Entity that has entered into a legally binding relationship to provide goods or services delivered or performed by a third party. A broker may be a DBE Entity that arranges or expedites transactions but performs no work or installation services.

"Contractor", "General" or "Prime" Contractor, "Bidder," and "DB Entity" shall mean a person, firm, or other entity that has contracted directly with MassDOT to provide contracted work or services.

"Contract" shall mean the Contract for work between the Contractor and MassDOT.

"DBB" or "Design-Bid-Build" shall mean the traditional design, bid and project delivery method consisting of separate contracts between awarding authority and a designer resulting in a fully designed project; and a separate bidding process and Contract with a construction Contractor or Bidder.

"DB" or "Design-Build" shall mean an accelerated design, bid and project delivery method consisting of a single contract between the awarding authority and a DB Entity, consisting of design and construction companies that will bring a project to full design and construction.

"Disadvantaged Business Enterprise" or "DBE" shall mean a for-profit, small business concern:

(a) that is at least fifty-one (51%) percent owned by one or more individuals who are both socially and economically disadvantaged, or, in the case of any corporation, in which at least fifty-one (51%) percent of the stock is owned by one or more such individuals; and

(b) where the management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

"FHWA" shall mean the Federal Highway Administration," an agency within U.S. DOT that supports State and local governments in the design, and maintenance of the Nation's highway system (Federal Aid Highway Program).

"Good faith efforts" shall mean efforts to achieve a DBE participation goal or other requirement of these Special Provisions that, by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the program requirement. Such efforts must be deemed acceptable by MassDOT.

"Joint Venture" shall mean an association of a DBE firm and one or more other firms to carry out a single, for-profit business enterprise, for which the parties combine their property, capital, efforts, skills and knowledge, and in which the DBE is responsible for a distinct, clearly defined portion of the work of the Contract and whose share in the capital contribution, control, management, risks, and profits of the joint venture are commensurate with its ownership interest.

"Approved Joint Venture" shall mean a joint venture, as defined above, which has been approved by MassDOT's Prequalification Office and Office of Civil Rights for DBE participation on a particular Contract.

"Manufacturer" shall mean a firm that operates or maintains a factory or establishment that produces, on the premises, the materials, supplies, articles or equipment required under the contract and of the general character described by the specifications.

"Regular Dealer" shall mean a DBE firm that owns, operates, or maintains a store, warehouse, or other establishment in which materials, supplies, articles or equipment of the general character described by the specifications and required under the Contract are bought, kept in stock, and regularly sold or leased to the public in the usual course of business.

(a) To be a regular dealer, the firm must be an established, regular business that engages, as its principal business, and under its own name, in the purchase and sale of the products in question.

(b) A person may be a regular dealer in such bulk items as petroleum products, steel, cement, gravel, stone, or asphalt without owning, operating, or maintaining a place of business as provided above if the person both owns and operates distribution equipment for the products. Any supplementing of regular dealers' own distribution equipment shall be by long term lease agreement and not on an ad hoc or contract by contract basis.

(c) Packagers, brokers, manufacturers' representatives, or other persons who arrange or expedite transactions are not regular dealers within the meaning of this definition.

"Responsive" and "Responsible" refers to the bidder's submittal meeting all of the requirements of the advertised request for proposal. The term responsible refers to the ability of the Contractor to perform the work. This ability can be determined prior to bid invitations.

"Small Business or Small Business Concern" shall mean a small business concern or company as defined in Section 3 of the Small Business Act and SBA regulations implementing it (13 CFR Part 121); and is a business that does not exceed the cap on annual average gross receipts established by the U.S. Secretary of Transportation pursuant to 49 CFR Part 26.65; see also 49 CFR Part 26.39.

"SDO" shall mean the Massachusetts Supplier Diversity Office, formerly known as the State Office of Minority and Women Business Assistance (SOMWBA). In 2010, SOMWBA was abolished and the SDO was established. *See* St. 2010, c. 56. The SDO has assumed all the functions of SOWMBA. SDO is an agency within the Commonwealth of Massachusetts Executive office of Administration and Finance (ANF) Operational Services Division (OSD). The SDO mandate is to help promote the development of business enterprises and non-profit organizations owned and operated by minorities and women.

"Socially and economically disadvantaged individuals" shall mean individuals who are citizens of the United States (or lawfully admitted permanent residents) and who are:

(a) Individuals found by SDO to be socially and economically disadvantaged individuals on a case by case basis.

(b) Individuals in the following groups, members of which are rebuttably presumed to be socially and economically disadvantaged:

(1) "Black Americans" which includes persons having origin in any of the Black racial groups of Africa; (2) "Hispanic Americans" which include persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race; (3) "Native Americans" which include persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians; (4) "Asian Pacific Americans" which includes persons whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), the Commonwealth of the Northern Marianas Islands, Macao, Fiji, Tonga, Kiribati, Tuvalu, Nauru, Federated States of Micronesia, or Hong Kong; (5) "Subcontinent Asian Americans" which includes persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka; (6) Women; or (7) Any additional groups whose members are designated as socially and economically disadvantaged by the Small Business Administration (SBA), at such time as the SBA designation becomes effective.

Other terms and definitions applicable to the U.S. DOT DBE Program may be found at 49 CFR Part 26 and related appendices and guidance pages.

2. DBE PARTICIPATION

a. Goal

On this Contract, MassDOT has established the following goal(s) for participation by firms owned and controlled by socially and economically disadvantaged persons. At least half of the goal must be met in the form of DBE Subcontractor construction activity as opposed to material supplies or other services. The applicable goal remains in effect throughout the life of the contract regardless of whether pre-identified DBE Subcontractors remain on the Project or under Contract.

☒ Design-Bid-Build Projects: DBE Participation Goal **0 %**
(*One half of this goal shall be met in the form of Subcontractor construction activity*)

☐ Design-Build Projects: DBE Design Participation Goal ____**%** and DBE Construction Participation Goal **%**
(One half of the Construction Goal shall be met in the form of Subcontractor construction activity)

b. Bidders List

Pursuant to the provisions of 49 CFR Part 26.11(c), Recipients such as MassDOT, must collect from all Bidders who seek work on Federally assisted Contracts the firm full company name(s), addresses and telephone numbers of all firms that have submitted bids or quotes to the Bidders in connection with this Project. All bidders should refer to the Special Provision Document "A00801" of the Project proposal for this requirement.

In addition, MassDOT must provide to U.S. DOT, information concerning contractors firm status as a DBE or non-DBE, the age of the firm, and the annual gross receipts of the firm within a series of brackets (e.g., less than $500,000; $500,000–$1 million; $1–2 million; $2–5 million, etc.). The status, firm age, and annual gross receipt information will be sought by MassDOT regularly prior to setting its DBE participation goal for submission to U.S. DOT. MassDOT will survey each individual firm for this information directly.

Failure to comply with a written request for this information within fifteen (15) business days may result in the suspension of bidding privileges or other such sanctions, as provided for in Section 9 of this provision, until the information is received.

3. CONTRACTOR ASSURANCES

No Contractor or any Subcontractor shall discriminate on the basis of race color, national origin, or sex in the performance of this contract. The Contractor shall carry out applicable requirements of 49 CFR Part 26 in all respects and as applicable prior to, or subsequent to, award of U.S. DOT assisted Contracts. The Contractor agrees to affirmatively seek out and consider DBE firms as Contractors, Subcontractors, and/or suppliers of materials and services for this Contract. No Contract will be approved until MassDOT has reviewed Bidders'/Contractors' affirmative actions concerning DBEs. Failure to carry out these requirements is a material breach of this Contract which may result in the termination of the Contract or such other remedy as MassDOT or FHWA deem appropriate.

4. REQUIRED SUBCONTRACT PROVISIONS

The Prime Contractor shall include the provisions of Section 3 above in every subcontract, making those provisions binding on each Subcontractor; in addition, the Prime Contractor shall include a copy of this Special Provision, in its entirety, in every subcontract with a DBE firm which is, or may be, submitted for credit toward the Contract participation goal.

5. ELIGIBILITY OF DBES

Only firms that have been certified by SDO and confirmed by MassDOT as eligible in accordance with 49 CFR Part 26 to participate as DBEs on federally aided MassDOT Contracts may be used on this Contract for credit toward the DBE participation goal.

a. Massachusetts DBE Directory

MassDOT makes available to all bidders the most current Massachusetts Disadvantaged Business Enterprise Directory. This directory is made available for Contractors' convenience and is informational only. The Directory lists those firms that have been certified as eligible in accordance with the criteria of 49 CFR Part 26 to participate as DBEs on federally aided MassDOT contracts. The Directory also lists the kinds of work each firm is certified to perform but does not constitute an endorsement of the quality of performance of any business and does not represent MassDOT Subcontractor approval.

Contractors are encouraged to make use of the DBE Directory maintained by SDO on the Internet. This listing is updated daily and may be accessed at the SDO's website at:
https://www.diversitycertification.mass.gov/BusinessDirectory/BusinessDirectorySearch.aspx

b. DBE Certification

A firm must apply to SDO, currently acting as certification agent for MassDOT, for DBE certification to participate on federally aided MassDOT Contracts. A DBE application may be made in conjunction with a firm's application to SDO for certification to participate in state-funded minority and women business enterprise programs or may be for DBE certification only. An applicant for DBE certification must identify the area(s) of work it seeks to perform on U.S. DOT funded projects.

c. Joint Venture Approval

To obtain recognition as an approved DBE Joint Venture, the parties to the joint venture must provide to MassDOT's Office of Civil Rights and Prequalification Office, at least fourteen (14) business days before the bid opening date, an Affidavit of DBE/Non-DBE Joint Venture in the form attached hereto, and including, but not limited to the following:

1. a copy of the Joint Venture Agreement;
2. a description of the distinct, clearly defined portion of the contract work that the DBE will perform with its own forces; and,
3. all such additional information as may be requested by MassDOT for the purpose of determining whether the joint venture is eligible.

6. COUNTING DBE PARTICIPATION TOWARDS DBE PARTICIPATION GOALS

In order for DBE participation to count toward the Contract participation goal, the DBE(s) must have served a commercially useful function in the performance of the Contract and must have been paid in full for acceptable performance.

a. Commercially Useful Function

(1) In general, a DBE performs a commercially useful function when it is responsible for execution of the work of the contract and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. With respect to materials and supplies used on the Contract, the DBE must be responsible for negotiating price, determining quality and quantity, ordering the material, installing (where applicable) and paying for the material itself.

(2) To determine whether a DBE is performing a commercially useful function, MassDOT will evaluate the amount of work subcontracted, industry practices, whether the amount the firm is to be paid under the Contract is commensurate with the work it is actually performing and the DBE credit claimed for its performance of the work, and other relevant factors.

(3) A DBE does not perform a commercially useful function if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of DBE participation. In determining whether a DBE is such an extra participant, MassDOT will examine similar transactions, particularly those in which DBEs do not participate.

b. Counting Participation Toward The Contract Participation Goal

DBE participation which serves a commercially useful function shall be counted toward the DBE participation goal in accordance with the Provisions of 49 CFR Part 26.55(a) to (h), as follows:

(1) When a DBE participates in a construction Contract, MassDOT will count the value of the work performed by the DBE's own forces. MassDOT will count the cost of supplies and materials obtained by the DBE for the work of its contract, including supplies purchased or equipment leased by the DBE. Supplies, labor, or equipment the DBE Subcontractor uses, purchases, or leases from the Prime Contractor or any affiliate of the Prime Contractor will not be counted.

(2) MassDOT will count the entire amount of fees or commissions charged by a DBE firm for providing bona fide services, such as professional, technical, consultant, or managerial services, or for providing bonds or insurance specifically required for the performance of a U.S. DOT assisted Contract, toward DBE participation goals, provided it is determined that the fee is reasonable and not excessive as compared with fees customarily allowed for similar services.

(3) When a DBE performs as a participant in a joint venture, MassDOT will count toward DBE participation goals a portion of the total dollar value of the contract that is equal to the distinct, clearly defined portion of the work of the Contract that the DBE performs with its own forces.

(4) MassDOT will use the following factors in determining whether a DBE trucking company is performing a commercially useful function:

(i) the DBE must be responsible for the management and supervision of the entire trucking operation for which it is responsible on a particular contract; there cannot be a contrived arrangement for the purpose of meeting DBE participation goals.

(ii) the DBE must itself own and operate at least one fully licensed, insured, and operational truck used on the Contract.

(iii) the Contractor will receive DBE credit for the total value of the transportation services the DBE provides on the Contract using trucks owned, insured, and operated by the DBE itself and using drivers the DBE employs alone.

(iv) the DBE may lease trucks from another DBE firm, including an owner-operator who is certified as a DBE. The Contractor who has a contract with a DBE who leases trucks from another DBE will receive credit for the total value of the transportation services of the lease.

(v) the DBE may also lease trucks from a non-DBE firm, including an owner-operator. The Contractor who has a Contract with a DBE who leases trucks from a non-DBE is entitled to credit for the total value of the transportation services provided by non-DBE lessees not to the exceed the value of transportation services provided by DBE-owned trucks on the Contract. Additional participation by non-DBE lessees receives credit only for the fee or commission it receives as a result of the lease arrangement, fee or commission it receives as a result of the lease arrangement. The DBE does not receive credit for the total value of the transportation services provided by the lessee, since these services are not provided by a DBE.

(vi) the lease must indicate that the DBE has exclusive use of, and control over, the truck. This does not preclude the leased truck from working for others during the term of the lease with the consent of the DBE, so long as the lease gives the DBE absolute priority for use of the leased truck. Leased trucks must display the name and identification number of the DBE.

(5) MassDOT will count the Prime Contractor's expenditures with DBEs for materials or supplies toward DBE participation goals as follows:

(i) if the materials or supplies are obtained from a DBE manufacturer, as defined in Section 1 above, MassDOT will count one hundred (100%) percent of the cost of the materials or supplies toward DBE participation goals, provided the DBE meets the other requirements of the regulations.

(ii) if the materials or supplies are purchased from a DBE regular dealer, as defined in Section 1 above, MassDOT will count sixty (60%) percent of the cost of the materials or supplies toward the Contract participation goal, provided the DBE meets the other requirements of the regulations.

(iii) for materials or supplies purchased from a DBE which is neither a manufacturer nor a regular dealer, MassDOT will count the entire amount of fees or commissions charged for assistance in the procurement of the materials and supplies, or fees or transportation charges for the delivery of materials or supplies required on a job site toward the Contract participation goal, provided that MassDOT determines the fees to be reasonable and not excessive as compared with fees customarily allowed for similar services; the cost of the materials and supplies themselves will not be counted; and provided the DBE meets the other requirements of the regulations.

c. Joint Check Policy

MassDOT recognizes that the use of joint checks may be a business practice required by material suppliers and vendors in the construction industry. A joint check is a two-party check issued by a/the Prime Contractor to a DBE third party such as a regular dealer of material or supplies. The Prime Contractor issues the check as payor to the DBE and the third party jointly as payees to guarantee payment to the third party for materials or supplies obtained or to be used by the DBE. FHWA has established criteria to ensure that DBEs are in fact performing a commercially useful function ("CUF") while using a joint check arrangement. Contractors and DBEs must meet and conform to these conditions and criteria governing the use of joint checks.

In the event that a Contractor or DBE Subcontractor desires to a use joint check, MassDOT will require prior notice and will closely monitor the arrangement for compliance with FHWA regulations and guidance. MassDOT may allow a joint check arrangement and give credit to a Contractor for use of the DBE where one or more of the following conditions exist:

- The use of a joint check is in fact required by this type of vendor or supplier as a standard industry practice that applies to all Contractors (DBEs and non-DBEs); or is required by a specific vendor or supplier;
- Payment for supplies or materials would be delayed for an unreasonably extended period without the joint check arrangement;
- The DBE (or any of its Subcontractors) has a pattern or history of not paying a vendor or supplier within a reasonable time or has not established enough of a credit history with the supplier or vendor; and/or
- The presence of severe adverse economic conditions, where credit resources may be limited and such practices may be necessary or required to effect timely payments.

Other factors MassDOT may consider:

- Whether there is a requirement by the Prime Contractor that a DBE should use a specific vendor or supplier to meet their Subcontractor specifications;
- Whether there is a requirement that a DBE use the Prime Contractor's negotiated price;
- The independence of the DBE;
- Whether approval has been sought prior to use of a joint check arrangement; and
- Whether any approved joint check arrangement has exceeded a reasonable period of use;
- The operation of the joint check arrangement; and
- Whether the DBE has made an effort to establish alternate arrangements for following periods (i.e., the DBE must show it can, or has, or why it has not, established or increased a credit line with the vendor or supplier).

Even with the use of a Joint Check, both the Contractor and DBE remain responsible for compliance with all other elements under 49 CFR § 26.55 (c) (1), and must still be able to prove that a commercially useful function is being performed for the Contractor.

d. Joint Check Procedure(s)

- The DBE advises its General or Prime Contractor that it will have to use a Joint Check and provide proof of such requirement.
- The General or the Prime Contractor submits a request for approval to MassDOT, using MassDOT's approved Joint Check Request form (Document B00855) and by notification on the DBE Letter of Intent (Document B00854), and any other relevant documents. Requests that are not initiated during the bid process should be made in writing and comply with the procedure.
- The MassDOT Office of Civil Rights will review the request and render a decision as part of the approval process for DBE Schedules and Letters of Intent.
- Review and Approval will be project specific and relevant documents will be made part of the project Contract file.
- Payments should be made in the name of both the DBE and vendor or supplier. Payments should be issued and signed by the Contractor as only the guarantor for prompt payment of purchases to the vendor or supplier. The payment to the vendor or supplier should be handled by the DBE (i.e. if possible, funds or the joint check should be processed by the DBE and sent by the DBE to the vendor or supplier).
- MassDOT may request copies of cancelled checks (front and back) and transmittal information to verify any payments made to the DBE and vendor or supplier.
- MassDOT may request other information and documents, and may ask questions of the Contractor, Subcontractor and vendor or supplier prior to, during, and after the project performance to ascertain whether the Subcontractor is performing a commercially useful function and all parties are complying with DBE Program policies and procedures as part of the Subcontractor approval process.

7. AWARD DOCUMENTATION AND PROCEDURES

a. The two lowest bidders/the two bidders with the lowest price per quality score point, shall submit, by the close of business on the third (3rd) business day after the bid opening, a completed Schedule of Participation by DBEs (Document B00853) which shall list:

(1) The full company name, address and telephone number of each DBE with whom the bidder intends to make a commitment.

(2) The contract item(s), by number(s) and quantity(ies), if applicable, or specific description of other business activity to be performed by each DBE as set forth in the Letters of Intent. The Bidder shall list only firms which have the capacity to perform, manage and supervise the work proposed in accordance with the requirements of 49 CFR Part 26 and Section **6.b** of these Special Provisions.

(3) The total dollar amount to be paid to each DBE. (Bidders are cautioned that at least one half of the participation goal must be met with construction activity work.)

(4) The total dollar amount to be paid to each DBE that is eligible for credit toward the DBE participation goal under the counting rules set out in Section **6.b**.

(5) The total creditable DBE participation as a percentage of the total bid price.

b. All firms listed on the Schedule must be currently certified.

c. The two lowest bidders/the two bidders with the lowest price per quality score point, shall each submit, with their Schedules of Participation, fully completed, signed Letters of Intent (Document B00854) from each of the DBEs listed on the Schedule. The Letters of Intent shall be in the form attached and shall identify specifically the contract activity the DBE proposes to perform, expressed as contract item number, if applicable, description of the activity, NAICS code, quantity, unit price and total price. In the event of discrepancy between the Schedule and the Letter of Intent, the Letter of Intent shall govern.

d. Evidence of good faith efforts will be evaluated by MassDOT in the selection of the lowest responsible bidder.

All information requested by MassDOT for the purpose of evaluating the Contractor's efforts to achieve the participation goal must be provided within three (3) calendar days and must be accurate and complete in every detail. The apparent low bidder's attainment of the DBE participation goal or a satisfactory demonstration of good faith efforts is a prerequisite for award of the Contract.

e. Failure to meet, or to demonstrate good faith efforts to meet, the requirements of these Special Provisions shall render a bid non-responsive. Therefore, in order to be eligible for award, the bidder (1) must list all DBE's it plans to employ on the Schedule of Participation; and provide the required Letters of Intent for, DBE participation which meets or exceeds the Contract goal in accordance with the terms of these Special Provisions or (2) must demonstrate, to the satisfaction of MassDOT, that good faith efforts were made to achieve the participation goal. MassDOT will adhere to the guidance provided in Appendix A to 49 CFR Part 26 on the determination of a Contractor's good faith efforts to meet the DBE participation goal(s) set forth in Section 2 herein.

f. If MassDOT finds that the percentage of DBE participation submitted by the bidder on its Schedule does not meet the Contract participation goal, or that Schedule and Letters of Intent were not timely filed, and that the bidder has not demonstrated good faith efforts to comply with these requirements, it shall propose that the bidder be declared ineligible for award. In that case, the bidder may request administrative reconsideration. Such requests must be sent in writing within three (3) calendar days of receiving notice of proposed ineligibility to: The Office of the General Counsel, Massachusetts Department of Transportation, 10 Park Plaza, Boston, MA, 02116.

g. If, after administrative reconsideration, MassDOT finds that the bidder has not shown that sufficient good faith efforts were made to comply with the requirements of these Special Provisions, it shall reject the bidder's proposal and may retain the proposal guaranty.

h. Actions which constitute evidence of good faith efforts to meet a DBE participation goal include, but are not limited to, the following examples, which are set forth in 49 CFR Part 26, Appendix A:

(1) Soliciting through all reasonable and available means (e.g., attendance at pre-bid meetings, advertising and/or written notices) the interest of all certified DBEs who have the capability to perform the work of the Contract. The bidder must solicit this interest within sufficient time to allow the DBEs to respond to the solicitation. The bidder must determine with certainty if the DBEs are interested by taking appropriate steps to follow up initial solicitations.

(2) Selecting portions of the work to be performed by DBEs in order to increase the likelihood that the DBE participation goal will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the Prime Contractor might otherwise prefer to perform these work items with its own forces.

(3) Providing interested DBEs with adequate information about the plans, specifications, and requirements of the contract in a timely manner to assist them in responding to a solicitation.

(4) Negotiating in good faith with interested DBEs. It is the bidder's responsibility to make a portion of the work available to DBE Subcontractors and suppliers and to select those portions of the work or material needs consistent with the available DBE Subcontractors and suppliers, so as to facilitate DBE participation. Evidence of such negotiation includes the names, addresses, and telephone number of DBEs that were considered; a description of the information provided regarding the plans and specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for DBEs to perform the work.

A bidder using good business judgment would consider a number of factors in negotiating with Subcontractors, including DBE Subcontractors, and would take a firm's price and capabilities as well as Contract participation goals into consideration. However, the fact that there may be some additional costs involved in finding and using DBEs is not in itself sufficient reason for a bidder's failure to meet the Contract DBE participation goal, as long as such costs are reasonable. Also, the ability or desire of a Prime Contractor to perform the work of a Contract with its own organization does not relieve the bidder of the responsibility to make good faith efforts. Prime Contractors are not, however, required to accept higher quotes from DBEs if the price difference is excessive or unreasonable.

(5) Not rejecting DBEs as being unqualified without sound reasons based on a thorough investigation of their capabilities. Contractors should be careful of adding additional requirements of performance that would in effect limit participation by DBEs or any small business. The Contractor's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. nonunion employee status) are not legitimate causes for the rejection or non-solicitation of bids in the Contractor's efforts to meet the Contract participation goal.

(6) Making efforts to assist interested DBEs in obtaining bonding, lines of credit, or insurance as required by the recipient or contractor.

(7) Making efforts to assist interested DBEs in obtaining necessary equipment, supplies, materials, or related assistance or services.

(8) Effectively using the services of available minority/women community organizations; minority/women contractors' groups; local, state, and federal minority/women business assistance offices; and other organizations as allowed on a case by case basis to provide assistance in the recruitment and placement of DBEs.

8. COMPLIANCE

a. All activity performed by a DBE for credit toward the Contract participation goal must be performed, managed and supervised by the DBE in accordance with all commercially useful function requirements of 49 CFR Part 26. The Prime Contractor shall not enter into, or condone, any other arrangement.

b. The Prime Contractor shall not perform with its own organization, or assign to any other business, an activity designated for the DBE(s) named on the Schedule(s) submitted by the Prime Contractor under Section 7 or under paragraph **8.f** of this section, without the approval of MassDOT in accordance with the requirements of paragraphs **8.f** and **8.j** of this section.

c. MassDOT may suspend payment for any activity that was not performed by the DBE to whom the activity was committed on the approved Schedule of Participation, or that was not performed in accordance with the requirements of Section 6.

d. MassDOT retains the right to approve or disapprove of any or all Subcontractors. Requests by the Prime Contractor for approval of participation by a DBE Subcontractor for credit toward the Contract participation goal must include, in addition to any other requirements for Subcontractor approval, the following:

(1) A copy of the proposed subcontract. The subcontract must be for at least the dollar amount, and for the work described, in the Bidder's Schedule of Participation.

(2) A resume stating the qualifications and experience of the DBE Superintendent and/or foreperson who will supervise the on-site work. A new resume will be required for any change in supervisory personnel during the progress of the work.

(3) A Schedule of Operations indicating when the DBE is expected to perform the work.

(4) A list of (1) equipment owned by the DBE to be used on the Project, and (2) equipment to be leased by the DBE for use on the Project.

(5) A list of: (1) all projects (public and private) which the DBE is currently performing; (2) all projects (public and private) to which the DBE is committed; and (3) all projects (public and private) to which the DBE intends to make a commitment. For each Contract, list the contracting organization, the name and telephone number of a contact person for the contracting organization, the dollar value of the work, a description of the work, and the DBE's work schedule for each project.

e. If, pursuant to the Subcontractor approval process, MassDOT finds that a DBE Subcontractor does not have sufficient experience or resources to perform, manage and supervise work of the kind proposed in accordance with the requirements of 49 CFR Part 26, approval of the DBE Subcontractor may be denied. In the event of such denial, the Prime Contractor shall proceed in accordance with the requirements paragraphs **8.f** and **8.j** of this section.

f. If, for reasons beyond its control, the Prime Contractor cannot comply with its DBE participation commitment in accordance with the Schedule of Participation submitted under Section 7, the Prime Contractor shall submit to MassDOT the reasons for its inability to comply with its obligations and shall submit, and request approval for, a revised Schedule of Participation. If approved by MassDOT, the revised Schedule shall govern the Prime Contractor's performance in meeting its obligations under these Special Provisions.

g. A Prime Contractor's compliance with the participation goal in Section 2 shall be determined by reference to the established percentage of the total contract price, provided, however, that no decrease in the dollar amount of a bidder's commitment to any DBE shall be allowed without the approval of MassDOT.

h. If the contract amount is increased, the Prime Contractor may be required to submit a revised Schedule of Participation in accordance with paragraphs **8.f** and **8.j** of this section.

i. In the event of the decertification of a DBE scheduled to participate on the Contract for credit toward the participation goal, but not under subcontract, the Contractor shall proceed in accordance with paragraphs **8.f** and **8.j** of this section.

j. The Prime Contractor shall notify MassDOT immediately of any facts that come to its attention indicating that it may or will be unable to comply with any aspect of its DBE obligation under this Contract.

k. Any notice required by these Special Provisions shall be given in writing to: (1) the Resident Engineer; (2) the District designated Compliance Officer; and (3) the DBE Liaison Officer, MassDOT Office of Civil Rights, 10 Park Plaza, – 3rd Floor - West, Boston, MA, 02116 and cc'd to the Deputy Chief of External Programs.

l. The Prime Contractor and its Subcontractors shall comply with MassDOT's Electronic Reporting System Requirements (MassDOT Document 00821) and submit all information required by MassDOT related to the DBE Special Provisions through the Equitable Business Opportunity Solution ("EBO"). MassDOT reserves the right to request reports in the format it deems necessary anytime during the performance of the Contract.

m. Termination of DBE by Prime Contractor

(1) A Prime Contractor shall not terminate a DBE Subcontractor or an approved substitute DBE firm without the prior written consent of MassDOT. This includes, but is not limited to, instances in which a Prime Contractor seeks to perform work originally designated for a DBE Subcontractor with its own forces or those of an affiliate, a non-DBE firm, or with another DBE firm.

(2) MassDOT may provide such written consent only if MassDOT agrees, for reasons stated in its concurrence document, that the Prime Contractor has good cause to terminate the DBE firm.

(3) For purposes of this paragraph, good cause includes the following circumstances:

(i) The DBE Subcontractor fails or refuses to execute a written contract;

(ii) The DBE Subcontractor fails or refuses to perform the work of its subcontract in a way consistent with normal industry standards. Good cause, however, does not exist if the failure or refusal of the DBE Subcontractor to perform its work on the subcontract results from the bad faith or discriminatory action of the Prime Contractor;

(iii) The DBE Subcontractor fails or refuses to meet the Prime Contractor's reasonable, nondiscriminatory bond requirements.

(iv) The DBE Subcontractor becomes bankrupt, insolvent, or exhibits credit unworthiness;

(v) The DBE Subcontractor is ineligible to work on public works projects because of suspension and debarment proceedings pursuant 2 CFR Parts 180, 215 and 1,200 or applicable State law;

(vi) (vii) MassDOT has determined that the listed DBE Subcontractor is not a responsible contractor;

(vii) The listed DBE Subcontractor voluntarily withdraws from the Project and provides written notice of its withdrawal;

(viii) The listed DBE is ineligible to receive DBE credit for the type of work required;

(ix) A DBE owner dies or becomes disabled with the result that the listed DBE Contractor is unable to complete its work on the Contract;

(x) Other documented good cause that MassDOT determines compels the termination of the DBE Subcontractor. Good cause, however, does not exist if the Prime Contractor seeks to terminate a DBE it relied upon to obtain the Contract so that the Prime Contractor can self-perform the DBE work or substitute another DBE or non-DBE Contractor after Contract Award.

(4) Before transmitting to MassDOT a request to terminate and/or substitute a DBE Subcontractor, the Prime Contractor must give notice in writing to the DBE Subcontractor, with a copy to MassDOT, of its intent to request to terminate and/or substitute, and the reason for the request.

(5) The Prime Contractor must give the DBE five (5) business days to respond to the Prime Contractor's notice. The DBE must advise MassDOT and the Contractor of the reasons, if any, why it objects to the proposed termination of its subcontract and why MassDOT should not approve the Prime Contractor's action. If required in a particular case as a matter of public necessity (e.g., safety), MassDOT may provide a response period shorter than five (5) business days.

(6) In addition to post-award terminations, the provisions of this section apply to pre-award deletions of or substitutions for DBE firms.

n. Prompt Payment.

Contractors are required to promptly pay Subcontractors under this Prime Contract within ten (10) business days from the receipt of each payment the Prime Contractor receives from MassDOT. Failure to comply with this requirement may result in the withholding of payment to the Prime Contractor until such time as all payments due under this provision have been received by the Subcontractor(s) and/or referral to the Prequalification Committee for action which may affect the Contractor's prequalification status.

9. SANCTIONS

If the Prime Contractor does not comply with the terms of these Special Provisions and cannot demonstrate to the satisfaction of MassDOT that good faith efforts were made to achieve such compliance, MassDOT may, in addition to any other remedy provided for in the Contract, and notwithstanding any other provision in the Contract:

a. Retain, in connection with final acceptance and final payment processing, an amount determined by multiplying the total contract amount by the percentage in Section 2, less the amount paid to approved DBE(s) for work performed under the Contract in accordance with the provisions of Section 8.

b. Suspend, terminate or cancel this Contract, in whole or in part, and call upon the Prime Contractor's surety to perform all terms and conditions in the Contract.

c. In accordance with 720 CMR 5.05(1)(f), modify or revoke the Prime Contractor's Prequalification status or recommend that the Prime Contractor not receive award of a pending Contract. The Prime Contractor may appeal the determination of the Prequalification Committee in accordance with the provisions of 720 CMR 5.06.

d. Initiate debarment proceedings pursuant to M.G.L. c. 29 §29F and, as applicable, 2 CFR Parts 180, 215 and 1,200.

e. Refer the matter to the Massachusetts Attorney General for review and prosecution, if appropriate, of any false claim or pursuant to M.G.L. c. 12, §§ 5A to 5O (the Massachusetts False Claim Act).

f. Refer the matter to the U.S. DOT's Office of the Inspector General or other agencies for prosecution under Title 18, U.S.C. § 1001, 49 CFR Parts 29 and 31, and other applicable laws and regulations.

10. FURTHER INFORMATION; ENFORCEMENT, COOPERATION AND CONFIDENTIALITY.

a. Any proposed DBE, bidder, or Contractor shall provide such information as is necessary in the judgment of MassDOT to ascertain its compliance with the terms of this Special Provision. Further, pursuant to 49 CFR, Part 26.107:

(1) If you are a firm that does not meet the eligibility criteria of 49 CFR, Parts 26.61 to 26.73 ("subpart D"), that attempts to participate in a DOT- assisted program as a DBE on the basis of false, fraudulent, or deceitful statements or representations or under circumstances indicating a serious lack of business integrity or honesty, MassDOT or FHWA may initiate suspension or debarment proceedings against you under 49 CFR Part 29.

(2) If you are a firm that, in order to meet DBE Contract participation goals or other DBE Program requirements, uses or attempts to use, on the basis of false, fraudulent or deceitful statements or representations or under circumstances indicating a serious lack of business integrity or honesty, another firm that does not meet the eligibility criteria of subpart D, FHWA may initiate suspension or debarment proceedings against you under 49 CFR Part 29.

(3) In a suspension or debarment proceeding brought either under subparagraph a.(1) or b.(2) of this section, the concerned operating administration may consider the fact that a purported DBE has been certified by a recipient. Such certification does not preclude FHWA from determining that the purported DBE, or another firm that has used or attempted to use it to meet DBE participation goals, should be suspended or debarred.

(4) FHWA may take enforcement action under 49 CFR Part 31, Program Fraud and Civil Remedies, against any participant in the DBE Program whose conduct is subject to such action under 49 CFR Part 31.

(5) FHWA may refer to the Department of Justice, for prosecution under 18 U.S.C. 1001 or other applicable provisions of law, any person who makes a false or fraudulent statement in connection with participation of a DBE in any DOT-assisted program or otherwise violates applicable Federal statutes.

b. Pursuant to 49 CFR Part 26.109, the rules governing information, confidentiality, cooperation, and intimidation or retaliation are as follows:

(1) Availability of records.

(i) In responding to requests for information concerning any aspect of the DBE Program, FHWA complies with provisions of the Federal Freedom of Information and Privacy Acts (5 U.S.C. 552 and 552a). FHWA may make available to the public any information concerning the DBE Program release of which is not prohibited by Federal law.

(ii) MassDOT shall safeguard from disclosure to unauthorized persons information that may reasonably be considered as confidential business information, consistent with Federal and Massachusetts General Law (M.G.L. c. 66, § 10, M.G.L. c. 4, §7 (26), 950 CMR 32.00).

(2) Confidentiality of information on complainants. Notwithstanding the provisions of subparagraph b.(1) of this section, the identity of complainants shall be kept confidential, at their election. If such confidentiality will hinder the investigation, proceeding or hearing, or result in a denial of appropriate administrative due process to other parties, the complainant must be advised for the purpose of waiving the privilege. Complainants are advised that, in some circumstances, failure to waive the privilege may result in the closure of the investigation or dismissal of the proceeding or hearing.

(3) Cooperation. All participants in FHWA's DBE Program (including, but not limited to, recipients, DBE firms and applicants for DBE certification, complainants and appellants, and Contractors using DBE firms to meet Contract participation goals) are required to cooperate fully and promptly with U.S. DOT and recipient compliance reviews, certification reviews, investigations, and other requests for information. Failure to do so shall be a ground for appropriate action against the party involved (e.g., with respect to recipients, a finding of noncompliance; with respect to DBE firms, denial of certification or removal of eligibility and/or suspension and debarment; with respect to a complainant or appellant, dismissal of the complaint or appeal; with respect to a Contractor which uses DBE firms to meet participation goals, findings of non-responsibility for future Contracts and/or suspension and debarment).

(4) Intimidation and retaliation. No recipient, Contractor, or any other participant in the program, may intimidate, threaten, coerce, or discriminate against any individual or firm for the purpose of interfering with any right or privilege secured by this part or because the individual or firm has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this part. If any recipient or contractor violates this prohibition, that entity is in noncompliance with this 49 CFR Part 26.

11. LIST OF ADDITIONAL DOCUMENTS.

a. The following documents shall be completed and signed by the bidder and designated DBEs in accordance with Section 7 - Award Documentation and Procedures. These documents must be returned by the bidder to MassDOT's Bid Document Distribution Center:

- □ Schedule of DBE Participation (Document B00853)
- □ Letter of Intent (Document B00854)
- □ DBE Joint Check Arrangement Approval Form (Document B00855), if Contractor and DBE plan, or if DBE is required to use a Joint Check

b. The following document shall be signed and returned by Contractor and Subcontractors/DBEs to the MassDOT District Office overseeing the Project, as applicable:

- □ Contractor/Subcontractor Certification Form (Document No. 00859) (a checklist of other documents to be included with every subcontract (DBEs and non-DBEs alike)).

c. The following document shall be provided to MassDOT's Office of Civil Rights and Prequalification Office at least fourteen (14) business days before the bid opening date, if applicable:

- □ Affidavit of DBE/Non-DBE Joint Venture (Document B00856)

d. The following document shall be provided to MassDOT's District Office of Civil Rights within 30 calendar days after the work of the DBE is completed, or no later than 30 calendar days after the work of the DBE is on a completed and processed CQE. This document shall be completed and submitted by the Prime Contractor:

- □ Certificate of Completion by a Minority/Women or Disadvantaged Business Enterprise (M/W/DBE) (Form No. CSD-100)

*** END OF DOCUMENT ***

DOCUMENT 00760

FHWA-1273 – Revised October 23, 2023

REQUIRED CONTRACT PROVISIONS
FEDERAL-AID CONSTRUCTION CONTRACTS

I. General
II. Nondiscrimination
III. Non-segregated Facilities
IV. Davis-Bacon and Related Act Provisions
V. Contract Work Hours and Safety Standards Act Provisions
VI. Subletting or Assigning the Contract
VII. Safety: Accident Prevention
VIII. False Statements Concerning Highway Projects
IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
X. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
XI. Certification Regarding Use of Contract Funds for Lobbying
XII. Use of United States-Flag Vessels:

ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under title 23, United States Code, as required in 23 CFR 633.102(b) (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services). 23 CFR 633.102(e).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider. 23 CFR 633.102(e).

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services) in accordance with 23 CFR 633.102. The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in solicitation-for-bids or request-for-proposals documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract). 23 CFR 633.102(b).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract. 23 CFR 633.102(d).

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. 23 U.S.C. 114(b). The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors. 23 U.S.C. 101(a).

II. NONDISCRIMINATION (23 CFR 230.107(a); 23 CFR Part 230, Subpart A, Appendix A; EO 11246)

The provisions of this section related to 23 CFR Part 230, Subpart A, Appendix A are applicable to all Federal-aid construction contracts and to all related construction subcontracts of $10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR Part 60, 29 CFR Parts 1625-1627, 23 U.S.C. 140, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), and related regulations including 49 CFR Parts 21, 26, and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding $10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR Part 60, and 29 CFR Parts 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with 23 U.S.C. 140, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), and related regulations including 49 CFR Parts 21, 26, and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR Part 230, Subpart A, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

1. Equal Employment Opportunity: Equal Employment Opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (*see* 28 CFR Part 35, 29 CFR Part 1630, 29 CFR Parts 1625-1627, 41 CFR Part 60 and 49 CFR Part 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140, shall constitute the EEO and specific affirmative action standards for the contractor's project activities under this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR Part 35 and 29 CFR Part 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract. 23 CFR 230.409 (g)(4) & (5).

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, sexual orientation, gender identity, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

2. EEO Officer: The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

3. Dissemination of Policy: All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action or are substantially involved in such action, will be made fully cognizant of and will implement the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer or other knowledgeable company official.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

4. Recruitment: When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

5. Personnel Actions: Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to ensure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action

within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

6. Training and Promotion:

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs (i.e., apprenticeship and on-the-job training programs for the geographical area of contract performance). In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

7. Unions: If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. 23 CFR 230.409. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

8. Reasonable Accommodation for Applicants / Employees with Disabilities: The contractor must be familiar with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established thereunder. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment: The contractor shall not discriminate on the grounds of race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors, suppliers, and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

10. Assurances Required:

a. The requirements of 49 CFR Part 26 and the State DOT's FHWA-approved Disadvantaged Business Enterprise (DBE) program are incorporated by reference.

b. The contractor, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:
(1) Withholding monthly progress payments;
(2) Assessing sanctions;
(3) Liquidated damages; and/or
(4) Disqualifying the contractor from future bidding as non-responsible.

c. The Title VI and nondiscrimination provisions of U.S. DOT Order 1050.2A at Appendixes A and E are incorporated by reference. 49 CFR Part 21.

11. Records and Reports: The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women; and

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women.

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on Form FHWA-1391. The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of more than $10,000. 41 CFR 60-1.5.

As prescribed by 41 CFR 60-1.8, the contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location under the contractor's control where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

IV. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding $2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size), in accordance with 29 CFR 5.5. The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. 23 U.S.C. 113. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. 23 U.S.C. 101. Where applicable law requires that projects be treated as a project on a Federal-aid highway, the provisions of this subpart will apply regardless of the location of the project. Examples include: Surface Transportation Block Grant Program projects funded under 23 U.S.C. 133 [excluding recreational trails projects], the Nationally Significant Freight and Highway Projects funded under 23 U.S.C. 117, and National Highway Freight Program projects funded under 23 U.S.C. 167.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 “Contract provisions and related matters” with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

1. Minimum wages (29 CFR 5.5)

a. *Wage rates and fringe benefits.* All laborers and mechanics employed or working upon the site of the work (or otherwise working in construction or development of the project under a development statute), will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR part 3)), the full amount of basic hourly wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. As provided in paragraphs (d) and (e) of 29 CFR 5.5, the appropriate wage determinations are effective by operation of law even if they have not been attached to the contract. Contributions made or costs reasonably anticipated for bona fide fringe benefits under the Davis-Bacon Act (40 U.S.C. 3141(2)(B)) on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph 1.e. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics must be paid the appropriate wage rate and fringe benefits on the wage determination for the classification(s) of work actually performed, without regard to skill, except as provided in paragraph 4. of this section. Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: *Provided,* That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classifications and wage rates conformed under paragraph 1.c. of this section) and the Davis-Bacon poster (WH–1321) must be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b. *Frequently recurring classifications.* (1) In addition to wage and fringe benefit rates that have been determined to be prevailing under the procedures set forth in 29 CFR part 1, a wage determination may contain, pursuant to § 1.3(f), wage and fringe benefit rates for classifications of laborers and mechanics for which conformance requests are regularly submitted pursuant to paragraph 1.c. of this section, provided that:

(i) The work performed by the classification is not performed by a classification in the wage determination for which a prevailing wage rate has been determined;

(ii) The classification is used in the area by the construction industry; and

(iii) The wage rate for the classification bears a reasonable relationship to the prevailing wage rates contained in the wage determination.

(2) The Administrator will establish wage rates for such classifications in accordance with paragraph 1.c.(1)(iii) of this section. Work performed in such a classification must be paid at no less than the wage and fringe benefit rate listed on the wage determination for such classification.

c. *Conformance.* (1) The contracting officer must require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract be classified in conformance with the wage determination. Conformance of an additional classification and wage rate and fringe benefits is appropriate only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is used in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) The conformance process may not be used to split, subdivide, or otherwise avoid application of classifications listed in the wage determination.

(3) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken will be sent by the contracting officer by email to DBAconformance@dol.gov. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30–day period that additional time is necessary.

(4) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer will, by email to DBAconformance@dol.gov, refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30–day period that additional time is necessary.

(5) The contracting officer must promptly notify the contractor of the action taken by the Wage and Hour Division under paragraphs 1.c.(3) and (4) of this section. The contractor must furnish a written copy of such determination to each affected worker or it must be posted as a part of the wage determination. The wage rate (including fringe benefits where appropriate) determined pursuant to paragraph 1.c.(3) or (4) of this section must be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

d. *Fringe benefits not expressed as an hourly rate.* Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor may either pay the benefit as stated in the wage determination or may pay another bona fide fringe benefit or an hourly cash equivalent thereof.

e. *Unfunded plans.* If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, *Provided,* That the Secretary of Labor has found, upon the written request of the contractor, in accordance with the criteria set forth in § 5.28, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

f. *Interest.* In the event of a failure to pay all or part of the wages required by the contract, the contractor will be required to pay interest on any underpayment of wages.

2. Withholding (29 CFR 5.5)

a. *Withholding requirements.* The contracting agency may, upon its own action, or must, upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to satisfy the liabilities of the prime contractor or any subcontractor for the full amount of wages and monetary relief, including interest, required by the clauses set forth in this section for violations of this contract, or to satisfy any such liabilities required by any other Federal contract, or federally assisted contract subject to Davis-Bacon labor standards, that is held by the same prime contractor (as defined in § 5.2). The necessary funds may be withheld from the contractor under this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract that is subject to Davis-Bacon labor standards requirements and is held by the same prime contractor, regardless of whether the other contract was awarded or assisted by the same agency, and such funds may be used to satisfy the contractor liability for which the funds were withheld. In the event of a contractor's failure to pay any laborer or mechanic, including any apprentice or helper working on the site of the work all or part of the wages required by the contract, or upon the contractor's failure to submit the required records as discussed in paragraph 3.d. of this section, the contracting agency may on its own initiative and after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

b. *Priority to withheld funds.* The Department has priority to funds withheld or to be withheld in accordance with paragraph

2.a. of this section or Section V, paragraph 3.a., or both, over claims to those funds by:

(1) A contractor's surety(ies), including without limitation performance bond sureties and payment bond sureties;

(2) A contracting agency for its reprocurement costs;

(3) A trustee(s) (either a court-appointed trustee or a U.S. trustee, or both) in bankruptcy of a contractor, or a contractor's bankruptcy estate;

(4) A contractor's assignee(s);

(5) A contractor's successor(s); or

(6) A claim asserted under the Prompt Payment Act, 31 U.S.C. 3901–3907.

3. Records and certified payrolls (29 CFR 5.5)

a. *Basic record requirements* (1) *Length of record retention.* All regular payrolls and other basic records must be maintained by the contractor and any subcontractor during the course of the work and preserved for all laborers and mechanics working at the site of the work (or otherwise working in construction or development of the project under a development statute) for a period of at least 3 years after all the work on the prime contract is completed.

(2) *Information required.* Such records must contain the name; Social Security number; last known address, telephone number, and email address of each such worker; each worker's correct classification(s) of work actually performed; hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in 40 U.S.C. 3141(2)(B) of the Davis-Bacon Act); daily and weekly number of hours actually worked in total and on each covered contract; deductions made; and actual wages paid.

(3) *Additional records relating to fringe benefits.* Whenever the Secretary of Labor has found under paragraph 1.e. of this section that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in 40 U.S.C. 3141(2)(B) of the Davis-Bacon Act, the contractor must maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits.

(4) *Additional records relating to apprenticeship.* Contractors with apprentices working under approved programs must maintain written evidence of the registration of apprenticeship programs, the registration of the apprentices, and the ratios and wage rates prescribed in the applicable programs.

b. *Certified payroll requirements* (1) *Frequency and method of submission.* The contractor or subcontractor must submit weekly, for each week in which any DBA- or Related Acts-covered work is performed, certified payrolls to the contracting agency. The prime contractor is responsible for the submission of all certified payrolls by all subcontractors. A contracting agency or prime contractor may permit or require contractors to submit certified payrolls through an electronic system, as long as the electronic system requires a legally valid electronic signature; the system allows the contractor, the contracting agency, and the Department of Labor to access the certified payrolls upon request for at least 3 years after the work on the prime contract has been completed; and the contracting agency or prime contractor permits other methods of submission in situations where the contractor is unable or limited in its ability to use or access the electronic system.

(2) *Information required.* The certified payrolls submitted must set out accurately and completely all of the information required to be maintained under paragraph 3.a.(2) of this section, except that full Social Security numbers and last known addresses, telephone numbers, and email addresses must not be included on weekly transmittals. Instead, the certified payrolls need only include an individually identifying number for each worker (*e.g.,* the last four digits of the worker's Social Security number). The required weekly certified payroll information may be submitted using Optional Form WH–347 or in any other format desired. Optional Form WH–347 is available for this purpose from the Wage and Hour Division website at *https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/wh347/.pdf* or its successor website. It is not a violation of this section for a prime contractor to require a subcontractor to provide full Social Security numbers and last known addresses, telephone numbers, and email addresses to the prime contractor for its own records, without weekly submission by the subcontractor to the contracting agency.

(3) *Statement of Compliance.* Each certified payroll submitted must be accompanied by a “Statement of Compliance,” signed by the contractor or subcontractor, or the contractor's or subcontractor's agent who pays or supervises the payment of the persons working on the contract, and must certify the following:

(i) That the certified payroll for the payroll period contains the information required to be provided under paragraph 3.b. of this section, the appropriate information and basic records are being maintained under paragraph 3.a. of this section, and such information and records are correct and complete;

(ii) That each laborer or mechanic (including each helper and apprentice) working on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in 29 CFR part 3; and

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification(s) of work actually performed, as specified in the applicable wage determination incorporated into the contract.

(4) *Use of Optional Form WH–347.* The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH–347 will satisfy the requirement for submission of the “Statement of Compliance” required by paragraph 3.b.(3) of this section.

(5) *Signature.* The signature by the contractor, subcontractor, or the contractor's or subcontractor's agent must be an original handwritten signature or a legally valid electronic signature.

(6) *Falsification.* The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under 18 U.S.C. 1001 and 31 U.S.C. 3729.

(7) *Length of certified payroll retention.* The contractor or subcontractor must preserve all certified payrolls during the course of the work and for a period of 3 years after all the work on the prime contract is completed.

c. *Contracts, subcontracts, and related documents.* The contractor or subcontractor must maintain this contract or subcontract and related documents including, without limitation, bids, proposals, amendments, modifications, and extensions. The contractor or subcontractor must preserve these contracts, subcontracts, and related documents during the course of the work and for a period of 3 years after all the work on the prime contract is completed.

d. *Required disclosures and access* (1) *Required record disclosures and access to workers.* The contractor or subcontractor must make the records required under paragraphs 3.a. through 3.c. of this section, and any other documents that the contracting agency, the State DOT, the FHWA, or the Department of Labor deems necessary to determine compliance with the labor standards provisions of any of the applicable statutes referenced by § 5.1, available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and must permit such representatives to interview workers during working hours on the job.

(2) *Sanctions for non-compliance with records and worker access requirements.* If the contractor or subcontractor fails to submit the required records or to make them available, or refuses to permit worker interviews during working hours on the job, the Federal agency may, after written notice to the contractor, sponsor, applicant, owner, or other entity, as the case may be, that maintains such records or that employs such workers, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available, or to permit worker interviews during working hours on the job, may be grounds for debarment action pursuant to § 5.12. In addition, any contractor or other person that fails to submit the required records or make those records available to WHD within the time WHD requests that the records be produced will be precluded from introducing as evidence in an administrative proceeding under 29 CFR part 6 any of the required records that were not provided or made available to WHD. WHD will take into consideration a reasonable request from the contractor or person for an extension of the time for submission of records. WHD will determine the reasonableness of the request and may consider, among other things, the location of the records and the volume of production.

(3) *Required information disclosures.* Contractors and subcontractors must maintain the full Social Security number and last known address, telephone number, and email address of each covered worker, and must provide them upon request to the contracting agency, the State DOT, the FHWA, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or other compliance action.

4. Apprentices and equal employment opportunity (29 CFR 5.5)

a. *Apprentices* (1) *Rate of pay.* Apprentices will be permitted to work at less than the predetermined rate for the work they perform when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship (OA), or with a State Apprenticeship Agency recognized by the OA. A person who is not individually registered in the program, but who has been certified by the OA or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice, will be permitted to work at less than the predetermined rate for the work they perform in the first 90 days of probationary employment as an apprentice in such a program. In the event the OA or a State Apprenticeship Agency recognized by the OA withdraws approval of an apprenticeship program, the contractor will no longer be permitted to use apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(2) *Fringe benefits.* Apprentices must be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringe benefits must be paid in accordance with that determination.

(3) *Apprenticeship ratio.* The allowable ratio of apprentices to journeyworkers on the job site in any craft classification must not be greater than the ratio permitted to the contractor as to the entire work force under the registered program or the ratio applicable to the locality of the project pursuant to paragraph 4.a.(4) of this section. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated in paragraph 4.a.(1) of this section, must be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under this section must be paid not less than the applicable wage rate on the wage determination for the work actually performed.

(4) *Reciprocity of ratios and wage rates.* Where a contractor is performing construction on a project in a locality other than the locality in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyworker's hourly rate) applicable within the locality in which the construction is being performed must be observed. If there is no applicable ratio or wage rate for the locality of the project, the ratio and wage rate specified in the contractor's registered program must be observed.

b. *Equal employment opportunity.* The use of apprentices and journeyworkers under this part must be in conformity with

the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR part 30.

c. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. 23 CFR 230.111(e)(2). The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeyworkers shall not be greater than permitted by the terms of the particular program.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract as provided in 29 CFR 5.5.

6. Subcontracts. The contractor or subcontractor must insert FHWA-1273 in any subcontracts, along with the applicable wage determination(s) and such other clauses or contract modifications as the contracting agency may by appropriate instructions require, and a clause requiring the subcontractors to include these clauses and wage determination(s) in any lower tier subcontracts. The prime contractor is responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this section. In the event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss, due to any workers of lower-tier subcontractors, and may be subject to debarment, as appropriate. 29 CFR 5.5.

7. Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract as provided in 29 CFR 5.5.

9. Disputes concerning labor standards. As provided in 29 CFR 5.5, disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

10. Certification of eligibility. a. By entering into this contract, the contractor certifies that neither it nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of 40 U.S.C. 3144(b) or § 5.12(a).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of 40 U.S.C. 3144(b) or § 5.12(a).

c. The penalty for making false statements is prescribed in the U.S. Code, Title 18 Crimes and Criminal Procedure, 18 U.S.C. 1001.

11. Anti-retaliation. It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for:

a. Notifying any contractor of any conduct which the worker reasonably believes constitutes a violation of the DBA, Related Acts, this part, or 29 CFR part 1 or 3;

b. Filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting or seeking to assert on behalf of themselves or others any right or protection under the DBA, Related Acts, this part, or 29 CFR part 1 or 3;

c. Cooperating in any investigation or other compliance action, or testifying in any proceeding under the DBA, Related Acts, this part, or 29 CFR part 1 or 3; or

d. Informing any other person about their rights under the DBA, Related Acts, this part, or 29 CFR part 1 or 3.

V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

Pursuant to 29 CFR 5.5(b), the following clauses apply to any Federal-aid construction contract in an amount in excess of $100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchpersons and guards.

1. Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek. 29 CFR 5.5.

2. Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph 1. of this section the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages and interest from the date of the underpayment. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or

mechanic, including watchpersons and guards, employed in violation of the clause set forth in paragraph 1. of this section, in the sum currently provided in 29 CFR 5.5(b)(2)* for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph 1. of this section.

* $31 as of January 15, 2023 (See 88 FR 88 FR 2210) as may be adjusted annually by the Department of Labor, pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990.

3. Withholding for unpaid wages and liquidated damages

a. *Withholding process.* The FHWA or the contracting agency may, upon its own action, or must, upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to satisfy the liabilities of the prime contractor or any subcontractor for any unpaid wages; monetary relief, including interest; and liquidated damages required by the clauses set forth in this section on this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract subject to the Contract Work Hours and Safety Standards Act that is held by the same prime contractor (as defined in § 5.2). The necessary funds may be withheld from the contractor under this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract that is subject to the Contract Work Hours and Safety Standards Act and is held by the same prime contractor, regardless of whether the other contract was awarded or assisted by the same agency, and such funds may be used to satisfy the contractor liability for which the funds were withheld.

b. *Priority to withheld funds.* The Department has priority to funds withheld or to be withheld in accordance with Section IV paragraph 2.a. or paragraph 3.a. of this section, or both, over claims to those funds by:

(1) A contractor's surety(ies), including without limitation performance bond sureties and payment bond sureties;

(2) A contracting agency for its reprocurement costs;

(3) A trustee(s) (either a court-appointed trustee or a U.S. trustee, or both) in bankruptcy of a contractor, or a contractor's bankruptcy estate;

(4) A contractor's assignee(s);

(5) A contractor's successor(s); or

(6) A claim asserted under the Prompt Payment Act, 31 U.S.C. 3901–3907.

4. Subcontracts. The contractor or subcontractor must insert in any subcontracts the clauses set forth in paragraphs 1. through 5. of this section and a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor is responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs 1. through 5. In the event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss, due to any workers of lower-tier subcontractors, and associated liquidated damages and may be subject to debarment, as appropriate.

5. Anti-retaliation. It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for:

a. Notifying any contractor of any conduct which the worker reasonably believes constitutes a violation of the Contract Work Hours and Safety Standards Act (CWHSSA) or its implementing regulations in this part;

b. Filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting or seeking to assert on behalf of themselves or others any right or protection under CWHSSA or this part;

c. Cooperating in any investigation or other compliance action, or testifying in any proceeding under CWHSSA or this part; or

d. Informing any other person about their rights under CWHSSA or this part.

VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System pursuant to 23 CFR 635.116.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term “perform work with its own organization” in paragraph 1 of Section VI refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions: (based on longstanding interpretation)

(1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;
(2) the prime contractor remains responsible for the quality of the work of the leased employees;

(3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and

(4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract. 23 CFR 635.102.

2. Pursuant to 23 CFR 635.116(a), the contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. Pursuant to 23 CFR 635.116(c), the contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract. (based on long-standing interpretation of 23 CFR 635.116).

5. The 30-percent self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements. 23 CFR 635.116(d).

VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR Part 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract. 23 CFR 635.108.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and health standards (29 CFR Part 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704). 29 CFR 1926.10.

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR Part 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 11, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT (42 U.S.C. 7606; 2 CFR 200.88; EO 11738)

This provision is applicable to all Federal-aid construction contracts in excess of $150,000 and to all related subcontracts. 48 CFR 2.101; 2 CFR 200.327.

By submission of this bid/proposal or the execution of this contract or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, subcontractor, supplier, or vendor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal Highway Administration and the Regional Office of the Environmental Protection Agency. 2 CFR Part 200, Appendix II.

The contractor agrees to include or cause to be included the requirements of this Section in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements. 2 CFR 200.327.

X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost $25,000 or more – as defined in 2 CFR Parts 180 and 1200. 2 CFR 180.220 and 1200.220.

1**. Instructions for Certification – First Tier Participants:**

a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction. 2 CFR 180.320.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default. 2 CFR 180.325.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances. 2 CFR 180.345 and 180.350.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180, Subpart I, 180.900-180.1020, and 1200. “First Tier Covered Transactions” refers to any covered transaction between a recipient or subrecipient of Federal funds and a participant (such as the prime or general contract). “Lower Tier Covered Transactions” refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). “First Tier Participant” refers to the participant who has entered into a covered transaction with a recipient or subrecipient of Federal funds (such as the prime or general contractor). “Lower Tier Participant” refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction. 2 CFR 180.330.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the $25,000 threshold. 2 CFR 180.220 and 180.300.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. 2 CFR 180.300; 180.320, and 180.325. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. 2 CFR 180.335. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the System for Award Management website (https://www.sam.gov/). 2 CFR 180.300, 180.320, and 180.325.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default. 2 CFR 180.325.

* * * * *

2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency, 2 CFR 180.335;.

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property, 2 CFR 180.800;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification, 2 CFR 180.700 and 180.800; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default. 2 CFR 180.335(d).

(5) Are not a corporation that has been convicted of a felony violation under any Federal law within the two-year period preceding this proposal (USDOT Order 4200.6 implementing appropriations act requirements); and

(6) Are not a corporation with any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted, or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability (USDOT Order 4200.6 implementing appropriations act requirements).

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant should attach an explanation to this proposal. 2 CFR 180.335 and 180.340.

* * * * *

3. **Instructions for Certification - Lower Tier Participants:**

(Applicable to all subcontracts, purchase orders, and other lower tier transactions requiring prior FHWA approval or estimated to cost $25,000 or more - 2 CFR Parts 180 and 1200). 2 CFR 180.220 and 1200.220.

a. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances. 2 CFR 180.365.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180, Subpart I, 180.900 – 180.1020, and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. “First Tier Covered Transactions” refers to any covered transaction between a recipient or subrecipient of Federal funds and a participant (such as the prime or general contract). “Lower Tier Covered Transactions” refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). “First Tier Participant” refers to the participant who has entered into a covered transaction with a recipient or subrecipient of Federal funds (such as the prime or general contractor). “Lower Tier Participant” refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated. 2 CFR 1200.220 and 1200.332.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the $25,000 threshold. 2 CFR 180.220 and 1200.220.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the System for Award Management website (https://www.sam.gov/), which is compiled by the General Services Administration. 2 CFR 180.300, 180.320, 180.330, and 180.335.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily

excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment. 2 CFR 180.325.

* * * * *

4. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:

a. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals:

(1) is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency, 2 CFR 180.355;

(2) is a corporation that has been convicted of a felony violation under any Federal law within the two-year period preceding this proposal (USDOT Order 4200.6 implementing appropriations act requirements); and

(3) is a corporation with any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted, or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability. (USDOT Order 4200.6 implementing appropriations act requirements)

b. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant should attach an explanation to this proposal.

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XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed $100,000. 49 CFR Part 20, App. A.

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed $100,000 and that all such recipients shall certify and disclose accordingly.

XII. USE OF UNITED STATES-FLAG VESSELS:

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, or any other covered transaction. 46 CFR Part 381.

This requirement applies to material or equipment that is acquired for a specific Federal-aid highway project. 46 CFR 381.7. It is not applicable to goods or materials that come into inventories independent of an FHWA funded-contract.

When oceanic shipments (or shipments across the Great Lakes) are necessary for materials or equipment acquired for a specific Federal-aid construction project, the bidder, proposer, contractor, subcontractor, or vendor agrees:

1. To utilize privately owned United States-flag commercial vessels to ship at least 50 percent of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners, and tankers) involved, whenever shipping any equipment, material, or commodities pursuant to this contract, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vessels. 46 CFR 381.7.

2. To furnish within 20 days following the date of loading for shipments originating within the United States or within 30 working days following the date of loading for shipments originating outside the United States, a legible copy of a rated, ‘on-board’ commercial ocean bill-of-lading in English for each shipment of cargo described in paragraph (b)(1) of this section to both the Contracting Officer (through the prime contractor in the case of subcontractor bills-of-lading) and to the Office of Cargo and Commercial Sealift (MAR-620), Maritime Administration, Washington, DC 20590. (MARAD requires copies of the ocean carrier's (master) bills of lading, certified onboard, dated, with rates and charges. These bills of lading may contain business sensitive information and therefore may be submitted directly to MARAD by the Ocean Transportation Intermediary on behalf of the contractor). 46 CFR 381.7.

ATTACHMENT A - EMPLOYMENT AND MATERIALS PREFERENCE FOR APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS ROAD CONTRACTS (23 CFR 633, Subpart B, Appendix B) This provision is applicable to all Federal-aid projects funded under the Appalachian Regional Development Act of 1965.

1. During the performance of this contract, the contractor undertaking to do work which is, or reasonably may be, done as on-site work, shall give preference to qualified persons who regularly reside in the labor area as designated by the DOL wherein the contract work is situated, or the subregion, or the Appalachian counties of the State wherein the contract work is situated, except:

a. To the extent that qualified persons regularly residing in the area are not available.

b. For the reasonable needs of the contractor to employ supervisory or specially experienced personnel necessary to assure an efficient execution of the contract work.

c. For the obligation of the contractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that the number of nonresident persons employed under this subparagraph (1c) shall not exceed 20 percent of the total number of employees employed by the contractor on the contract work, except as provided in subparagraph (4) below.

2. The contractor shall place a job order with the State Employment Service indicating (a) the classifications of the laborers, mechanics and other employees required to perform the contract work, (b) the number of employees required in each classification, (c) the date on which the participant estimates such employees will be required, and (d) any other pertinent information required by the State Employment Service to complete the job order form. The job order may be placed with the State Employment Service in writing or by telephone. If during the course of the contract work, the information submitted by the contractor in the original job order is substantially modified, the participant shall promptly notify the State Employment Service.

3. The contractor shall give full consideration to all qualified job applicants referred to him by the State Employment Service. The contractor is not required to grant employment to any job applicants who, in his opinion, are not qualified to perform the classification of work required.

4. If, within one week following the placing of a job order by the contractor with the State Employment Service, the State Employment Service is unable to refer any qualified job applicants to the contractor, or less than the number requested, the State Employment Service will forward a certificate to the contractor indicating the unavailability of applicants. Such certificate shall be made a part of the contractor's permanent project records. Upon receipt of this certificate, the contractor may employ persons who do not normally reside in the labor area to fill positions covered by the certificate, notwithstanding the provisions of subparagraph (1c) above.

5. The provisions of 23 CFR 633.207(e) allow the contracting agency to provide a contractual preference for the use of mineral resource materials native to the Appalachian region.

6. The contractor shall include the provisions of Sections 1 through 4 of this Attachment A in every subcontract for work which is, or reasonably may be, done as on-site work.

DOCUMENT 00811

SPECIAL PROVISIONS
MONTHLY PRICE ADJUSTMENT FOR HOT MIX ASPHALT (HMA) MIXTURES
Revised: 02/03/2023

This provision applies to all projects using greater than 100 tons of hot mix asphalt (HMA) mixtures containing liquid asphalt cement as stipulated in the Notice to Contractors section of the bid documents.

Price Adjustments will be based on the variance in price, for the liquid asphalt component only, between the Base Price and the Period Price. They shall not include transportation or other charges. Price Adjustments will occur on a monthly basis.

Base Price
The Base Price of liquid asphalt on a project as listed in the Notice to Contractors section of the bid documents is a fixed price determined by the Department at the time of the bid using the same method as the determination of the Period Price detailed below. The Base Price shall be used in all bids.

Period Price
The Period Price is the price of liquid asphalt for each monthly period as determined by the Department using the average selling price per standard ton of PG64-28 paving grade (primary binder classification) asphalt, FOB manufacturer's terminal, as listed under the "East Coast Market - New England, Boston, Massachusetts area" section of the Poten & Partners, Inc. "Asphalt Weekly Monitor". This average selling price is listed in the issue having a publication date of the second Friday of the month and will be posted as the Period Price for that month. The Department will post this Period Price on its website at https://www.mass.gov/service-details/massdot-current-contract-price-adjustments following its receipt of the relevant issue of the "Asphalt Weekly Monitor". Poten and Partners has granted the Department the right to publish this specific asphalt price information sourced from the Asphalt Weekly Monitor.

Price Adjustment Determination, Calculation and Payment
The Contract Price of the HMA mixture will be paid under the respective item in the Contract. Price Adjustments, as herein provided, either upwards or downwards, will be made after the work has been performed using the monthly period price for the month during which the work was performed.

Price Adjustments will be paid only if the variance from the Base Price is 5% or more for a monthly period. The complete adjustment will be paid in all cases with no deduction of the 5% from either upward or downward adjustments.

The Price Adjustment applies only to the actual virgin liquid asphalt content in the mixture placed on the job in accordance with the approved Job Mix Formula.

Price Adjustments will be separate payment items. The pay item numbers are 999.401 for a positive price adjustment (a payment) and 999.402 for a negative price adjustment (a deduction). Price Adjustments will be calculated using the following equation:

Price Adjustment = Tons of HMA Placed X Liquid Asphalt Content % X RAP Factor X (Period Price - Base Price)

No Price Adjustment will be allowed beyond the Completion Date of this Contract, unless there is a Department-approved extension of time.

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DOCUMENT 00812

SPECIAL PROVISIONS
MONTHLY PRICE ADJUSTMENT FOR DIESEL FUEL AND GASOLINE –
ENGLISH UNITS
Revised: 02/01/2021

This monthly fuel price adjustment is inserted in this contract because the national and worldwide energy situation has made the future cost of fuel unpredictable. This adjustment will provide for either additional compensation to the Contractor or repayment to the Commonwealth, depending on an increase or decrease in the average price of diesel fuel or gasoline.

This adjustment will be based on fuel usage factors for various items of work developed by the Highway Research Board in Circular 158, dated July 1974. These factors will be multiplied by the quantities of work done in each item during each monthly period and further multiplied by the variance in price from the Base Price to the Period Price.

The Base Price of Diesel Fuel and Gasoline will be the price as indicated in the Department's web site https://www.mass.gov/service-details/massdot-current-contract-price-adjustments for the month in which the contract was bid, which includes State Tax.

The Period Price will be the average of prices charged to the State, including State Tax for the bulk purchases made during each month.

This adjustment will be effected only if the variance from the Base Price is 5% or more for a monthly period. The complete adjustment will be paid in all cases with no deduction of the 5% from either upward or downward adjustments.

No adjustment will be paid for work done beyond the extended completion date of any contract.

Any adjustment (increase or decrease) to estimated quantities made to each item at the time of final payment will have the fuel price adjustment figured at the average period price for the entire term of the project for the difference of quantity.

The fuel price adjustment will apply only to the following items of work at the fuel factors shown:

ITEMS COVERED	FUEL FACTORS	
	Diesel	Gasoline
Excavation: and Borrow Work: Items 120, 120.1, 121, 123, 124, 125, 127, 129.3, 140, 140.1, 141, 142, 143, 144, 150, 150.1, 151 and 151.1 (Both Factors used)	0.29 Gallons / CY.	0.15 Gallons / CY
Surfacing Work: All Items containing Hot Mix Asphalt	2.90 Gallons / Ton	Does Not Apply

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DOCUMENT 00813

SPECIAL PROVISIONS

PRICE ADJUSTMENTS FOR STRUCTURAL STEEL AND REINFORCING STEEL

August 14, 2025

This special provision applies to all projects containing the use of structural steel and/or reinforcing steel as specified elsewhere in the Contract work. It applies to all structural steel and all reinforcing steel, as defined below, on the project. Compliance with this provision is mandatory, i.e., there are no "opt-in" or "opt-out" clauses. Price adjustments will be handled as described below and shall only apply to unfabricated reinforcing steel bars and unfabricated structural steel material, consisting of rolled shapes, plate steel, sheet piling, pipe piles, steel castings and steel forgings.

Price adjustments will be variances between Base Prices and Period Prices. Base Prices and Period Prices are defined below.

Price adjustments will only be made if the variances between Base Prices and Period Prices are 5% or more. A variance can result in the Period Price being either higher or lower than the Base Price. Once the 5% threshold has been achieved, the adjustment will apply to the full variance between the Base Price and the Period Price.

Price adjustments will be calculated by multiplying the number of pounds of unfabricated structural steel material or unfabricated reinforcing steel bars on a project by the index factor calculated as shown below under Example of a Period Price Calculation.

Price adjustments will ***not*** include guardrail panels or the costs of shop drawing preparation, handling, fabrication, coatings, transportation, storage, installation, profit, overhead, fuel costs, fuel surcharges, or other such charges not related to the cost of the unfabricated structural steel and unfabricated reinforcing steel.

The weight of steel subject to a price adjustment shall not exceed the final shipping weight of the fabricated part by more than 10%.

Base Prices and Period Prices are defined as follows:

Base Prices of unfabricated structural steel and unfabricated reinforcing steel on a project are fixed prices determined by the Department and found in the table below. While it is the intention of the Department to make this table comprehensive, some of a project's unfabricated structural steel and/or unfabricated reinforcing steel may be inadvertently omitted. Should this occur, the Contractor shall bring the omission to the Department's attention so that a contract alteration may be processed that adds the missing steel to the table and its price adjustments to the Contract.

The Base Price Date is the month and year of the most recent finalized period price index at the time that MassDOT opened bids for the project. The Base Price Index for this contract is the Steel PPI listed in the Notice to Contractors.

Period Prices of unfabricated structural steel and unfabricated reinforcing steel on a project are variable prices that have been calculated using the Period Price Date and an index of steel prices to adjust the Base Price.

The Period Price Date is the date the steel was delivered to the fabricator as evidenced by an official bill of lading submitted to the Department containing a description of the shipped materials, weights of the shipped materials and the date of shipment. This date is used to select the Period Price Index.

The index used for the calculation of Period Prices is the U.S. Department of Labor Bureau of Labor Statistics Producer Price Index (PPI) Series ID WPU101702 (Not Seasonally Adjusted, Group: Metals and Metal Products, Item: Semi-finished Steel Mill Products.) As this index is subject to revision for a period of up to four (4) months after its original publication, no price adjustments will be made until the index for the period is finalized, i.e., the index is no longer suffixed with a "(P)".

Period Prices are determined as follows:

Period Price = Base Price X Index Factor
Index Factor = Period Price Index / Base Price Index

Example of a Period Price Calculation:

Calculate the Period Price for December 2009 using a Base Price from March 2009 of $0.82/Pound for 1,000 Pounds of ASTM A709 (AASHTO M270) Grade A36 Structural Steel Plate.

The Period Price Date is December 2009. From the PPI website*, the Period Price Index = 218.0.

The Base Price Date is March 2009. From the PPI website*, the Base Price Index = 229.4.

Index Factor = Period Price Index / Base Price Index = 218.0 / 229.4 = 0.950
Period Price = Base Price X Index Factor = $0.82/Pound X 0.950 = $0.78/Pound

Since $0.82 - $0.78 = $0.04 is less than 5% of $0.82, no price adjustment is required.

If the $0.04 difference shown above was greater than 5% of the Base Price, then the price adjustment would be 1,000 Pounds X $0.04/Pound = $40.00. Since the Period Price of $0.78/Pound is less than the Base Price of $0.82/Pound, indicating a drop in the price of steel between the bid and the delivery of material, a credit of $40.00 would be owed to MassDOT. When the Period Price is higher than the Base Price, the price adjustment is owed to the Contractor.

* To access the PPI website and obtain a Base Price Index or a Period Price Index, go to http://data.bls.gov/cgi-bin/srgate

End of example.

The Contractor will be paid for unfabricated structural steel and unfabricated reinforcing steel under the respective contract pay items for all components constructed of either structural steel or reinforced Portland cement concrete under their respective Contract Pay Items.

Price adjustments, as herein provided for, will be paid separately as follows:

Structural Steel
Pay Item Number 999.449 for positive (+) pay adjustments (payments to the Contractor)

Pay Item Number 999.457 for negative (-) pay adjustments (credits to MassDOT Highway Division)

Reinforcing Steel
Pay Item Number 999.466 for positive (+) pay adjustments (payments to the Contractor)

Pay Item Number 999.467 for negative (-) pay adjustments (credits to MassDOT Highway Division)

No price adjustment will be made for price changes after the Contract Completion Date, unless the MassDOT Highway Division has approved an extension of Contract Time for the Contract.

TABLE

Steel Type		Price per Pound
1	ASTM A615/A615M Grade 60 (AASHTO M31 Grade 60 or 420) Reinforcing Steel	$0.55
2	ASTM A27 (AASHTO M103) Steel Castings, H-Pile Points & Pipe Pile Shoes (See Note below.)	$0.76
3	ASTM A668 / A668M (AASHTO M102) Steel Forgings	$0.76
4	ASTM A108 (AASHTO M169) Steel Forgings for Shear Studs	$0.78
5	ASTM A709/A709M Grade 36 / AASHTO M270M/M270 Grade 36 or 250 Structural Steel Plate	$0.82
6	ASTM A709/A709M Grade 36 / AASHTO M270M/M270 Grade 36 or 250 Structural Steel Shapes	$0.77
7	ASTM A709/A709M Grade 50 / AASHTO M270M/M270 Grade 50 or 345 Structural Steel Plate	$0.82
8	ASTM A709/A709M Grade 50 / AASHTO M270M/M270 Grade 50 or 345 Structural Steel Shapes	$0.77
9	ASTM A709/A709M Grade 50WT / AASHTO M270M/M270 Grade 50WT or 345WT Structural Steel Plate	$0.85
10	ASTM A709/A709M Grade 50WT / AASHTO M270M/M270 Grade 50WT or 345WT Structural Steel Shapes	$0.78
11	ASTM A709/A709M Grade 50W / AASHTO M270M/M270 Grade 50W 345W Structural Steel Plate	$0.85
12	ASTM A709/A709M Grade 50W / AASHTO M270M/M270 Grade 50W or 345W Structural Steel Shapes	$0.78
13	ASTM A709/A709M Grade HPS 50W / AASHTO M270M/M270 Grade HPS 50W or 345W Structural Steel Plate	$0.89
14	ASTM A709/A709M Grade HPS 70W / AASHTO M270M/M270 Grade HPS 70W or 485W Structural Steel Plate	$0.96
15	ASTM A514/A514M-05 Grade HPS 100W / AASHTO M270M/M270 Grade HPS 100W or 690W Structural Steel Plate	$1.47
16	ASTM A992/A992M Grade 50S / AASHTO M270M/M270 Grade 50S or 345S Structural Steel Plate	$0.85
17	ASTM A992/A992M Grade 50S / AASHTO M270M/M270 Grade 50S or 345S Structural Steel Shapes	$0.78
18	ASTM A276 Type 316 Stainless Steel	$4.42
19	ASTM A240 Type 316 Stainless Steel	$4.42
20	ASTM A148 Grade 80/50 Steel Castings (See Note below.)	$1.52
21	ASTM A53 Grade B Structural Steel Pipe	$0.96
22	ASTM A500 Grades A, B, 36 & 50 Structural Steel Pipe	$0.96
23	ASTM A252, Grades 240 (36 KSI) & 414 (60 KSI) Pipe Pile	$0.76
24	ASTM 252, Grade 2 Permanent Steel Casing	$0.76
25	ASTM A36 (AASHTO M183) for H-piles, steel supports and sign supports	$0.80
26	ASTM A328 / A328M, Grade 50 (AASHTO M202) Steel Sheetpiling	$1.45
27	ASTM A572 / A572M, Grade 50 Sheetpiling	$1.45
28	ASTM A36/36M, Grade 50	$0.82
29	ASTM A570, Grade 50	$0.80
30	ASTM A572 (AASHTO M223), Grade 50 H-Piles	$0.82
31	ASTM A1085 Grade A (50 KSI) Steel Hollow Structural Sections (HSS), heat-treated per ASTM A1085 Supplement S1	$0.96
32	AREA 140 LB Rail and Track Accessories	$0.50

NOTE: Steel Castings are generally used only on moveable bridges. Cast iron frames, grates and pipe are not “steel” castings and will not be considered for price adjustments.

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DOCUMENT 00814

SPECIAL PROVISIONS
PRICE ADJUSTMENT FOR PORTLAND CEMENT CONCRETE MIXES

January 12, 2009

This provision applies to all projects using greater than 100 Cubic Yards (76 Cubic Meters) of Portland cement concrete containing Portland cement as stipulated in the Notice to Contractors section of the Bid Documents. This Price Adjustment will occur on a monthly basis.

The Price Adjustment will be based on the variance in price for the Portland cement component only from the Base Price to the Period Price. It shall not include transportation or other charges.

The Base Price of Portland cement on a project is a fixed price determined at the time of bid by the Department by using the same method as for the determination of the Period Price (see below) and found in the Notice to Contractors.

The Period Price of Portland cement will be determined by using the latest published price, in dollars per ton (U.S.), for Portland cement (Type I) quoted for Boston, U.S.A. in the **Construction Economics** section of *ENR Engineering News-Record* magazine or at the ENR website http://www.enr.com under **Construction Economics**. The Period Price will be posted on the MassDOT website the Wednesday immediately following the publishing of the monthly price in ENR, which is normally the first week of the month.

The Contract Price of the Portland cement concrete mix will be paid under the respective item in the Contract. The price adjustment, as herein provided, upwards or downwards, will be made after the work has been performed, using the monthly period price for the month during which the work was performed.

The price adjustment applies only to the actual Portland cement content in the mix placed on the job in accordance with the Standard Specifications for Highways and Bridges, Division III, Section M4.02.01. No adjustments will be made for any cement replacement materials such as fly ash or ground granulated blast furnace slag.

The Price Adjustment will be a separate payment item. It will be determined by multiplying the number of cubic yards of Portland cement concrete placed during each monthly period times the Portland cement content percentage times the variance in price between the Base Price and Period Price of Portland cement.

This Price Adjustment will be paid only if the variance from the Base Price is 5% or more for a monthly period. The complete adjustment will be paid in all cases with no deduction of the 5% from either upward or downward adjustments.

No Price Adjustment will be allowed beyond the Completion Date of this Contract, unless there is a Department-approved extension of time.

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DOCUMENT 00820

THE COMMONWEALTH OF MASSACHUSETTS SUPPLEMENTAL EQUAL EMPLOYMENT OPPORTUNITY, NON-DISCRIMINATION AND AFFIRMATIVE ACTION PROGRAM

I. Definitions

For purposes of this contract,

"Minority" means a person who meets one or more of the following definitions:

(a) American Indian or Native American means: all persons having origins in any of the original peoples of North America and who are recognized as an Indian by a tribe or tribal organization.
(b) Asian means: All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian sub-continent, or the Pacific Islands, including, but Not limited to China, Japan, Korea, Samoa, India, and the Philippine Islands.
(c) Black means: All persons having origins in any of the Black racial groups of Africa, including, but not limited to, African-Americans, and all persons having origins in any of the original peoples of the Cape Verdean Islands.
(d) Eskimo or Aleut means: All persons having origins in any of the peoples of Northern Canada, Greenland, Alaska, and Eastern Siberia.
(e) Hispanic means: All persons having their origins in any of the Spanish-speaking peoples of Mexico, Puerto Rico, Cuba, Central or South America, or the Caribbean Islands.

"State construction contract" means a contract for the construction, reconstruction, installation, demolition, maintenance or repair of a building or capital facility, or a contract for the construction, reconstruction, alteration, remodeling or repair of a public work undertaken by a department, agency, board, or commission of the commonwealth.

"State assisted construction contract" means a contract for the construction, reconstruction, installation, demolition, maintenance or repair of a building or capital facility undertaken by a political subdivision of the commonwealth, or two or more political subdivisions thereof, an authority, or other instrumentality and whose costs of the contract are paid for, reimbursed, grant funded, or otherwise supported, in whole or in part, by the commonwealth.

II. Equal Opportunity, Non-Discrimination and Affirmative Action

During the performance of this Contract, the Contractor and all subcontractors (hereinafter collectively referred to as "the Contractor") for a state construction contract or a state assisted construction contract, for him/herself, his/her assignees and successors in interest, agree to comply with all applicable equal employment opportunity, non-discrimination and affirmative action requirements, including but not limited to the following:

In connection with the performance of work under this contract, the Contractor shall not discriminate against any employee or applicant for employment because of race, color, religious creed, national origin, sex, sexual orientation, genetic information, military service, age, ancestry or disability, shall not discriminate in the selection or retention of subcontractors, and shall not discriminate in the procurement of materials and rentals of equipment.

The aforesaid provision shall include, but not be limited to, the following: employment upgrading, demotion, or transfer; recruitment advertising, layoff or termination; rates of pay or other forms of compensation; conditions or privileges of employment; and selection for apprenticeship or on-the-job training opportunity. The Contractor shall comply with the provisions of chapter 151B of the Massachusetts General Laws, as amended, and all other applicable anti-discrimination and equal opportunity laws, all of which are herein incorporated by reference and made a part of this Contract.

The Contractor shall post hereafter in conspicuous places, available for employees and applicants for employment, notices to be provided by the Massachusetts Commission Against Discrimination setting forth the provisions of the Fair Employment Practices Law of the Commonwealth (Massachusetts General Laws Chapter l51 B).

In connection with the performance of work under this contract, the Contractor shall undertake, in good faith, affirmative action measures to eliminate any discriminatory barriers in the terms and conditions of employment on the grounds of race, color, religious creed, national origin, sex, sexual orientation, genetic information, military service, age, ancestry or disability. Such affirmative action measures shall entail positive and aggressive measures to ensure nondiscrimination and to promote equal opportunity in the areas of hiring, upgrading, demotion or transfer, recruitment, layoff or termination, rate of compensation, apprenticeship and on-the-job training programs. A list of positive and aggressive measures shall include, but not be limited to, advertising employment opportunities in minority and other community news media; notifying minority, women and other community-based organizations of employment opportunities; validating all job specifications, selection requirements, and tests; maintaining a file of names and addresses of each worker referred to the Contractor and what action was taken concerning such worker; and notifying the administering agency in writing when a union with whom the Contractor has a collective bargaining agreement has failed to refer a minority or woman worker. These and other affirmative action measures shall include all actions required to guarantee equal employment opportunity for all persons, regardless of race, color, religious creed, national origin, sex, sexual orientation, genetic information, military service, age, ancestry or disability. One purpose of this provision is to ensure to the fullest extent possible an adequate supply of skilled tradesmen for this and future Commonwealth public construction projects.

III. Minority and Women Workforce Participation

Pursuant to his/her obligations under the preceding section, the Contractor shall strive to achieve on this project the labor participation goals contained herein. Said participation goals shall apply in each job category on this project including but not limited to bricklayers, carpenters, cement masons, electricians, ironworkers, operating engineers and those classes of work enumerated in Section 44F of Chapter 149 of the Massachusetts General Laws. The participation goals for this project shall be 15.3% for minorities and 6.9% for women. The participation goals, as set forth herein, shall not be construed as quotas or set-asides; rather, such participation goals will be used to measure the progress of the Commonwealth's equal opportunity, non-discrimination and affirmative action program. Additionally, the participation goals contained herein should not be seen or treated as a floor or as a ceiling for the employment of particular individuals or group of individuals.

IV. Liaison Committee

At the discretion of the agency that administers the contract for the construction project there may be established for the life of the contract a body to be known as the Liaison Committee. The Liaison Committee shall be composed of one representative each from the agency or agencies administering the contract for the construction project, hereinafter called the administering agency, a representative from the Office of Affirmative action, and such other representatives as may be designated by the administering agency. The Contractor (or his/her agent, if any, designated by him/her as the on-site equal employment opportunity officer) shall recognize the Liaison Committee as an affirmative action body, and shall establish a continuing working relationship with the Liaison Committee, consulting with the Liaison Committee on all matters related to minority recruitment, referral, employment and training.

V. Reports and Records

The Contractor shall prepare projected workforce tables on a quarterly basis when required by the administering agency. These shall be broken down into projections, by week, of workers required in each trade. Copies shall be furnished one week in advance of the commencement of the period covered, and also, when updated, to the administering agency and the Liaison Committee when required.

The Contractor shall prepare weekly reports in a form approved by the administering agency, unless information required is required to be reported electronically by the administering agency, the number of hours worked in each trade by each employee, identified as woman, minority, or non-minority. Copies of these shall be provided at the end of each such week to the administering agency and the Liaison Committee.

Records of employment referral orders, prepared by the Contractor, shall be made available to the administering agency on request.

The Contractor will provide all information and reports required by the administering agency on instructions issued by the administering agency and will permit access to its facilities and any books, records, accounts and other sources of information which may be determined by the administering agency to effect the employment of personnel. This provision shall apply only to information pertinent to the Commonwealth's supplementary non-discrimination, equal opportunity and access and opportunity contract requirements. Where information required is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the administering agency and shall set forth what efforts he has made to obtain the information.

VI. Access to Work Site

A designee of the administering agency and a designee of the Liaison Committee shall each have a right to access the work site.

VII. Solicitations for Subcontracts, and for the Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiation made by the Contractor either for work to be performed under a subcontract or for the procurement of materials or equipment, each potential subcontractor or supplier shall be notified in writing by the Contractor of the Contractor's obligations under this contract relative to non-discrimination and equal opportunity.

VIII. Sanctions

Whenever the administering agency believes the General or Prime Contractor or any subcontractor may not be operating in compliance with the provisions of the Fair Employment Practices Law of the Commonwealth (Massachusetts General Laws Chapter 151B), the administering agency may refer the matter to the Massachusetts Commission Against Discrimination ("Commission") for investigation.

Following the referral of a matter by the administering agency to the Massachusetts Commission Against Discrimination, and while the matter is pending before the MCAD, the administering agency may withhold payments from contractors and subcontractors when it has documentation that the contractor or subcontractor has violated the Fair Employment Practices Law with respect to its activities on the Project, or if the administering agency determines that the contractor has materially failed to comply with its obligations and the requirements of this Section. The amount withheld shall not exceed a withhold of payment to the General or Prime Contractor of 1/100 or 1% of the contract award price or $5,000, whichever sum is greater, or, if a subcontractor is in non-compliance, a withhold by the administering agency from the General Contractor, to be assessed by the General Contractor as a charge against the subcontractor, of 1/100 or 1% of the subcontractor price, or $1,000 whichever sum is greater, for each violation of the applicable law or contract requirements. The total withheld from anyone General or Prime Contractor or subcontractor on a Project shall not exceed $20,000 overall. No withhold of payments or investigation by the Commission or its agent shall be initiated without the administering agency providing prior notice to the Contractor.

If, after investigation, the Massachusetts Commission Against Discrimination finds that a General or Prime Contractor or subcontractor, in commission of a state construction contract or state-assisted construction contract, violated the provisions of the Fair Employment Practices Law, the administering agency may convert the amount withheld as set forth above into a permanent sanction, as a permanent deduct from payments to the General or Prime Contractor or subcontractor, which sanction will be in addition to any such sanctions, fines or penalties imposed by the Massachusetts Commission Against Discrimination.

No sanction enumerated under this Section shall be imposed by the administering agency except after notice to the General or Prime Contractor or subcontractor and an adjudicatory proceeding, as that term is used, under Massachusetts General Laws Chapter 30A, has been conducted.

IX. Severability

The provisions of this section are severable, and if any of these provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

X. Contractor's Certification

After award and prior to the execution of any contract for a state construction contract or a state assisted construction contract, the Prime or General Contractor shall certify that it will comply with all provisions of this Document 00820 Supplemental Equal Employment Opportunity, Non-Discrimination and Affirmative Action Program, by executing Document 00859 Contractor/Subcontractor Certification Form.

XI. Subcontractor Requirements

Prior to the award of any subcontract for a state construction contract or a state assisted construction contract, the Prime or General Contractor shall provide all prospective subcontractors with a complete copy of this Document 00820 entitled "Supplemental Equal Employment Opportunity, Non-Discrimination and Affirmative Action Program" and will incorporate the provisions of this Document 00820 into any and all contracts or work orders for all subcontractors providing work on the Project. In order to ensure that the said subcontractor's certification becomes a part of all subcontracts under the prime contract, the Prime or General Contractor shall certify in writing to the administering agency that it has complied with the requirements as set forth in the preceeding paragraph by executing Document 00859 Contractor/Subcontractor Certification Form.

Rev'd 03/07/14

*** END OF DOCUMENT ***

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DOCUMENT 00821

ELECTRONIC REPORTING REQUIREMENTS
CIVIL RIGHTS PROGRAMS AND CERTIFIED PAYROLL

Implemented on March 2, 2009 Revised June 04, 2019

The Massachusetts Department Of Transportation (MassDOT) has replaced the CHAMP reporting system with Equitable Business Opportunity Solution (EBO), a new web-based civil rights reporting software system. This system is capable of handling both civil rights reporting requirements and certified payrolls. The program's functions include the administration of Equal Employment Opportunity (EEO) requirements, On-The-Job Training requirements (OJT), Disadvantage Business Enterprise (DBE) and/or Minority / Women's Business Enterprise (M/WBE) subcontracting requirements, and the electronic collection of certified payrolls associated with MassDOT projects. In addition, this system is used to generate various data required as part of the American Recovery and Reinvestment Act (ARRA). Contractors are responsible for all coordination with all sub-contractors to ensure timely and accurate electronic submission of all required data.

Contractor and Sub-Contractor EBO User Certification

All contractors and sub-contractors must use the EBO software system. The software vendor, Internet Government Solutions (IGS), has developed an online EBO Training Module that is available to contractors and sub-contractors. This module is a self-tutorial which allows all users in the company to access the training, complete the tutorial, and become certified as EBO users for a one time fee of $75.00. This is the only cost to contractors and sub-contractors associated with the EBO software system. The online EBO Training Module can be accessed at www.ebotraining.com. Click the "Register My Company" button on the login page to begin your training registration. Questions regarding EBO online training should be directed to Gerry Anguilano, IGS at (440) 238-1684.

MassDOT will track contractors and sub-contractors who have successfully completed the on-line training module. All persons performing civil rights program and/or certified payroll functions should be EBO certified.

Vetting of Firms and Designated Firm Individuals

Contractors must authorize a Primary Log-In ID Holder who has completed EBO on-line training to have access to the EBO system by completing and submitting the "Request For EBO System Log-In/Password Form" located on the MassDOT website at: https://www.mass.gov/how-to/how-to-get-an-ebo-login
Contractors must also agree to comply with the EBO system user agreement located on the MassDOT website.

All subcontracts entered into on a project must include language that identifies the submission and training requirements that the sub-contractor must perform. Sub-contractors will be approved by the respective District Office of MassDOT through the existing approval process. When new sub-contractors, who have not previously worked for MassDOT, are initially selected by a general contractor, the new sub-contractor must be approved by the District before taking the EBO on-line training module.

Interim Reporting Requirements

Until MassDOT is satisfied that the EBO system is fully operational and functioning as designed, contractors and sub-contractors will be required to submit certified payrolls manually. There will be a transition period where dual reporting, through manual and electronic submission, will be required. MassDOT, however, will notify contractors and sub-contractors when they may cease manual submission of certified payrolls.

*** END OF DOCUMENT ***

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DOCUMENT 00859

CONTRACTOR/SUBCONTRACTOR CERTIFICATION FORM ‡

The contractor shall submit this completed document 00859 to MassDOT for each subcontract.

_____ **(Contractor)** **Date:**_____

_____**(Subcontractor)** ☐ District Approved Subcontractor

Contract No: 132268 **Project No.** 612982 **Federal Aid No.:** NHP(BNNHS)-0032(050)X

Location: ERVING

Project Description: Bridge Replacement, E-10-011, Church Street over Keyup Brook

PART 1 CONTRACTOR CERTIFICATION: I hereby certify, as an authorized official of this company, that to the best of my knowledge, information and belief, the company is in compliance with all applicable federal and state laws, rules, and regulations governing fair labor and employment practices, that the company will not discriminate in their employment practices, that the company will make good faith efforts to comply with the minority employee and women employee workforce participation ratio goals and specific affirmative action steps contained in Contract Document 00820 The Commonwealth of Massachusetts Supplemental Equal Employment Opportunity, Non-Discrimination and Affirmative Action Program, and that the company will comply with the special provisions and documentation indicated below (as checked).

I further hereby certify, as an authorized official of this company, that the special provisions and documentation indicated below (as checked) have been or are included in, and made part of, the Subcontractor Agreement entered into with the firm named above.

☐ **This is not a Federally-aided construction project**

Document #

☐ 00718 –Participation By Minority Or Women's Business Enterprises and SDVOBE†
☐ 00761 –Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion
☐ 00820 – MA Supplemental Equal Employment Opportunity, Non-Discrimination, and Affirmative Action Program
☐ 00821 – Electronic Reporting Requirements, Civil Rights Programs, and Certified Payroll
☐ 00859 – Contractor/Subcontractor Certification Form (this document)
☐ 00860 – MA Employment Laws
☐ 00861 – Applicable State Wage Rates in the Contract Proposal**
☐ B00842 – MA Schedule of Participation By Minority or Women Business Enterprises (M/WBEs)†
☐ B00843 – MA Letter of Intent – M/WBEs†

** Does not apply to Material Suppliers, unless performing work on-site
† Applies only if Subcontractor is a M/WBE; only include these forms for the particular M/WBE Entity

☐ B00844 - Schedule of Participation By SDVOBE
☐ B00845 - Letter of Intent – SDVOBE
☐ B00846 – M/WBE or SDVOBE Joint Check Arrangement Approval Form
☐ B00847 – Joint Venture Affidavit

☐ **This is a Federally-aided construction project (Federal Aid Number is present)**

Document #

☐ 00719 – Special Provisions for Participation by Disadvantaged Business Enterprises†
☐ 00760 - Form FHWA 1273 - Required Contract Provisions for Federal-Aid Construction Contracts
☐ 00820 – MA Supplemental Equal Employment Opportunity, Non-Discrimination and Affirmative Action Program
☐ 00821 – Electronic Reporting Requirements, Civil Rights Programs and Certified Payroll
☐ 00859 – Contractor/Subcontractor Certification Form (this document)
☐ 00860 – MA Employment Laws
☐ 00870 – Standard Federal Equal Employment Opportunity Construction Contract Specifications Executive Order 11246, (41 CFR Parts 60-4.2 and 60-4.3 (Solicitations and Equal Opportunity Clauses)*
☐ 00875 – Federal Trainee Special Provisions

☐ B00853 – Schedule of Participation by Disadvantaged Business Enterprise†
☐ B00854 – Letter of Intent – DBEs†
☐ B00855 – DBE Joint Check Arrangement Approval Form
☐ B00856 – Joint Venture Affidavit
☐ 00861/00880 - Applicable state and federal wage rates from Contract Proposal**

*Applicable only to Contracts or Subcontracts in excess of $10,000
**Does not apply to Material Suppliers, unless performing work on-site
† Applies only if Subcontractor is a DBE; only include these forms for the particular DBE Entity

Signed this _____ Day of _____, 20_____ Under The Pains And Penalties Of Perjury.

_____ _____
(Print Name and Title) (Authorized Signature)

PART 2

PART 2 SUBCONTRACTOR CERTIFICATION: I hereby certify, as an authorized official of this company, that the required documents in Part 1 above were physically incorporated in our Agreement/Subcontract with the Contractor and give assurance that this company will fully comply or make every good faith effort to comply with the same. I further certify that:

1. This company recognizes that if this is a Federal-Aid Project, then this Contract is covered by the equal employment opportunity laws administered and enforced by the United States Department of Labor ("USDOL"), Office of Federal Contract Compliance Programs ('OFCCP"). By signing below, we acknowledge that this company has certain reporting obligations to the OFCCP, as specified by 41 CFR Part 60-4.2.
2. This company further acknowledges that any contractor with fifty (50) or more employees on a Federal-aid Contract with a value of fifty-thousand ($50,000) dollars or more must annually file an EEO-1 Report (SF 100) to the EEOC, Joint Reporting Committee, on or before September 30th, each year, as specified by 41 CFR Part 60-1.7a.
3. For more information regarding the federal reporting requirements, please contact the USDOL, OFCCP Regional Office, at 1-646-264-3170 or EEO-1, Joint Reporting Committee at 1-866-286-6440. You may also find guidance at: http://www.dol.gov/ofccp/TAguides/consttag.pdf or http://www.wdol.gov/dba.aspx#0.
4. This company ☐ has, ☐ has not, participated in a previous contract or subcontract subject to the Equal Opportunity clauses set forth in 41 CFR Part 60-4 and Executive Order 11246, and where required, has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance Programs or the EEO Commission all reports due under the applicable filing requirements.
5. This company is in full compliance with applicable Federal and Commonwealth of Massachusetts laws, rules, and regulations and is not currently debarred or disqualified from bidding on or participating in construction contracts in any jurisdiction of the United States. See : https://www.mass.gov/service-details/contractors-and-vendors-suspended-or-debarred-by-massdot
6. This company is properly registered and in good standing with the Office of the Secretary of the Commonwealth.

Signed this _____ Day of _____, 20_____, Under The Pains And Penalties Of Perjury.

Firm: _____
Address: _____
_____
_____
Telephone Number:_____
Federal I.D. Number:_____
Estimated Start Date:_____
Estimated Completion Date:_____
Estimated Dollar Amount:_____

_____
(Print Name and Title)

_____
(Authorized Signature)

_____
(Date)

Rev'd 09/02/22

*** END OF DOCUMENT ***

DOCUMENT 00860

COMMONWEALTH OF MASSACHUSETTS PUBLIC EMPLOYMENT LAWS

Revised February 20, 2019

The Contractor's attention is directed to Massachusetts General Laws, Chapter 149, Sections 26 through 27H, and 150A. This contract is considered to fall within the ambit of that law, which provides that in general, the Prevailing Rate or Total Rate must be paid to employees working on projects funded by the Commonwealth of Massachusetts or any political subdivision including Massachusetts Department of Transportation (MassDOT).

A Federal Aid project is also subject to the Federal Minimum Wage Rate law for construction. When comparing a state minimum wage rate, monitored by the Massachusetts Attorney General, versus federal minimum wage rate, monitored by the U.S. Department of Labor Wage and Hour Division, for a particular job classification the higher wage is at all times to be paid to the affected employee.

Every contractor or subcontractor engaged in this contract to which sections twenty-seven and twenty-seven A apply will keep a true and accurate record of all mechanics and apprentices, teamsters, chauffeurs and laborers employed thereon, showing the name, address and occupational classification of each such employee on this contract, and the hours worked by, and the wages paid to, each such employee, and shall furnish to the MassDOT's Resident Engineer, on a weekly basis, a copy of said record, in a form approved by MassDOT and in accordance with M.G.L. c. 149, § 27B, signed by the employer or his/her authorized agent under the penalties of perjury.

Each such contractor or subcontractor shall preserve its payroll records for a period of three years from the date of completion of the contract.

The Prevailing Wage Rate generally includes the following:

> Minimum Hourly Wage + Employer Contributions to Benefit Plans = Prevailing Wage Rate or Total Rate
>
> Any employer who does not make contributions to Benefit Plans must pay the total Prevailing Wage Rate directly to the employee.

Any deduction from the Prevailing Wage Rate or Total Rate for contributions to benefit plans can only be for a Health & Welfare, Pension, or Supplementary Unemployment plan meeting the requirements of the Employee Retirement Income Security Act (ERISA) of 1974. The maximum allowable deduction for these benefits from the prevailing wage rate cannot be greater than the amount allowed by Executive Office of Labor (EOL) for the specified benefits. Any additional expense of providing benefits to the employees is to be borne by the employer and cannot be deducted from the Minimum Hourly Wage. If the employer's benefit expense is less than that so provided by EOL the difference will be paid directly to the employee. The rate established must be paid to all employees who perform work on the project.

When an employer makes deductions from the Minimum Hourly Wage for an employee's contribution to social security, state taxes, federal taxes, and/or other contribution programs, allowed by law, the employer shall furnish each employee a suitable pay slip, check stub or envelope notifying the employee of the amount of the deductions.

No contractor or subcontractor contracting for any part of the contract week shall require or permit any laborer or mechanic to be employed on such work in excess of forty hours in any workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in excess of forty hours in such workweek, whichever is the greater number of overtime hours.

Apprentice Rates are permitted only when there is an Apprentice Agreement registered with the Massachusetts Division of Apprentice Training in accordance with M.G.L. c. 23, § 11E-11L.

The Prevailing Wage Rates issued for each project shall be the rates paid for the entire project. The Prevailing Wage Rates must be posted on the job site at all times and be visible from a public way.

In addition, each such contractor and subcontractor shall furnish to the MassDOT's Resident Engineer, within fifteen days after completion of its portion of the work, a statement, executed by the contractor or subcontractor or by any authorized officer or employee of the contractor or subcontractor who supervises the payment of wages, in the following form:

STATEMENT OF COMPLIANCE

Date: _____

I , _____do hereby state:
(Name of signatory party) (Title)

That I pay or supervise the payment of the persons employed by:

_____
(Contractor or Subcontractor)

on the _____
(MassDOT Project Location and Contract Number)

and that all mechanics and apprentices, teamsters, chauffeurs and laborers employed on said project have been paid in accordance with wages determined under the provisions of sections twenty-six and twenty-seven of chapter one hundred and forty-nine of the General Laws.

Signature _____

Title _____

The above-mentioned copies of payroll records and statements of compliance shall be available for inspection by any interested party filing a written request to the MassDOT's Resident Engineer for such inspection and copying.

Massachusetts General Laws c. 149, §27, requires annual updates to prevailing wage schedules for all public construction contracts lasting longer than one year. MassDOT will request the required updates and furnish them to the Contractor. The Contractor is required to pay no less than the wage rates indicated on the annual updated wage schedules.

MassDOT will request the updates no later that two week before the anniversary of the Notice to Proceed date of the contract to allow for adequate processing by the Department of Labor Standards (DLS). The effective date for the new rates will be the anniversary date of the contract (i.e. the notice to proceed date), regardless of the date of issuance on the schedule from DLS.

All bidders are cautioned that the aforementioned laws require that employers pay to covered employees no less than the applicable minimum wages. In addition, the same laws require that the applicable prevailing wages become incorporated as part of this contract. The prevailing minimum wage law establishes serious civil and criminal penalties for violations, including imprisonment and exclusion from future public contracts. Bidders are cautioned to carefully read the relevant sections of the Massachusetts General Laws.

*** END OF DOCUMENT ***

DOCUMENT 00861

STATE PREVAILING WAGE RATES

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THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF LABOR STANDARDS
Prevailing Wage Rates

MAURA HEALY
Governor
KIM DRISCOLL
Lt. Governor

As determined by the Director under the provisions of the Massachusetts General Laws, Chapter 149, Sections 26 to 27H

LAUREN JONES
Secretary
MICHAEL FLANAGAN
Director

Awarding Authority:	MassDOT Highway	**City/Town:**	ERVING
Contract Number:	132268		
Description of Work:	ERVING - Federal Aid Project No. NHP(BNNHS)-0032(050)X Bridge Replacement, E-10-011, Church Street over Keyup Brook		
Job Location:	Church Street over Keyup Brook		

Information about Prevailing Wage Schedules for Awarding Authorities and Contractors

- The wage rates will remain in effect for the duration of the project, except in the case of multi-year public construction projects. For construction projects lasting longer than one year, awarding authorities must request an updated wage schedule no later than two weeks before the anniversary of the date the contract was executed by the awarding authority and the general contractor. For multi-year CM AT RISK projects, the awarding authority must request an annual update no later than two weeks before the anniversary date, determined as the earlier of: (a) the execution date of the GMP Amendment, or (b) the execution date of the first amendment to permit procurement of construction services. The updated wage schedule must be provided to all contractors, including general and sub-contractors, working on the construction project.
- This annual update requirement is generally not applicable to 27F “rental of equipment” contracts. For such contracts, the prevailing wage rates issued by DLS shall remain in effect for the duration of the contract term. However, if the prevailing wage rate sheet issued does not contain wage rates for each year covered by the contract term, the Awarding Authority must request updated rate sheets from DLS and provide them to the contractor to ensure the correct rates are being paid throughout the duration of the contract. Additionally, if an Awarding Authority exercises an option to renew or extend the contract term, they must request updated rate sheets form DLS and provide them to the contractor.
- This wage schedule applies only to the specific project referenced at the top of this page and uniquely identified by the “Wage Request Number” on all pages of this schedule.
- An Awarding Authority must request an updated wage schedule if it has not opened bids or selected a contractor within 90 days of the date of issuance of the wage schedule. For CM AT RISK projects (bid pursuant to G.L. c.149A), the earlier of: (a) the execution date of the GMP Amendment, or (b) the bid for the first construction scope of work must be within 90-days of the wage schedule issuance date.
- The wage schedule shall be incorporated in any advertisement or call for bids for the project as required by M.G.L. c. 149, § 27. The wage schedule shall be made a part of the contract awarded for the project. The wage schedule must be posted in a conspicuous place at the work site for the life of the project in accordance with M.G.L. c. 149 § 27. The wages listed on the wage schedule must be paid to employees performing construction work on the project whether they are employed by the prime contractor, a filed sub-bidder, or a sub-contractor.
- Apprentices working on the project are required to be registered with the Massachusetts Division of Apprentice Standards (DAS). Apprentices must keep their apprentice identification card on their persons during all work hours on the project. An apprentice registered with DAS may be paid the lower apprentice wage rate at the applicable step as provided on the prevailing wage schedule. **Any apprentice not registered with DAS regardless of whether they are registered with another federal, state, local, or private agency must be paid the journeyworker's rate.**
- Every contractor or subcontractor working on the construction project must submit weekly payroll reports and a Statement of Compliance directly to the awarding authority by mail or email and keep them on file for three years. Each weekly payroll report must contain: the employee’s name, address, occupational classification, hours worked, and wages paid. Do not submit weekly payroll reports to DLS. For a sample payroll reporting form go to http://www.mass.gov/dols/pw.
- Contractors with questions about the wage rates or classifications included on the wage schedule have an affirmative obligation to inquire with DLS at (617) 626-6953.
- Contractors must obtain the wage schedules from awarding authorities. Failure of a contractor or subcontractor to pay the prevailing wage rates listed on the wage schedule to all employees who perform construction work on the project is a violation of the law and subjects the contractor or subcontractor to civil and criminal penalties.
- Employees not receiving the prevailing wage rate set forth on the wage schedule may file a complaint with the Fair Labor Division of the office of the Attorney General at (617) 727-3465.

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
(2 AXLE) DRIVER - EQUIPMENT TEAMSTERS JOINT COUNCIL NO. 10 TEAMSTERS JOINT COUNCIL NO. 10 ZONE B	6/1/2025	$40.95	$15.57	$20.17	$0.00	$0.00	$76.69
	12/1/2025	$40.95	$15.57	$21.78	$0.00	$0.00	$78.30
	1/1/2026	$40.95	$16.17	$21.78	$0.00	$0.00	$78.90
	6/1/2026	$41.95	$16.17	$21.78	$0.00	$0.00	$79.90
	12/1/2026	$41.95	$16.17	$23.52	$0.00	$0.00	$81.64
	1/1/2027	$41.95	$16.77	$23.52	$0.00	$0.00	$82.24
(3 AXLE) DRIVER - EQUIPMENT TEAMSTERS JOINT COUNCIL NO. 10 TEAMSTERS JOINT COUNCIL NO. 10 ZONE B	6/1/2025	$41.02	$15.57	$20.17	$0.00	$0.00	$76.76
	12/1/2025	$41.02	$15.57	$21.78	$0.00	$0.00	$78.37
	1/1/2026	$41.02	$16.17	$21.78	$0.00	$0.00	$78.97
	6/1/2026	$42.02	$16.17	$21.78	$0.00	$0.00	$79.97
	12/1/2026	$42.02	$16.17	$23.52	$0.00	$0.00	$81.71
	1/1/2027	$42.02	$16.77	$23.52	$0.00	$0.00	$82.31
(4 & 5 AXLE) DRIVER - EQUIPMENT TEAMSTERS JOINT COUNCIL NO. 10 TEAMSTERS JOINT COUNCIL NO. 10 ZONE B	6/1/2025	$41.14	$15.57	$20.17	$0.00	$0.00	$76.88
	12/1/2025	$41.14	$15.57	$21.78	$0.00	$0.00	$78.49
	1/1/2026	$41.14	$16.17	$21.78	$0.00	$0.00	$79.09
	6/1/2026	$42.14	$16.17	$21.78	$0.00	$0.00	$80.09
	12/1/2026	$42.14	$16.17	$23.52	$0.00	$0.00	$81.83
	1/1/2027	$42.14	$16.77	$23.52	$0.00	$0.00	$82.43
ADS/SUBMERSIBLE PILOT PILE DRIVER LOCAL 56 PILE DRIVER LOCAL 56 (ZONE 3)	8/1/2024	$117.16	$10.08	$11.62	$12.67	$0.00	$151.53
For apprentice rates see "Apprentice- PILE DRIVER"							
AIR TRACK OPERATOR LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$37.00	$9.90	$9.25	$8.32	$0.00	$64.47
	12/1/2025	$38.25	$9.90	$9.25	$8.32	$0.00	$65.72
	6/1/2026	$39.55	$9.90	$9.25	$8.32	$0.00	$67.02
	12/7/2026	$40.85	$9.90	$9.25	$8.32	$0.00	$68.32
	6/7/2027	$42.25	$9.90	$9.25	$8.32	$0.00	$69.72
	12/6/2027	$43.65	$9.90	$9.25	$8.32	$0.00	$71.12
	6/5/2028	$45.15	$9.90	$9.25	$8.32	$0.00	$72.62
	12/4/2028	$46.65	$9.90	$9.25	$8.32	$0.00	$74.12
For apprentice rates see "Apprentice- LABORER"							
AIR TRACK OPERATOR (HEAVY & HIGHWAY) LABORERS LABORERS - ZONE 3 (HEAVY & HIGHWAY)	6/1/2025	$37.00	$9.90	$9.25	$6.31	$0.00	$62.46
	12/1/2025	$38.24	$9.90	$9.25	$6.31	$0.00	$63.70
	6/1/2026	$39.54	$9.90	$9.25	$6.31	$0.00	$65.00
	12/1/2026	$40.83	$9.90	$9.25	$6.31	$0.00	$66.29
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"							
ASBESTOS WORKER (PIPES & TANKS) HEAT & FROST INSULATORS LOCAL 6 HEAT & FROST INSULATORS LOCAL 6 (SPRINGFIELD)	6/1/2025	$39.42	$14.50	$4.30	$6.25	$0.00	$64.47
	12/1/2025	$40.32	$14.50	$4.30	$6.25	$0.00	$65.37
ASPHALT RAKER LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.50	$9.90	$9.25	$8.32	$0.00	$63.97
	12/1/2025	$37.75	$9.90	$9.25	$8.32	$0.00	$65.22
	6/1/2026	$39.05	$9.90	$9.25	$8.32	$0.00	$66.52
	12/7/2026	$40.35	$9.90	$9.25	$8.32	$0.00	$67.82

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
	6/7/2027	$41.75	$9.90	$9.25	$8.32	$0.00	$69.22
	12/6/2027	$43.15	$9.90	$9.25	$8.32	$0.00	$70.62
	6/5/2028	$44.65	$9.90	$9.25	$8.32	$0.00	$72.12
	12/4/2028	$46.15	$9.90	$9.25	$8.32	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"							
ASPHALT RAKER (HEAVY & HIGHWAY) LABORERS LABORERS - ZONE 3 (HEAVY & HIGHWAY)	6/1/2025	$36.50	$9.90	$9.25	$6.31	$0.00	$61.96
	12/1/2025	$37.74	$9.90	$9.25	$6.31	$0.00	$63.20
	6/1/2026	$39.04	$9.90	$9.25	$6.31	$0.00	$64.50
	12/1/2026	$40.33	$9.90	$9.25	$6.31	$0.00	$65.79
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"							
AUTOMATIC GRADER-EXCAVATOR (RECLAIMER) OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$39.56	$13.78	$12.15	$3.00	$0.00	$68.49
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
BACKHOE/FRONT-END LOADER OPERATOR OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$39.56	$13.78	$12.15	$3.00	$0.00	$68.49
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
BARCO-TYPE JUMPING TAMPER LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.50	$9.90	$9.25	$8.32	$0.00	$63.97
	12/1/2025	$37.75	$9.90	$9.25	$8.32	$0.00	$65.22
	6/1/2026	$39.05	$9.90	$9.25	$8.32	$0.00	$66.52
	12/7/2026	$40.35	$9.90	$9.25	$8.32	$0.00	$67.82
	6/7/2027	$41.75	$9.90	$9.25	$8.32	$0.00	$69.22
	12/6/2027	$43.15	$9.90	$9.25	$8.32	$0.00	$70.62
	6/5/2028	$44.65	$9.90	$9.25	$8.32	$0.00	$72.12
	12/4/2028	$46.15	$9.90	$9.25	$8.32	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"							
BATCH/CEMENT PLANT - ON SITE OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$39.03	$13.78	$12.15	$3.00	$0.00	$67.96
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
BLOCK PAVER, RAMMER / CURB SETTER LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$37.00	$9.90	$9.25	$8.32	$0.00	$64.47
	12/1/2025	$38.25	$9.90	$9.25	$8.32	$0.00	$65.72
	6/1/2026	$39.55	$9.90	$9.25	$8.32	$0.00	$67.02
	12/7/2026	$40.85	$9.90	$9.25	$8.32	$0.00	$68.32
	6/7/2027	$42.25	$9.90	$9.25	$8.32	$0.00	$69.72
	12/6/2027	$43.65	$9.90	$9.25	$8.32	$0.00	$71.12
	6/5/2028	$45.15	$9.90	$9.25	$8.32	$0.00	$72.62
	12/4/2028	$46.65	$9.90	$9.25	$8.32	$0.00	$74.12
For apprentice rates see "Apprentice- LABORER"							
BLOCK PAVER, RAMMER / CURB SETTER (HEAVY & HIGHWAY) LABORERS LABORERS - ZONE 3 (HEAVY & HIGHWAY)	6/1/2025	$37.00	$9.90	$9.25	$6.31	$0.00	$62.46
	12/1/2025	$38.24	$9.90	$9.25	$6.31	$0.00	$63.70
	6/1/2026	$39.54	$9.90	$9.25	$6.31	$0.00	$65.00
	12/1/2026	$40.83	$9.90	$9.25	$6.31	$0.00	$66.29
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"							

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
BOILER MAKER BOILERMAKERS LOCAL 29 BOILERMAKERS LOCAL 29	1/1/2024	$48.12	$7.07	$14.60	$6.00	$0.00	$75.79

Apprentice: BOILER MAKER

Effective Date: 1/1/2024

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	65.00	$31.28	$7.07	$9.32	$3.90	$0.00	$51.57
2	65.00	$31.28	$7.07	$9.32	$3.90	$0.00	$51.57
3	70.00	$33.68	$7.07	$10.03	$4.20	$0.00	$54.98
4	75.00	$36.09	$7.07	$10.74	$4.50	$0.00	$58.40
5	80.00	$38.50	$7.07	$11.45	$4.80	$0.00	$61.82
6	85.00	$40.90	$7.07	$12.18	$5.10	$0.00	$65.25
7	90.00	$43.31	$7.07	$12.88	$5.40	$0.00	$68.66
8	95.00	$45.71	$7.07	$13.62	$5.70	$0.00	$72.10

Apprentice to Journeyworker Ratio: 1:4

BRICK/STONE/ARTIFICIAL MASONRY (INCL. MASONRY WATERPROOFING) BRICKLAYERS LOCAL 3 BRICKLAYERS LOCAL 3 (SPRINGFIELD/PITTSFIELD)	8/1/2025	$56.36	$11.49	$15.57	$5.89	$0.00	$89.31
	2/1/2026	$57.71	$11.49	$15.57	$5.89	$0.00	$90.66
	8/1/2026	$59.91	$11.49	$15.57	$5.89	$0.00	$92.86
	2/1/2027	$61.31	$11.49	$15.57	$5.89	$0.00	$94.26

Apprentice: BRICK/STONE/ARTIFICIAL MASONRY (INCL. MASONRY WATERPROOFING)

Effective Date: 8/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$28.18	$11.49	$15.57	$5.89	$0.00	$61.13
2	60.00	$33.82	$11.49	$15.57	$5.89	$0.00	$66.77
3	70.00	$39.45	$11.49	$15.57	$5.89	$0.00	$72.40
4	80.00	$45.09	$11.49	$15.57	$5.89	$0.00	$78.04
5	90.00	$50.72	$11.49	$15.57	$5.89	$0.00	$83.67

Apprentice: BRICK/STONE/ARTIFICIAL MASONRY (INCL. MASONRY WATERPROOFING)

Effective Date: 2/1/2026

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$28.86	$11.49	$15.57	$5.89	$0.00	$61.81
2	60.00	$34.63	$11.49	$15.57	$5.89	$0.00	$67.58
3	70.00	$40.40	$11.49	$15.57	$5.89	$0.00	$73.35
4	80.00	$46.17	$11.49	$15.57	$5.89	$0.00	$79.12
5	90.00	$51.94	$11.49	$15.57	$5.89	$0.00	$84.89

Apprentice to Journeyworker Ratio: 1:5

BULLDOZER/POWER SHOVEL/TREE SHREDDER /CLAM SHELL	12/1/2023	$39.56	$13.78	$12.15	$3.00	$0.00	$68.49

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98 For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
CAISSON & UNDERPINNING BOTTOM MAN LABORERS LABORERS - FOUNDATION AND MARINE	6/1/2025	$48.85	$9.90	$9.25	$9.80	$0.00	$77.80
	12/1/2025	$50.35	$9.90	$9.25	$9.80	$0.00	$79.30
	6/1/2026	$51.90	$9.90	$9.25	$9.80	$0.00	$80.85
	12/1/2026	$53.40	$9.90	$9.25	$9.80	$0.00	$82.35
For apprentice rates see "Apprentice- LABORER"							
CAISSON & UNDERPINNING LABORER LABORERS LABORERS - FOUNDATION AND MARINE	6/1/2025	$47.70	$9.90	$9.25	$9.80	$0.00	$76.65
	12/1/2025	$49.20	$9.90	$9.25	$9.80	$0.00	$78.15
	6/1/2026	$50.75	$9.90	$9.25	$9.80	$0.00	$79.70
	12/1/2026	$52.25	$9.90	$9.25	$9.80	$0.00	$81.20
For apprentice rates see "Apprentice- LABORER"							
CAISSON & UNDERPINNING TOP MAN LABORERS LABORERS - FOUNDATION AND MARINE	6/1/2025	$48.03	$9.90	$9.25	$9.80	$0.00	$76.98
	12/1/2025	$49.53	$9.90	$9.25	$9.80	$0.00	$78.48
	6/1/2026	$51.08	$9.90	$9.25	$9.80	$0.00	$80.03
	12/1/2026	$52.58	$9.90	$9.25	$9.80	$0.00	$81.53
For apprentice rates see "Apprentice- LABORER"							
CARBIDE CORE DRILL OPERATOR LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.50	$9.90	$9.25	$8.32	$0.00	$63.97
	12/1/2025	$37.75	$9.90	$9.25	$8.32	$0.00	$65.22
	6/1/2026	$39.05	$9.90	$9.25	$8.32	$0.00	$66.52
	12/7/2026	$40.35	$9.90	$9.25	$8.32	$0.00	$67.82
	6/7/2027	$41.75	$9.90	$9.25	$8.32	$0.00	$69.22
	12/6/2027	$43.15	$9.90	$9.25	$8.32	$0.00	$70.62
	6/5/2028	$44.65	$9.90	$9.25	$8.32	$0.00	$72.12
	12/4/2028	$46.15	$9.90	$9.25	$8.32	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"							
CARPENTER CARPENTERS CARPENTERS LOCAL 336 - HAMPDEN HAMPSHIRE FRANKLIN	9/1/2025	$44.21	$7.91	$11.25	$6.90	$0.00	$70.27
	9/1/2025	$50.87	$9.83	$11.47	$8.50	$0.00	$80.67
	3/1/2026	$52.12	$9.83	$11.47	$8.50	$0.00	$81.92
	3/1/2026	$45.11	$7.91	$11.25	$6.90	$0.00	$71.17
	9/1/2026	$46.06	$7.91	$11.25	$6.90	$0.00	$72.12
	9/1/2026	$53.37	$9.83	$11.47	$8.50	$0.00	$83.17
	3/1/2027	$46.96	$7.91	$11.25	$6.90	$0.00	$73.02
	3/1/2027	$54.62	$9.83	$11.47	$8.50	$0.00	$84.42

Apprentice: CARPENTER

Effective Date: 9/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	45.00	$19.89	$7.91	$0.00	$1.38	$0.00	$29.18
2	45.00	$19.89	$7.91	$0.00	$1.38	$0.00	$29.18
3	55.00	$24.32	$7.91	$0.00	$2.76	$0.00	$34.99
4	55.00	$24.32	$7.91	$0.00	$2.76	$0.00	$34.99

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate

Apprentice: CARPENTER

Effective Date: 9/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
5	70.00	$30.95	$7.91	$11.25	$4.14	$0.00	$54.25
6	70.00	$30.95	$7.91	$11.25	$4.14	$0.00	$54.25
7	80.00	$35.37	$7.91	$11.25	$5.52	$0.00	$60.05
8	80.00	$35.37	$7.91	$11.25	$5.52	$0.00	$60.05

Apprentice: CARPENTER

Effective Date: 9/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	45.00	$22.89	$9.83	$0.00	$1.73	$0.00	$34.45
2	45.00	$22.89	$9.83	$0.00	$1.73	$0.00	$34.45
3	55.00	$27.98	$9.83	$0.00	$3.40	$0.00	$41.21
4	55.00	$27.98	$9.83	$0.00	$3.40	$0.00	$41.21
5	70.00	$35.61	$9.83	$11.41	$5.10	$0.00	$61.95
6	70.00	$35.61	$9.83	$11.41	$5.10	$0.00	$61.95
7	80.00	$40.70	$9.83	$11.44	$6.80	$0.00	$68.77
8	80.00	$40.70	$9.83	$11.44	$6.80	$0.00	$68.77

Apprentice to Journeyworker Ratio: 1:5

CARPENTER WOOD FRAME	10/1/2024	$26.65	$7.02	$3.80	$1.00	$0.00	$38.47
CARPENTERS	10/1/2025	$27.75	$7.02	$3.80	$1.00	$0.00	$39.57
CARPENTERS-ZONE 3 (Wood Frame)	10/1/2026	$28.85	$7.02	$3.80	$1.00	$0.00	$40.67

All Aspects of New Wood Frame Work

Apprentice: CARPENTER WOOD FRAME

Effective Date: 10/1/2024

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	60.00	$15.99	$7.02	$0.00	$0.00	$0.00	$23.01
2	60.00	$15.99	$7.02	$0.00	$0.00	$0.00	$23.01
3	65.00	$17.32	$7.02	$0.00	$1.00	$0.00	$25.34
4	70.00	$18.66	$7.02	$0.00	$1.00	$0.00	$26.68
5	75.00	$19.99	$7.02	$3.80	$1.00	$0.00	$31.81
6	80.00	$21.32	$7.02	$3.80	$1.00	$0.00	$33.14
7	85.00	$22.65	$7.02	$3.80	$1.00	$0.00	$34.47
8	90.00	$23.99	$7.02	$3.80	$1.00	$0.00	$35.81

Apprentice: CARPENTER WOOD FRAME

Effective Date: 10/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate

Apprentice: CARPENTER WOOD FRAME

Effective Date: 10/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	60.00	$16.65	$7.02	$0.00	$0.00	$0.00	$23.67
2	60.00	$16.65	$7.02	$0.00	$0.00	$0.00	$23.67
3	65.00	$18.04	$7.02	$0.00	$1.00	$0.00	$26.06
4	70.00	$19.43	$7.02	$0.00	$1.00	$0.00	$27.45
5	75.00	$20.81	$7.02	$3.80	$1.00	$0.00	$32.63
6	80.00	$22.20	$7.02	$3.80	$1.00	$0.00	$34.02
7	85.00	$23.59	$7.02	$3.80	$1.00	$0.00	$35.41
8	90.00	$24.98	$7.02	$3.80	$1.00	$0.00	$36.80

Apprentice to Journeyworker Ratio: 1:5

CEMENT MASONRY/PLASTERING BRICKLAYERS LOCAL 3 BRICKLAYERS LOCAL 3 (SPRINGFIELD/PITTSFIELD)	7/1/2024	$44.56	$13.20	$16.30	$2.93	$1.69	$78.68

Apprentice: CEMENT MASONRY/PLASTERING

Effective Date: 7/1/2024

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$22.28	$13.20	$16.30	$0.00	$0.00	$51.78
2	60.00	$26.74	$13.20	$16.30	$2.93	$1.69	$60.86
3	65.00	$28.96	$13.20	$16.30	$2.93	$1.69	$63.08
4	70.00	$31.19	$13.20	$16.30	$2.93	$1.69	$65.31
5	75.00	$33.42	$13.20	$16.30	$2.93	$1.69	$67.54
6	80.00	$35.65	$13.20	$16.30	$2.93	$1.69	$69.77
7	90.00	$40.10	$13.20	$16.30	$2.93	$1.69	$74.22

Apprentice to Journeyworker Ratio: 1:3

CHAIN SAW OPERATOR LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.50	$9.90	$9.25	$8.32	$0.00	$63.97
	12/1/2025	$37.75	$9.90	$9.25	$8.32	$0.00	$65.22
	6/1/2026	$39.05	$9.90	$9.25	$8.32	$0.00	$66.52
	12/7/2026	$40.35	$9.90	$9.25	$8.32	$0.00	$67.82
	6/7/2027	$41.75	$9.90	$9.25	$8.32	$0.00	$69.22
	12/6/2027	$43.15	$9.90	$9.25	$8.32	$0.00	$70.62
	6/5/2028	$44.65	$9.90	$9.25	$8.32	$0.00	$72.12
	12/4/2028	$46.15	$9.90	$9.25	$8.32	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"							
COMPRESSOR OPERATOR OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$39.03	$13.78	$12.15	$3.00	$0.00	$67.96
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
CRANE OPERATOR OPERATING ENGINEERS LOCAL 98	12/1/2023	$43.06	$13.78	$12.15	$3.00	$0.00	$71.99

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
OPERATING ENGINEERS LOCAL 98							
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
DELEADER (BRIDGE) PAINTERS LOCAL 35 PAINTERS LOCAL 35 - ZONE 3	1/1/2025	$58.46	$9.95	$11.85	$12.10	$0.00	$92.36

Apprentice: DELEADER (BRIDGE)

Effective Date: 1/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$29.23	$9.95	$0.00	$0.00	$0.00	$39.18
2	55.00	$32.15	$9.95	$0.00	$6.66	$0.00	$48.76
3	60.00	$35.08	$9.95	$0.00	$7.26	$0.00	$52.29
4	65.00	$38.00	$9.95	$0.00	$7.87	$0.00	$55.82
5	70.00	$40.92	$9.95	$11.85	$8.47	$0.00	$71.19
6	75.00	$43.85	$9.95	$11.85	$9.08	$0.00	$74.73
7	80.00	$46.77	$9.95	$11.85	$9.68	$0.00	$78.25
8	90.00	$52.61	$9.95	$11.85	$10.89	$0.00	$85.30

Apprentice to Journeyworker Ratio: 1:1

DEMO: ADZEMAN LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$47.75	$9.90	$9.25	$9.65	$0.00	$76.55
	12/1/2025	$49.25	$9.90	$9.25	$9.65	$0.00	$78.05
	6/1/2026	$50.80	$9.90	$9.25	$9.65	$0.00	$79.60
	12/7/2026	$52.30	$9.90	$9.25	$9.65	$0.00	$81.10
	6/7/2027	$53.90	$9.90	$9.25	$9.65	$0.00	$82.70
	12/6/2027	$55.50	$9.90	$9.25	$9.65	$0.00	$84.30
	6/5/2028	$57.18	$9.90	$9.25	$9.65	$0.00	$85.98
	12/4/2028	$58.85	$9.90	$9.25	$9.65	$0.00	$87.65
For apprentice rates see "Apprentice- LABORER"							
DEMO: BACKHOE/LOADER/HAMMER OPERATOR LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$48.75	$9.90	$9.25	$9.65	$0.00	$77.55
	12/1/2025	$50.25	$9.90	$9.25	$9.65	$0.00	$79.05
	6/1/2026	$51.80	$9.90	$9.25	$9.65	$0.00	$80.60
	12/7/2026	$53.30	$9.90	$9.25	$9.65	$0.00	$82.10
	6/7/2027	$54.90	$9.90	$9.25	$9.65	$0.00	$83.70
	12/6/2027	$56.50	$9.90	$9.25	$9.65	$0.00	$85.30
	6/5/2028	$58.18	$9.90	$9.25	$9.65	$0.00	$86.98
	12/4/2028	$59.85	$9.90	$9.25	$9.65	$0.00	$88.65
For apprentice rates see "Apprentice- LABORER"							
DEMO: BURNERS LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$49.25	$9.65	$9.00	$9.40	$0.00	$77.30
	12/1/2025	$50.75	$9.65	$9.00	$9.40	$0.00	$78.80
	6/1/2026	$52.30	$9.65	$9.00	$9.40	$0.00	$80.35
	12/7/2026	$53.80	$9.65	$9.00	$9.40	$0.00	$81.85
	6/7/2027	$55.40	$9.65	$9.00	$9.40	$0.00	$83.45
	12/6/2027	$57.00	$9.65	$9.00	$9.40	$0.00	$85.05
	6/5/2028	$58.68	$9.65	$9.00	$9.40	$0.00	$86.73
	12/4/2028	$60.35	$9.65	$9.00	$9.40	$0.00	$88.40

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
For apprentice rates see "Apprentice- LABORER"							
DEMO: CONCRETE CUTTER/SAWYER LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$48.75	$9.90	$9.25	$9.65	$0.00	$77.55
	12/1/2025	$50.25	$9.90	$9.25	$9.65	$0.00	$79.05
	6/1/2026	$51.80	$9.90	$9.25	$9.65	$0.00	$80.60
	12/7/2026	$53.30	$9.90	$9.25	$9.65	$0.00	$82.10
	6/7/2027	$54.90	$9.90	$9.25	$9.65	$0.00	$83.70
	12/6/2027	$56.50	$9.90	$9.25	$9.65	$0.00	$85.30
	6/5/2028	$58.18	$9.90	$9.25	$9.65	$0.00	$86.98
	12/4/2028	$59.85	$9.90	$9.25	$9.65	$0.00	$88.65
For apprentice rates see "Apprentice- LABORER"							
DEMO: JACKHAMMER OPERATOR LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$49.25	$9.65	$9.00	$9.40	$0.00	$77.30
	12/1/2025	$50.75	$9.65	$9.00	$9.40	$0.00	$78.80
	6/1/2026	$52.30	$9.65	$9.00	$9.40	$0.00	$80.35
	12/7/2026	$53.80	$9.65	$9.00	$9.40	$0.00	$81.85
	6/7/2027	$55.40	$9.65	$9.00	$9.40	$0.00	$83.45
	12/6/2027	$57.00	$9.65	$9.00	$9.40	$0.00	$85.05
	6/5/2028	$58.68	$9.65	$9.00	$9.40	$0.00	$86.73
	12/4/2028	$60.35	$9.65	$9.00	$9.40	$0.00	$88.40
For apprentice rates see "Apprentice- LABORER"							
DEMO: WRECKING LABORER LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$47.75	$9.90	$9.25	$9.65	$0.00	$76.55
	12/1/2025	$49.25	$9.90	$9.25	$9.65	$0.00	$78.05
	6/1/2026	$50.80	$9.90	$9.25	$9.65	$0.00	$79.60
	12/7/2026	$52.30	$9.90	$9.25	$9.65	$0.00	$81.10
	6/7/2027	$53.90	$9.90	$9.25	$9.65	$0.00	$82.70
	12/6/2027	$55.50	$9.90	$9.25	$9.65	$0.00	$84.30
	6/5/2028	$57.18	$9.90	$9.25	$9.65	$0.00	$85.98
	12/4/2028	$58.85	$9.90	$9.25	$9.65	$0.00	$87.65
For apprentice rates see "Apprentice- LABORER"							
DIVER PILE DRIVER LOCAL 56 PILE DRIVER LOCAL 56 (ZONE 3)	8/1/2024	$78.11	$10.08	$11.62	$12.67	$0.00	$112.48
as of 8-1-24, Apprentices with diving licenses begin at second year. % of Diver wage 70/80/90 2A $69.83, 3A $91.79,4A $102.14 Total Rate							
DIVER TENDER PILE DRIVER LOCAL 56 PILE DRIVER LOCAL 56 (ZONE 3)	8/1/2024	$49.19	$10.08	$11.62	$12.67	$0.00	$83.56
as of 8-1-24, Apprentices with diving licenses begin at second year. % of Piledriver wage 70/80/90 2A $54.20, 3A $73.93,4A $82.05 Total Rate							
DIVER TENDER (EFFLUENT) PILE DRIVER LOCAL 56 PILE DRIVER LOCAL 56 (ZONE 3)	8/1/2024	$83.69	$10.08	$11.62	$12.67	$0.00	$118.06
For apprentice rates see "Apprentice- PILE DRIVER"							
DIVER/SLURRY (EFFLUENT) PILE DRIVER LOCAL 56 PILE DRIVER LOCAL 56 (ZONE 3)	8/1/2024	$117.16	$10.08	$11.62	$12.67	$0.00	$151.53
For apprentice rates see "Apprentice- PILE DRIVER"							

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
DRAWBRIDGE OPERATOR (Construction) DRAWBRIDGE - SEIU LOCAL 888 DRAWBRIDGE - SEIU LOCAL 888	7/1/2020	$26.77	$6.67	$3.93	$0.00	$0.16	$37.53
ELECTRICIAN (Including Core Drilling) ELECTRICIANS LOCAL 7 ELECTRICIANS LOCAL 7	6/29/2025	$52.16	$13.50	$8.31	$6.90	$0.00	$80.87
	12/28/2025	$53.26	$13.75	$8.40	$6.96	$0.00	$82.37
	6/28/2026	$54.41	$14.00	$8.43	$7.03	$0.00	$83.87
	1/3/2027	$55.56	$14.25	$8.47	$7.09	$0.00	$85.37

Apprentice: ELECTRICIAN (Including Core Drilling)

Effective Date: 6/29/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	40.00	$20.86	$7.50	$0.63	$0.00	$0.00	$28.99
2	45.00	$23.47	$7.50	$0.70	$0.00	$0.00	$31.67
3	50.00	$26.08	$13.50	$7.53	$0.00	$0.00	$47.11
4	55.00	$28.69	$13.50	$7.61	$0.00	$0.00	$49.80
5	65.00	$33.90	$13.50	$9.84	$0.00	$0.00	$57.24
6	70.00	$36.51	$13.50	$11.30	$0.00	$0.00	$61.31

Apprentice: ELECTRICIAN (Including Core Drilling)

Effective Date: 12/28/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	40.00	$21.30	$7.65	$0.63	$0.00	$0.00	$29.58
2	45.00	$23.97	$7.65	$0.70	$0.00	$0.00	$32.32
3	50.00	$26.63	$13.75	$7.53	$0.00	$0.00	$47.91
4	55.00	$29.29	$13.75	$7.61	$0.00	$0.00	$50.65
5	65.00	$34.62	$13.75	$9.84	$0.00	$0.00	$58.21
6	70.00	$37.28	$13.75	$11.30	$0.00	$0.00	$62.33

Apprentice to Journeyworker Ratio: 2:3

ELEVATOR CONSTRUCTOR ELEVATOR CONSTRUCTORS LOCAL 41 ELEVATOR CONSTRUCTORS LOCAL 41	1/1/2025	$62.83	$16.28	$10.96	$10.40	$0.00	$100.47
	1/1/2026	$63.68	$16.38	$11.06	$10.70	$0.00	$101.82
	1/1/2027	$64.53	$16.48	$11.16	$11.00	$0.00	$103.17

Apprentice: ELEVATOR CONSTRUCTOR

Effective Date: 1/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$31.42	$16.28	$0.00	$0.00	$0.00	$47.70
2	55.00	$34.56	$16.28	$10.96	$10.40	$0.00	$72.20
3	65.00	$40.84	$16.28	$10.96	$10.40	$0.00	$78.48
4	70.00	$43.98	$16.28	$10.96	$10.40	$0.00	$81.62
5	80.00	$50.26	$16.28	$10.96	$10.40	$0.00	$87.90

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
Apprentice: ELEVATOR CONSTRUCTOR							
Effective Date: 1/1/2026							
Step / Percent		**Apprentice Base Wage**	**Health**	**Pension**	**Annuity**	**Supplemental Unemployment**	**Total Rate**
1 / 50.00		$31.84	$16.38	$0.00	$0.00	$0.00	$48.22
2 / 55.00		$35.02	$16.38	$11.06	$10.70	$0.00	$73.16
3 / 65.00		$41.39	$16.38	$11.06	$10.70	$0.00	$79.53
4 / 70.00		$44.58	$16.38	$11.06	$10.70	$0.00	$82.72
5 / 80.00		$50.94	$16.38	$11.06	$10.70	$0.00	$89.08
Apprentice to Journeyworker Ratio: 1:1							
ELEVATOR CONSTRUCTOR HELPER ELEVATOR CONSTRUCTORS LOCAL 41 ELEVATOR CONSTRUCTORS LOCAL 41	1/1/2025	$43.98	$16.28	$10.96	$10.40	$0.00	$81.62
	1/1/2026	$44.58	$16.38	$11.06	$10.70	$0.00	$82.72
	1/1/2027	$45.17	$16.48	$11.16	$11.00	$0.00	$83.81
For apprentice rates see "Apprentice - ELEVATOR CONSTRUCTOR"							
FENCE & GUARD RAIL ERECTOR (HEAVY & HIGHWAY) LABORERS LABORERS - ZONE 3 (HEAVY & HIGHWAY)	6/1/2025	$36.50	$9.90	$9.25	$6.31	$0.00	$61.96
	12/1/2025	$37.74	$9.90	$9.25	$6.31	$0.00	$63.20
	6/1/2026	$39.04	$9.90	$9.25	$6.31	$0.00	$64.50
	12/1/2026	$40.33	$9.90	$9.25	$6.31	$0.00	$65.79
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)							
FIELD ENG.INST/ROD-BLDG,SITE,HVY/HWY OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	6/1/1999	$18.84	$4.80	$4.10	$0.00	$0.00	$27.74
FIELD ENG.PARTY CHIEF:BLDG,SITE,HVY/HWY OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	6/1/1999	$21.33	$4.80	$4.10	$0.00	$0.00	$30.23
FIELD ENG.SURVEY CHIEF-BLDG,SITE,HVY/HWY OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	6/1/1999	$22.33	$4.80	$4.10	$0.00	$0.00	$31.23
FIRE ALARM INSTALLER ELECTRICIANS LOCAL 7 ELECTRICIANS LOCAL 7	6/29/2025	$52.16	$13.50	$8.31	$6.90	$0.00	$80.87
	12/28/2025	$53.26	$13.75	$8.40	$6.96	$0.00	$82.37
	6/28/2026	$54.41	$14.00	$8.43	$7.03	$0.00	$83.87
	1/3/2027	$55.56	$14.25	$8.47	$7.09	$0.00	$85.37
For apprentice rates see "Apprentice- ELECTRICIAN"							
FIRE ALARM REPAIR / MAINTENANCE / COMMISSIONING ELECTRICIANS LOCAL 7 ELECTRICIANS LOCAL 7	6/29/2025	$52.16	$13.50	$8.31	$6.90	$0.00	$80.87
	12/28/2025	$53.26	$13.75	$8.40	$6.96	$0.00	$82.37
	6/28/2026	$54.41	$14.00	$8.43	$7.03	$0.00	$83.87
	1/3/2027	$55.56	$14.25	$8.47	$7.09	$0.00	$85.37
For apprentice rates see "Apprentice- TELECOMMUNICATIONS TECHNICIAN"							
FIREMAN OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$39.03	$13.78	$12.15	$3.00	$0.00	$67.96

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
Apprentice: FIREMAN							
Effective Date: 12/1/2023							
Step / Percent		**Apprentice Base Wage**					
1 / 60.00		$23.42	$13.78	$12.15	$3.00	$0.00	$52.35
2 / 70.00		$27.32	$13.78	$12.15	$3.00	$0.00	$56.25
3 / 80.00		$31.22	$13.78	$12.15	$3.00	$0.00	$60.15
4 / 90.00		$35.13	$13.78	$12.15	$3.00	$0.00	$64.06
Apprentice to Journeyworker Ratio: 1:6							
FLAGGER & SIGNALER (HEAVY & HIGHWAY)	6/1/2025	$28.09	$9.90	$9.25	$6.31	$0.00	$53.55
LABORERS	12/1/2025	$28.09	$9.90	$9.25	$6.31	$0.00	$53.55
LABORERS - ZONE 3 (HEAVY & HIGHWAY)	6/1/2026	$29.21	$9.90	$9.25	$6.31	$0.00	$54.67
	12/1/2026	$29.21	$9.90	$9.25	$6.31	$0.00	$54.67
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)							
FLOORCOVERER	9/1/2025	$44.21	$7.91	$11.25	$6.90	$0.00	$70.27
FLOORCOVERERS LOCAL 2168	3/1/2026	$45.11	$7.91	$11.25	$6.90	$0.00	$71.17
FLOORCOVERERS LOCAL 2168 ZONE III	9/1/2026	$46.06	$7.91	$11.25	$6.90	$0.00	$72.12
	3/1/2027	$46.96	$7.91	$11.25	$6.90	$0.00	$73.02
Apprentice: FLOORCOVERER							
Effective Date: 9/1/2025							
Step / Percent		**Apprentice Base Wage**					
1 / 45.00		$19.89	$7.91	$0.00	$1.38	$0.00	$29.18
2 / 45.00		$19.89	$7.91	$0.00	$1.38	$0.00	$29.18
3 / 55.00		$24.32	$7.91	$0.00	$2.76	$0.00	$34.99
4 / 55.00		$24.32	$7.91	$0.00	$2.76	$0.00	$34.99
5 / 70.00		$30.95	$7.91	$11.25	$4.14	$0.00	$54.25
6 / 70.00		$30.95	$7.91	$11.25	$4.14	$0.00	$54.25
7 / 80.00		$35.37	$7.91	$11.25	$5.52	$0.00	$60.05
8 / 80.00		$35.37	$7.91	$11.25	$5.52	$0.00	$60.05
Apprentice: FLOORCOVERER							
Effective Date: 3/1/2026							
Step / Percent		**Apprentice Base Wage**					
1 / 45.00		$20.30	$7.91	$0.00	$1.38	$0.00	$29.59
2 / 45.00		$20.30	$7.91	$0.00	$1.38	$0.00	$29.59
3 / 55.00		$24.81	$7.91	$0.00	$2.76	$0.00	$35.48
4 / 55.00		$24.81	$7.91	$0.00	$2.76	$0.00	$35.48
5 / 70.00		$31.58	$7.91	$11.25	$4.14	$0.00	$54.88
6 / 70.00		$31.58	$7.91	$11.25	$4.14	$0.00	$54.88
7 / 80.00		$36.09	$7.91	$11.25	$5.52	$0.00	$60.77

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate

Apprentice: FLOORCOVERER

Effective Date: 3/1/2026

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
8	80.00	$36.09	$7.91	$11.25	$5.52	$0.00	$60.77

Apprentice Notes

Steps are 750 hrs.

Apprentice to Journeyworker Ratio: 1:1

FORK LIFT OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$39.25	$13.78	$12.15	$3.00	$0.00	$68.18
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
GENERATORS/LIGHTING PLANTS OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$35.80	$13.78	$12.15	$3.00	$0.00	$64.73
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
GLAZIER (GLASS PLANK/AIR BARRIER/INTERIOR SYSTEMS) GLAZIERS LOCAL 1333 GLAZIERS LOCAL 1333	6/1/2020	$39.18	$10.80	$6.70	$3.75	$0.00	$60.43

Apprentice: GLAZIER (GLASS PLANK/AIR BARRIER/INTERIOR SYSTEMS)

Effective Date: 6/1/2020

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$19.59	$10.80	$1.50	$0.30	$0.00	$32.19
2	56.25	$22.04	$10.80	$1.50	$0.30	$0.00	$34.64
3	62.50	$24.49	$10.80	$1.95	$0.50	$0.00	$37.74
4	68.75	$26.94	$10.80	$1.95	$0.50	$0.00	$40.19
5	75.00	$29.39	$10.80	$2.50	$0.65	$0.00	$43.34
6	81.25	$31.83	$10.80	$2.50	$0.65	$0.00	$45.78
7	87.50	$34.28	$10.80	$6.70	$3.75	$0.00	$55.53
8	93.75	$36.73	$10.80	$6.70	$3.75	$0.00	$57.98

Apprentice to Journeyworker Ratio: 3:1

GRADER/TRENCHING MACHINE/DERRICK OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$39.56	$13.78	$12.15	$3.00	$0.00	$68.49
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
HVAC (DUCTWORK) SHEETMETAL WORKERS LOCAL 63 SHEETMETAL WORKERS LOCAL 63	7/1/2025	$43.48	$12.94	$11.01	$8.72	$2.13	$78.28
	7/1/2026	$43.48	$13.24	$11.01	$9.92	$2.13	$79.78
	1/1/2027	$43.48	$13.54	$11.01	$11.12	$2.13	$81.28
	7/1/2027	$44.98	$13.54	$11.01	$11.12	$2.13	$82.78
	1/1/2028	$46.48	$13.54	$11.01	$11.12	$2.13	$84.28

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
For apprentice rates see "Apprentice- SHEET METAL WORKER"							
HVAC (ELECTRICAL CONTROLS)	6/29/2025	$52.16	$13.50	$8.31	$6.90	$0.00	$80.87
ELECTRICIANS LOCAL 7	12/28/2025	$53.26	$13.75	$8.40	$6.96	$0.00	$82.37
ELECTRICIANS LOCAL 7	6/28/2026	$54.41	$14.00	$8.43	$7.03	$0.00	$83.87
	1/3/2027	$55.56	$14.25	$8.47	$7.09	$0.00	$85.37
For apprentice rates see "Apprentice- ELECTRICIAN"							
HVAC (TESTING AND BALANCING - AIR)	7/1/2025	$43.48	$12.94	$11.01	$8.72	$2.13	$78.28
SHEETMETAL WORKERS LOCAL 63	7/1/2026	$43.48	$13.24	$11.01	$9.92	$2.13	$79.78
SHEETMETAL WORKERS LOCAL 63	1/1/2027	$43.48	$13.54	$11.01	$11.12	$2.13	$81.28
	7/1/2027	$44.98	$13.54	$11.01	$11.12	$2.13	$82.78
	1/1/2028	$46.48	$13.54	$11.01	$11.12	$2.13	$84.28
For apprentice rates see "Apprentice- SHEET METAL WORKER"							
HVAC (TESTING AND BALANCING -WATER)	7/14/2025	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
PLUMBERS & PIPEFITTERS LOCAL 104	9/17/2025	$53.01	$10.31	$10.85	$7.10	$0.00	$81.27
PLUMBERS & PIPEFITTERS LOCAL 104	3/17/2026	$55.01	$10.31	$10.85	$7.10	$0.00	$83.27
	9/17/2026	$57.01	$10.31	$10.85	$7.10	$0.00	$85.27
	3/17/2027	$59.01	$10.31	$10.85	$7.10	$0.00	$87.27
	9/17/2027	$61.01	$10.31	$10.85	$7.10	$0.00	$89.27
	3/17/2028	$63.01	$10.31	$10.85	$7.10	$0.00	$91.27
	9/17/2028	$65.01	$10.31	$10.85	$7.10	$0.00	$93.27
	3/17/2029	$67.01	$10.31	$10.85	$7.10	$0.00	$95.27
For apprentice rates see "Apprentice- PIPEFITTER" or "PLUMBER/PIPEFITTER"							
HVAC MECHANIC	3/17/2025	$51.01	$10.35	$10.85	$7.10	$0.00	$79.31
PLUMBERS & PIPEFITTERS LOCAL 104	9/17/2025	$53.01	$10.35	$10.85	$7.10	$0.00	$81.31
PLUMBERS & PIPEFITTERS LOCAL 104	3/17/2026	$55.01	$10.35	$10.85	$7.10	$0.00	$83.31
	9/17/2026	$57.01	$10.35	$10.85	$7.10	$0.00	$85.31
	3/17/2027	$59.01	$10.35	$10.85	$7.10	$0.00	$87.31
	9/17/2027	$61.01	$10.35	$10.85	$7.10	$0.00	$89.31
	3/17/2028	$63.01	$10.35	$10.85	$7.10	$0.00	$91.31
	9/17/2028	$65.01	$10.35	$10.85	$7.10	$0.00	$93.31
	3/17/2029	$67.01	$10.35	$10.85	$7.10	$0.00	$95.31
For apprentice rates see "Apprentice- PIPEFITTER" or "PLUMBER/PIPEFITTER"							
HYDRAULIC DRILLS (HEAVY & HIGHWAY)	6/1/2025	$37.00	$9.90	$9.25	$6.31	$0.00	$62.46
LABORERS	12/1/2025	$38.24	$9.90	$9.25	$6.31	$0.00	$63.70
LABORERS - ZONE 3 (HEAVY & HIGHWAY)	6/1/2026	$39.54	$9.90	$9.25	$6.31	$0.00	$65.00
	12/1/2026	$40.83	$9.90	$9.25	$6.31	$0.00	$66.29
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"							
INSULATOR (PIPES & TANKS)	9/1/2025	$48.27	$14.75	$9.52	$10.09	$0.00	$82.63
HEAT & FROST INSULATORS LOCAL 6	9/1/2026	$51.01	$14.75	$9.52	$10.09	$0.00	$85.37
HEAT & FROST INSULATORS LOCAL 6 (SPRINGFIELD)							

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate

Apprentice: INSULATOR (PIPES & TANKS)

Effective Date: 9/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$24.14	$14.75	$9.27	$5.05	$0.00	$53.21
2	60.00	$28.96	$14.75	$9.32	$6.05	$0.00	$59.08
3	70.00	$33.79	$14.75	$9.37	$7.06	$0.00	$64.97
4	80.00	$38.62	$14.75	$9.42	$8.07	$0.00	$70.86

Apprentice: INSULATOR (PIPES & TANKS)

Effective Date: 9/1/2026

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$25.51	$14.75	$9.27	$5.05	$0.00	$54.58
2	60.00	$30.61	$14.75	$9.32	$6.05	$0.00	$60.73
3	70.00	$35.71	$14.75	$9.37	$7.06	$0.00	$66.89
4	80.00	$40.81	$14.75	$9.42	$8.07	$0.00	$73.05

Apprentice to Journeyworker Ratio: 1:4

IRONWORKER/WELDER IRONWORKERS LOCAL 7 IRONWORKERS LOCAL 7 (SPRINGFIELD AREA)	3/16/2024	$40.66	$8.25	$12.70	$10.00	$0.00	$71.61

Apprentice: IRONWORKER/WELDER

Effective Date: 3/16/2024

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	60.00	$24.40	$8.25	$12.70	$10.00	$0.00	$55.35
2	70.00	$28.46	$8.25	$12.70	$10.00	$0.00	$59.41
3	75.00	$30.50	$8.25	$12.70	$10.00	$0.00	$61.45
4	80.00	$32.53	$8.25	$12.70	$10.00	$0.00	$63.48
5	85.00	$34.56	$8.25	$12.70	$10.00	$0.00	$65.51
6	90.00	$36.59	$8.25	$12.70	$10.00	$0.00	$67.54

Apprentice to Journeyworker Ratio: 1:4

JACKHAMMER & PAVING BREAKER OPERATOR LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.50	$9.90	$9.25	$8.32	$0.00	$63.97
	12/1/2025	$37.75	$9.90	$9.25	$8.32	$0.00	$65.22
	6/1/2026	$39.05	$9.90	$9.25	$8.32	$0.00	$66.52
	12/7/2026	$40.35	$9.90	$9.25	$8.32	$0.00	$67.82
	6/7/2027	$41.75	$9.90	$9.25	$8.32	$0.00	$69.22
	12/6/2027	$43.15	$9.90	$9.25	$8.32	$0.00	$70.62
	6/5/2028	$44.65	$9.90	$9.25	$8.32	$0.00	$72.12
	12/4/2028	$46.15	$9.90	$9.25	$8.32	$0.00	$73.62

For apprentice rates see "Apprentice- LABORER"

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
LABORER	6/2/2025	$36.75	$9.90	$9.25	$8.32	$0.00	$64.22
LABORERS	12/1/2025	$38.00	$9.90	$9.25	$8.32	$0.00	$65.47
LABORERS - ZONE 3 (BUILDING & SITE)	6/1/2026	$39.30	$9.90	$9.25	$8.32	$0.00	$66.77
	12/7/2026	$40.60	$9.90	$9.25	$8.32	$0.00	$68.07
	6/7/2027	$42.00	$9.90	$9.25	$8.32	$0.00	$69.47
	12/6/2027	$43.40	$9.90	$9.25	$8.32	$0.00	$70.87
	6/5/2028	$44.90	$9.90	$9.25	$8.32	$0.00	$72.37
	12/4/2028	$46.40	$9.90	$9.25	$8.32	$0.00	$73.87

Apprentice: LABORER

Effective Date: 6/2/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	60.00	$22.05	$9.90	$9.25	$8.32	$0.00	$49.52
2	70.00	$25.73	$9.90	$9.25	$8.32	$0.00	$53.20
3	80.00	$29.40	$9.90	$9.25	$8.32	$0.00	$56.87
4	90.00	$33.08	$9.90	$9.25	$8.32	$0.00	$60.55

Apprentice: LABORER

Effective Date: 12/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	60.00	$22.80	$9.90	$9.25	$8.32	$0.00	$50.27
2	70.00	$26.60	$9.90	$9.25	$8.32	$0.00	$54.07
3	80.00	$30.40	$9.90	$9.25	$8.32	$0.00	$57.87
4	90.00	$34.20	$9.90	$9.25	$8.32	$0.00	$61.67

Apprentice to Journeyworker Ratio: 1:5

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
LABORER (HEAVY & HIGHWAY)	6/1/2025	$36.25	$9.90	$9.25	$6.31	$0.00	$61.71
LABORERS	12/1/2025	$37.49	$9.90	$9.25	$6.31	$0.00	$62.95
LABORERS - ZONE 3 (HEAVY & HIGHWAY)	6/1/2026	$38.79	$9.90	$9.25	$6.31	$0.00	$64.25
	12/1/2026	$40.08	$9.90	$9.25	$6.31	$0.00	$65.54

Apprentice: LABORER (HEAVY & HIGHWAY)

Effective Date: 6/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	60.00	$21.75	$9.90	$9.25	$6.31	$0.00	$47.21
2	70.00	$25.38	$9.90	$9.25	$6.31	$0.00	$50.84
3	80.00	$29.00	$9.90	$9.25	$6.31	$0.00	$54.46
4	90.00	$32.63	$9.90	$9.25	$6.31	$0.00	$58.09

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
Apprentice: LABORER (HEAVY & HIGHWAY)							
Effective Date: 12/1/2025							
Step / Percent		**Apprentice Base Wage**	**Health**	**Pension**	**Annuity**	**Supplemental Unemployment**	**Total Rate**
1 / 60.00		$22.49	$9.90	$9.25	$6.31	$0.00	$47.95
2 / 70.00		$26.24	$9.90	$9.25	$6.31	$0.00	$51.70
3 / 80.00		$29.99	$9.90	$9.25	$6.31	$0.00	$55.45
4 / 90.00		$33.74	$9.90	$9.25	$6.31	$0.00	$59.20
Apprentice to Journeyworker Ratio: 1:5							
LABORER: CARPENTER TENDER LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.75	$9.90	$9.25	$8.32	$0.00	$64.22
	12/1/2025	$38.00	$9.90	$9.25	$8.32	$0.00	$65.47
	6/1/2026	$39.30	$9.90	$9.25	$8.32	$0.00	$66.77
	12/7/2026	$40.60	$9.90	$9.25	$8.32	$0.00	$68.07
	6/7/2027	$42.00	$9.90	$9.25	$8.32	$0.00	$69.47
	12/6/2027	$43.40	$9.90	$9.25	$8.32	$0.00	$70.87
	6/5/2028	$44.90	$9.90	$9.25	$8.32	$0.00	$72.37
	12/4/2028	$46.40	$9.90	$9.25	$8.32	$0.00	$73.87
For apprentice rates see "Apprentice- LABORER"							
LABORER: CEMENT FINISHER TENDER LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.25	$9.90	$9.25	$8.32	$0.00	$63.72
	12/1/2025	$37.50	$9.90	$9.25	$8.32	$0.00	$64.97
	6/1/2026	$38.80	$9.90	$9.25	$8.32	$0.00	$66.27
	12/7/2026	$40.10	$9.90	$9.25	$8.32	$0.00	$67.57
	6/7/2027	$41.50	$9.90	$9.25	$8.32	$0.00	$68.97
	12/6/2027	$42.90	$9.90	$9.25	$8.32	$0.00	$70.37
	6/5/2028	$44.40	$9.90	$9.25	$8.32	$0.00	$71.87
	12/4/2028	$45.90	$9.90	$9.25	$8.32	$0.00	$73.37
For apprentice rates see "Apprentice- LABORER"							
LABORER: HAZARDOUS WASTE/ASBESTOS REMOVER LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.17	$9.90	$9.25	$8.45	$0.00	$63.77
	12/1/2025	$37.42	$9.90	$9.25	$8.45	$0.00	$65.02
	6/1/2026	$38.72	$9.90	$9.25	$8.45	$0.00	$66.32
	12/7/2026	$40.02	$9.90	$9.25	$8.45	$0.00	$67.62
	6/7/2027	$41.42	$9.90	$9.25	$8.45	$0.00	$69.02
	12/6/2027	$42.82	$9.90	$9.25	$8.45	$0.00	$70.42
	6/5/2028	$44.32	$9.90	$9.25	$8.45	$0.00	$71.92
	12/4/2028	$45.82	$9.90	$9.25	$8.45	$0.00	$73.42
For apprentice rates see "Apprentice- LABORER"							
LABORER: MASON TENDER LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$39.25	$9.90	$9.25	$8.32	$0.00	$66.72
	12/1/2025	$40.50	$9.90	$9.25	$8.32	$0.00	$67.97
	6/1/2026	$41.80	$9.90	$9.25	$8.32	$0.00	$69.27
	12/7/2026	$43.10	$9.90	$9.25	$8.32	$0.00	$70.57
	6/7/2027	$44.50	$9.90	$9.25	$8.32	$0.00	$71.97
	12/6/2027	$45.90	$9.90	$9.25	$8.32	$0.00	$73.37
	6/5/2028	$47.40	$9.90	$9.25	$8.32	$0.00	$74.87
	12/4/2028	$48.90	$9.90	$9.25	$8.32	$0.00	$76.37

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
For apprentice rates see "Apprentice- LABORER"							
LABORER: MASON TENDER (HEAVY & HIGHWAY) LABORERS LABORERS - ZONE 3 (HEAVY & HIGHWAY)	6/1/2025	$36.50	$9.90	$9.25	$6.31	$0.00	$61.96
	12/1/2025	$37.74	$9.90	$9.25	$6.31	$0.00	$63.20
	6/1/2026	$39.04	$9.90	$9.25	$6.31	$0.00	$64.50
	12/1/2026	$40.33	$9.90	$9.25	$6.31	$0.00	$65.79
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"							
LABORER: MULTI-TRADE TENDER LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.75	$9.90	$9.25	$8.32	$0.00	$64.22
	12/1/2025	$38.00	$9.90	$9.25	$8.32	$0.00	$65.47
	6/1/2026	$39.30	$9.90	$9.25	$8.32	$0.00	$66.77
	12/7/2026	$40.60	$9.90	$9.25	$8.32	$0.00	$68.07
	6/7/2027	$42.00	$9.90	$9.25	$8.32	$0.00	$69.47
	12/6/2027	$43.40	$9.90	$9.25	$8.32	$0.00	$70.87
	6/5/2028	$44.90	$9.90	$9.25	$8.32	$0.00	$72.37
	12/4/2028	$46.40	$9.90	$9.25	$8.32	$0.00	$73.87
For apprentice rates see "Apprentice- LABORER"							
LABORER: TREE REMOVER LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.75	$9.90	$9.25	$8.32	$0.00	$64.22
	12/1/2025	$38.00	$9.90	$9.25	$8.32	$0.00	$65.47
	6/1/2026	$39.30	$9.90	$9.25	$8.32	$0.00	$66.77
	12/7/2026	$40.60	$9.90	$9.25	$8.32	$0.00	$68.07
	6/7/2027	$42.00	$9.90	$9.25	$8.32	$0.00	$69.47
	12/6/2027	$43.40	$9.90	$9.25	$8.32	$0.00	$70.87
	6/5/2028	$44.90	$9.90	$9.25	$8.32	$0.00	$72.37
	12/4/2028	$46.40	$9.90	$9.25	$8.32	$0.00	$73.87
This classification applies to the removal of standing trees, and the trimming and removal of branches and limbs when related to public works construction or site clearance incidental to construction . For apprentice rates see "Apprentice- LABORER"							
LASER BEAM OPERATOR LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.50	$9.90	$9.25	$8.32	$0.00	$63.97
	12/1/2025	$37.75	$9.90	$9.25	$8.32	$0.00	$65.22
	6/1/2026	$39.05	$9.90	$9.25	$8.32	$0.00	$66.52
	12/7/2026	$40.35	$9.90	$9.25	$8.32	$0.00	$67.82
	6/7/2027	$41.75	$9.90	$9.25	$8.32	$0.00	$69.22
	12/6/2027	$43.15	$9.90	$9.25	$8.32	$0.00	$70.62
	6/5/2028	$44.65	$9.90	$9.25	$8.32	$0.00	$72.12
	12/4/2028	$46.15	$9.90	$9.25	$8.32	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"							
LASER BEAM OPERATOR (HEAVY & HIGHWAY) LABORERS LABORERS - ZONE 3 (HEAVY & HIGHWAY)	6/1/2025	$36.50	$9.90	$9.25	$6.31	$0.00	$61.96
	12/1/2025	$37.74	$9.90	$9.25	$6.31	$0.00	$63.20
	6/1/2026	$39.04	$9.90	$9.25	$6.31	$0.00	$64.50
	12/1/2026	$40.33	$9.90	$9.25	$6.31	$0.00	$65.79
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"							
MARBLE & TILE FINISHERS BRICKLAYERS LOCAL 3 BRICKLAYERS LOCAL 3 (SPR/PITT) - MARBLE & TILE	8/1/2025	$44.75	$11.49	$15.10	$5.68	$0.00	$77.02
	2/1/2026	$45.83	$11.49	$15.10	$5.68	$0.00	$78.10
	8/1/2026	$47.59	$11.49	$15.10	$5.68	$0.00	$79.86
	2/1/2027	$48.71	$11.49	$15.10	$5.68	$0.00	$80.98

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate

Apprentice: MARBLE & TILE FINISHERS

Effective Date: 8/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$22.38	$11.49	$15.10	$5.68	$0.00	$54.65
2	60.00	$26.85	$11.49	$15.10	$5.68	$0.00	$59.12
3	70.00	$31.33	$11.49	$15.10	$5.68	$0.00	$63.60
4	80.00	$35.80	$11.49	$15.10	$5.68	$0.00	$68.07
5	90.00	$40.28	$11.49	$15.10	$5.68	$0.00	$72.55

Apprentice: MARBLE & TILE FINISHERS

Effective Date: 2/1/2026

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$22.92	$11.49	$15.10	$5.68	$0.00	$55.19
2	60.00	$27.50	$11.49	$15.10	$5.68	$0.00	$59.77
3	70.00	$32.08	$11.49	$15.10	$5.68	$0.00	$64.35
4	80.00	$36.66	$11.49	$15.10	$5.68	$0.00	$68.93
5	90.00	$41.25	$11.49	$15.10	$5.68	$0.00	$73.52

Apprentice to Journeyworker Ratio: 1:5

MECH. SWEEPER OPERATOR (ON CONST. SITES) OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$39.56	$13.78	$12.15	$3.00	$0.00	$68.49

For apprentice rates see "Apprentice- OPERATING ENGINEERS"

MECHANIC/WELDER/BOOM TRUCK OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$39.03	$13.78	$12.15	$3.00	$0.00	$67.96

For apprentice rates see "Apprentice- OPERATING ENGINEERS"

MILLWRIGHT (Zone 3) MILLWRIGHTS LOCAL 1121 MILLWRIGHTS LOCAL 1121 - Zone 3	1/6/2025 1/5/2026	$43.48 $45.76	$10.08 $10.08	$11.47 $11.47	$9.75 $9.75	$0.00 $0.00	$74.78 $77.06

Apprentice: MILLWRIGHT (Zone 3)

Effective Date: 1/6/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	55.00	$23.91	$10.08	$0.00	$5.36	$0.00	$39.35
2	65.00	$28.26	$10.08	$0.00	$6.34	$0.00	$44.68
3	75.00	$32.61	$10.08	$11.47	$7.31	$0.00	$61.47
4	85.00	$36.96	$10.08	$11.47	$8.29	$0.00	$66.80

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate

Apprentice: MILLWRIGHT (Zone 3)

Effective Date: 1/5/2026

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	55.00	$25.17	$10.08	$0.00	$5.36	$0.00	$40.61
2	65.00	$29.74	$10.08	$0.00	$6.34	$0.00	$46.16
3	75.00	$34.32	$10.08	$11.47	$7.31	$0.00	$63.18
4	85.00	$38.90	$10.08	$11.47	$8.29	$0.00	$68.74

Apprentice Notes

Step 1&2 Appr. indentured after 1/6/2020 receive no pension,

Apprentice to Journeyworker Ratio: 1:4

MORTAR MIXER LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.50	$9.90	$9.25	$8.32	$0.00	$63.97
	12/1/2025	$37.75	$9.90	$9.25	$8.32	$0.00	$65.22
	6/1/2026	$39.05	$9.90	$9.25	$8.32	$0.00	$66.52
	12/7/2026	$40.35	$9.90	$9.25	$8.32	$0.00	$67.82
	6/7/2027	$41.75	$9.90	$9.25	$8.32	$0.00	$69.22
	12/6/2027	$43.15	$9.90	$9.25	$8.32	$0.00	$70.62
	6/5/2028	$44.65	$9.90	$9.25	$8.32	$0.00	$72.12
	12/4/2028	$46.15	$9.90	$9.25	$8.32	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"							
OILER OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$35.02	$13.78	$12.15	$3.00	$0.00	$63.95
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
OTHER POWER DRIVEN EQUIPMENT - CLASS VI OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$32.74	$13.78	$12.15	$3.00	$0.00	$61.67
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
PAINTER (BRIDGES/TANKS) PAINTERS LOCAL 35 PAINTERS LOCAL 35 - ZONE 3	1/1/2025	$58.46	$9.95	$11.85	$12.10	$0.00	$92.36

Apprentice: PAINTER (BRIDGES/TANKS)

Effective Date: 1/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$29.23	$9.95	$0.00	$0.00	$0.00	$39.18
2	55.00	$32.15	$9.95	$0.00	$6.66	$0.00	$48.76
3	60.00	$35.08	$9.95	$0.00	$7.26	$0.00	$52.29
4	65.00	$38.00	$9.95	$0.00	$7.87	$0.00	$55.82
5	70.00	$40.92	$9.95	$11.85	$8.47	$0.00	$71.19
6	75.00	$43.85	$9.95	$11.85	$9.08	$0.00	$74.73

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
PAINTER (SPRAY OR SANDBLAST, NEW) *	1/1/2025	$41.23	$9.65	$11.85	$8.05	$0.00	$70.78

* If 30% or more of surfaces to be painted are new construction, NEW paint rate shall be used.
PAINTERS LOCAL 35
PAINTERS LOCAL 35 - ZONE 3

Apprentice: PAINTER (BRIDGES/TANKS)

Effective Date: 1/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
7	80.00	$46.77	$9.95	$11.85	$9.68	$0.00	$78.25
8	90.00	$52.61	$9.95	$11.85	$10.89	$0.00	$85.30

Apprentice to Journeyworker Ratio: 1:1

Apprentice: PAINTER (SPRAY OR SANDBLAST, NEW) *

Effective Date: 1/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$20.62	$9.95	$0.00	$0.00	$0.00	$30.57
2	55.00	$22.68	$9.95	$0.00	$4.43	$0.00	$37.06
3	60.00	$24.74	$9.95	$0.00	$4.83	$0.00	$39.52
4	65.00	$26.80	$9.95	$0.00	$5.23	$0.00	$41.98
5	70.00	$28.86	$9.95	$11.85	$5.64	$0.00	$56.30
6	75.00	$30.92	$9.95	$11.85	$6.04	$0.00	$58.76
7	80.00	$32.98	$9.95	$11.85	$6.44	$0.00	$61.22
8	90.00	$37.11	$9.95	$11.85	$7.25	$0.00	$66.16

Apprentice to Journeyworker Ratio: 1:1

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
PAINTER (SPRAY OR SANDBLAST, REPAINT)	1/1/2025	$38.55	$9.95	$11.85	$8.05	$0.00	$68.40

PAINTERS LOCAL 35
PAINTERS LOCAL 35 - ZONE 3

Apprentice: PAINTER (SPRAY OR SANDBLAST, REPAINT)

Effective Date: 1/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$19.28	$9.95	$0.00	$0.00	$0.00	$29.23
2	55.00	$21.20	$9.95	$0.00	$4.43	$0.00	$35.58
3	60.00	$23.13	$9.95	$0.00	$4.83	$0.00	$37.91
4	65.00	$25.06	$9.95	$0.00	$5.23	$0.00	$40.24
5	70.00	$26.99	$9.95	$11.85	$5.64	$0.00	$54.43
6	75.00	$28.91	$9.95	$11.85	$6.04	$0.00	$56.75
7	80.00	$30.84	$9.95	$11.85	$6.44	$0.00	$59.08
8	90.00	$34.70	$9.95	$11.85	$7.25	$0.00	$63.75

Apprentice to Journeyworker Ratio: 1:1

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
PAINTER / TAPER (BRUSH, NEW) *	1/1/2025	$39.83	$9.95	$11.85	$8.05	$0.00	$69.68

* If 30% or more of surfaces to be painted are new construction, NEW paint rate shall be used.
PAINTERS LOCAL 35
PAINTERS LOCAL 35 - ZONE 3

Apprentice: PAINTER / TAPER (BRUSH, NEW) *

Effective Date: 1/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$19.92	$9.95	$0.00	$0.00	$0.00	$29.87
2	55.00	$21.91	$9.95	$0.00	$4.43	$0.00	$36.29
3	60.00	$23.90	$9.95	$0.00	$4.83	$0.00	$38.68
4	65.00	$25.89	$9.95	$0.00	$5.23	$0.00	$41.07
5	70.00	$27.88	$9.95	$11.85	$5.64	$0.00	$55.32
6	75.00	$29.87	$9.95	$11.85	$6.04	$0.00	$57.71
7	80.00	$31.86	$9.95	$11.85	$6.44	$0.00	$60.10
8	90.00	$35.85	$9.95	$11.85	$7.25	$0.00	$64.90

Apprentice to Journeyworker Ratio: 1:1

PAINTER / TAPER (BRUSH, REPAINT)	1/1/2025	$37.15	$9.95	$11.85	$8.05	$0.00	$67.00

PAINTERS LOCAL 35
PAINTERS LOCAL 35 - ZONE 3

Apprentice: PAINTER / TAPER (BRUSH, REPAINT)

Effective Date: 1/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$18.58	$9.95	$0.00	$0.00	$0.00	$28.53
2	55.00	$20.43	$9.95	$0.00	$4.43	$0.00	$34.81
3	60.00	$22.29	$9.95	$0.00	$4.83	$0.00	$37.07
4	65.00	$24.15	$9.95	$0.00	$5.23	$0.00	$39.33
5	70.00	$26.01	$9.95	$11.85	$5.64	$0.00	$53.45
6	75.00	$27.86	$9.95	$11.85	$6.04	$0.00	$55.70
7	80.00	$29.72	$9.95	$11.85	$6.44	$0.00	$57.96
8	90.00	$33.44	$9.95	$11.85	$7.25	$0.00	$62.49

Apprentice to Journeyworker Ratio: 1:1

PAINTER TRAFFIC MARKINGS (HEAVY/HIGHWAY)	6/1/2025	$36.25	$9.90	$9.25	$6.31	$0.00	$61.71
LABORERS	12/1/2025	$37.49	$9.90	$9.25	$6.31	$0.00	$62.95
LABORERS - ZONE 3 (HEAVY & HIGHWAY)	6/1/2026	$38.79	$9.90	$9.25	$6.31	$0.00	$64.25
	12/1/2026	$40.08	$9.90	$9.25	$6.31	$0.00	$65.54

For apprentice rates see "Apprentice- LABORER (Heavy and Highway)

PANEL & PICKUP TRUCKS DRIVER	6/1/2025	$40.78	$15.57	$20.17	$0.00	$0.00	$76.52
TEAMSTERS JOINT COUNCIL NO. 10	12/1/2025	$40.78	$15.57	$21.78	$0.00	$0.00	$78.13
TEAMSTERS JOINT COUNCIL NO. 10 ZONE B	1/1/2026	$40.78	$16.17	$21.78	$0.00	$0.00	$78.73
	6/1/2026	$41.78	$16.17	$21.78	$0.00	$0.00	$79.73

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
	12/1/2026	$41.78	$16.17	$23.52	$0.00	$0.00	$81.47
	1/1/2027	$41.78	$16.77	$23.52	$0.00	$0.00	$82.07
PIER AND DOCK CONSTRUCTOR (UNDERPINNING AND DECK) PILE DRIVER LOCAL 56 PILE DRIVER LOCAL 56 (ZONE 3) For apprentice rates see "Apprentice- PILE DRIVER"	8/1/2024	$49.19	$10.08	$11.62	$12.67	$0.00	$83.56
PILE DRIVER PILE DRIVER LOCAL 56 PILE DRIVER LOCAL 56 (ZONE 3)	8/1/2024	$49.19	$10.08	$11.62	$12.67	$0.00	$83.56

Apprentice: PILE DRIVER

Effective Date: 8/1/2024

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	45.00	$22.14	$10.08	$0.00	$2.53	$0.00	$34.75
2	55.00	$27.05	$10.08	$0.00	$5.07	$0.00	$42.20
3	70.00	$34.43	$10.08	$11.62	$7.60	$0.00	$63.73
4	80.00	$39.35	$10.08	$11.62	$10.14	$0.00	$71.19

Apprentice to Journeyworker Ratio: 1:5

PIPELAYER LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.50	$9.90	$9.25	$8.32	$0.00	$63.97
	12/1/2025	$37.75	$9.90	$9.25	$8.32	$0.00	$65.22
	6/1/2026	$39.05	$9.90	$9.25	$8.32	$0.00	$66.52
	12/7/2026	$40.35	$9.90	$9.25	$8.32	$0.00	$67.82
	6/7/2027	$41.75	$9.90	$9.25	$8.32	$0.00	$69.22
	12/6/2027	$43.15	$9.90	$9.25	$8.32	$0.00	$70.62
	6/5/2028	$44.65	$9.90	$9.25	$8.32	$0.00	$72.12
	12/4/2028	$46.15	$9.90	$9.25	$8.32	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"							
PIPELAYER (HEAVY & HIGHWAY) LABORERS LABORERS - ZONE 3 (HEAVY & HIGHWAY)	6/1/2025	$36.50	$9.90	$9.25	$6.31	$0.00	$61.96
	12/1/2025	$37.74	$9.90	$9.25	$6.31	$0.00	$63.20
	6/1/2026	$39.04	$9.90	$9.25	$6.31	$0.00	$64.50
	12/1/2026	$40.33	$9.90	$9.25	$6.31	$0.00	$65.79
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"							
PLUMBER & PIPEFITTER PLUMBERS & PIPEFITTERS LOCAL 104 PLUMBERS & PIPEFITTERS LOCAL 104	3/17/2025	$51.01	$10.35	$10.85	$7.10	$0.00	$79.31
	9/17/2025	$53.01	$10.35	$10.85	$7.10	$0.00	$81.31
	3/17/2026	$55.01	$10.35	$10.85	$7.10	$0.00	$83.31
	9/17/2026	$57.01	$10.35	$10.85	$7.10	$0.00	$85.31
	3/17/2027	$59.01	$10.35	$10.85	$7.10	$0.00	$87.31
	9/17/2027	$61.01	$10.35	$10.85	$7.10	$0.00	$89.31
	3/17/2028	$63.01	$10.35	$10.85	$7.10	$0.00	$91.31
	9/17/2028	$65.01	$10.35	$10.85	$7.10	$0.00	$93.31
	3/17/2029	$67.01	$10.35	$10.85	$7.10	$0.00	$95.31

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate

Apprentice: PLUMBER & PIPEFITTER

Effective Date: 3/17/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	45.00	$22.95	$10.35	$10.85	$0.00	$0.00	$44.15
2	50.00	$25.51	$10.35	$10.85	$0.00	$0.00	$46.71
3	55.00	$28.06	$10.35	$10.85	$0.00	$0.00	$49.26
4	60.00	$30.61	$10.35	$10.85	$0.00	$0.00	$51.81
5	65.00	$33.16	$10.35	$10.85	$0.00	$0.00	$54.36
6	70.00	$35.71	$10.35	$10.85	$0.00	$0.00	$56.91
7	75.00	$38.26	$10.35	$10.85	$0.00	$0.00	$59.46
8	80.00	$40.81	$10.35	$10.85	$0.00	$0.00	$62.01
9	85.00	$43.36	$10.35	$10.85	$7.10	$0.00	$71.66
10	85.00	$43.36	$10.35	$10.85	$7.10	$0.00	$71.66

Apprentice: PLUMBER & PIPEFITTER

Effective Date: 9/17/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	45.00	$23.85	$10.35	$10.85	$0.00	$0.00	$45.05
2	50.00	$26.51	$10.35	$10.85	$0.00	$0.00	$47.71
3	55.00	$29.16	$10.35	$10.85	$0.00	$0.00	$50.36
4	60.00	$31.81	$10.35	$10.85	$0.00	$0.00	$53.01
5	65.00	$34.46	$10.35	$10.85	$0.00	$0.00	$55.66
6	70.00	$37.11	$10.35	$10.85	$0.00	$0.00	$58.31
7	75.00	$39.76	$10.35	$10.85	$0.00	$0.00	$60.96
8	80.00	$42.41	$10.35	$10.85	$0.00	$0.00	$63.61
9	85.00	$45.06	$10.35	$10.85	$7.10	$0.00	$73.36
10	85.00	$45.06	$10.35	$10.85	$7.10	$0.00	$73.36

Apprentice Notes

**1:1,2:5,3:9,4:12

Apprentice to Journeyworker Ratio: 1:1

PNEUMATIC CONTROLS (TEMP.) PLUMBERS & PIPEFITTERS LOCAL 104 PLUMBERS & PIPEFITTERS LOCAL 104	3/17/2025	$51.01	$10.35	$10.85	$7.10	$0.00	$79.31
	9/17/2025	$53.01	$10.35	$10.85	$7.10	$0.00	$81.31
	3/17/2026	$55.01	$0.00	$10.85	$7.10	$0.00	$72.96
	9/17/2026	$57.01	$10.35	$10.85	$7.10	$0.00	$85.31
	3/17/2027	$59.01	$10.35	$10.85	$7.10	$0.00	$87.31
	9/17/2027	$61.01	$10.35	$10.85	$7.10	$0.00	$89.31
	3/17/2028	$63.01	$10.35	$10.85	$7.10	$0.00	$91.31
	9/17/2028	$65.01	$10.35	$10.85	$7.10	$0.00	$93.31
	3/17/2029	$67.01	$10.35	$10.85	$7.10	$0.00	$95.31

For apprentice rates see "Apprentice- PIPEFITTER" or "PLUMBER/PIPEFITTER"

PNEUMATIC DRILL/TOOL OPERATOR (HEAVY & HIGHWAY)	6/1/2025	$36.50	$9.90	$9.25	$6.31	$0.00	$61.96

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
LABORERS LABORERS - ZONE 3 (HEAVY & HIGHWAY)	12/1/2025	$37.74	$9.90	$9.25	$6.31	$0.00	$63.20
	6/1/2026	$39.04	$9.90	$9.25	$6.31	$0.00	$64.50
	12/1/2026	$40.33	$9.90	$9.25	$6.31	$0.00	$65.79
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)							
POWDERMAN & BLASTER LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$37.25	$9.90	$9.25	$8.32	$0.00	$64.72
	12/1/2025	$38.50	$9.90	$9.25	$8.32	$0.00	$65.97
	6/1/2026	$39.80	$9.90	$9.25	$8.32	$0.00	$67.27
	12/7/2026	$41.10	$9.90	$9.25	$8.32	$0.00	$68.57
	6/7/2027	$42.50	$9.90	$9.25	$8.32	$0.00	$69.97
	12/6/2027	$43.90	$9.90	$9.25	$8.32	$0.00	$71.37
	6/5/2028	$45.40	$9.90	$9.25	$8.32	$0.00	$72.87
	12/4/2028	$46.90	$9.90	$9.25	$8.32	$0.00	$74.37
For apprentice rates see "Apprentice- LABORER"							
POWDERMAN & BLASTER (HEAVY & HIGHWAY) LABORERS LABORERS - ZONE 3 (HEAVY & HIGHWAY)	6/1/2025	$38.00	$9.65	$9.00	$6.06	$0.00	$62.71
	12/1/2025	$39.24	$9.65	$9.00	$6.06	$0.00	$63.95
	6/1/2026	$40.54	$9.65	$9.00	$6.06	$0.00	$65.25
	12/1/2026	$41.83	$9.65	$9.00	$6.06	$0.00	$66.54
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)							
PUMP OPERATOR (CONCRETE) OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$39.56	$13.78	$12.15	$3.00	$0.00	$68.49
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
PUMP OPERATOR (DEWATERING, OTHER) OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$39.03	$13.78	$12.15	$3.00	$0.00	$67.96
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
READY-MIX CONCRETE DRIVER TEAMSTERS 170 TEAMSTERS 170 -J.G.MacLellan (Lunenburg)	2/2/2025	$29.50	$11.57	$8.00	$0.00	$0.00	$49.07
	2/2/2026	$29.50	$12.37	$8.00	$0.00	$0.00	$49.87
	1/1/2027	$30.00	$12.37	$8.00	$0.00	$0.00	$50.37
RIDE-ON MOTORIZED BUGGY OPERATOR LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.50	$9.90	$9.25	$8.32	$0.00	$63.97
	12/1/2025	$37.75	$9.90	$9.25	$8.32	$0.00	$65.22
	6/1/2026	$39.05	$9.90	$9.25	$8.32	$0.00	$66.52
	12/7/2026	$40.35	$9.90	$9.25	$8.32	$0.00	$67.82
	6/7/2027	$41.75	$9.90	$9.25	$8.32	$0.00	$69.22
	12/6/2027	$43.15	$9.90	$9.25	$8.32	$0.00	$70.62
	6/5/2028	$44.65	$9.90	$9.25	$8.32	$0.00	$72.12
	12/4/2028	$46.15	$9.90	$9.25	$8.32	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"							
ROLLER OPERATOR OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$38.42	$13.78	$12.15	$3.00	$0.00	$67.35
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
ROOFER (Coal tar pitch) ROOFERS LOCAL 248	7/16/2025	$43.88	$10.35	$8.70	$9.30	$0.00	$72.23
	10/2/2025	$44.88	$10.35	$8.70	$9.30	$0.00	$73.23

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
ROOFERS LOCAL 248	7/16/2026	$46.88	$10.35	$8.70	$9.30	$0.00	$75.23
For apprentice rates see "Apprentice- ROOFER"							
ROOFER (Inc.Roofer Waterproofng &Roofer Damproofg)	7/16/2025	$43.38	$10.35	$8.70	$9.30	$0.00	$71.73
ROOFERS LOCAL 248	10/2/2025	$44.38	$10.35	$8.70	$9.30	$0.00	$72.73
ROOFERS LOCAL 248	7/16/2026	$46.38	$10.35	$8.70	$9.30	$0.00	$74.73
ROOFER SLATE / TILE / PRECAST CONCRETE	7/16/2025	$43.88	$10.35	$8.70	$9.30	$0.00	$72.23
ROOFERS LOCAL 248	10/2/2025	$44.88	$10.35	$8.70	$9.30	$0.00	$73.23
ROOFERS LOCAL 248	7/16/2026	$46.88	$10.35	$8.70	$9.30	$0.00	$75.23
For apprentice rates see "Apprentice- ROOFER"							
SCRAPER	12/1/2023	$39.03	$13.78	$12.15	$3.00	$0.00	$67.96
OPERATING ENGINEERS LOCAL 98							
OPERATING ENGINEERS LOCAL 98							
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
SELF-POWERED ROLLERS AND COMPACTORS (TAMPERS)	12/1/2023	$38.42	$13.78	$12.15	$3.00	$0.00	$67.35
OPERATING ENGINEERS LOCAL 98							
OPERATING ENGINEERS LOCAL 98							
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
SELF-PROPELLED POWER BROOM	12/1/2023	$35.80	$13.78	$12.15	$3.00	$0.00	$64.73
OPERATING ENGINEERS LOCAL 98							
OPERATING ENGINEERS LOCAL 98							
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
SHEETMETAL WORKER	7/1/2025	$43.48	$12.94	$11.01	$8.72	$2.13	$78.28
SHEETMETAL WORKERS LOCAL 63	7/1/2026	$43.48	$13.24	$11.01	$9.92	$2.13	$79.78
SHEETMETAL WORKERS LOCAL 63	1/1/2027	$43.48	$13.54	$11.01	$11.12	$2.13	$81.28
	7/1/2027	$44.98	$13.54	$11.01	$11.12	$2.13	$82.78
	1/1/2028	$46.48	$13.54	$11.01	$11.12	$2.13	$84.28

Apprentice: SHEETMETAL WORKER

Effective Date: 7/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	45.00	$19.57	$5.82	$4.95	$0.00	$0.85	$31.19
2	50.00	$21.74	$6.47	$5.51	$0.00	$0.94	$34.66
3	55.00	$23.91	$7.12	$9.91	$0.00	$1.15	$42.09
4	60.00	$26.09	$7.76	$9.91	$0.00	$1.23	$44.99
5	65.00	$28.26	$8.41	$9.91	$0.00	$1.31	$47.89
6	70.00	$30.44	$9.06	$9.91	$0.00	$1.39	$50.80
7	75.00	$32.61	$9.71	$9.91	$0.00	$1.47	$53.70
8	80.00	$34.78	$10.35	$9.91	$8.72	$1.78	$65.54
9	85.00	$36.96	$11.00	$9.91	$8.72	$1.86	$68.45
10	90.00	$39.13	$11.65	$9.91	$8.72	$1.94	$71.35

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
Apprentice: SHEETMETAL WORKER							
Effective Date: 7/1/2026							
Step / Percent		**Apprentice Base Wage**					
1 / 45.00		$19.57	$5.96	$4.95	$0.00	$0.85	$31.33
2 / 50.00		$21.74	$6.62	$5.51	$0.00	$0.94	$34.81
3 / 55.00		$23.91	$7.28	$9.91	$0.00	$1.15	$42.25
4 / 60.00		$26.09	$7.94	$9.91	$0.00	$1.23	$45.17
5 / 65.00		$28.26	$8.60	$9.91	$0.00	$1.31	$48.08
6 / 70.00		$30.44	$9.27	$9.91	$0.00	$1.39	$51.01
7 / 75.00		$32.61	$9.93	$9.91	$0.00	$1.47	$53.92
8 / 80.00		$34.78	$10.59	$9.91	$9.92	$1.78	$66.98
9 / 85.00		$36.96	$11.25	$9.91	$9.92	$1.86	$69.90
10 / 90.00		$39.13	$11.92	$9.91	$9.92	$1.94	$72.82
Apprentice to Journeyworker Ratio: 1:3							
SPECIALIZED EARTH MOVING EQUIP < 35 TONS TEAMSTERS JOINT COUNCIL NO. 10 TEAMSTERS JOINT COUNCIL NO. 10 ZONE B	6/1/2025	$41.24	$15.57	$20.17	$0.00	$0.00	$76.98
	12/1/2025	$41.24	$15.57	$21.78	$0.00	$0.00	$78.59
	1/1/2026	$41.24	$16.17	$21.78	$0.00	$0.00	$79.19
	6/1/2026	$42.24	$16.17	$21.78	$0.00	$0.00	$80.19
	12/1/2026	$42.24	$16.17	$23.52	$0.00	$0.00	$81.93
	1/1/2027	$42.24	$16.77	$23.52	$0.00	$0.00	$82.53
SPECIALIZED EARTH MOVING EQUIP > 35 TONS TEAMSTERS JOINT COUNCIL NO. 10 TEAMSTERS JOINT COUNCIL NO. 10 ZONE B	6/1/2025	$41.53	$15.57	$20.17	$0.00	$0.00	$77.27
	12/1/2025	$41.53	$15.57	$21.78	$0.00	$0.00	$78.88
	1/1/2026	$41.53	$16.17	$21.78	$0.00	$0.00	$79.48
	6/1/2026	$42.53	$16.17	$21.78	$0.00	$0.00	$80.48
	12/1/2026	$42.53	$16.17	$23.52	$0.00	$0.00	$82.22
	1/1/2027	$42.53	$16.77	$23.52	$0.00	$0.00	$82.82
SPRINKLER FITTER SPRINKLER FITTERS LOCAL 669 SPRINKLER FITTERS LOCAL 669	7/1/2025	$53.25	$12.40	$7.40	$9.41	$0.00	$82.46
	10/1/2025	$53.25	$12.40	$7.40	$9.41	$0.00	$82.46
	1/1/2026	$53.25	$13.60	$7.45	$9.41	$0.00	$83.71
	4/1/2026	$56.54	$13.60	$7.45	$9.41	$0.00	$87.00
	7/1/2026	$56.54	$13.60	$7.45	$9.41	$0.00	$87.00
	10/1/2026	$56.54	$13.60	$7.45	$9.41	$0.00	$87.00
	1/1/2027	$56.54	$14.55	$7.50	$9.41	$0.00	$88.00
	4/1/2027	$59.83	$14.55	$7.50	$9.41	$0.00	$91.29
	7/1/2027	$59.83	$14.55	$7.50	$9.41	$0.00	$91.29
	10/1/2027	$59.83	$14.55	$7.50	$9.41	$0.00	$91.29
	1/1/2028	$59.83	$15.50	$7.55	$9.41	$0.00	$92.29
Apprentice: SPRINKLER FITTER							
Effective Date: 7/1/2025							
Step / Percent		**Apprentice Base Wage**					

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate

Apprentice: SPRINKLER FITTER

Effective Date: 7/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	43.00	$26.94	$0.00	$0.00	$0.00	$0.00	$26.94
2	48.00	$30.08	$0.00	$0.00	$0.00	$0.00	$30.08
3	52.00	$32.58	$0.00	$0.00	$1.15	$0.00	$33.73
4	56.00	$35.09	$0.00	$0.00	$1.15	$0.00	$36.24
5	59.00	$36.97	$0.00	$0.00	$1.40	$0.00	$38.37
6	64.00	$40.10	$0.00	$0.00	$1.40	$0.00	$41.50
7	68.00	$42.61	$0.00	$0.00	$1.40	$0.00	$44.01
8	72.00	$45.12	$0.00	$0.00	$1.40	$0.00	$46.52
9	76.00	$47.62	$0.00	$0.00	$1.40	$0.00	$49.02
10	80.00	$50.13	$0.00	$0.00	$1.40	$0.00	$51.53

Apprentice: SPRINKLER FITTER

Effective Date: 10/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	43.00	$26.94	$0.00	$0.00	$0.00	$0.00	$26.94
2	48.00	$30.08	$0.00	$0.00	$0.00	$0.00	$30.08
3	52.00	$32.58	$0.00	$0.00	$1.15	$0.00	$33.73
4	56.00	$35.09	$0.00	$0.00	$1.15	$0.00	$36.24
5	59.00	$36.97	$0.00	$0.00	$1.40	$0.00	$38.37
6	64.00	$40.10	$0.00	$0.00	$1.40	$0.00	$41.50
7	68.00	$42.61	$0.00	$0.00	$1.40	$0.00	$44.01
8	72.00	$45.12	$0.00	$0.00	$1.40	$0.00	$46.52
9	76.00	$47.62	$0.00	$0.00	$1.40	$0.00	$49.02
10	80.00	$50.13	$0.00	$0.00	$1.40	$0.00	$51.53

Apprentice to Journeyworker Ratio: 1:1

TELECOMMUNICATION TECHNICIAN	6/29/2025	$52.16	$13.50	$8.31	$6.90	$0.00	$80.87
ELECTRICIANS LOCAL 7	12/28/2025	$53.26	$13.75	$8.40	$6.96	$0.00	$82.37
ELECTRICIANS LOCAL 7	6/28/2026	$54.41	$14.00	$8.43	$7.03	$0.00	$83.87
	1/3/2027	$55.56	$14.25	$8.47	$7.09	$0.00	$85.37

Apprentice: TELECOMMUNICATION TECHNICIAN

Effective Date: 6/29/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	40.00	$20.86	$7.50	$0.63	$0.00	$0.00	$28.99
2	45.00	$23.47	$7.50	$0.70	$0.00	$0.00	$31.67
3	50.00	$26.08	$13.50	$7.53	$0.00	$0.00	$47.11
4	55.00	$28.69	$13.50	$7.61	$0.00	$0.00	$49.80
5	65.00	$33.90	$13.50	$9.84	$0.00	$0.00	$57.24

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate

Apprentice: TELECOMMUNICATION TECHNICIAN

Effective Date: 6/29/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
6	70.00	$36.51	$13.50	$11.30	$0.00	$0.00	$61.31

Apprentice: TELECOMMUNICATION TECHNICIAN

Effective Date: 12/28/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	40.00	$21.30	$7.65	$0.63	$0.00	$0.00	$29.58
2	40.00	$23.97	$7.65	$0.70	$0.00	$0.00	$32.32
3	26.63	$26.63	$13.75	$7.53	$0.00	$0.00	$47.91
4	55.00	$29.29	$13.75	$7.61	$0.00	$0.00	$50.65
5	65.00	$34.62	$13.75	$9.84	$0.00	$0.00	$58.21
6	70.00	$37.28	$13.75	$11.30	$0.00	$0.00	$62.33

Apprentice to Journeyworker Ratio: 1:1

TERRAZZO FINISHERS BRICKLAYERS LOCAL 3 BRICKLAYERS LOCAL 3 (SPR/PITT) - MARBLE & TILE	8/1/2025	$66.89	$11.49	$15.57	$8.02	$0.00	$101.97
	2/10/2026	$68.24	$11.49	$15.57	$8.02	$0.00	$103.32
	8/1/2026	$70.44	$11.49	$15.57	$8.02	$0.00	$105.52
	2/1/2027	$71.84	$11.49	$15.57	$8.02	$0.00	$106.92

Apprentice: TERRAZZO FINISHERS

Effective Date: 8/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$33.45	$11.49	$15.57	$8.02	$0.00	$68.53
2	60.00	$40.13	$11.49	$15.57	$8.02	$0.00	$75.21
3	70.00	$46.82	$11.49	$15.57	$8.02	$0.00	$81.90
4	80.00	$53.51	$11.49	$15.57	$8.02	$0.00	$88.59
5	90.00	$60.20	$11.49	$15.57	$8.02	$0.00	$95.28

Apprentice: TERRAZZO FINISHERS

Effective Date: 2/10/2026

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$34.12	$11.49	$15.57	$8.02	$0.00	$69.20
2	60.00	$40.94	$11.49	$15.57	$8.02	$0.00	$76.02
3	70.00	$47.77	$11.49	$15.57	$8.02	$0.00	$82.85
4	80.00	$54.59	$11.49	$15.57	$8.02	$0.00	$89.67
5	90.00	$61.42	$11.49	$15.57	$8.02	$0.00	$96.50

Apprentice to Journeyworker Ratio: 1:5

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
TERRAZZO MECHANIC BRICKLAYERS LOCAL 3 BRICKLAYERS LOCAL 3 (SPR/PITT) - MARBLE & TILE	8/1/2025	$67.97	$11.49	$15.57	$7.99	$0.00	$103.02
	2/1/2026	$69.32	$11.49	$15.57	$7.99	$0.00	$104.37
	8/1/2026	$71.52	$11.49	$15.57	$7.99	$0.00	$106.57
	2/1/2027	$72.92	$11.49	$15.57	$7.99	$0.00	$107.97

Apprentice: TERRAZZO MECHANIC

Effective Date: 8/1/2025

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$33.99	$11.49	$15.57	$7.99	$0.00	$69.04
2	60.00	$40.78	$11.49	$15.57	$7.99	$0.00	$75.83
3	70.00	$47.58	$11.49	$15.57	$7.99	$0.00	$82.63
4	80.00	$54.38	$11.49	$15.57	$7.99	$0.00	$89.43
5	90.00	$61.17	$11.49	$15.57	$7.99	$0.00	$96.22

Apprentice: TERRAZZO MECHANIC

Effective Date: 2/1/2026

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	50.00	$34.66	$11.49	$15.57	$7.99	$0.00	$69.71
2	60.00	$41.59	$11.49	$15.57	$7.99	$0.00	$76.64
3	70.00	$48.52	$11.49	$15.57	$7.99	$0.00	$83.57
4	80.00	$55.46	$11.49	$15.57	$7.99	$0.00	$90.51
5	90.00	$62.39	$11.49	$15.57	$7.99	$0.00	$97.44

Apprentice to Journeyworker Ratio: 1:5

TEST BORING DRILLER LABORERS LABORERS - FOUNDATION AND MARINE	6/1/2025	$51.70	$9.90	$9.25	$9.80	$0.00	$80.65
	12/1/2025	$53.20	$9.90	$9.25	$9.80	$0.00	$82.15
	6/1/2026	$54.75	$9.90	$9.25	$9.80	$0.00	$83.70
	12/1/2026	$56.25	$9.90	$9.25	$9.80	$0.00	$85.20
For apprentice rates see "Apprentice- LABORER"							
TEST BORING DRILLER HELPER LABORERS LABORERS - FOUNDATION AND MARINE	6/1/2025	$47.82	$9.90	$9.25	$9.80	$0.00	$76.77
	12/1/2025	$49.32	$9.90	$9.25	$9.80	$0.00	$78.27
	6/1/2026	$50.87	$9.90	$9.25	$9.80	$0.00	$79.82
	12/1/2026	$52.37	$9.90	$9.25	$9.80	$0.00	$81.32
For apprentice rates see "Apprentice- LABORER"							
TEST BORING LABORER LABORERS LABORERS - FOUNDATION AND MARINE	6/1/2025	$47.70	$9.90	$9.25	$9.80	$0.00	$76.65
	12/1/2025	$49.20	$9.90	$9.25	$9.80	$0.00	$78.15
	6/1/2026	$50.75	$9.90	$9.25	$9.80	$0.00	$79.70
	12/1/2026	$52.25	$9.90	$9.25	$9.80	$0.00	$81.20
For apprentice rates see "Apprentice- LABORER"							
TRACTORS OPERATING ENGINEERS LOCAL 98 OPERATING ENGINEERS LOCAL 98	12/1/2023	$38.42	$13.78	$12.15	$3.00	$0.00	$67.35

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
For apprentice rates see "Apprentice- OPERATING ENGINEERS"							
TRAILERS FOR EARTH MOVING EQUIPMENT TEAMSTERS JOINT COUNCIL NO. 10 TEAMSTERS JOINT COUNCIL NO. 10 ZONE B	6/1/2025	$41.82	$15.57	$20.17	$0.00	$0.00	$77.56
	12/1/2025	$41.82	$15.57	$21.78	$0.00	$0.00	$79.17
	1/1/2026	$41.82	$16.17	$21.78	$0.00	$0.00	$79.77
	6/1/2026	$42.82	$16.17	$21.78	$0.00	$0.00	$80.77
	12/1/2026	$42.82	$16.17	$23.52	$0.00	$0.00	$82.51
	1/1/2027	$42.82	$16.77	$23.52	$0.00	$0.00	$83.11
TUNNEL WORK - COMPRESSED AIR LABORERS LABORERS (COMPRESSED AIR)	6/1/2025	$59.93	$9.90	$9.25	$10.25	$0.00	$89.33
	12/1/2025	$61.43	$9.90	$9.25	$10.25	$0.00	$90.83
	6/1/2026	$62.98	$9.90	$9.25	$10.25	$0.00	$92.38
	12/1/2026	$64.48	$9.90	$9.25	$10.25	$0.00	$93.88
For apprentice rates see "Apprentice- LABORER"							
TUNNEL WORK - COMPRESSED AIR (HAZ. WASTE) LABORERS LABORERS (COMPRESSED AIR)	6/1/2025	$61.93	$9.90	$9.25	$10.25	$0.00	$91.33
	12/1/2025	$63.43	$9.90	$9.25	$10.25	$0.00	$92.83
	6/1/2026	$64.98	$9.90	$9.25	$10.25	$0.00	$94.38
	12/1/2026	$66.48	$9.90	$9.25	$10.25	$0.00	$95.88
For apprentice rates see "Apprentice- LABORER"							
TUNNEL WORK - FREE AIR LABORERS LABORERS (FREE AIR TUNNEL)	6/1/2025	$52.00	$9.90	$9.25	$10.25	$0.00	$81.40
	12/1/2025	$53.50	$9.90	$9.25	$10.25	$0.00	$82.90
	6/1/2026	$55.05	$9.90	$9.25	$10.25	$0.00	$84.45
	12/1/2026	$56.55	$9.90	$9.25	$10.25	$0.00	$85.95
For apprentice rates see "Apprentice- LABORER"							
TUNNEL WORK - FREE AIR (HAZ. WASTE) LABORERS LABORERS (FREE AIR TUNNEL)	6/1/2025	$54.00	$9.90	$9.25	$10.25	$0.00	$83.40
	12/1/2025	$55.50	$9.90	$9.25	$10.25	$0.00	$84.90
	6/1/2026	$57.05	$9.90	$9.25	$10.25	$0.00	$86.45
	12/1/2026	$58.55	$9.90	$9.25	$10.25	$0.00	$87.95
For apprentice rates see "Apprentice- LABORER"							
VAC-HAUL TEAMSTERS JOINT COUNCIL NO. 10 TEAMSTERS JOINT COUNCIL NO. 10 ZONE B	6/1/2025	$41.24	$15.57	$20.17	$0.00	$0.00	$76.98
	12/1/2025	$41.24	$15.57	$21.78	$0.00	$0.00	$78.59
	1/1/2026	$41.24	$16.17	$21.78	$0.00	$0.00	$79.19
	6/1/2026	$42.24	$16.17	$21.78	$0.00	$0.00	$80.19
	12/1/2026	$42.24	$16.17	$23.52	$0.00	$0.00	$81.93
	1/1/2027	$42.24	$16.77	$23.52	$0.00	$0.00	$82.53
WAGON DRILL OPERATOR LABORERS LABORERS - ZONE 3 (BUILDING & SITE)	6/2/2025	$36.50	$9.90	$9.25	$8.32	$0.00	$63.97
	12/1/2025	$37.75	$9.90	$9.25	$8.32	$0.00	$65.22
	6/1/2026	$39.05	$9.90	$9.25	$8.32	$0.00	$66.52
	12/7/2026	$40.35	$9.90	$9.25	$8.32	$0.00	$67.82
	6/7/2027	$41.75	$9.90	$9.25	$8.32	$0.00	$69.22
	12/6/2027	$43.15	$9.90	$9.25	$8.32	$0.00	$70.62
	6/5/2028	$44.65	$9.90	$9.25	$8.32	$0.00	$72.12
	12/4/2028	$46.15	$9.90	$9.25	$8.32	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"							

Construction

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
WAGON DRILL OPERATOR (HEAVY & HIGHWAY)	6/1/2025	$36.50	$9.90	$9.25	$6.31	$0.00	$61.96
LABORERS LABORERS - ZONE 3 (HEAVY & HIGHWAY)	12/1/2025	$37.74	$9.90	$9.25	$6.31	$0.00	$63.20
	6/1/2026	$39.04	$9.90	$9.25	$6.31	$0.00	$64.50
	12/1/2026	$40.33	$9.90	$9.25	$6.31	$0.00	$65.79
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)							
WATER METER INSTALLER	3/17/2025	$51.01	$10.35	$10.85	$7.10	$0.00	$79.31
PLUMBERS & PIPEFITTERS LOCAL 104 PLUMBERS & PIPEFITTERS LOCAL 104	9/17/2025	$53.01	$10.35	$10.85	$7.10	$0.00	$81.31
	3/17/2026	$55.01	$10.35	$10.85	$7.10	$0.00	$83.31
	9/17/2026	$57.01	$10.35	$10.85	$7.10	$0.00	$85.31
	3/17/2027	$59.01	$10.35	$10.85	$7.10	$0.00	$87.31
	9/17/2027	$61.01	$10.35	$10.85	$7.10	$0.00	$89.31
	3/17/2028	$63.01	$10.35	$10.85	$7.10	$0.00	$91.31
	9/17/2028	$65.01	$10.35	$10.85	$7.10	$0.00	$93.31
	3/17/2029	$67.01	$10.35	$10.85	$7.10	$0.00	$95.31
For apprentice rates see "Apprentice- PLUMBER/PIPEFITTER" or "PLUMBER/GASFITTER"							

Marine Drilling

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
BLASTER MARINE DRILLING MARINE DRILLING	1/1/2018	$41.82	$7.63	$2.35	$1.25	$0.00	$53.05
BOAT CAPTAIN MARINE DRILLING MARINE DRILLING	1/1/2018	$33.87	$7.63	$2.35	$0.95	$0.00	$44.80
BOAT CAPTAIN / Over 1,000 hp MARINE DRILLING MARINE DRILLING	1/1/2018	$38.06	$7.63	$2.35	$1.25	$0.00	$49.29
CORE DRILLER MARINE DRILLING MARINE DRILLING	1/1/2018	$31.43	$7.63	$2.25	$0.65	$0.00	$41.96
CORE DRILLER HELPER MARINE DRILLING MARINE DRILLING	1/1/2018	$28.47	$7.63	$2.35	$0.65	$0.00	$39.10
DRILLER MARINE DRILLING MARINE DRILLING	1/1/2018	$39.70	$7.63	$2.35	$1.25	$0.00	$50.93
ENGINEER MARINE DRILLING MARINE DRILLING	1/1/2018	$39.69	$7.63	$2.25	$1.25	$0.00	$50.82
HELPER MARINE DRILLING MARINE DRILLING	1/1/2018	$34.24	$7.63	$2.35	$0.65	$0.00	$44.87
MACHINIST MARINE DRILLING MARINE DRILLING	1/1/2018	$38.88	$7.63	$2.35	$0.95	$0.00	$49.81
OILER - MARINE DRILLING MARINE DRILLING MARINE DRILLING	1/1/2018	$34.24	$7.63	$2.35	$0.65	$0.00	$44.87
TUG DECKHAND MARINE DRILLING MARINE DRILLING	1/1/2018	$27.61	$7.63	$2.35	$0.65	$0.00	$38.24
WELDER MARINE DRILLING MARINE DRILLING	1/1/2018	$38.88	$7.63	$2.35	$0.95	$0.00	$49.81

Op Eng Marine (Dredging Work)

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
BOAT OPERATOR OPERATING ENGINEERS LOCAL 4 OPERATING ENGINEERS - MARINE DIVISION	10/1/2017	$29.26	$7.63	$2.35	$0.95	$0.00	$40.19
CERTIFIED WELDER OPERATING ENGINEERS LOCAL 4 OPERATING ENGINEERS - MARINE DIVISION	10/1/2017	$31.09	$7.63	$2.35	$1.25	$0.00	$42.32
CHIEF WELDER/ CHIEF MATE OPERATING ENGINEERS LOCAL 4 OPERATING ENGINEERS - MARINE DIVISION	10/1/2017	$33.02	$7.63	$2.35	$1.25	$0.00	$44.25
DERRICK / SPIDER / SPILLBARGE OPERATOR OPERATING ENGINEERS LOCAL 4 OPERATING ENGINEERS - MARINE DIVISION	10/1/2017	$33.02	$7.63	$2.35	$1.25	$0.00	$44.25
DRAG BARGE OPERATOR / WELDER / MATE OPERATING ENGINEERS LOCAL 4 OPERATING ENGINEERS - MARINE DIVISION	10/1/2017	$30.24	$7.63	$2.35	$0.95	$0.00	$41.17
ENGINEER / ELECTRICIAN OPERATING ENGINEERS LOCAL 4 OPERATING ENGINEERS - MARINE DIVISION	10/1/2017	$33.02	$7.63	$2.35	$1.25	$0.00	$44.25
LICENSED BOAT OPERATOR OPERATING ENGINEERS LOCAL 4 OPERATING ENGINEERS - MARINE DIVISION	10/1/2017	$33.02	$7.63	$2.35	$1.25	$0.00	$44.25
LICENSED TUG OPERATOR OVER 1000HP OPERATING ENGINEERS LOCAL 4 OPERATING ENGINEERS - MARINE DIVISION	10/1/2017	$38.18	$7.63	$2.35	$1.25	$0.00	$49.41
MAINTENANCE ENGINEER OPERATING ENGINEERS LOCAL 4 OPERATING ENGINEERS - MARINE DIVISION	10/1/2017	$33.03	$7.63	$2.35	$1.25	$0.00	$44.26
OILER - MARINE DIVISION OPERATING ENGINEERS LOCAL 4 OPERATING ENGINEERS - MARINE DIVISION	10/1/2017	$24.30	$7.63	$2.35	$0.65	$0.00	$34.93
OPERATOR / LEVERMAN OPERATING ENGINEERS LOCAL 4 OPERATING ENGINEERS - MARINE DIVISION	10/1/2017	$38.18	$7.63	$2.35	$1.25	$0.00	$49.41
RODMAN / SCOWMAN OPERATING ENGINEERS LOCAL 4 OPERATING ENGINEERS - MARINE DIVISION	10/1/2017	$24.30	$7.63	$2.35	$0.65	$0.00	$34.93
SHOREMAN / DECKHAND OPERATING ENGINEERS LOCAL 4 OPERATING ENGINEERS - MARINE DIVISION	10/1/2017	$24.30	$7.63	$2.35	$0.65	$0.00	$34.93

Outside Electrical

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
EQUIPMENT OPERATOR OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42 OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42 For apprentice rates see "Apprentice- LINEMAN"	9/1/2019	$44.67	$8.00	$12.55	$0.00	$0.00	$65.22
GROUNDMAN OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42 OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42 For apprentice rates see "Apprentice- LINEMAN"	9/1/2019	$30.58	$8.00	$5.48	$0.00	$0.00	$44.06
GROUNDMAN / TRUCK DRIVER OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42 OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42 For apprentice rates see "Apprentice- LINEMAN"	9/1/2019	$39.97	$8.00	$10.96	$0.00	$0.00	$58.93
HEAVY EQUIPMENT OPERATOR OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42 OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42 For apprentice rates see "Apprentice- LINEMAN"	9/1/2019	$47.01	$8.00	$13.22	$0.00	$0.00	$68.23
JOURNEYMAN LINEMAN OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42 OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42	9/1/2019	$51.71	$8.00	$15.55	$0.00	$0.00	$75.26

Apprentice: JOURNEYMAN LINEMAN

Effective Date: 9/1/2019

Step	Percent	Apprentice Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
1	60.00	$31.03	$8.00	$3.43	$0.00	$0.00	$42.46
2	65.00	$33.61	$8.00	$3.51	$0.00	$0.00	$45.12
3	70.00	$36.20	$8.00	$3.59	$0.00	$0.00	$47.79
4	75.00	$38.78	$8.00	$5.16	$0.00	$0.00	$51.94
5	80.00	$41.37	$8.00	$5.24	$0.00	$0.00	$54.61
6	85.00	$43.95	$8.00	$5.32	$0.00	$0.00	$57.27
7	90.00	$46.54	$8.00	$7.40	$0.00	$0.00	$61.94

Apprentice to Journeyworker Ratio: 1:2

TELEDATA CABLE SPLICER OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42 OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42	2/4/2019	$30.73	$4.70	$0.92	$2.25	$0.00	$38.60
TELEDATA LINEMAN/EQUIPMENT OPERATOR OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42 OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42	2/4/2019	$28.93	$4.70	$0.89	$2.25	$0.00	$36.77
TELEDATA WIREMAN/INSTALLER/TECHNICIAN OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42 OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42	2/4/2019	$28.93	$4.70	$0.89	$2.25	$0.00	$36.77
TRACTOR-TRAILER DRIVER OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42	9/1/2019	$44.67	$8.00	$12.55	$0.00	$0.00	$65.22

Outside Electrical

Classification	Effective Date	Base Wage	Health	Pension	Annuity	Supplemental Unemployment	Total Rate
OUTSIDE ELECTRICAL WORKERS - WEST LOCAL 42							

Additional Apprentice Information

All apprentices must be registered with the Division of Apprenticeship Training(DAS) in accordance with M.G.L.c. 23, §§ 11E-11L. Minimum wage rates for apprentices employed on public works projects are listed above as a percentage of the hourly prevailing wage rate established by the Commissioner under the provisions of M.G.L.c. 149, §§ 26-27D.

Apprentice ratios are established by DAS pursuant to M.G.L.c. 23, §§ 11E-11L. Ratios are expressed as the allowable number of apprentices to journeymen or fraction thereof, unless otherwise specified. The ratios listed herein have been taken from relevant private collective bargaining agreements(CBAs) and are provided for illustrative purposes only. They have not been independently verified as being accurate or continuing to be accurate.

Parties having questions regarding what ratio to use should contact DAS.

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DOCUMENT 00870

STANDARD FEDERAL EQUAL EMPLOYMENT OPPORTUNITY CONSTRUCTION CONTRACT SPECIFICATIONS
(EXECUTIVE ORDER 11246)
Revised April 9, 2019

1. As used in these specifications:

   a. "Covered area" means the geographical area described in the solicitation from which this contract resulted:

   b. "Director" means Director, Office of Federal Contract Compliance Programs, United States Department of Labor, or any person to whom the Director delegates authority.

   c. "Employer identification number" means the Federal Social Security number used on the Employer's Quarterly Federal Tax Return, U.S. Treasury Department Form 941.

   d. "Minority" includes:

      (i) Black (all persons having origins in any of the black African racial groups not of Hispanic origin);
      (ii) Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish Culture or origin, regardless of race);
      (iii) Asian and Pacific Islander (all persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands); and
      (iv) American Indian or Alaskan Native (all persons having origins in any of the original peoples of North America and maintaining identifiable tribal affiliations through membership and participation or community identification).

2. Whenever the Contractor, or any Subcontractor at any tier, subcontracts a portion of the work involving any construction trade, it shall physically include in each subcontract in excess of $ 10,000 the provisions of the specifications and the Notice which contains the applicable goals for minority and female participation and which is set forth in the solicitations from which this contract resulted.

3. If the Contractor is participating (pursuant to 41 CFR 60-4.5) in a Hometown Plan approved by the U.S. Department of Labor in the covered area either individually or through an association, its affirmative action obligations on all work in the Plan area (including goals and timetables) shall be in accordance with that Plan for those trades which have unions participating in the Plan. Contractors must be able to demonstrate their participation in and compliance with the provisions of any such Hometown Plan. Each Contractor or Subcontractor participating in an approved Plan is individually required to comply with its obligations under the EEO clause, and to make a good faith effort to achieve each goal under the plan in each trade in which it has employees. The overall good faith performance by other Contractors or Subcontractors toward a goal in an approved Plan does not excuse any covered Contractor's or Subcontractor's failure to take good faith efforts to achieve the Plan goals and timetables.

4. The Contractor shall implement the specific affirmative action standards provided in Paragraphs 7a through p of these specifications. The goals set forth in the solicitation from which this contract resulted are expressed as percentages of the total hours of employment and training of minority and female utilization the Contractor should reasonably be able to achieve in each construction trade in which it has employees in the covered area. The Contractor is expected to make substantially uniform progress toward its goals in each craft during the period specified.

5. Neither the provisions of any collective bargaining agreement, nor the failure by a union with whom the Contractor has a collective bargaining agreement, to refer either minorities or women shall excuse the Contractor's obligations under these specifications, Executive Order 11246, or the regulations promulgated pursuant thereto.

6. In order for the nonworking training hours of apprentices and trainees to be counted in meeting the goals, such apprentices and trainees must be employed by the Contractor during the training period, and the Contractor must have made a commitment to employ the apprentices and trainees at the completion of their training, subject to the availability of employment opportunities. Trainees must be trained pursuant to training programs approved by the U.S. Department of Labor.

7. The Contractor shall take specific affirmative actions to ensure equal employment opportunity. The evaluation of the Contractor's compliance with these specifications shall be based upon its effort to achieve maximum results from its actions. The Contractor shall document these efforts fully, and shall implement affirmative action steps at least as extensive as the following:

    a. Ensure and maintain a working environment free of harassment, intimidation, and coercion at all sites, and all facilities at which the Contractor's employees are assigned to work. The Contractor, where possible, will assign two or more women to each construction project. The Contractor shall specifically ensure that all foremen, superintendents, and other on-site supervisory personnel are aware of and carry out the Contractor's obligation to maintain such a working environment, with specific attention to minority or female individuals working at such sites or in such facilities.

    b. Establish and maintain a current list of minority and female recruitment sources, provide written notification to minority and female recruitment sources and to community organizations when the Contractor or its unions have employment opportunities available, and maintain a record of the organizations' responses.

    c. Maintain a current file of the names, addresses and telephone numbers of each minority and female off-the-street applicant and minority or female referral from a union, a recruitment source or community organization and of what action was taken with respect to each such individual. If such individual was sent to the union hiring hall for referral and was not referred back to the Contractor by the union or, if referred, not employed by the Contractor, this shall be documented in the file with the reason therefor, along with whatever additional actions the Contractor may have taken.

    d. Provide immediate written notification to the Director when the union or unions with which the Contractor has a collective bargaining agreement has not referred to the Contractor a minority person or woman sent by the Contractor, or when the Contractor has other information that the union referral process has impeded the Contractor's efforts to meet its obligations.

    e. Develop on-the-job training opportunities and/or participate in training programs for the area which expressly include minorities and women, including upgrading programs and apprenticeship and trainee programs relevant to the Contractor's employment needs, especially those programs funded or approved by the Department of Labor. The Contractor shall provide notice of these programs to the sources compiled under 7b above.

    f. Disseminate the Contractor's EEO policy by providing notice of the policy to unions and training programs and requesting their cooperation in assisting the Contractor in meeting its EEO obligations; by including it in any policy manual and collective bargaining agreement; by publicizing it in the company newspaper, annual report, etc; by specific review of the policy with all management personnel and with all minority and female employees at least once a year; and by posting the company EEO policy on bulletin boards accessible to all employees at each location where construction work is performed.

    g. Review, at least annually, the company's EEO policy and affirmative action obligations under these specifications with all employees having any responsibility for hiring, assignment, layoff, termination or other employment decisions including specific review of these items with on-site supervisory personnel such as Superintendents, General Foremen, etc., prior to the initiation of construction work at any job site. A written record shall be made and maintained identifying the time and place of these meetings, persons attending, subject matter discussed, and disposition of the subject matter.

    h. Disseminate the Contractor's EEO policy externally by including it in any advertising in the news media, specifically including minority and female news media, and providing written notification to and discussing the Contractor's EEO policy with other Contractors and Subcontractors with whom the Contractor does or anticipates doing business.

i. Direct its recruitment efforts both oral and written, to minority, female and community organizations, to schools with minority and female students and to minority and female recruitment and training organizations serving the Contractor's recruitment area and employment needs. Not later than one month prior to the date for the acceptance of applications for apprenticeship or other training by any recruitment source, the Contractor shall send written notification to organizations such as the above, describing the openings, screening procedures, and tests to be used in the selection process.

j. Encourage present minority and female employees to recruit other minority persons and women and, where reasonable, provide after school, summer and vacation employment to minority and female youth both on the site and in other areas of a Contractor's work force.

k. Validate all tests and other selection requirements where there is an obligation to do so under 41 CFR Part 60-3.

l. Conduct, at least annually, an inventory and evaluation at least of all minority and female personnel for promotional opportunities and encourage these employees to seek or to prepare for, through appropriate training, etc., such opportunities.

m. Ensure that seniority practices, job classifications, work assignments and other personnel practices, do not have a discriminatory effect by continually monitoring all personnel and employment related activities to ensure that the EEO policy and the Contractor's obligations under these specifications are being carried out.

n. Ensure that all facilities and company activities are nonsegregated except that separate or single-user toilet and necessary changing facilities shall be provided to assure privacy between the sexes.

o. Document and maintain a record of all solicitations of offers for subcontracts from minority and female construction contractors and suppliers, including circulation of solicitations to minority and female contractor associations and other business associations.

p. Conduct a review, at least annually, of all supervisor's adherence to and performance under the Contractor's EEO policies and affirmative action obligations.

8. Contractors are encouraged to participate in voluntary associations which assist in fulfilling one or more of their affirmative action obligations (7a through p). The efforts of a contractor association, joint contractor-union, contractor-community, or other similar group of which the contractor is a member and participant, may be asserted as fulfilling any one or more of its obligations under 7a through p of these Specifications provided that the Contractor actively participates in the group, makes every effort to assure that the group has a positive impact on the employment of minorities and women in the industry, ensures that the concrete benefits of the program are reflected in the Contractor's minority and female work force participation, makes a good faith effort to meet its individual goals and timetables, and can provide access to documentation which demonstrates the effectiveness of actions taken on behalf of the Contractor. The obligation to comply, however, is the Contractor's and failure of such a group to fulfill an obligation shall not be a defense for the Contractor's noncompliance.

9. A single goal for minorities and a separate single goal for women have been established. The Contractor, however, is required to provide equal employment opportunity and to take affirmative action for all minority groups, both male and female, and all women, both minority and non-minority. Consequently, the Contractor may be in violation of the Executive Order if a particular group is employed in a substantially disparate manner (for example, even though the Contractor has achieved its goals for women generally, the Contractor may be in violation of the Executive Order if a specific minority group of women is underutilized).

10. The Contractor shall not use the goals and timetables of affirmative action standards to discriminate against any person because of race, color, religion, sex, or national origin.

11 The Contractor shall not enter into any Subcontract with any person or firm debarred from Government contracts pursuant to Executive Order 11246.

12. The Contractor shall carry out such sanctions and penalties for violation of these specifications and of the Equal Opportunity Clause, including suspension, termination and cancellation of existing subcontracts as may be imposed or ordered pursuant to Executive Order 11246, as amended, and its implementing regulations, by the Office of Federal Contract Compliance programs. Any Contractor who fails to carry out such sanctions and penalties shall be in violation of these specifications and Executive Order 11246, as amended.

13. The Contractor, in fulfilling its obligations under these specifications, shall implement specific affirmative action steps, at least as extensive as those standards prescribed in paragraph 7 of these specifications so as to achieve maximum results from its efforts to ensure equal employment opportunity. If the Contractor fails to comply with the requirements of the Executive Order, the implementing regulations, or these specifications, the Director shall proceed in accordance with 41 CFR 60-4.8.

14. The Contractor shall designate a responsible official to monitor all employment related activity to ensure that the company EEO policy is being carried out, to submit reports relating to the provisions hereof as many be required by the Government and keep records. Records shall at least include for each employee the name, address, telephone numbers, construction trade, union affiliation if any, employee identification number when assigned, social security number, race, sex, status (e.g., mechanic, apprentice, trainee, helper, or laborer), dates of changes in status, hours worked per week in the indicated trade, rate of pay, and locations at which the work was performed. Records shall be maintained in an easily understandable and retrievable form; however, to the degree that existing records satisfy this requirement, contractors shall not be required to maintain separate records.

15. Nothing herein provided shall be construed as a limitation upon the application of other laws which establish different standards of compliance or upon the application of requirements for the hiring of local or other area residents (e.g., those under the Public Works Employment Act of 1977 and the Community Development Block Grant Program).

APPENDIX A

The following goals and timetables for female utilization shall be included in all Federal and federally assisted construction contracts and subcontracts in excess of $ 10,000. The goals are applicable to the Contractor's aggregate on-site construction workforce whether or not part of that workforce is performing work on a Federal or federally-assisted construction contract or subcontract.

Area covered: Goal for Women apply nationwide

Goals and Timetables

Timetable	Goals (percent)
From Apr. 1, 1980 until further notice	6.9

APPENDIX B-80

Until further notice, the following goals for minority utilization in each construction craft and trade shall included in all Federal or federally assisted construction contracts and subcontracts in excess of $ 10,000 to be performed in the respective geographical areas. The goals are applicable to each nonexempt contractor's total on- site construction workforce, regardless of whether or not part of that workforce is performing work on a Federal, federally assisted or nonfederally related project, contract or subcontract.

Construction contractors participating in an approved Hometown Plan (see 41 CFR 6-4.5) are required to comply with the goals of the Hometown Plan with regard to construction work they perform in the area covered by the Hometown Plan. With regard to all their other covered construction work, such contractors are required to comply with the applicable SMSA or EA goal contained in this Appendix B-80.

Economic Areas

STATE:	Goals (percent)
MASSACHUSETTS	
004 Boston MA: SMSA Counties: 1123 Boston-Lowell-Brockton-Lawrence-Haverhill, MA-NH	4.0
MA Essex, MA Middlesex, MA Norfolk, MA Plymouth, MA Suffolk, NH Rockingham.	
5403 Fall River- New Bedford MA, Bristol	1.6
9243 Worcester-Fitchburg-Leominster, MA	1.6
6323 Springfield-Chicopee-Holyoke MA-CT MA Hampden, MA Hampshire	4.8
Non-SMSA Counties: MA Barnstable, MA Dukes, MA Nantucket	3.6
Non-SMSA Counties: MA Franklin	5.9

APPENDIX C

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.

2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

3. **Solicitations for Subcontractors, including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to nondiscrimination on the grounds of race, color, national origin (including limited English proficiency), age, sex, disability, or low-income status.

4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Massachusetts Department of Transportation (MassDOT) or FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor will so certify to MassDOT or FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Nondiscrimination provisions of this contract, MassDOT will impose such contract sanctions as it or FHWA may determine to be appropriate, including, but not limited to:

    a. withholding payments to the contractor under the contract until the contractor complies; and/or
    b. cancelling, terminating, or suspending a control, in whole or in part.

6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations, and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as MassDOT or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request MassDOT to enter into any litigation to protect the interests of MassDOT. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX D

During the performance of this contact, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor," which includes consultants) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

PERTINENT NON-DISCRIMINATION AUTHORITIES:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21

- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601) (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-Aid programs and projects)

- Federal-Aid Highway Act of 1973 (23 U.S.C. § 324 *et seq.*) (prohibits discrimination on the basis of sex)

- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794 *et seq.*), as amended (prohibits discrimination on the basis of disability) and 49 CFR Part 27

- The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*) (prohibits discrimination on the basis of age)

- Airport and Airway Improvement Act of 1982 (49 U.S.C. § 471, Section 47123), as amended (prohibits discrimination based on race, creed, color, national origin, or sex)

- The Civil Rights Restoration Act of 1987 (PL 100-209) (broadened the scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of Federal-Aid recipients, sub-recipients, and contractors, whether such programs or activities are Federally funded or not)

- Titles II and III of the Americans with Disabilities Act (42 U.S.C. §§ 12131-12189), as implemented by Department of Transportation regulations at 49 CFR parts 37 and 38 (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities)

- The Federal Aviation Administration's Non-Discrimination Statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex)

- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations)

- Executive Order 13166, Improving Access to Services for People with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100)

- Title IX of the Education Amendments Act of 1972, as amended (20 U.S.C. 1681 *et seq*.) (prohibits discrimination on the basis of sex in education programs or activities)

*** END OF DOCUMENT ***

DOCUMENT 00880

Revised January 12, 2022

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONTRACTS

"General Decision Number: MA20250007 08/15/2025

Superseded General Decision Number: MA20240007

State: Massachusetts

Construction Type: Highway

County: Franklin County in Massachusetts.

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)(1).

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 $17.75 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 2025.
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 $13.30 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 2025.

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	01/03/2025
1	03/21/2025
2	05/16/2025
3	07/18/2025
4	08/15/2025

CARP0336-015 03/01/2025

	Rates	Fringes
CARPENTER	$ 42.59	27.61

ENGI0098-006 12/01/2024

	Rates	Fringes
Power equipment operators:		
(1) Backhoe/Excavator/Trackhoe	$ 42.88	31.04+A
(1) Loader	$ 42.88	31.04+A
(4) Roller	$ 39.12	31.04+A
Crane	$ 46.38	31.04+A

A. Paid Holidays: New year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day

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IRON0007-025 03/16/2025

	Rates	Fringes
IRONWORKER (REINFORCING AND STRUCTURAL)	$ 41.15	33.25

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* LABO0596-002 06/01/2025

	Rates	Fringes
LABORER		
Asphalt, Includes Raker, Shoveler, Spreader, and		

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     Distributor.................$ 38.95             26.91
     Common or General...........$ 35.00             26.91
     Guardrail Installation......$ 33.99             26.91
     Landscape...................$ 35.00             26.91
-------------------------------------------------------------
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  SUMA2014-003 01/11/2017

                                       Rates          Fringes

PAINTER: Spray (Linestriping)....$ 38.85              0.00
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WELDERS - Receive rate prescribed for craft performing
operation to which welding is incidental.

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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) (iii)).

The body of each wage determination lists the classifications
and wage rates that have been found to be prevailing for the
type(s) of construction and geographic area covered by the wage
determination. The classifications are listed in alphabetical
order under rate identifiers indicating whether the particular
rate is a union rate (current union negotiated rate), a survey
rate, a weighted union average rate, a state adopted rate, or a
supplemental classification rate.

Union Rate Identifiers

A four-letter identifier beginning with characters other than
""SU"", ""UAVG"", ?SA?, or ?SC? denotes that a union rate was
prevailing for that classification in the survey. Example:
PLUM0198-005 07/01/2024. PLUM is an identifier of the union
whose collectively bargained rate 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. The date, 07/01/2024 in the example, is the effective date of the most current negotiated rate.

Union prevailing wage rates are updated to reflect all changes over time that are reported to WHD in the rates in the collective bargaining agreement (CBA) governing the classification.

Union Average Rate Identifiers

The UAVG identifier indicates that no single rate prevailed for those classifications, but that 100% of the data reported for the classifications reflected union rates. EXAMPLE: UAVG-OH-0010 01/01/2024. UAVG indicates that the rate is a weighted union average rate. OH indicates the State of Ohio. The next number, 0010 in the example, is an internal number used in producing the wage determination. The date, 01/01/2024 in the example, indicates the date the wage determination was updated to reflect the most current union average rate.

A UAVG rate will be updated once a year, usually in January, to reflect a weighted average of the current rates in the collective bargaining agreements on which the rate is based.

Survey Rate Identifiers

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reported in the survey for that classification. As a weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SUFL2022-007 6/27/2024. SU indicates the rate is a single non-union prevailing rate or a weighted average of survey data for that classification. FL indicates the State of Florida. 2022 is the year of the 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. The date, 6/27/2024 in the example, indicates the survey completion date for the classifications and rates under that identifier.

?SU? wage rates typically remain in effect until a new survey is conducted. However, the Wage and Hour Division (WHD) has the discretion to update such rates under 29 CFR 1.6(c)(1).

State Adopted Rate Identifiers

The ""SA"" identifier indicates that the classifications and prevailing wage rates set by a state (or local) government were adopted under 29 C.F.R 1.3(g)-(h). Example: SAME2023-007 01/03/2024. SA reflects that the rates are state adopted. ME refers to the State of Maine. 2023 is the year during which the state completed the survey on which the listed classifications and rates are based. The next number, 007 in the example, is an internal number used in producing the wage determination. The date, 01/03/2024 in the example, reflects the date on which the classifications and rates under the ?SA? identifier took

effect under state law in the state from which the rates were
adopted.

WAGE DETERMINATION APPEALS PROCESS

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

a) a survey underlying a wage determination
b) an existing published wage determination
c) an initial WHD letter setting forth a position on a wage determination matter
d) an initial conformance (additional classification and rate) determination

On survey related matters, initial contact, including requests
for summaries of surveys, should be directed to the WHD Branch
of Wage Surveys. Requests can be submitted via email to davisbaconinfo@dol.gov or by mail to:

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

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2) If an initial decision has been issued, then any interested party (those affected by the action) that disagrees with the decision can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Requests for review and reconsideration can be submitted via email to dba.reconsideration@dol.gov or by mail to:

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The request should be accompanied by a full statement of the interested party's position and 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:

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Washington, DC 20210.

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END OF GENERAL DECISION"

"General Decision Number: MA20250010 08/15/2025

Superseded General Decision Number: MA20240010

State: Massachusetts

Construction Types: Heavy (Heavy and Marine)

Counties: Berkshire, Franklin, Hampden and Hampshire Counties
in Massachusetts.

HEAVY CONSTRUCTION PROJECTS; AND MARINE 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)(1).

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 $17.75 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 2025.
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 $13.30 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 2025.	

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	01/03/2025
1	03/07/2025
2	03/14/2025
3	03/21/2025
4	03/28/2025
5	05/16/2025
6	07/11/2025
7	07/18/2025
8	08/15/2025

BOIL0029-001 01/01/2025

	Rates	Fringes
BOILERMAKER	$ 50.62	28.82

BRMA0001-005 08/01/2023

SPRINGFIELD CHAPTER

	Rates	Fringes
BRICKLAYER BRICKLAYERS; CEMENT MASONS; PLASTERERS; STONE MASONS; MARBLE, TILE & TERRAZZO WORKERS	$ 50.81	32.27

BRMA0001-007 08/01/2023

SPRINGFIELD/PITTSFIELD CHAPTER
BERKSHIRE COUNTY

	Rates	Fringes
BRICKLAYER BRICKLAYERS; CEMENT MASONS; PLASTERERS; STONE MASONS; MARBLE, TILE &		

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     TERRAZZO WORKERS.....$ 50.81            32.27
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 CARP0056-004 08/01/2024

                                   Rates          Fringes

DIVER TENDER.....................$ 61.70            35.47
DIVER............................$ 78.11            35.47
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 CARP0056-009 08/01/2024

                                   Rates          Fringes

PILEDRIVERMAN....................$ 51.97            35.47
----------------------------------------------------------
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 CARP0336-005 03/01/2025

FRANKLIN COUNTY (Erving, Orange, North Orange, and Warwick)

                                   Rates          Fringes

CARPENTER........................$ 42.59            27.61
----------------------------------------------------------
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 CARP0336-010 03/01/2025

BERKSHIRE

                                   Rates          Fringes

CARPENTER........................$ 42.59            27.61
----------------------------------------------------------
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 CARP0336-012 03/01/2025

HAMPDEN; HAMPSHIRE; AND FRANKLIN (Remainder of County)

                                   Rates          Fringes

CARPENTER........................$ 42.59            27.61
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 CARP1121-004 01/06/2025
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	Rates	Fringes
MILLWRIGHT	$ 43.42	33.00

* ELEC0007-002 06/29/2025

HAMPDEN (Except Chester & Holyoke); HAMPSHIRE (Belchertown, Ware)

	Rates	Fringes
ELECTRICIAN	$ 52.16	29.56

* ELEC0007-003 06/29/2025

BERKSHIRE; FRANKLIN; HAMPDEN (Chester, Holyoke); HAMPSHIRE (Except Belchertown, Ware)

	Rates	Fringes
ELECTRICIAN	$ 52.16	29.56

ENGI0098-007 12/01/2024

	Rates	Fringes
Power equipment operators:		
Group 1	$ 42.88	31.04+A
Group 2	$ 42.57	31.04+A
Group 3	$ 42.35	31.04+A
Group 4	$ 39.12	31.04+A
Group 5	$ 38.00	31.04+A
Group 6	$ 36.06	31.04+A
Group 7	$ 54.38	31.04+A
Group 8	$ 44.06	31.04+A
Group 9	$ 44.37	31.04+A
Group 10	$ 46.38	31.04+A
Group 11	$ 47.38	31.04+A
Group 12	$ 48.88	31.04+A
Group 13	$ 49.88	31.04+A

Group 14.....$ 50.88 31.04+A
Group 15.....$ 52.38 31.04+A

HAZARDOUS WASTE PREMIUM $2.00

FOOTNOTE FOR POWER EQUIPMENT OPERATORS:
Group 8 and Group 9 are per day wages.
A. Paid Holidays: New year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day

POWER EQUIPMENT OPERATORS CLASSIFICATIONS
Group 1: Shovels; crawlers and truck cranes including all tower; self-propelled hydraulic cranes 10 tons and over; draglines; clam shells; cableways; shaft hoists; mucking machines derricks; backhoes; bulldozers; gradalls; elevating graders; pile drivers; concrete pavers; trenching machines; front end loaders- 5 1/2 cu yds and over; dual drum paver; automatic grader-excavator(C.M.I. or equal); scrapers towing pan or wagon; tandem dozers or push cats(2 units in tandem); shotcrete machine; tunnel boring machine; combination backhoe/loader 3/4 cu yd hoe or over; jet engine dryer; tree shredder; post hole digger; post hole hammer; post extractor; truck mounted concrete pump with boom; roto-mill; Grader; Horizontal Drilling Machine; John Henry Rock Drill and similar equipment.
Group 2: Rotary drill with mounted compressor; compressor house (3 to 6 compressors); rock and earth boring machines (excluding McCarthy and similar drills); front end loaders 4 cu yds to 5 1/2 cu yds); forklifts-7 ft lift and over 3 ton capacity; scraper 21 yds and over (struck load); sonic hammer console; reclaimers road planer/milling machine; cal tracks; ballast regulators; rail anchor machines; switch tampers, asphalt pavers; mechanic; welder and transfer machine.
Group 3: Combination backhoe/loader up to 3/4 cu yd;

scrapers up to 21 cu yd (struck load, self propelled or tractor drawn); tireman; front end loaders up to 4 yds; well drillers; engineer or fireman on high pressure boiler;
self-loading batch plant; well point operators electric pumps used in well point system; pumps, 16 inches and over
(total discharge); compressor, one or two 900 cu ft and over; powered grease truck; tunnel locomotives and dingys;
grout pumps; hydraulic jacks; boom truck; hydraulic cranes-
up to 10 ton.
Group 4: Asphalt rollers; self-powered rollers and compactors; tractor without blade drawing sheepsfoot roller; rubber tire roller; vibratory roller or other type
of compactors including machines for pulverizing and aerating soil; york rake.
Group 5: Hoists; conveyors; power pavement breakers; self-powered concrete pavement finishing machines; two bag
mixers with skip; McCarthy and similar drills; batch plants
(not self loading); bulk cement plants; self-propelled material spreaders; three or more 10 KW light plants; 30 KW or more generators; power broom.
Group 6: Compressor (one or two) 315 cu ft to 900 cu ft; pumps 4 inches to 16 inches (total discharge).
Group 7: Compressors up to 315 cu ft; small mixers with skip; pumps up to 4 inches; power heaters; oiler; A-frame trucks; forklifts-up to 7 ft. lift and up to 3 ton capacity; hydro broom; stud welder.
Group 8: Truck crane crews
Group 9: Oiler
Group 10: Master Mechanic
Group 11: Boom lengths over 150 feet including jib
Group 12: Boom lengths over 200 feet including jib
Group 13: Boom lengths over 250 feet including jib
Group 14: Boom lengths over 300 feet including jib
Group 15: Boom lengths over 350 feet including jib

IRON0007-014 03/16/2025

BERKSHIRE (Becket, East Otis, Hinsdale, Monterey, New Marlboro,
North Otis, Otis, Peru, Sandisfield, Savoy, Sheffield, Washington, Windsor); FRANKLIN; HAMPDEN; HAMPSHIRE

	Rates	Fringes
IRONWORKER	$ 41.15	33.25

IRON0012-003 07/01/2025

BERKSHIRE (Lee)

	Rates	Fringes
IRONWORKER	$ 40.75	31.91

IRON0012-004 07/01/2025

BERKSHIRE (Remainder of County)

	Rates	Fringes
Ironworkers:		
Sheeter	$ 41.00	31.91
Structural, Ornamental, Reinforcing, Fence Erector, Machinery Mover, Rigger, Rodman, Stone Derrickman	$ 40.75	31.91

LABO0022-002 12/01/2024

FRANKLIN (Orange, Warwick)

	Rates	Fringes
Laborers:		
GROUP 1	$ 38.95	29.70
GROUP 2	$ 39.20	29.70
GROUP 3	$ 39.70	29.70
GROUP 4	$ 39.95	29.70

GROUP 5	$ 39.70	29.70
GROUP 6	$ 40.95	29.70

LABORERS CLASSIFICATIONS

GROUP 1: Laborers; carpenter tenders; cement finisher tenders, plasterer tenders

GROUP 2: Asphalt raker; fence and guard rail erector; laser beam operator; mason tenmder; pipelayer; pneumatic drill operator; pneumatic tool operator; wagon drill operatorm jackhammer operator, pavement breaker, carbide core drilling machine, chain saw operator, barco type jumping tampers, concrete pump, motorized mortar miner, ride-on motorized buggy

GROUP 3: Air track operator; block paver; rammer; curb setter, hydraulic and similar self-powered drills

GROUP 4: Blaster; powderman

GROUP 5: Precast floor and roof, plank erector

GROUP 6: Asbestos Abatement, Toxic and Hazardous waste laborers

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LABO0473-005 12/01/2024

FRANKLIN (Except Orange and Warrick); HAMPDEN and HAMPSHIRE COUNTIES (with the exception of Chesterfield, Cummington, Goshen, Middlefield, Plainfield, and Worthington)

	Rates	Fringes
Laborers:		
Group 1	$ 35.00	29.70
Group 2	$ 35.00	29.70
Group 3	$ 35.00	29.70
Group 4	$ 35.00	29.70
Group 5	$ 27.01	29.70
Group 6	$ 35.00	29.70

LABORERS CLASSIFICATIONS

Group 1: Carpenter tenders, cement finisher tenders, laborers, wrecking laborers

Group 2: Asphalt rakers, fence and guard rail erectors, laser beam operator, mason tender, pipelayer, pneumatic drill operator, pneumatic tool operator, wagon drill operator

Group 3: Air track operator, block pavers, rammers, curb setters

Group 4: Blasters, powdermen

Group 5: Flaggers

Group 6: Asbestos abatement, toxic and Hazardous waste laborers

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LABO0473-006 12/01/2024

BERKSHIRE; HAMPSHIRE COUNTIES (the towns of Chesterfield, Cummington, Goshen, Middlefield, Plainfield, and Worthington
only)

	Rates	Fringes
Laborers:		
Group 1	$ 33.99	26.65
Group 2	$ 33.99	26.65
Group 3	$ 33.99	26.65
Group 4	$ 33.99	26.65
Group 5	$ 27.01	26.65
Group 6	$ 33.99	26.65

LABORERS CLASSIFICATIONS

Group 1: Carpenter tenders, cement finisher tenders, laborers, wrecking laborers

Group 2: Asphalt rakers, fence and guard rail erectors,

laser beam operator, mason tender, pipelayer, pneumatic drill operator, pneumatic tool operator, wagon drill operator

Group 3: Air track operator, block pavers, rammers, curb setters

Group 4: Blasters, powdermen

Group 5: Flaggers

Group 6: Asbestos abatement, toxic and Hazardous waste laborers

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LABO1421-002 12/02/2024

	Rates	Fringes
Laborers:		
Group 1	$ 46.25	29.70
Group 2	$ 47.00	29.70
Group 3	$ 47.25	29.70
Group 4	$ 42.25	29.70
Group 5	$ 45.35	29.70
Group 6	$ 46.25	29.70

Group 1: Adzeman, Wrecking Laborer.
Group 2: Burners, Jackhammers.
Group 3: Small Backhoes, Loaders on tracks, Bobcat Type Loaders, Hydraulic ""Brock"" Type Hammer Operators, Concrete Cutting Saws.
Group 4: Yardman (Salvage Yard Only).
Group 5: Yardman, Burners, Sawyers.
Group 6: Asbestos, Lead Paint, Toxic and Hazardous Waste.

PAIN0035-010 07/01/2024

	Rates	Fringes
PAINTER		
NEW CONSTRUCTION:		

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      Brush, Taper..............$ 38.78            31.85
      Spray, Sandblast..........$ 39.48            31.85
     REPAINT:
      Bridge....................$ 56.76            31.85
      Brush, Taper..............$ 35.40            31.85
      Spray, Sandblast..........$ 36.80            31.85
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 PLUM0004-003 03/01/2025

FRANKLIN (Orange)

                                      Rates          Fringes

Plumber and Steamfitter..........$ 55.00             30.17
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 PLUM0104-004 03/17/2025

BERKSHIRE (Becket, Otis, Sandisfield); FRANKLIN (Except
Monroe,
Rowe, and the Western part of Charlemont); HAMPDEN;
HAMPSHIRE


                                      Rates          Fringes

Plumbers and Pipefitters.........$ 51.26             29.85

FOOTNOTE:
  A.  Two paid holidays, Independence Day and Labor Day,
  provided the employee has been employed seven days prior
to
  the holiday by the same employer

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 PLUM0104-009 03/17/2025

BERKSHIRE (Except Otis, Becket, Sandisfield); FRANKLIN
(Monroe,
Rowe and the Western part of Charlemont)


                                      Rates          Fringes
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Plumber and Steamfitter.....$ 51.26 29.85

FOOTNOTE FOR PLUMBERS & STEAMFITTERS:
A. Paid holidays: Independence Day and Labor Day, provided
the employee has been employed seven days prior to the holiday by the same employer.

TEAM0379-001 06/01/2025

	Rates	Fringes
Truck drivers:		
Group 1	$ 40.78	37.35+a+b
Group 2	$ 40.95	37.35+a+b
Group 3	$ 41.02	37.35+a+b
Group 4	$ 41.14	37.35+a+b
Group 5	$ 41.24	37.35+a+b
Group 6	$ 41.53	37.35+a+b
Group 7	$ 41.82	37.35+a+b

POWER TRUCKS $.25 DIFFERENTIAL BY AXLE
TUNNEL WORK (UNDERGROUND ONLY) $.40 DIFFERENTIAL BY AXLE
HAZARDOUS MATERIALS (IN HOT ZONE ONLY) $2.00 PREMIUM

TRUCK DRIVERS CLASSIFICATIONS

Group 1: Station wagons; panel trucks; and pickup trucks

Group 2: Two axle equipment; & forklift operator

Group 3: Three axle equipment and tireman

Group 4: Four and Five Axle equipment

Group 5: Specialized earth moving equipment under 35 tons
other than conventional type trucks; low bed; vachual; mechanics, paving restoration equipment

Group 6: Specialized earth moving equipment over 35 tons

Group 7: Trailers for earth moving equipment (double hookup)

FOOTNOTES:

A. PAID HOLIDAYS: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Patriot's Day, Columbus Day, Veteran's Day, Thanksgiving Day and Christmas Day

B. PAID VACATION: Employees with 4 months to 1 year of service receive 1/2 day's pay per month; 1 week vacation for 1 - 5 years of service; 2 weeks vacation for 5 - 10 years of service; and 3 weeks vacation for more than 10 years of service

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

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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
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is available at
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Unlisted classifications needed for work not included within
the scope of the classifications listed may be added after
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The body of each wage determination lists the classifications
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A four-letter identifier beginning with characters other than
""SU"", ""UAVG"", ?SA?, or ?SC? denotes that a union rate was
prevailing for that classification in the survey. Example:

PLUM0198-005 07/01/2024. PLUM is an identifier of the union whose collectively bargained rate 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. The date, 07/01/2024 in the example, is the effective date of the most current negotiated rate.

Union prevailing wage rates are updated to reflect all changes over time that are reported to WHD in the rates in the collective bargaining agreement (CBA) governing the classification.

Union Average Rate Identifiers

The UAVG identifier indicates that no single rate prevailed for those classifications, but that 100% of the data reported for the classifications reflected union rates. EXAMPLE: UAVG-OH-0010 01/01/2024. UAVG indicates that the rate is a weighted union average rate. OH indicates the State of Ohio.
The next number, 0010 in the example, is an internal number used in producing the wage determination. The date, 01/01/2024 in the example, indicates the date the wage determination was updated to reflect the most current union average rate.

A UAVG rate will be updated once a year, usually in January, to reflect a weighted average of the current rates in the collective bargaining agreements on which the rate is based.

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internal number used in producing the wage determination. The date, 01/03/2024 in the example, reflects the date on which the classifications and rates under the ?SA? identifier took effect under state law in the state from which the rates were adopted.

WAGE DETERMINATION APPEALS PROCESS

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

a) a survey underlying a wage determination
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c) an initial WHD letter setting forth a position on a wage determination matter
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The request should be accompanied by a full statement of the interested party's position and 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:

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U.S. Department of Labor
200 Constitution Avenue, N.W.
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END OF GENERAL DECISION"

"General Decision Number: MA20250006 02/21/2025

Superseded General Decision Number: MA20240006

State: Massachusetts

Construction Type: Heavy Dredging

Counties: Massachusetts Statewide.
STATEWIDE

Massacusetts All Dredging, except self-propelled hopper dredges, on the Atlantic Coast & tributary waters emptying into
the Atlantic Ocean.

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)(1).

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 $17.75 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 2025.
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 $13.30 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 2025.	

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	01/03/2025
1	02/21/2025

* ENGI0025-001 10/01/2024

STATEWIDE

	Rates	Fringes
Dredging:		
CLASS A1	$ 47.07	15.34+a+b
CLASS A2	$ 41.94	14.99+a+b
CLASS B1	$ 40.71	14.90+a+b
CLASS B2	$ 38.31	14.73+a+b
CLASS C1	$ 37.26	14.66+a+b
CLASS C2	$ 36.07	14.57+a+b
CLASS D	$ 29.96	14.15+a+b

CLASSIFICATIONS:
CLASS A1: Deck Captain; Mechanical Dredge Operator, Leverman, Licensed Tug Operator over 1000 HP.
CLASS A2: Crane Operator (360 swing).
CLASS B1: Derrick Operator (180 swing), Spider/Spill Barge Operator, Engineer, Electrician, Chief Welder, Chief Mate, Fill Placer, Operator II, Maintenance Engineer, Licensed Boat Operator, Licensed Crew Boat Operator.
CLASS B2: Certified Welder.
CLASS C1: Mate, Drag Barge Operator, Assistant Fill Placer, Welder, Steward.
CLASS C2: Boat Operator.
CLASS D: Oiler, Deckhand, Shoreman, Rodman, Scowman, Cook, Messman, Porter/Janitor.

INCENTIVE PAY: (Add to Hourly Rate)
Operator (NCCCO License/Certification) $1.80 Licensed Tug

Operator over 1000 HP (Assigned as Master) (USCG licensed
Master of Towing Vessels (MOTV) $1.80; Licensed Boat Operator (Assigned as lead boat captain) USCG licensed boat operator $1.30; Engineer (QMED and Tankerman endorsement or licensed engineer (USCG) $1.80
Oiler (QMED and Tankerman endorsement (USCG) $1.80; All classifications (Tankerman endorsement only) USCG $1.55; Deckhand or Mate (AB with Lifeboatman endorsement (USCG) $1.80; All classifications (lifeboatman endorsement only (USCG) $1.55; Welder (ABS certification) $1.55

FOOTNOTES APPLICABLE TO ABOVE CRAFTS:
a. PAID HOLIDAYS: New Year's Day, Martin Luther King, Jr.'s
Birthday, Memorial Day, Good Friday, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day and Christmas Day
b. VACATION: Eight percent (8%) of the straight time rate,
multiplied by the total hours worked.

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

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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) (iii)).

The body of each wage determination lists the classifications
and wage rates that have been found to be prevailing for the
type(s) of construction and geographic area covered by the wage
determination. The classifications are listed in alphabetical
order under rate identifiers indicating whether the particular
rate is a union rate (current union negotiated rate), a survey
rate, a weighted union average rate, a state adopted rate, or a
supplemental classification rate.

Union Rate Identifiers

A four-letter identifier beginning with characters other than ""SU"", ""UAVG"", ?SA?, or ?SC? denotes that a union rate was prevailing for that classification in the survey. Example: PLUM0198-005 07/01/2024. PLUM is an identifier of the union whose collectively bargained rate 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. The date, 07/01/2024 in the example, is the effective date of the most current negotiated rate.

Union prevailing wage rates are updated to reflect all changes over time that are reported to WHD in the rates in the collective bargaining agreement (CBA) governing the classification.

Union Average Rate Identifiers

The UAVG identifier indicates that no single rate prevailed for those classifications, but that 100% of the data reported for the classifications reflected union rates. EXAMPLE: UAVG-OH-0010 01/01/2024. UAVG indicates that the rate is a weighted union average rate. OH indicates the State of Ohio.
The next number, 0010 in the example, is an internal number used in producing the wage determination. The date, 01/01/2024 in the example, indicates the date the wage determination was updated to reflect the most current union average rate.

A UAVG rate will be updated once a year, usually in January, to reflect a weighted average of the current rates in the

collective bargaining agreements on which the rate is based.

Survey Rate Identifiers

The ""SU"" identifier indicates that either a single non-union rate prevailed (as defined in 29 CFR 1.2) for this classification in the survey or that the rate was derived by computing a weighted average rate based on all the rates reported in the survey for that classification. As a weighted average rate includes all rates reported in the survey, it may include both union and non-union rates. Example: SUFL2022-007 6/27/2024. SU indicates the rate is a single non-union prevailing rate or a weighted average of survey data for that classification. FL indicates the State of Florida. 2022 is the year of the 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. The date, 6/27/2024 in the example, indicates the survey completion date for the classifications and rates under that identifier.

?SU? wage rates typically remain in effect until a new survey is conducted. However, the Wage and Hour Division (WHD) has the discretion to update such rates under 29 CFR 1.6(c)(1).

State Adopted Rate Identifiers

The ""SA"" identifier indicates that the classifications and prevailing wage rates set by a state (or local) government were adopted under 29 C.F.R 1.3(g)-(h). Example: SAME2023-007 01/03/2024. SA reflects that the rates are state adopted. ME

refers to the State of Maine. 2023 is the year during which the
state completed the survey on which the listed classifications
and rates are based. The next number, 007 in the example, is an
internal number used in producing the wage determination.
The date, 01/03/2024 in the example, reflects the date on which
the classifications and rates under the ?SA? identifier took
effect under state law in the state from which the rates were
adopted.

WAGE DETERMINATION APPEALS PROCESS

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

a) a survey underlying a wage determination
b) an existing published wage determination
c) an initial WHD letter setting forth a position on
a wage determination matter
d) an initial conformance (additional classification
and rate) determination

On survey related matters, initial contact, including requests
for summaries of surveys, should be directed to the WHD Branch
of Wage Surveys. Requests can be submitted via email to
davisbaconinfo@dol.gov or by mail to:

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

Regarding any other wage determination matter such as
conformance decisions, requests for initial decisions should be

directed to the WHD Branch of Construction Wage Determinations.Requests can be submitted via email to BCWD-Office@dol.gov or by mail 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 an initial decision has been issued, then any interested party (those affected by the action) that disagrees with the decision can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7).
Requests for review and reconsideration can be submitted via email to dba.reconsideration@dol.gov or by mail 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 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.
END OF GENERAL DECISION"

SPECIAL PROVISIONS

ERVING

Federal Aid Project Number: NHP(BNNHS)-0032(050)X
Bridge Replacement, E-10-011, Church Street over Keyup Brook

Labor participation goals for this Project shall be 15.3% for minorities and 6.9% for women for each job category. The goals are applicable to both Contractor's and Subcontractor's on-site construction workforce. Refer to Document 00820 for details.

SCOPE OF WORK

All work under this Contract shall be done in conformance with the *2025 Standard Specifications for Highways and Bridges, the Supplemental Specifications* contained in this book, the *Construction Standard Details* in effect as of June, 2025, the *1990 Standard Drawings for Signs and Supports*, the 2015 *Overhead Signal Structure and Foundation Standard Drawings*, the *2009 Manual on Uniform Traffic Control Devices (MUTCD) with Revisions 1, 2, and 3 and the November 2022 Massachusetts Amendments to the MUTCD, the 1968 Standard Drawings for Traffic Signals and Highway Lighting*, the latest edition of The *American Standard for Nursery Stock*, the Plans and these Special Provisions.

Bridge No. E-10-011 carries Church Street over Keyup Brook. The existing bridge is a 25'-10" single span, concrete slab bridge supported on cast-in-place concrete gravity abutments with a concrete slab at the stream bed. The bridge is currently structurally deficient with a deck and superstructure condition rating of 3. The bridge is currently weight posted for 3 tons vehicle and one-way direction within one-lane.

The intent of the project is to remove the existing concrete slab and a portion of the existing concrete abutments to allow for the installation of a new, three-sided, precast concrete frame on precast concrete footings. The south abutment of the bridge will be supported on a pile cap with micropiles, while the north abutment will be supported on a concrete spread footing. S3-TL4 bridge railings will replace the existing bridge rails. The proposed bridge has an out-to-out width that will vary from 49'-6" at the south abutment to 40'-0" at the north abutment, with two (2) 10-foot travel lanes and a 4-foot shoulder on each edge of the roadway. The bridge will also include a 5'-6" wide sidewalk along the west side of the bridge for pedestrians. The project limits on Church Street begin at Sta. 10+70 and ends at Sta. 12+13.76.

SUBSECTION 7.05 INSURANCE REQUIREMENTS
B. Public Liability Insurance

The insurance requirements set forth in this subsection are in addition to the requirements of the Standard Specifications and supersede all other requirements.

Paragraphs 1 and 2

The Massachusetts Department of Transportation and applicable railroads shall be named as additional insureds.

Paragraph 4

Asbestos Liability Insurance shall be obtained for this project. The Contractor and the Massachusetts Department of Transportation shall be named as additional insureds.

The Town of Erving, MA. shall be named as an additional insured on all policies.

CONTRACTOR QUESTIONS AND ADDENDUM ACKNOWLEDGEMENTS

Prospective bidders are required to submit all questions to the Construction Contracts Engineer by 3:00 P.M. on the Tuesday of the previous week before the scheduled bid opening date. Any questions received after this time will not be considered for review by the Department.

Contractors should email questions and addendum acknowledgements to the following email address massdotspecifications@dot.state.ma.us The MassDOT proposal number and municipality is to be placed in the subject line.

SOIL STOCKPILING DIRECTIVE P-22-001

Any stockpiling of soil must be performed in compliance with Policy Directive P-22-001, Off-Site Stockpiling of Soil from MassDOT Construction Projects. This directive limits the allowable locations for off-site stockpiling of soil generated during MassDOT projects and includes various requirements that must be satisfied by the contractor prior to off-site stockpiling. The Contractor is responsible for identifying a suitable stockpile location.

CONTAMINATED SOIL

Soil to be removed from the project area shall not be assumed to be uncontaminated and must be evaluated prior to off-site management for potential contamination with hazardous materials. No soil may be disposed of off-site without proper assessment by the contractor and approval from the Resident Engineer (RE), District Environmental Engineer (DEE), or the project designee.

PUBLIC SAFETY AND CONVENIENCE

(Supplementing Subsection 7.09)

The Contractor is hereby notified that the Temporary Traffic Control Plan anticipates a full roadway closure and detour of Church Street within a defined timeframe to support work for construction of the Church Street bridge in Erving MA. The roadway closure shall occur for the duration of the construction of the project. The Contractor shall submit a proposed plan to the Engineer for review and approval. The dates for closures of the Church Street shall be submitted by the Contractor to MassDOT at the Preconstruction Conference for approval.

The majority of the work activities on this project are expected to be done during daytime hours utilizing a standard schedule for work during a 5-day work week, with the Prime Contractor and all Subcontractors working on the same shift. Unless otherwise noted in the Contract documents or as approved by MassDOT and The Town of Erving, work will be performed Monday through Friday between the hours of 7:00 AM and 3:30 PM.

The Contractor cannot work at any other times unless written approval from the Engineer is obtained. The Contractor may request the Engineer's written approval to work additional shifts.

Extensive public outreach is anticipated in advance of the closures. Public outreach will be completed by the design engineer, Weston & Sampson. The Contractor shall begin coordination with MassDOT and the consultant a minimum of one (1) month prior to the anticipated first closure.

TRUCK SAFETY DEVICES

(Supplementing Subsection 7.04: Motor Vehicles)

All motor vehicles subject to Section 7 of Chapter 90 to be operated under this Contract shall be equipped with safety devices as provided therein and in 540 CMR 4.00.

By December 31, 2025, the Contractor shall certify to the Registry of Motor Vehicles, in a manner prescribed by the Registrar, that all applicable vehicles are equipped with Lateral Protective Devices, Convex Mirrors, Cross Over Mirror(s) and Back Up Cameras in accordance with the requirements of 540 CMR 4.00.

The Contractor shall provide evidence satisfactory to the Department to demonstrate compliance with the above certification requirement for all applicable vehicles operated under this Contract by the Contractor and its subcontractors and vendors in a manner set forth by the Department. Thereafter, the Contractor shall have an affirmative obligation to continue to provide such evidence of compliance on an ongoing basis and no later than 7 days after certification with the Registry of Motor Vehicles of any additional vehicles operated under this Contract by the Contractor and its subcontractors and vendors.

Non-compliance with respect to a vehicle that is subject to 540 CMR 4.00 may subject the Contractor to statutory fines as established in M.G.L. c. 90, § 7 and/or contractual remedies up to and including termination of the Contract.

HOLIDAY WORK RESTRICTIONS

(Supplementing Subsection 7.09)

The District Highway Director (DHD) may authorize work to continue during these specified time periods if it is determined by the District that the work will not negatively impact the traveling public. DHD may allow work in those areas on a case by case basis and where work is behind barrier and will not impact traffic

Below are the holiday work restrictions:

New Years Day (Federal Holiday)
No work on major arterial roadways from 5:00 AM on the day before until the normal start of business on the next subsequent business day. No work on local roadways on the holiday without permission by the DHD and the local police chief.

Martin Luther King's Birthday (Federal Holiday)
No work restrictions due to traffic concerns, however work on local roadways requires permission by the DHD and local police chief.

President's Day (Federal Holiday)
No work restrictions due to traffic concerns, however work on local roadways requires permission by the DHD and local police chief.

Evacuation Day (Suffolk County State Holiday)
No work restrictions due to traffic concerns.

Patriot's Day (State Holiday)
Work restrictions will be in place for Districts 3 and 6 along the entire Boston Marathon route and any other locations that the DHD in those districts determine are warranted so as to not to impact the marathon. All other districts work restrictions will be as per DHD.

Mother’s Day
No work on Western Turnpike and Metropolitan Highway System from 5:00 AM on the Friday before, until the normal start of business on the following day.

HOLIDAY WORK RESTRICTIONS (Continued)

Memorial Day (Federal Holiday)
No work on major arterial roadways from 5:00 AM on the Friday before, until the normal start of business on the following day.

Bunker Hill Day (Suffolk County State Holiday)
No work restrictions due to traffic concerns.

Juneteenth
No work restrictions due to traffic concerns, however work on local roadways requires permission by the DHD and local police chief.

Independence Day (Federal Holiday)
No work on major arterial roadways from 5:00 AM on the day before until the normal start of business on the next subsequent business day. No work on local roadways on the holiday without permission by the DHD and the local police chief.

Labor Day (Federal Holiday)
No work on major arterial roadways from 5:00 AM on the Friday before, until the normal start of business on the following day.

Columbus Day (Federal Holiday)
No work on major arterials from 5:00 AM on the Friday before, until the normal start of business on the following day

Veterans' Day (Federal Holiday)
No work restrictions due to traffic concerns.

Thanksgiving Day (Federal Holiday)
No work on major arterials from 5:00 AM two days before until the normal start of business on the following Monday.

Christmas Day (Federal Holiday)
No work on major arterial roadways from 5:00 AM on the day before until the normal start of business on the next subsequent business day.

SUBSECTION 8.02 SCHEDULE OF OPERATIONS
Replace this subsection with the following:

An integrated cost and schedule controls program shall be implemented by the Contractor to track and document the progress of the Work from Notice to Proceed (NTP) through the Contractor Field Completion (CFC) Milestone. The Contractor's schedules will be used by the Engineer to monitor project progress, plan the level-of-effort required by the Department's work force and consultants and as a critical decision-making tool. Accordingly, the Contractor shall ensure that it complies fully with the requirements specified herein and that its schedules are both accurate and updated as required by the specification throughout the life of the project. Detailed requirements are provided in Division II, Section 722 Construction Scheduling.

SUBSECTION 8.03 PROSECUTION OF WORK

Add/amend the following at the end of the Section:

Contractual Milestones

This Contract contains the following Contractual Milestones that are to be included in the Contractor's Baseline Contract Progress Schedule submission. The Contractor shall identify the completion of the work pertaining to each Contractual Milestone through the inclusion of a Finish Milestone in the accepted baseline Contract Progress Schedule.

• **MS#01 – Contractor Field Completion:** The Contractor shall achieve Contractor Field Completion within 759 calendar days from Notice to Proceed.

Contractor Field Completion shall be defined as the date that completion of all physical Contract Work has been performed, including the completion of the punch-list work and the Contractor has fully de-mobilized from the field operations.

• **MS#02 –Substantial Completion:** The Contractor shall achieve Substantial Completion within 729 calendar days from Notice to Proceed.

Substantial Completion shall be described as the date that a walkthrough of the entire Contract Work has been performed by the Resident Engineer, and the Work required by the Contract, including paperwork, has been completed, except for work having a Contract price of less than one percent of the adjusted Contract price, including overruns, under runs and all Contract amendments. All Material submittals must have been received by the District Materials Lab.

• **MS#03 – Full Beneficial Use:** The Contractor shall achieve Full Beneficial Use within 682 calendar days from Notice to Proceed.

Full Beneficial Use shall be described as the date that the majority of the Contract Work has been completed and the asset(s) has been opened for full multi-modal transportation use, except for limited Contract work items that do not materially impair or hinder the intended public use of the transportation facility. All anticipated lane takings have been completed, except for minor, short term work items.

DRAINAGE STRUCTURES

Where new pipe is shown on the drawings to be connected into an existing drainage structure to remain, the existing structure shall be first cleaned to remove all mud, debris and other material. The existing structure wall shall be carefully and neatly cored using mechanical means to provide the minimum size opening required for the insertion of the new pipe. The proposed pipe end shall be set or cut off flush with the inside face of the existing structure wall and the remaining space around the pipe completely filled with cement grout for the full thickness of the structure wall.

Existing shaped inverts shall be reconstructed as necessary to provide a smooth and uniform flow channel from the new pipe through the existing structure.

No separate payment will be made for the cost of connecting new pipes into existing structures, cleaning and necessary alterations of existing structures, but all costs in connection therewith shall be included in the unit prices bid for the various pipe items.

MATERIALS AND EQUIPMENT REMOVED AND STACKED

All materials scheduled to be removed and stacked shall be delivered to the Town of Erving Highway Garage located at 16 Public Works Boulevard, Erving, MA. If the Engineer determines that any part of the stacked materials is unsuitable for re-use, or if the Town decides to abandon part or all of such materials, said materials shall become the property of the Contractor and he shall dispose of them outside and away from the limits of the project, without additional compensation.

BIDDERS LIST

Pursuant to the provisions of 49 CFR Part 26.11 all official bidders will be required to report the names, addresses and telephone numbers of all firms that submitted bids or quotes in connection with this project. Failure to comply with a written request for this information within 15 business days may result in a recommendation to the Prequalification Committee that prequalification status be suspended until the information is received.

The Department will survey all firms that have submitted bids or quotes during the previous year prior to setting the annual goal and shall request that each firm report its age and gross receipts for the year.

CONCRETE FOUNDATIONS

Concrete foundations of items to be removed, if not interfering with the proposed construction, may be abandoned in place with written acceptance of the Engineer. Foundations left in place under the roadway surface shall be removed to a depth of three feet (3') below the finished grade; all other foundations left in place shall be removed to a depth of six inches (6") below the finished grade. The top six inches (6") shall be restored to match the existing grade with materials similar in kind to the adjacent materials.

ENVIRONMENTAL PERMITTING

The proposed work occurs in jurisdictional wetland resources subject to section 401 or section 404 of the Clean Water Act; therefore, a Water Quality Certification from the Massachusetts Department of Environmental Protection and/or authorization from the US Army Corps of Engineers has been obtained. The Contractor is advised that all terms and conditions within the said permits shall be strictly adhered to. The proposed work qualifies for the bridge exemption authorized in the Transportation Bond Bill and therefore not subject to the Massachusetts Wetlands Protection Act, the Massachusetts Public Waterfront Act (chapter 91), or the Massachusetts Environmental Policy Act.

If the field conditions and/or Contractor-proposed erection, demolition, staging, or other procedures require work to occur in or otherwise impact water or wetland resource areas, the Contractor is advised that no associated work can occur until all required environmental permits have been obtained allowing such work. The Contractor must notify the District 2 Highway Director and Resident Engineer in writing at least 60 days prior to the desired commencement of the proposed activity. All environmental submittals, including any contract with Local, State or Federal environmental agencies, must be coordinated with the District Environmental Engineer. The Contractor is expected to fully cooperate with requests for information and provide same in a timely manner. The Contractor is further advised that the Department will not entertain a delay claim due to the time required to obtain the environmental permits.

BOUNDS

The Contractor shall exercise due care when working around all bounds which are to remain. Should any damage to a bound result from the actions of the Contractor, it shall be replaced and/or realigned by the Contractor as required by the Engineer. No further compensation will be due the Contractor for the materials and labor required to reestablish the bound in its proper orientation. All bounds, including new bounds as shown on the plans, and bounds replaced or realigned shall be installed by a Land Surveyor registered in the Commonwealth of Massachusetts.

Bounds shown on the plans to be removed shall be carefully removed and delivered and stacked at the Town of Erving Highway Garage located at 16 Public Works Boulevard, Erving, MA unless otherwise directed. The cost of this work shall be considered incidental to the project.

SUBSECTION 8.14 UTILITY COORDINATION, DOCUMENTATION, AND MONITORING RESPONSIBILITIES

A. GENERAL

In accordance with the provisions of Section 8.00 Prosecution and Progress, utility coordination is a critical aspect to this Contract. This section defines the responsibility of the Contractor and MassDOT, with regard to the initial utility relocation plan and changes that occur as the prosecution of the Work progresses. The Engineer, with assistance from the Contractor shall coordinate with Utility companies that are impacted by the Contractor's operations. To support this effort, the Contractor shall provide routine and accurate schedule updates, provide notification of delays, and provide documentation of the steps taken to resolve any conflicts for the temporary and/or permanent relocations of the impacted utilities. The Contractor shall provide copies to the Engineer of the Contractor communication with the Utility companies, including but not limited to:

- Providing advanced notice, for all utility-related meetings initiated by the Contractor.
- Providing meeting minutes for all utility-related meetings that the Contractor attends.
- Providing all test pit records.
- Request for Early Utility work requirements of this section (see below).
- Notification letters for any proposed changes to Utility start dates and/or sequencing.
- Written notification to the Engineer of all apparent utility delays within seven (7) Calendar Days after a recognized delay to actual work in the field – either caused by a Utility or the Contractor.
- Any communication, initiated by the Contractor, associated with additional Right-of-Way needs in support of utility work.
- Submission of completed Utility Completion Forms.

B. PROJECT UTILITY COORDINATION (PUC) FORM

The utility schedule and sequence information provided in the Project Utility Coordination Form (if applicable) is the best available information at the time of the bid and has been considered in setting the contract duration. The Contractor shall use all of this information in developing the bid price and the Baseline Schedule Submission, inclusive of the individual utility durations sequencing requirements, and any work that has been noted as potentially concurrent utility installations.

C. INITIATION OF UTILITY WORK

The Engineer will issue all initial notice-to-proceed dates to each Utility company based on either the:

1) Contractor's accepted Baseline Schedule
2) An approved Early Utility Request in the form of an Early Utility sub-net schedule (in accordance with the requirements of this Subsection)
3) An approved Proposal Schedule

C.1 - BASELINE SCHEDULE – UTILITY BASIS

The Contractor shall provide a Baseline Schedule submission in accordance with the requirements of Subsection 8.02 and inclusive of all of the information provided in the PUC Form that has been issued in the Contract documents. This is to include the utility durations, sequencing of work, allowable concurrent work, and all applicable considerations that have been depicted on the PUC Form.

SUBSECTION 8.14 (Continued)

C.2 – EARLY UTILITY REQUEST – (aka SUBNET SCHEDULE) PRIOR TO THE BASELINE
All early utility work is defined as any anticipated/required utility relocations that need to occur prior to the Baseline Schedule acceptance. In all cases of proposed early utility relocation, the Contractor shall present all known information at the pre-construction conference in the form of a 'sub-net' schedule showing when each early utility activity needs to be issued a notice-to-proceed. The Contractor shall provide advance notification of this intent to request early utility work in writing at or prior to the Pre-Construction meeting. Prior to officially requesting approval for early utility work, the Contractor shall also coordinate with MassDOT and all utility companies (private, state or municipal) which may be impacted by the Contract. If this request is acceptable to the Utilities and to MassDOT, the Engineer will issue a notice-to-proceed to the affected Utilities, based on these accepted dates.

C.3 – PROPOSAL SCHEDULE - CHANGES TO THE PUC FORM
If the Contractor intends to submit a schedule (in accordance with MassDOT Standard Specifications, Division I, Subsection 8.02) that contains durations or sequencing that vary from those provided in the Project Utility Coordination (PUC) Form, the Contactor must submit this as an intended change, in the form of a Proposal Schedule and in accordance with MassDOT Standard Specifications, Division I, Subsection 8.02. These proposed changes are subject to the approval of the Engineer and the impacted utilities, in the form of this Proposal Schedule and a proposed revision to the PUC form. The Contractor shall not proceed with any changes of this type without written authorization from the Engineer, that references the approved Proposal Schedule and PUC form changes. The submission of the Baseline Schedule should not include any of these types of proposed utility changes and should not delay the submission of the Baseline Schedule. As a prerequisite to the Proposal Schedule submission, and in advance of the utility notification(s) period, the Contractor shall coordinate the proposed utility changes with the Engineer and the utility companies, to develop a mutually agreed upon schedule, prior to the start of construction.

D. UTILITY DELAYS
The Contractor shall notify the Engineer upon becoming aware that a Utility owner is not advancing the work in accordance with the approved utility schedule. Such notice shall be provided to the Engineer no later than seven (7) calendar days after the occurrence of the event that the Contractor believes to be a utility delay. After such notice, the Engineer and the Contractor shall continue to diligently seek the Utility Owner's cooperation in performing their scope of Work.

In order to demonstrate that a critical path delay has been caused by a third-party Utility, the Contractor must demonstrate, through the requirements of the monthly Progress Schedule submissions and the supporting contract records associated with Subsection 8.02, 8.10 and 8.14, that the delays were beyond the control of the Contractor.

SUBSECTION 8.14 (Continued)

All documentation provided in this section is subject to the review and verification of the Engineer and, if required, the Utility Owner. In accordance with MassDOT Specifications, Division I, Subsection 8.10, a Time Extension will be granted for a delay caused by a Utility, only if the actual duration of the utility work is in excess of that shown on the Project Utility Coordination Form, and only if;

1) proper Notification of Delay was provided to MassDOT in accordance with the time requirements that are specified in this Section
2) the utility delay is a critical path impact to the Baseline Schedule (or most recently approved Progress Schedule)

E. LOCATION OF UTILITIES

The locations of existing utilities are shown on the Contract drawings as an approximation only. The Contractor shall perform a pre-construction utility survey, including any required test pits, to determine the location of all known utilities no later than thirty (30) calendar days before commencing physical site work in the affected area.

F. POST UTILITY SURVEY – NOTIFICATION

Following completion of a utility survey of existing locations, the Contractor will be responsible to notify the Engineer of any known conflicts associated with the actual location of utilities prior to the start of the work. The Engineer and the Contractor will coordinate with any utility whose assets are to be affected by the Work of this Contract. A partial list of utility contact information is provided in the Project Utility Coordination Form.

G. MEETINGS AND COOPERATION WITH UTILITY OWNERS

The Contractor shall notify the Engineer in advance of any meeting they initiate with a Utility Owner's representative to allow MassDOT to participate in the meeting if needed.

Prior to the Pre-Construction Meeting, the Contractor should meet with all Utility Owners who will be required to perform utility relocations within the first 6 months of the project, to update the affected utilities of the Project Utility Coordination Form and all other applicable Contract requirements that impact the Utilities. The Contractor shall copy the Engineer on any correspondence between the Utility Owner and the Contractor.

H. FORCE ACCOUNT / UTILITY MONITORING REQUIREMENTS

The Engineer will be responsible for recording daily Utility work force reports. The start, suspension, re-start, and completion dates of each of the Utilities, within each phase of the utility relocation work, will be monitored and agreed to by the Engineer and the Contractor as the work progresses.

I. ACCESS AND INSPECTION

The Contractor shall be responsible for allowing Utility owners access to their own utilities to perform the relocations and/or inspections. The Contractor shall schedule their work accordingly so as not to delay or prevent each utility from maintaining their relocation schedule.

COMPLIANCE WITH THE NATIONAL DEFENSE AUTHORIZATION ACT

(Supplementing Subsection 7.01)

On all projects, the "Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment" Regulation (2 CFR 200.216) prohibits the Contractor from using or furnishing the following telecommunications equipment or services:

- Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
- For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
- Telecommunications or video surveillance services provided by such entities or using such equipment.
- Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

This prohibition applies to all products manufactured by the aforementioned companies, including any individual components or parts.

By submitting a bid on a project, the Contractor certifies that all work will be in compliance with the terms of 2 CFR 200.216. The Contractor shall submit a COC indicating compliance with the above provisions for all telecommunications equipment or services included in the Contract.

Payment for the item in which the materials are incorporated may be withheld until these COCs are received. Any cost involved in furnishing the certificate(s) shall be borne by the Contractor.

EMERALD ASH BORER ADVISORY

To the extent possible, all trees and brush shall be disposed on site, typically chipped and spread in place. When trees or brush must be removed, such as in urban, or otherwise populated areas, Contractor shall identify proposed location for disposal, and provide written notification to the Engineer for approval. Disposal shall be in city or town of project, or at minimum, within county, of construction operations.

BUILD AMERICA BUY AMERICA PREFERENCE

On Federally-aid projects the Buy America (23.CFR § 635.410) and Build America, Buy America Act. requires the following,

(1) all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, must occur in the United States. Foreign steel and iron can be used if the cost of the materials does not exceed 0.1% of the total Contract cost or $2,500, whichever is greater. The action of applying a coating to a covered material (i.e., steel and iron) is deemed a manufacturing process subject to Buy America. Coating includes epoxy coating, galvanizing, painting and any other coating that protects or enhances the value of a material subject to requirements of Build America, Buy America. Steel used for temporary support of excavation, including H piles, soldier piles, and sheeting when the steel is required to be left in place is subject to requirements of Build America, Buy America. Temporary steel, shall remain in place when it falls within the influence zone of the soil supporting any structure or railroad tracks.

(2) all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States and

(3) all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States. “Construction materials” includes an article, material, or supply—other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives—that is or consists primarily of:

- non-ferrous metals,
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables),
- glass (including optic glass),
- lumber; or
- drywall.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

All articles, materials, and supplies should be classified as an iron or steel product, a manufactured product, or another product as specified by law or in 2 CFR part 184 (such other products specified by law or in 2 CFR part 184 include “excluded materials” and “construction materials”); an article, material, or supply must not be considered to fall into multiple categories.

NOTE: The requirements for manufactured products indicated in paragraph (2) above are not in effect for this contract.

NOTICE TO OWNERS OF UTILITIES

The bridge and highway plans indicate the location of the existing known utilities in the vicinity of the work. As the accuracy and completeness of the plans are not guaranteed in any manner, it is the Contractor's responsibility to make his own investigation in order to assure that no damage to existing structures, drainage lines, traffic signal conduits, etc., will occur.

Written notice shall be given by the Contractor to all public service corporations or officials owning or having charge of publicly or privately owned utilities of his/her intention to commence operations affecting such utilities at least one week in advance of the commencement of such operations and the Contractor shall at that time file a copy of such notice with the Engineer.

A list of public and private utilities can be found on the MassDOT website at: https://www.mass.gov/info-details/utility-contacts-by-district-and-municipality
Select District 2 on the webpage,
Select the City/Town, and then locate the utility.

The utility contact list is for guidance only and is not guaranteed to be complete or up to date. Town officials are shown at website https://www.mass.gov/lists/massachusetts-cities-and-towns and select the required City/Town website.

State Police are shown at website https://www.mass.gov/orgs/massachusetts-state-police/locations. Select the area of jurisdiction to find the local station.

The Contractor shall be responsible for informing the following officials in each area that he is assigned to work in:

Superintendent, Department of Public Works or Town Engineer.
Superintendent, Water Department, Superintendent, Sewer Departments.
Police Department, Fire Department, Electric Company, Railroads.

NOTICE TO OWNERS OF UTILITIES (Continued)

TOWN OF ERVING TELEPHONE NUMBERS

HIGHWAY DEPARTMENT:
Glenn McCrory, Superintendent: 413-423-3500 Ext. 1400

WATER DEPARTMENT:
Emergency: 413-423-3354 ext. 1402
Peter Sanders, Superintendent: 413-423-3354
Contact: Andrew Tessier, 413-422-2800

WASTEWATER DEPARTMENT:
Emergency: 413-625-8200
Peter Sanders, Superintendent: 413-423-3354
Contact: Mike Pierce, 413-423-3354

POLICE DEPARTMENT:
Non-Emergency: 413-423-3310
Robert Holst, Polic Chief

FIRE DEPARTMENT:
Non-Emergency: 413-423-3866
Philip Wonkka, Fire Chief/EMT: 413-423-3866 ext. 1221

FRANKLIN TRANSIT MANAGEMENT
Wayne R. Waldron, General Manger 413-774-2262 Ext 102

FRANKLIN REGIONAL TRANSIT CENTER
Michael Perrault, Deputy Administrator
John W. Olver, General Manger 413-774-2262 Ext 105

NATIONAL GRID EMERGENCY TELEPHONE NUMBERS

ELECTRIC:
Outage/ Emergency: 1-800-465-1212
New Service: 1-800-375-7405
Customer Support: 1-800-322-3223

EVERSOURCE EMERGENCY TELEPHONE NUMBERS

ELECTRIC:
Outage/ Emergency: 800-592-2000 or 844-726-7562
New Service: 1-888-633-3797 (1-888-need pwr)
Customer Support: 1-800-340-9822

EQUIVALENT SINGLE AXLE LOADS (ESALS)

The estimated traffic level to be used for SUPERPAVE HMA mixture designs for this Contract, expressed in Equivalent Single Axle Loads (ESALs) for the design travel lane over a 20-year period, is 0.25 Million 18-kip (80-kn) ESALs.

NOTIFICATION OF FUNDING SOURCES FOR WORK TO BE PAID BY OTHERS

This contract has an agreement with the ***Town of Erving;*** whereas when the construction costs for the contract scope exceed the total participating contract bid price by more than ten percent (10%), the ***Town*** shall be responsible for the amount over 110% of the total participating contract bid price.

GENERAL REQUIREMENTS FOR DEMOLITION AND WORK INVOLVING PAINTED STEEL

(02/06/2020)

Demolition and work involving painted steel shall conform to the requirements of Subsection 961 of the Standard Specifications.

Work Involving Painted Steel

Hazardous materials shall be removed in the immediate area of any intended welding, heating, saw cutting or burning of steel. Hazardous material removal is required to allow the demolition of structural steel, railings, drainage systems, utility supports, steel lamp posts, etc.

The contractor shall assume that the coatings on the steel contain lead (Pb), unless otherwise determined by testing. The contractor shall certify in writing to the Engineer the results of all testing, and shall also certify that any lead (Pb) coated steel removed from the project was not reused or buried, but was sent to a scrap metal recycling facility.

Implement and maintain programs and procedures, which comply with the requirements of this specification and all applicable standards and regulations. Comply with all applicable regulations even if the regulation is not specifically referenced herein. If a state or local regulation is more restrictive than the regulation of this specification, follow the more restrictive requirements.

This requirement is intended only for the demolition and preparation prior to repair and does not include provisions for recoating of steel.

Environmental

All applicable portions of Subsections 961.65 “Worker Protection” and 961.66 “Environmental Protection and Monitoring” shall be followed when performing this work.

During chemical stripping a hand washing facility may be used in lieu of a decontamination/changing facility.

Hazardous material shall be collected during the disassembly and disposed of as outlined in Subsection 961.68 “Handling of Hazardous Waste and Reporting Release Programs”.

The applicable submittals shall be according to Subsection 961.69 “Submittals”.

GENERAL REQUIREMENTS FOR DEMOLITION AND WORK INVOLVING PAINTED STEEL (Continued)

Cleaning/Removal

Cutting Or Burning Of Steel

All surfaces to be welded, heated, saw cut or burned shall be cleaned so as to remove all contaminants and/or hazardous materials, which could be discharged to the environment as a function of the subsequent operations.

Lead paint shall be removed in its entirety in an area prescribed by a 6 inch (15 cm) minimum offset from the required work. The paint removal operation may be dry abrasive blasting, wet abrasive blasting or chemical stripping.

Proper level of containment shall be used when performing this work in accordance with Subsection 961.67 "Containment". Full containment is not required during chemical stripping operation however; the Contractor shall install proper shielding and/or tarpaulins under the chemical stripping operations in order to catch all debris generated during this procedure. A cleaned area must be inspected and approved before the demolition operations are started.

During cleaning operations the Contractor shall be required to furnish and erect temporary floodlights illuminating the steel surface at a minimum of 30-foot candles. This lighting shall be used in areas where there is insufficient lighting for proper cleaning operations and inspection. The Contractor shall supply electrical power.

The Contractor shall provide support for interim and final inspection of the bridge during cleaning operations. This support shall include the necessary traffic controls and safe access to the work.

Mechanical Disassembly Of Steel

All surfaces to be mechanically disassembled by shear cutting or removing bolts or rivets shall not require deleading. When shear cutting or removing bolts or rivets, the Contractor shall not use any method that will cause dust and/or particles to be emitted and/or dispersed into the environment to an extent that would expose the workers above the Action Levels of 30µg/m3.

For purposes of limiting the lead (Pb) dust, the Contractor will be required to dampen the lead paint work areas.

The contractor shall install a proper shielding and/or tarpaulins under all lead-paint-coated surfaces to be shear cut or bolts or rivets ordered removed in order to catch any loose lead paint chips, dust or particles.

PIGEON WASTE

The Contractor shall remove and dispose of the pigeon waste and any other debris accumulated on the steel members and bridge seats in areas where work is being performed. Pigeon waste and debris material contaminants will require special handling and disposal in accordance with all Federal, state, and local requirements. No separate payment will be made for removal and disposal of pigeon waste. Cost shall be incidental to the Contract pay items.

SECTION 722
CONSTRUCTION SCHEDULING
DESCRIPTION

722.20 General

The Contractor's approach to prosecution of the Work shall be disclosed to the Department by submission of a Critical Path Method (CPM) schedule and a cost/resource loaded Construction Schedule as defined by the schedule type set forth below. These requirements are in addition to any requirements imposed in other sections.

This section establishes the requirement for scheduling submissions. There are four schedule types identified as types A, B, C and D.

All schedules shall be prepared and submitted in accordance with this specification and the instructions contained in the Construction Schedule Toolkit located on the MassDOT-Highway Division website at https://www.mass.gov/info-details/massdot-highway-contractors-schedule-toolkit.

Type A –

- Schedule Planning Session
- Baseline CPM Schedule
- Monthly Update CPM Schedule
- Short-term Construction Schedule
- Contract Schedule Update Meeting
- Cost-loaded & Resource Loaded CPM
- Resources Graphic Reporting
- Cash Flow Projections from the CPM
- Cash Flow Charts
- Monthly Projected Spending Report (PSR)
- Contractor-furnished CPM software and computer

Type B –

- Schedule Planning Session
- Baseline CPM Schedule
- Monthly Update CPM Schedule
- Short-term Construction Schedule
- Contract Schedule Update Meeting
- Cost-loaded & Resource Loaded CPM
- Monthly Projected Spending Report (PSR)
- Contractor-furnished CPM software and computer

Type C –

- Schedule Planning Session
- Baseline CPM Schedule
- Monthly Update CPM Schedule
- Short-term Construction Schedule
- Contract Schedule Update Meeting
- Monthly Projected Spending Report (PSR)
- Contractor-furnished CPM software and computer

SECTION 722 (Continued)

Type D -

- Bar chart schedule updated monthly or at the request of the Engineer
- Short-term Construction Schedule
- Monthly Projected Spending Report (PSR)

EQUIPMENT, PERSONNEL

722.40 General

A. **Software Requirements**

The Contractor shall use Primavera P6 computer scheduling software.

In addition to the requirements of Section 740 – Engineer's Field Office and Equipment, the Contractor shall provide to the Department one (1) copy of the scheduling software, one (1) software license and one (1) computer capable of running the scheduling software for the duration of the Contract. This computer and software shall be installed in the Engineer's Field Office. The computer and software shall be maintained and serviced at no additional cost to the Department.

B. Scheduler Requirements

The Scheduler shall be approved by the Engineer.

For Type A, B and C Schedules the name of the Contractor's Project Scheduler together with his/her qualifications shall be submitted to the Department for approval by the Engineer within seven (7) Calendar Days after NTP. The Project Scheduler shall have a minimum of five (5) years of project CPM scheduling experience, three (3) years of which shall be on projects of similar scope and value as the project for which the Project Scheduler is being proposed. References shall be provided from past projects that can attest to the capabilities of the Project Scheduler.

SCHEDULING METHODS

722.60 General

A. **Schedule Planning Session**

The Contractor shall conduct a schedule planning session prior to submission of the Baseline Schedule. This session will be attended by the Department and its consultants. During this session, the Contractor shall present its planned approach to the project including, but not limited to:

1. the Work to be performed by the Contractor and its subcontractors;
2. the planned construction sequence and phasing; planned crew sizes;
3. summary of equipment types, sizes, and numbers to be used for each work activity;
4. all early work related to third party utilities;
5. identification of the most critical submittals and projected submission timelines;
6. estimated durations of major work activities;
7. the anticipated Critical Path of the project and a summary of the activities on that Critical Path;
8. a summary of the most difficult schedule challenges the Contractor is anticipating and how it plans to manage and control those challenges;

SECTION 722 (Continued)

9. a summary of the anticipated quarterly cash flow over the life of the project.

This will be an interactive session and the Contractor shall answer all questions that the Department and its consultants may have. The Contractor shall provide a written summary of the information presented and discussed during the session to the Engineer. The Contractor's Baseline Schedule and accompanying Schedule Narrative shall incorporate the information discussed at this Schedule Planning Session.

B. **Schedule Reviews by the Department**

1. Baseline Schedule Reviews
   The Engineer will respond to the Baseline Schedule Submission within thirty (30) Calendar Days of receipt providing comments, questions and/or disposition that either accepts the schedule or requires revision and resubmittal. Rejected Baseline Schedules shall be resubmitted within fifteen (15) Calendar Days after receipt of the Engineer's comments.
2. Contract Progress Schedule / Monthly Update Reviews / Recovery Schedules
   The Engineer will respond to each submittal within twenty-one (21) Calendar Days. Rejected schedules shall be resubmitted by the Contractor within five (5) Calendar Days after receipt of the Engineer's comments.

The Engineer's review comments shall not be construed as direction to change the Contractor's means and methods. The review and acceptance of the CPM schedule does not relieve the Contractor of the responsibility for accomplishing the work within the contract required completion dates. Omissions and errors in the accepted CPM schedule shall not excuse performance less than that required by the Contract.

722.61 Schedule Content and Preparation Requirements

All schedules shall be prepared and submitted in accordance with the instructions contained in the Construction Schedule Toolkit located on the MassDOT-Highway Division website at:
https://www.mass.gov/info-details/massdot-highway-contractors-schedule-toolkit
and the following:

A. **LOGIC**

The schedules shall divide the Work into activities with appropriate logic ties to show:

1. conformance with the requirements of this Section and Division I, Subsection 8.02 - Schedule of Operations
2. the Contractor's overall approach to the planning, scheduling, and execution of the Work
3. conformance with any additional sequences of Work required by the Contract Documents, including, but not limited to, Subsection 8.03 - Prosecution of Work and Subsection 8.06 – Limitations of Operations.

SECTION 722 (Continued)

B. **ACTIVITIES**

The schedule shall clearly define the progression of the Work from the Notice to Proceed (NTP) to Contractor Field Completion (CFC) by using separate activities, or including attributes within appropriate activities, to address each of the following:

1. Notice to Proceed
2. Work Breakdown Structure
3. The Critical Path is clearly defined and organized.
4. Float shall be clearly identified.
5. Detailed activities to satisfy permit requirements.
6. Subcontractor approvals at fifteen (15) Calendar Days from submittal to response
7. The preparation and submission of shop drawings, procedures, and other required submittals, with a planned duration that is to be demonstrated to the Engineer as reasonable.
8. The review and return of shop drawings, procedures, and other required submittals, approved or with comments, the duration of which shall be thirty (30) Calendar Days, unless otherwise specified or as approved by the Engineer.
9. Procurement of fabricated materials and equipment with long lead times, including time for review and approval of submittals required before procuring and fabricating.
10. Each component of the Work defined by specific activities.
11. Right-of-Way (ROW) takings that have been identified in the Contract.
12. Early Utility Relocation (by others) that has been identified in the Contract.
13. Interfaces with adjacent work, utility companies, other public agencies, sensitive abutters, and/or any other third-party work affecting the Contract.
14. Utility work to be performed in accordance with the Project Utility Coordination (PUC) Form as provided in Section 8.14 - Utilities Coordination, Documentation and Monitoring Responsibilities
15. Access Restraints – restrictions on access to areas of the Work that are defined by the Department in the bid package, in Subsection 8.06 – Limitations of Operations or elsewhere in the Contract
16. Limitations of Work – time of year restrictions and any other limitations identified in the contract
17. Traffic work zone set-up and removal, night work and phasing
18. Material Certifications
19. Milestones listed in Subsection 8.03 - Prosecution of Work or elsewhere in the Contract Documents
20. For Type A and B Contracts only: All items to be paid for, including all Unit Price and Lump Sum pay items, shall be identified by activity. This shall include all non-construction activities such as engineering work; purchase of permanent materials and equipment, purchase of structural steel stock, equipment procurement, equipment delivery to the site or storage location and the representative amount of overhead/indirect costs that was included in the Contractor's Bid Prices.

SECTION 722 (Continued)

21. Contractor's request for validation of FBU (ready to open to traffic)
22. Full Beneficial Use (FBU) Contract Milestone per the following requirements: The majority of contract Work has been completed and the asset(s) has been opened for full multi-modal transportation use, except for limited contract work items that do not materially impair or hinder the intended public use of the transportation facility. All anticipated lane takings have been completed, except for minor, short term work items and as defined in Subsection 8.03 - Prosecution of Work
23. The Department's confirmation of completed work to allow for FBU.
24. Contractor's request for validation of Substantial Completion
25. Department generated punch list of twenty-one (21) Calendar Days
26. Substantial Completion Contract Milestone as defined in the standard specifications.
27. Punch list Completion Period of at least thirty (30) Calendar Days per the requirements of Subsections 5.11 - Final Acceptance, 7.15 - Claims Against Contractors for Payment of Labor, Materials and Other Purposes
28. Contractor confirmation that all punchlist work and documentation has been completed.
29. Physical Completion of the Work Contract Milestone per the requirements of Subsections 5.11 - Final Acceptance and 8.03 - Prosecution of Work
30. Documentation Completion per the requirements of Subsections 5.11 - Final Acceptance and 8.03 - Prosecution of Work
31. Contractor Field Completion Contract Milestone (which can also be considered the completion date) per the following requirements: All physical contract Work is complete including punchlist. The Contractor has fully de-mobilized from field operations and as defined in Subsection 5.11

C. **EARLY AND LATE DATES**

Early Dates shall be based on proceeding with the Work or a designated part of the Work exactly on the date when the corresponding Contract Time commences. Late Dates shall be based on completing the Work or a designated part of the Work exactly on the corresponding Contract Time, even if the Contractor anticipates early completion.

D. **DURATIONS**

Activity durations shall be in Work Days. Planned Original Durations shall be established with consideration of resources and production rates that correspond to the Contractor's Bid Price. Within all of the Department-required schedules, the Contractor shall plan the Work using durations for all physical construction activities of no less than one (1) Work Day and no greater than fourteen (14) Work Days, unless approved by the Engineer as part of the Baseline Schedule Review.

SECTION 722 (Continued)

Should there be an activity with a duration that is determined by the Engineer to be unreasonable, the Contractor will be asked to provide a basis of the duration using bid documents, historic production rates for similar work, or other form of validation that is acceptable to the Engineer. Should the Contractor and the Engineer be unable to agree on reasonable activity durations, the Engineer will, at a minimum, note the disagreement in the Baseline Schedule Review along with a duration the Engineer considers reasonable and the basis for that duration. A schedule that contains a substantial number of activities with durations that are deemed unreasonable by the Engineer will not be accepted.

E. MATERIALS ON HAND

The Contractor shall identify in the Baseline Schedule all items of permanent materials (Materials On Hand) for which the Contractor intends to request payment prior to the incorporation of such items into the Work.

F. ACTIVITY DESCRIPTIONS

The Contractor shall use activity descriptions in all schedules that clearly describe the work to be performed using a combination of words, structure numbers, station numbers, bid item numbers, work breakdown structure (WBS) and/or elevations in a concise and compact label.

G. ACTIVITY IDENTIFICATION NUMBERS

The Contractor shall use the activity identification numbering system specified in the MassDOT Highway Division Contractor Construction Schedule Toolkit.

H. ACTIVITY CODES

The Contractor shall use the activity codes specified in the MassDOT Highway Division Contractor Construction Schedule Toolkit.

I. CALENDARS

Different calendars may be created and assigned to all activities or to individual activities. Calendars define the available hours of work in each Calendar Day, holidays and general or project-specific non-Work Days such as Fish Migration Periods, time-of-year (TOY) restrictions and/or area roadway restrictions. All calendars shall extend two years beyond the current project completion date.

Project Special Provisions identify specific calendar restrictions some examples of special calendars include, but are not limited to:

- Winter Shutdown Period, specific work is required by separate special provision to be performed during the winter. See Special Provision 8.03 (if applicable)
- Peak traffic hours on heavily traveled roadways. This shall be from 6:30 am to 9:30 am and from 3:30 pm to 7:00 pm, unless specified differently elsewhere in the Contract.
- Special requirements by sensitive abutters, railroads, utilities and/or other state agencies as defined in the Contract.
- Planting seasons for trees, shrubs and grasses and wetlands mitigation work.

SECTION 722 (Continued)

- Cape Cod and the Islands Summer Roadway Work Restrictions: A general restriction against highway and bridge construction is enforced between Memorial Day and Labor Day, unless otherwise directed by the Engineer. Cape Ann Summer Roadway Work Restrictions: While there are no general restrictions for Cape Ann as there are for Cape Cod and the Islands, project-specific restrictions may be enforced.
- Turtle and/or Fish Migration Periods and/or other in-water work restrictions: Refer to the Project Special Provisions for specific restrictions.
- Working over Waterways Restricted Periods.
- Night-time paving and striping operations, traffic, and temperature restrictions.
- Utility Restrictions shall be as specified within the Contract.

J. **FLOAT**

For the calculation of float in the CPM schedule, the setting for *Retained Logic* is required for all schedule submissions, starting with the Baseline Schedule Submission. Should the Contractor have a reason to propose that an alternative calculation setting such as *Progress Override* be used, the Contractor shall obtain the Engineer's approval prior to modifying to this setting.

K. **COST AND RESOURCE LOADING (Types A and B only)**

For all Type A and B Schedules, the Contractor shall provide a cost and resource-loaded schedule with an accurate allocation of the costs and resources necessary to complete the Work. The costs and resources shall be assigned to all schedule activities in order to enable the Contractor to efficiently execute the Contract requirements and the Engineer to validate the original plan, monitor progress, provide cash flow projections, and analyze delays.

1. Each schedule activity shall have an assigned cost that accurately represents the value of the Work. Each schedule activity shall have its resources assigned to it by craft and the anticipated hours to accomplish the work. Each schedule activity's equipment resources shall be assigned to it by equipment type and hours operated. Front-loading or other unbalancing of the cost distribution will not be permitted.
2. The sum of the cost of all schedule activities shall be equal to the Contractor's Bid Price.
3. Indicating the labor hours per individual, per day, by craft and equipment hours/day will be acceptable.
4. The Engineer reserves the right to use the cost-loading as a means to resolve changes, disputes, time entitlement evaluations, increases or decreases in the scope of Work, unit price renegotiations and/or claims.
5. For all Type A and B Schedules, all subnets, fragnets, Proposal Schedules, and Recovery Schedules shall be cost and resource- loaded to help to quickly validate and monitor the duration of the Work to be performed.
6. For Type A Schedules, cost-loading of the schedule will also be used for cash flow projection purposes.
7. The cost-loading of each activity shall indicate the portion of the cost for that activity that is applicable to a specific bid item (cost account.) The total cost for each cost account must equal the bid item price.

SECTION 722 (Continued)

L. **NOT TO BE USED IN THE CONTRACTOR'S CPM SCHEDULE**

1. Milestones or constraint dates not specified in the Contract.
2. Scheduled work not required for the accomplishment of a Contract Milestone
3. Use of activity durations, logic ties and/or sequences deemed unreasonable by the Engineer.
4. Delayed starts of follow-on trades.
5. Float suppression techniques.
6. Leads such as leads, lags, SS, SF, & FF relationships without the expressed permission of the Department.

722.62 Submittal Requirements

All schedules shall be prepared and submitted in accordance with the requirements listed below.

Each monthly Contract Progress Schedule submittal shall be uniquely identified.

Each Submission shall, at a minimum, include the following:

a. Narrative
b. Schedule submittals shall be signed by the Scheduler
c. Schedule Printout - All Activities
d. Schedule Printout - Critical Path Layout
e. Schedule Printout - Remaining Work
f. Schedule Printout - Top 3 Float Path
g. Work Breakdown Structure (WBS) Summary
h. Project Spending Report (PSR) in Portable Document Format (.PDF)
i. Project Spending Report (PSR) in Microsoft Excel spreadsheet (.XLS)
j. Oracle Primavera P6 Schedule File (.XER)

All digital file submittals will be labeled with the following information.

- Contract Number
- Project Number
- Project locations (i.e., town(s))
- Brief description
- Submittal description (i.e., UP07)
- Data Date (MM-DD-YY)
- File Description (i.e., Critical Path)

Example: C110464 (P606309) - Orange Route 2 over 202 – UP23 (07-15-22) - Critical Path

A. **Narratives**

A written narrative shall be submitted with every schedule submittal. The narrative shall:

1. itemize and describe the flow of work for all activities on the Critical Path in a format that includes any changes made to the schedule since the previous Contract Progress Schedule / Monthly Update or the Baseline Schedule, whichever is most recent.
2. provide a description of any specification requirements that are not being followed. Identify those that are improvements and those that are not considered to be meeting the requirements.

SECTION 722 (Continued)

3. provide all references to any Notice of Delay that has been issued, within the time period of the Contract Progress Schedule Update, by letter to the Engineer. Note that any Notice of Delay that is not issued by letter will not be recognized by the Engineer. See Subsection 722.64.A – Notice of Delay.
4. provide a description of each third-party utility's planned vs. actual progress and note any that are trending late or are late per the durations and commitments as provided in the PUC Form; provide a description of the five (5) most important responses needed from the Department and the need date for the responses in order to maintain the current Schedule of Record.
5. provide a description of all critical issues that are not within the control of the Contractor or the Department (third party) and any impact they had or may have on the Critical Path.
6. provide a description of any possible considerations to improve the probability of completing the project early or on time.
7. compare Early and Late Dates for activities on the Critical Path and describe reasons for changes in the top three (3) most critical paths.
8. describe the Contractor's plan, approach, methodologies, and resources to be employed for completing the various operations and elements of the Work for the top three (3) most critical paths. For update schedules, describe and propose changes to those plans and verify that a Proposal Schedule is not required.
9. describe, in general, the need for shifts that are not 5 days/week, 8 hours/day, the holidays that are inserted into each calendar and a tabulation of each calendar that has been used in the schedule.
10. describe any out-of-sequence logic and provide an explanation of why each out-of-sequence activity does not require a correction, if one has not been provided, and an adequate demonstration that these changes represent the basis of how these activities will be built, including considerations for resources, dependencies, and previously approved production rates.
11. identify any possible duration increases resulting from actual or anticipated unit price item quantity overruns as compared to the baseline duration, with a corresponding suggestion to mitigate any possible delays to the Critical Path. If the delay is anticipated to impact the Critical Path, refer to Subsections 4.06 – Increased or Decreased Contract Quantities and 8.10 – Determination and Extension of Contract Time for Completion and submit a letter to the Engineer notifying of a potential delay.
12. include a schedule log consisting of the name of the schedule, the data date and the date submitted.
13. include and describe any notifications, communications and coordination meetings with third-parties such as utility companies that occurred from the last update including personnel names, job titles and contact information, date of meeting(s)/correspondence(s), topics discussed, and reasons the third party provided for deviations from the PUC form.

SECTION 722 (Continued)

B. **CPM Bar Charts**

One (1) timescaled bar chart containing all activities shall be prepared and submitted using a scale that yields readable plots and that meets the requirements of Subsection 722.61 – Schedule Content and Preparation Requirements Activities shall be linked by logic ties and shown on their Early Dates. Critical Paths shall be highlighted, and Total Float shall be shown for all activities.

A second timescaled bar chart shall also be prepared containing only the Critical Path or, if the Critical Path is not the longest path, the Longest Path using a scale that yields readable plots and that meets the requirements of Subsection 722.61 – Schedule Content and Preparation Requirements. Activities shall be linked by logic ties and shown on their Early Dates. Total Float shall be shown for all activities.

C. Detailed Activity Schedule Comparisons

A Detailed Activity Schedule Comparison (DASC) is a simple reporting tool in the format of a graphical report that will provide Resident Engineers with immediate, timely and up-to-date information. The DASC consists of an updated bar chart that overlays the current time period's bar chart onto the previous time period's bar chart for an easily read comparison of progress during the present and previous reporting periods.

D. Activity Cost Report and Monthly Cash Flow Projections (Type A only)

With each Contractor Quantity Estimate (CQE), the Contractor shall submit an Activity Cost Report and Cash Flow Projection that includes all activities grouped by Contract Bid Item.

The Activity Cost Report shall be generated from the Schedule of Record and shall be the basis of the Monthly Cash Flow Projection. Within each contract Bid Item, activities shall be sequenced by ascending activity identification number and shall show:

1. activity ID and description,
2. forecast start and finish dates for each activity and,
3. when submitted as a revised schedule, actual start, and finish dates for each completed activity.
4. any variance to the estimated contract quantity shall be shown.

E. Resource Graphs (Type A only)

Monthly and cumulative resource graphs for the remaining Contract period using the Early Dates and Late Dates in the Contract Progress Schedule shall be included as part of each schedule submittal.

SECTION 722 (Continued)

F. Projected Spending Reports

A Projected Spending Report (PSR) shall be prepared and submitted monthly. The PSR shall indicate the monthly spending (cash flow) projection for each month from NTP to Contractor Field Completion (CFC). Each month's actual spending shall be calculated using all CQEs paid during that month. The Projected Spending Report (PSR) shall be depicted in a tabular format and provided in both an .XLS and .PDF.

722.63. Progress Schedule Requirements

A. Baseline Schedule

The Baseline Schedule shall be due thirty (30) Calendar Days after Notice to Proceed (NTP). The Baseline Schedule shall only reflect the Work awarded to the Contractor and shall not include any additional work involving Extra Work Orders or any other type of alleged delay. The Baseline Schedule shall be prepared and submitted in accordance with Subsections 722.61 - Schedule Content and Preparation Requirements and 722.62 - Submittal Requirements. Once the Baseline Schedule has been accepted by the Engineer, with or without comments, it shall represent the as-planned schedule for the Work and become the Contract Progress Schedule of Record until such time as the schedule is updated or revised under Subsections 722.63.C - Contract Progress Schedules / Monthly Updates, 722.64.C - Recovery Schedules and 722.64.D - Proposal Schedules.

The Cost and Resource-Loading information (Types A and B only) shall be provided by the Contractor within forty-five (45) Calendar Days after NTP.

The Engineer's review comments on the Baseline Schedule and the Contractor's responses to them will be maintained for the duration of the Contract and will be used by the Engineer to monitor the Contractor's work progress by comparing it to the Contract Progress Schedule / Monthly Update.

B. Interim Progress-Only Schedule Submissions

The first monthly update of the Contract Progress Schedule/Monthly Update is due within seventy (70) Calendar Days after Notice to Proceed (NTP.) The Baseline Schedule review period ends at sixty (60) Calendar Days after NTP, see Subsection 722.60.B - Schedule Reviews by the Department. If the Baseline Schedule has not been accepted within sixty (60) Calendar Days after NTP, an Interim Progress-Only Schedule shall be due within seventy (70) Calendar Days after NTP. The purpose of the Interim Progress-Only Schedule is to document the actual progress of all activities, including non-construction activities, from NTP until the Baseline Schedule is accepted.

SECTION 722 (Continued)

C. Contract Progress Schedules / Monthly Updates

The first Contract Progress Schedule shall be submitted by the Contractor no later than seventy (70) Calendar Days after NTP. The data date for this first Progress Schedule shall be two months (approximately sixty (60) Calendar Days) after NTP. Subsequent Progress Schedules shall be submitted monthly.

Each Contract Progress Schedule shall reflect progress up to the data date. Updated progress shall be limited to asbuilt sequencing and asbuilt dates for completed and inprogress activities. Asbuilt data shall include actual start dates, remaining Work Days and actual finish dates for each activity, but shall not change any activity descriptions, the Original Durations, or the Original Resources (as planned at the time of bid), without the acceptance of the Engineer. If any activities have been completed out-of-sequence, the Contractor shall propose new logic ties for affected in-progress and future activities that accurately reflect the previously approved sequencing. Alternatively, the Contractor may submit to the Engineer for approval an explanation of why an out-of-sequence activity does not require a correction and an adequate demonstration that the changes accurately represent how the activities will be built, including considerations for resources, dependencies, and previously approved production rates. Once approved by the Engineer, the Contractor may incorporate the changes in the next Contract Progress Schedule/Monthly Update with the affected activities clearly identified and explained in the Schedule Narrative.

No revisions to logic ties, sequence, description, or duration of future activities; or planned resource costs shall be made without prior approval by the Engineer.

Any proposed logic changes for in-progress or future activities shall be submitted to the Engineer for approval before being incorporated into a Contract Progress Schedule. The logic changes must be submitted using a Proposal Schedule or a schedule fragnet submission. Once approved by the Engineer, the Contractor may incorporate the logic in the next Contract Progress Schedule/Monthly Update with the affected activities clearly identified and explained in the Schedule Narrative.

For any proposed changes to the original sequence, description or duration of future activities, the Contractor shall submit to the Engineer for approval an explanation of how the proposed description or duration change reflects how the activity will be progressed, including considerations for resources and previously approved production rates. Any description or duration change that does not accurately reflect how the activity will be progressed will not be approved by the Engineer. Once approved by the Engineer, the Contractor may incorporate the changes in the next Contract Progress Schedule/Monthly Update with the affected activities clearly identified and explained in the Schedule Narrative.

Contract Progress Schedules that extend performance beyond the Contract Time or beyond any Contract Milestone shall not be approved by the Engineer. The Contractor shall submit a Recovery Schedule, or a Time Entitlement Analysis, if any Contract Progress Schedule/Monthly Update indicates a failure to meet the Contract Dates.

SECTION 722 (Continued)

D. Short-Term Construction Schedule

The Contractor shall provide a Short-Term Construction Schedule that details daily work activities, including any multiple shift work that the Contractor intends to conduct, in a spreadsheet format. The daily activities shall directly correspond to the Contract Progress Schedule activities, with a matching reference to the activity identification number in the Contract Progress Schedule and may be at a greater level of detail. The Short-Term Construction Schedule shall be submitted every two weeks. It shall display all work for a thirty-five (35) Calendar Day period consisting of completed work for the two (2) week period prior and all planned work for the following three (3) week period. The initial submission shall be provided no later than thirty (30) Calendar Days after NTP or as required by the Engineer.

The Contractor shall be prepared to discuss the Short-Term Construction Schedule, in detail, with the Engineer in order to coordinate field inspection staff requirements, the schedule of work affecting abutters and any corresponding work with affected utilities. Short-Term Construction Schedules shall be prepared and submitted in accordance with Subsections 722.61 - Schedule Content and Preparation Requirements and 722.62 - Submittal Requirements.

722.64 Impacted Schedule Requirements

A. Notice of Delay

The Contractor shall notify the Engineer in writing, with copies to the District and State Construction Engineers, within fifteen (15) of the start of any delays to the Critical Path that are caused by actions or inactions that were not within the control of the Contractor. Delay notifications that are not provided in a letter to the Engineer, such as a delay notification in the schedule narrative, will not be recognized as contractual notice in the determination of any Time Extension related to the impacts to the work associated with this specific alleged delay. Should such a delay continue for more than one (1) week, the Contractor shall note it in the Schedule Narrative until the delay is no longer impacting the Critical Path for the completion of the Contract Milestones. The Engineer will evaluate the alleged delay and its impact and will respond to the Contractor within ten (10) Calendar Days after receipt of a notice of delay.

B. Time Entitlement Analysis

A Time Entitlement Analysis (TEA) shall consist of a descriptive narrative, prepared in accordance with Subsection 722.62.A - Narratives, and an as-built CPM schedule, which may be in the form of a schedule fragnet that has been developed from the project's Contract Progress Schedule of Record, and illustrates the impact of a delay to the Critical Path, Contract Milestones and/or Contract Completion Date as required in Subsection 8.10 - Determination and Extension of Contract Time for Completion. TEAs shall also be used to determine the schedule impact of proposed Extra Work Orders (EWO) as also required in Subsection 8.10.

TEAs shall be prepared and submitted in accordance with the requirements of Subsections 722.61 - Schedule Content and Preparation Requirements and 722.62 - Submittal Requirements and shall be based on the Contract Progress Schedule of Record applicable at the start of the delay or impact from an EWO. A TEA fragnet must start with a specific new activity describing the work contained in either a Notice of Delay previously submitted to the Department per Subsection 722.64.A - Notice of Delay or an EWO.

SECTION 722 (Continued)

TEAs shall be submitted:

1. as part of any Extra Work Order that may impact Contract Time,
2. with a request for a Time Extension,
3. within fifteen (15) Calendar Days after a request for a TEA by the Engineer for any other reason.

A TEA shall be submitted to the Engineer before any Time Extension is granted to the Contractor. Time Extensions will not be granted unless the TEA accurately reflects an evaluation of all past delays and the actual events that occurred that impacted the Critical Path. The TEA must also demonstrate a plan for the efficient completion of all of the remaining work through an optimized CPM Schedule. The analysis shall include all delays, including Contractor-caused delays, and shall be subdivided into timeframes and causes of delays.

TEAs shall incorporate any proposed activities, logic ties, resource considerations, and activity costs required to demonstrate the schedule impacts most efficiently in addition to detailing all impacts to existing activities, logic ties, the Critical Path, Contract Milestones, and the Contract Completion Date. In addition, TEAs shall accurately reflect any changes made to activities, logic ties, restraints, and activity costs, necessitated by an Extra Work Order or other schedule impact, for the completion of the remaining work. The Contractor shall provide TEAs that demonstrate that all delays have been mitigated to the fullest extent possible without requiring an Equitable Adjustment to the original bid basis.

All TEAs shall clearly indicate any overtime hours, additional shifts and the resources that are proposed to be incorporated in the schedule. The Engineer shall have final discretion over the use of overtime hours and additional shifts. The Engineer shall have the right to require that overtime hours and/or additional shifts be used to minimize the duration of Time Extensions if it is determined to be in the best interest of the Department to do so.

When accepted, the changes included in a TEA shall be incorporated into the next Contract Progress Schedule per the requirements of Subsection 722.63.C - Contract Progress Schedules / Monthly Updates. During the review of any TEA, all Contract Progress Schedules shall continue to be submitted as required.

The Engineer may request that the Contractor prepare a Proposal Schedule or a Recovery Schedule to further mitigate any delays that are shown in the accepted TEA or Contract Progress Schedule.

C. Recovery Schedules

The Contractor shall promptly report to the Engineer all schedule delays during the prosecution of the Work. Contract Progress Schedules that predict performance extended beyond the Contract Time or beyond any Contract Milestone shall not be approved as the schedule of record. This requirement is critical to the Department's ability to make informed decisions regarding Contract Time and costs.

The Contractor shall submit a Recovery Schedule within fifteen (15) Calendar Days of a Contract Progress Schedule submission that shows failure to meet the Contract Dates unless a recovery schedule is waived by the Department. Waiving the recovery schedule does not relieve the contractor of the responsibility for the delay. The Department may revoke the waiver of a Recovery Schedule, at which time a Recovery Schedule shall be submitted within fifteen (15) Calendar Days of the Contractor being notified.

Changes represented in accepted Recovery Schedules shall be incorporated into the next Contract Progress Schedule.

SECTION 722 (Continued)

D. Proposal Schedules

A Proposal Schedule is an alternative schedule used to evaluate proposed changes to the Contract scope or significant alternatives to previously approved approaches to complete the Work, which may include changes to activity durations, logic, and sequence. For Types A and B Schedules, the Proposal Schedule shall be cost and resource loaded.

A Proposal Schedule may be requested by the Department at any time or may be offered by the Contractor. The Engineer may request that the Contractor prepare a Proposal Schedule to further mitigate any delays that are shown in an accepted TEA or Contract Progress Schedule.

The Contractor shall submit the Proposal Schedule within thirty (30) Calendar Days of a request from the Department.

The Proposal Schedule shall not be considered a Schedule of Record until the logic, durations, narrative, and basis of the Proposal Schedule have been accepted by the Engineer. If the Proposal Schedule took the form of a fragnet, it must be incorporated into the Contract Progress Schedule of Record showing the current progress of all other activities and the impacts/results of the changes made by the Proposal Schedule before the Proposal Schedule is accepted by the Department.

Proposal Schedules shall clearly indicate any proposed acceleration including overtime hours, additional shifts, and the resources that are proposed to be incorporated in the schedule. The Engineer shall have final discretion over the use of overtime hours and additional shifts. Proposal Schedules that contain a cost element shall be submitted with a separate Cost Proposal.

Changes represented in the accepted Proposal Schedules shall be incorporated into the next Contract Progress Schedule. During the review of any Proposal Schedule, all Contract Progress Schedules shall continue to be required every month.

E. Disputes

All schedules shall be submitted, reviewed, dispositioned, and accepted in the timely manner specified herein so as to provide the greatest possible benefit to the execution of this Contract.

The Contractor may dispute a decision by the Engineer by filing a claim notice within seven (7) days after the Contractor's request for additional time has been denied or if the Contractor does not accept the number of days granted in a time extension. The Contractor's claim notice shall include a revised time entitlement analysis that sufficiently explains the basis of the time-related claim. Failure to submit the required time entitlement analysis with the claim notice shall result in denial of the Contractor's claim. A determination on the Contractor’s claim shall be in accordance with Subsection 7.16 Claims of Contractor for Compensation. Pending resolution of any dispute, the last schedule accepted by the Engineer will remain the Contract Schedule of Record.

SECTION 722 (Continued)

722.65 Schedule Type D Requirements

This section is to detail the requirements for Type D Schedules and is separate from the requirements listed above. These schedules are intended for a project in which a more formal schedule would not be practical.

Schedules for Type D projects shall be submitted for each work assignment. The Schedule Type D shall be submitted electronically in .XLS and .PDF format and meet the following requirements.

The schedule requirements for work assignments that are anticipated to last three weeks or less shall conform to the requirements for Short-term Construction Schedules below.

Work assignments that are anticipated to last longer than three weeks shall submit a bar chart baseline and provided update schedules upon request of the engineer as required under Bar Chart Schedule below in addition to meeting the Short-term Construction schedule requirements.

A. **Bar Chart Schedule**

A Bar Chart that shall include the following:

- Work Assignment start date.
- Activities to identify.
  - Major work operations broken down to be no longer than 14 days.
  - Procurement of fabricated materials and equipment with long lead times, including time for review and approval of submittals required before procuring and fabricating.
  - The preparation and submission of shop drawings, procedures, and other required submittals, with a planned duration that is to be demonstrated to the Engineer as reasonable.
  - The review and return of shop drawings, procedures, and other required submittals, approved or with comments, the duration of which shall be shown as thirty (30) Calendar Days,
  - Detailed activities to satisfy permit requirements.
  - Subcontractor approvals at fifteen (15) Calendar Days from submittal to response
  - Project Close out activities including a 21-calendar day creation of a punchlist activity and 30 calendar day minimum completion of punchlist activity.
- Interfaces with adjacent work, utility companies, other public agencies, sensitive abutters, and/or any other third-party work affecting the Contract.
- Access Restraints – restrictions on access to areas of the Work
- Traffic work zone set-up and removal, night work and phasing
- Contract Milestones including Full beneficial Use, Substantial Completion and Contractor Field Completion

The Bar Char Schedule shall be provided at the beginning of the project and updated with each work order created for the project.

SECTION 722 (Continued)

B. **Short-Term Construction Schedule**

The Contractor shall provide a Short-Term Construction Schedule that details daily work activities, including any multiple shift work that the Contractor intends to conduct, in a spreadsheet format. The daily activities shall directly correspond to the Contract Progress Schedule activities, with a matching reference to the activity identification number in the Contract Progress Schedule and may be at a greater level of detail. See schedule toolkit for suggested format.

The Short-Term Construction Schedule shall be submitted every two weeks. It shall display all work for a thirty-five (35) Calendar Day period consisting of completed work on the assignment for the two week period prior and all planned work for the following three week period. The initial submission shall be provided no later than thirty (30) Calendar Days after NTP or as required by the Engineer.

The Contractor shall be prepared to discuss the Short-Term Construction Schedule, in detail, with the Engineer in order to coordinate field inspection staff requirements, the schedule of work affecting abutters and any corresponding work with affected utilities.

C. **Project Spending Report (PSR)**

A Projected Spending Report (PSR) shall be prepared and submitted monthly. The PSR shall be for all active work assignments, broken down by work assignment. The PSR shall indicate the monthly spending (cash flow) projection for each month from NTP to Contractor Field Completion (CFC). Each month's actual spending shall be calculated using all CQEs paid during that month. The Projected Spending Report (PSR) shall be depicted in a tabular format and provided in both an .XLS and .PDF

SECTION 722 (Continued)

COMPENSATION

722.80 Method of Measurement

Schedule of Operations (Type A, B and C)

The project bid documents specify the fixed-price amounts to be paid to the Contractor for the Project Schedule requirements contained herein. Each bidder shall include this fixed price bid item amounts in their bid. Failure to do so may be grounds for the rejection of the bid.

This fixed price amount is for payment purposes only and is separate from what the Department considers to be the Contractor's General Condition costs. If the Contractor deems it necessary to include additional costs to provide all of the requirements of this section, these additional costs shall be included in the Contractor's overall bid price.

All required schedule-related work, including, but not limited to computers, computer software, the planning and coordination with utilities, training, schedule preparation and schedule submittals will be paid for under the fixed price amount.

Twenty percent (20%) of this pay item will be paid upon the Engineer's acceptance of the Contractor's Baseline Schedule, prepared and submitted in accordance with Subsection 722.63.A.

The remaining eighty percent (80%) of this pay item will be paid in equal monthly installments distributed across the Contract Duration from Notice to Proceed (NTP) to Contractor Field Completion (CFC), less the 2 months required for the submittal and review of the Baseline Schedule in accordance with the following formula:

$$\text{Monthly Payment} = \frac{\text{Remaining Fixed Price amount (80\% of the Item Cost.)}}{\text{Contract Duration in whole months} - 2 \text{ months}}$$

The Schedule of Operations pay item will be adjusted to pay for only the actual quantity of schedules that have been submitted in accordance with this section.

Should there be a Time Extension granted to the Contractor, the Engineer may provide an Equitable Adjustment for additional Contract Progress Schedule Updates at intervals directed by the Engineer. The monthly payment will be the basis for this Equitable Adjustment.

Schedule of Operations (Type D)

For projects assigned with Type D schedule requirements, all scheduling work shall be considered incidental to the project with no separate payment under this section.

SECTION 722 (Continued)

722.81 Basis of Payment

The timely and accurate submission of the Baseline Schedule is critical to the Contract and the Department's ability to make informed decisions. Only payments under Item 740 - Engineer's Field Office and Item 748 – Mobilization will be made until the Baseline Schedule is accepted by the Engineer.

All required schedule-related work, including, but not limited to computers, computer software, the planning and coordination with utilities, training, schedule preparation and schedule submittals (including monthly progress schedules, short-term schedules, project spending reports, TEAs, recovery schedules or impacted schedules) shall be included in this work.

No payment for any other pay item will be processed beyond seventy-five (75) Calendar Days from Notice to Proceed (NTP) until the Baseline Schedule is accepted by the Engineer. Until the Engineer's acceptance of the Baseline Schedule, the combined total of all payments made to the Contractor will be limited to an amount no greater than the total price for Item 748 - Mobilization or 3% of the contract price, whichever is less.

All Contract Progress Schedule Updates submitted later than ten (10) Calendar Days after the CQE (Contract Quantity Estimate) completion date, or greater than forty (40) Calendar Days from the Data Date of the previous submission, will be deemed to be no longer useful and will not qualify for payment. The late submission of Impacted schedules, including TEAs, recovery schedules and proposal schedules will result in the forfeiture of the monthly payment for the month in which they were due and subsequent months until the submission is made. Late submission of missed submittals will not result in recovery of the previously forfeited portion of the Schedule of Operations Fixed Price Payment Item.

Failure to submit schedules as and when required may result in the forfeiture of that portion of the Schedule of Operations Fixed Price Payment and/or the withholding of the full or partial CQE payments by the Engineer.

Failure to submit schedules that are acceptable to the Engineer may result in the forfeiture of that portion of the Schedule of Operations Fixed Price Payment and/or the withholding of the full or partial CQE payments by the Engineer.

The Schedule of Operations pay item will be adjusted to pay for only the actual quantity of schedules that have been submitted in accordance with this section.

The Contractor's failure or refusal to comply with the requirements of this Section shall be reasonable evidence that the Contractor is not prosecuting the Work with due diligence and may result in the Engineer withholding of full or partial payments of all work performed.

722.82 Payment Items

722.1	SCHEDULE OF OPERATIONS (TYPE A) - FIXED PRICE $_____	LUMP SUM
722.2	SCHEDULE OF OPERATIONS (TYPE B) - FIXED PRICE $_____	LUMP SUM
722.3	SCHEDULE OF OPERATIONS (TYPE C) - FIXED PRICE $_____	LUMP SUM

ITEM 102.51 INDIVIDUAL TREE PROTECTION EACH

The purpose of this Item is to prevent damage to branches, stems and root systems of existing individual trees to remain and to ensure their survival. Provisions under this Item include steps to minimize soil and root disturbance and to construct protection measures for trees close to construction areas.

The work under this Item shall conform to the relevant provisions of Subsections 101 and 771 of the Standard Specifications and the following:

Examination of Conditions

The Contractor shall be solely responsible for judging the full extent of the work requirements, including, but not necessarily limited to any equipment and materials necessary for providing tree protection.

Prior to any construction activities, the Contractor and Arborist shall walk the site with the Engineer and Town Tree Warden to identify which trees will require protection and to determine approved measures. The Arborist shall make recommendations as to appropriate methods to trees. The Engineer will have final decision as to trees and methods.

The Contractor is responsible for the protection of all existing trees and plants within and immediately adjacent to the construction area that are not designated to be removed for the length of the construction period.

Incidental to the cost of this Item, the Contractor shall retain the services of a certified arborist, who shall make recommendations as to the specific appropriate treatment of trees within or near the work zone.

SUBMITTALS

Incidental to this Item, the Contractor shall provide to the Engineer one (1) copy each of the American National Standards Institute (ANSI) Standard Z-133.1 and A300 Standard Practices for Tree, Shrub, and Other Woody Plant Maintenance, Part 1: Pruning. These references shall be kept by the Engineer at his office for the length of the Contract.

Prior to start of work, the Contractor shall submit to the Engineer the name and certification number of the Massachusetts Certified Arborist referenced herein. Cost for Certified Arborist for all activities pertaining to this Item shall be incidental to this Item.

MATERIALS

Fence and temporary fence posts shall be subject to the approval of the Engineer.

ITEM 102.51 (Continued)

Staking for individual tree protection fencing shall be steel posts or 2x4 inch stock as directed and approved by the Engineer.

Wood chips shall conform to provisions of Wood Chip Mulch under Materials Subsection M6.04.3 of the Standard Specifications.

Trunk protection shall be 2x4 inch cladding, at least 8 feet in length, clad together with wire. Trunk protection shall include burlap.

Incidental to this Item, the Contractor shall provide water for maintaining plants in the construction area that will have exposed root systems for any period during construction.

CONSTRUCTION METHODS

To the extent possible, to avoid soil compaction within the root zone, construction activities including, but not limited to, vehicle movement, excavation, embankment, staging and storage of materials or equipment shall not occur underneath the canopy (drip line) of trees to remain. Where these activities will occur within 10 Feet of the canopy of trees, the Contractor shall provide Individual Tree Protection as specified herein.

Tree Fencing and Armoring

For individual tree protection, the Contractor shall set posts and fencing at the limits of the tree canopy. Where construction activities closer to the trees is unavoidable, the contractor shall tie branches out of the way and place wood chips to a depth of 6 inches on the ground to protect the root systems. The Contractor shall wrap the area of the trunk of the tree with burlap prior to armoring with 2x4 inch cladding. Cladding for tree trunks shall extend from the base of the tree to at least 8 feet from the base.

Where excavation within canopy is unavoidable, the Contractor shall use equipment and methods that shall minimize damage to the tree roots, per recommendations of the Certified Arborist. Such methods may require root pruning prior to, as well as during, any excavation activities.

All fencing, trunk protection, branch protection, and woodchips shall be maintained throughout the duration of the Contract. Protective fencing shall be repaired and woodchip mulch replaced as necessary during the duration of the Contract at no additional cost.

Cutting and Pruning

Some pruning of roots and branches may be a necessary part of construction. Pruning will be performed on the same side of the tree that roots have been severed.

The Contractor shall retain the services of a Massachusetts State Certified Arborist to oversee any cutting of limbs, stem or roots of existing trees. All cuts shall be clean and executed with an approved tool. Under no circumstances shall excavation in the tree protection area be made with mechanical equipment that might damage the existing root systems.

Any tree root area exposed by construction shall be covered and watered immediately. Exposed tree roots shall be protected by dampened burlap at all times until they can be covered with soil.

ITEM 102.51 (Continued)

Watering

Water each tree within the construction area where work is in progress twice per week until the surrounding soil of each tree is saturated for the duration of construction activities.

Removal of Protection

After all other construction activities are complete, but prior to final seeding, wood chips, temporary fencing, branch protection, and trunk protection materials shall be removed and disposed of off-site by the Contractor at no additional cost.

Tree Damage

The Contractor shall be held responsible for the health and survival of the existing trees in the immediate vicinity of the of the construction area. Damage that, in the Engineer's opinion, can be remedied by corrective measures shall be repaired immediately. Broken limbs shall be pruned according to industry standards. Wounds shall not be painted. Trees or shrubs that are damaged irreparably shall, at the Engineer's discretion, be replaced per the requirements of Division I of these Special Provisions. Cost of replacement trees shall be borne by the Contractor.

Where the plans show specific, individual trees to remain and where grading or other disturbance is shown within the drip line of these trees or where the Engineer determines that an individual tree must be protected, these trees shall be protected and paid for under ITEM 102.51, Individual Tree Protection.

METHOD OF MEASUREMENT

Item 102.51 will be measured for payment by the EACH individual tree protection completed.

BASIS OF PAYMENT

Item 102.51 will be paid for at the Contract unit price per EACH, which price shall include all labor, equipment, materials, the services of a certified arborist, water and fertilizer, and the subsequent removal and satisfactory disposal of the protective materials upon completion of the Contract, and all incidental costs required to complete the work.

Item payment will be scheduled throughout the length of Contract as follows: 30 percent of value shall be paid upon installation, 30 percent approximately halfway through the Contract, and the remainder to be paid at the end of the Contract after completion of construction operations that would disturb plants and after the protection materials have been removed and properly disposed of off-site by the Contractor.

Cost of wood chips, as required, shall be incidental to these items.

ITEM 102.521 TREE AND PLANT PROTECTION FENCE FOOT

The work under this Item shall conform to the relevant provisions of Subsections 644 and 771 of the Standard Specifications and the following:

The work under this Item shall consist of furnishing, installing, and maintaining tree and plant protection fence(s) in a vertical and taut position; removing and resetting fencing as may be required; and final removal of protection fence(s) at the completion of construction activities, or as otherwise required by the Engineer.

The purpose of the fencing is to signify a construction work-free zone and physical barrier, thereby preventing damage to tree roots, tree trunks, soil, and all other vegetation within this delineated Tree and Plant Protection Zone (TPPZ), as shown on the Drawings, as required by the Engineer, and as described herein.

Protection shall be for the duration of the construction activities unless otherwise required by the Engineer.

MATERIALS

Tree and plant protection fence(s) shall provide a minimum forty-eight (48) inch tall barrier, that remains vertical and taut. The Fence shall be orange plastic safety fence (recommended where high visibility is necessary), or wooden snow fencing, or other approved material. Posts and anchoring materials shall be incidental to the work.

Per requirements of the Engineer, additional posts, deeper post depths, and/or additional attachments shall be used if the fabric or fence sags, leans or otherwise is not providing visible or physical protection to the TPPZ.

REFERENCES

If requested, the Contractor shall provide to the Engineer one copy of the American National Standards Institute (ANSI) A300 Standard Practices for Tree, Shrub, and Other Woody Plant Maintenance Part 1, Pruning and Part 5, Construction Management Standard. Provision of reference shall be incidental to this Item.

ESTABLISHMENT OF THE TPPZ

Fencing shall be used to delineate and establish the TPPZ, adjacent to construction areas, staging areas, stockpile areas, as shown on the Drawings, and/or as required by the Engineer.

Fencing shall be located as close to the work zone limit and as far from tree trunk(s) and plants as possible to maximize the area to be protected. Fence shall run parallel and adjacent to construction activity to create a barrier between the work zone and the root zone or designated limit of plants and soils to be protected.

ITEM 102.521 (Continued)

When construction activities surround (or have the potential to surround) trees or plants to be protected, a circular enclosure shall be used. In these instances, the TPPZ limit shall be the drip line of each tree or as close as possible to the drip line, and/or as shown on the Drawings. The drip line is defined as the outermost limit of tree canopy.

The Contractor shall not engage in any construction activity within the TPPZ without the approval of the Engineer. Activities may including operating, moving, or storing equipment, supplies, or materials; and locating temporary facilities, including trailers or portable toilets, Accessing or traversing the TPPZ shall not be permitted.

METHOD OF WORK

TPPZ fencing shall be installed prior to any construction work or staging activities. Fence(s) shall be repositioned where and as necessary for optimum tree and plant protection. Repositioning shall be incidental to this item. TPPZ fencing shall not be moved without prior approval by the Engineer.

The TPPZ shall be protected at all times from compaction of the soil; damage of any kind to trunks, bark, branches, leaves, and roots of all plants; and contamination of the soil with construction materials, debris, silt, fuels, oils, and any chemicals substance.

After construction activities are completed, or when required by the Engineer, fencing, stakes, and other anchoring materials, if any, shall be removed and disposed off-site by the Contractor.

REQUIRED WORK WITHIN THE TPPZ

In the event that grading, trenching, utility work, or storage is unavoidable within the TPPZ, the Engineer shall be notified. Measures may be required for tree protection and preservations, including air spading; the use of six (6) inch depth of wood chips or approved matting for root protection; pruning of branches; and/or trunk protection. These protection measures shall be paid under applicable contract items.

Landscaping work specified within the TPPZ shall be accomplished by hand tools. Where handwork is not feasible, with permission of the Engineer, work shall be conducted with the smallest mechanized equipment necessary.

TREE AND PLANT INJURY OR LOSS

If the TPPZ is encroached by construction activity without approval, at the discretion of the Engineer, the Contractor may be required to provide a more durable barrier (e.g., Jersey Barriers, chain link fence (if not already in use) to secure the area. Costs of furnishing and installing additional or more durable barrier(s) shall be borne by the Contractor.

In such cases of encroachment, soils shall be considered compacted and tree root injury will be assumed. Action shall be taken as specified below.

In the event that trees designated for protection under this item are injured, including root injury from unapproved trespassing onto the root zone, the Contractor shall, at his own expense, secure the services of an Arborist, described under Item 102.55. The Arborist shall be approved by MassDOT.

ITEM 102.521 (Continued)

In the event of spills, compaction or injury, the Contractor shall take corrective action immediately using methods approved by the Engineer, in coordination with the Arborist.

If, based on the recommendations of the Arborist, the Engineer determines that injuries can be remedied by corrective measures, such as repairing trunk or limb injury, soil compaction remediation, pruning, and/or watering; the injury shall be repaired as soon as possible, within the appropriate season for such work, and according to industry standards.

If, based on the recommendations of the Arborist, the Engineer determines that injuries are irreparable, or that the injuries are such that the tree is sufficiently compromised to pose a future safety hazard, the tree shall be removed. Tree removal shall include cleanup of all wood, grinding of the stump to a depth sufficient to plant a replacement tree or plant, removal of all chips from the stump site, and filling the resulting hole with topsoil. Such tree removal(s), grinding, debris removal, and filling, shall be at the Contractor's expense.

Tree removal from improper or inadequate protection of the TPPZ shall result in the Engineer assessing the Contractor monetary damages consistent with industry standards for assessed value and/or replacement.

Shrubs removals from improper or inadequate protection of the TPPZ shall be replaced with plants of similar species and equal size or the largest size plants reasonably available. The Engineer shall approve the size, quality, and quantity of the replacement plant(s). Each replacement shall include a minimum of one year of watering and establishment care, specified under Subsection 771.

METHOD OF MEASUREMENT AND BASIS OF PAYMENT

Tree and Plant Protection Fence will be measured by the FOOT, complete in place, by the length along the top of the fence.

Tree and plant protection fence will be paid for under the Contract unit price per FOOT, complete in place and shall include all materials, labor, and equipment required to furnish, install, anchor, maintain, and remove the fence upon completion, as described herein. Posts, temporary footings, anchoring and removal upon completion, shall be incidental to this item.

No separate payment will be made for costs of remedial actions, including addition of more durable barriers, Arborist services, tree or plant removal, shrub replacement and establishment, but all costs in connection therewith shall be included in the Contract unit price bid.

Tree damages assessed, due to lack of or improper tree and plant protective measures being taken, shall be deducted from the Contract price of the work.

Payment for work under this item will be scheduled as follows:

- Forty (40) percent of the value payment will be made upon installation of fencing.
- Sixty (60) percent of the value payment will be made when fencing materials have been maintained to function as specified, for the intended duration, and removed and disposed off-site at the completion of protection measure requirement.

ITEM 115.1 **DEMOLITION OF BRIDGE NO. E-10-011 (0PW)** **LUMP SUM**

The work under this Item shall conform to the relevant provisions of Subsections 112 and 140 of the Standard Specifications, amended and or supplemented as follows:

The work under this Item consists of the removal and satisfactory disposal of the existing Bridge No. E-10-011 (0PW) to the limits shown on the plans.

Removal of the existing superstructure includes but is not limited to the existing pavement on the bridge, concrete safety curb, concrete bridge railings/barriers and sidewalk, and the concrete top slab. The partial demolition of the bridge substructure shall include the removal of the existing approach slabs, abutment backwalls, and portions of the abutment stem walls to the limits shown on the plans.

All dimensions and details shown for the existing structures are not guaranteed. The Contractor shall verify all conditions and materials in the field and shall base his bid on his own findings without any additional compensation for variance from the Plans or these Special Provisions regarding actual conditions for items to be removed.

Temporary support of excavation shall be utilized as required by the Contractor. The Contractor is responsible for the design, furnishing, removing and disposing of temporary support of excavation elements. The Contractor shall submit a proposed excavation support system with drawings and calculations stamped, signed and dated by a registered Professional Engineer in the Commonwealth of Massachusetts. Installation of the Excavation Support System may not begin until the submittal has been approved by the Engineer. Temporary earth support will be paid under Item 953.1 – Temporary Support of Excavation.

Temporary protective shielding shall be constructed to help prevent debris from falling into the brook. All precautions and costs to install shielding necessary to assure that this requirement is met shall be considered incidental to this Item. The shielding shall extend the full length and width of the bridge and a sufficient distance beyond the deck overhang and vertically at the fascias to an elevation above the railing height. The shielding shall have all spaces sealed along the perimeter and at the seams to prevent any dust or debris from escaping and falling below into the brook. Shielding must be in place before any demolition work is started.

All shielding shall meet the following requirements:

1. The Contractor is responsible for designing, furnishing, installing, maintaining, removing, and disposing of all shielding materials.

2. The Contractor shall submit for review calculations and Plans of proposed shielding stamped by a Professional Structural Engineer Registered in the Commonwealth of Massachusetts, for conformance to the Contract Documents, prior to installation of shielding. The drawings shall include details of all connections, brackets and fasteners and shall be submitted at the preconstruction conference.

ITEM 115.1 (Continued)

3. Protective shielding shall not be installed until the Engineer's review has been completed and approved. No portion of the concrete top slab shall be removed until the protective shielding is in place and complete.

4. The shielding shall extend a sufficient distance beyond the deck limits, and have walls sufficient to contain any debris. The shielding shall extend the full length of the bridge. The Contractor may utilize the existing abutments as supports for the protective shielding. All spaces along the perimeter of the shielding and at the seams shall be sealed to prevent dust and debris from escaping and falling into the water below.

5. Shielding shall be designed to safely withstand all loads it would be subjected to during construction. The allowable design stresses shall be in accordance with AASHTO Standard Specifications for Highway Bridges. The design shall also include a complete description of the equipment and construction methods proposed for the deck removal and the maximum size of deck area excavated.

6. The shielding shall also be designed to withstand impact loads from the maximum size of concrete should it fall during removal.

7. The shielding shall be maintained and remain in place until the slab is completely removed. Shielding shall be removed only upon approval of the Engineer. After completion, the shielding shall be removed and disposed of the satisfaction of the Engineer.

All materials used in the shielding system shall be the property of the Contractor and shall be properly removed from this site at the completion of the project.

All materials removed in this demolition operation, except for any utility components, which may be directed to remain the property of the utility companies involved, shall become the property of the Contractor and shall be properly disposed of offsite.

SUBMITTALS

Prior to commencing work, the Contractor shall submit a demolition procedure, schedule, and plan to the Engineer for review and approval describing the proposed sequence, method of demolition, protection of the river, and equipment for demolition and disposal of all materials.

The demolition procedure, all calculations and drawings shall be stamped, dated, and signed by a Professional Engineer registered in the Commonwealth of Massachusetts certifying that all structural members are suitably braced and supported during all phases of demolition.

ITEM 115.1 (Continued)

River protection shall be detailed as part of the demolition plan. The Contractor shall not proceed with demolition work until the Engineer has given written acceptance of the demolition plan.

The Contractor shall also submit the crane capacity, location, radii of movement, etc. to the Engineer for approval for all stages of demolition. The submittal will specify that the requirements for equipment and all procedures utilized. The submittal shall include drawings and calculations of all loads and selection of crane and lifting hardware, as well as any effects to the existing abutments and structure, and shall be stamped, dated, and signed by a Registered Professional Engineering in the Commonwealth of Massachusetts. Submittal requirements, factor of safety for picks, wind loads, etc. shall be in accordance with the requirements of Subsection 960.61 of the Standard Specifications.

CONSTRUCTION METHODS

No demolition work shall commence until the Contractor has received written approval by the Engineer.

During the prosecution of the work under this Item, the Engineer may reject the use of any method or equipment which causes undue vibration or possible damage to the remaining and adjacent structure or any parts thereof. Any portions of the existing structure that are to remain, or newly constructed portions, which become damaged because of the Contractor's operations, as determined by the Engineer, shall be repaired to the satisfaction of the Engineer at no additional cost to the Department. No blasting or use of explosives is permitted.

BASIS OF PAYMENT

Item 115.1 will be paid for at the Contract unit price LUMP SUM, which price shall include all labor, materials, equipment, professional engineering services, submittals, shielding, and all incidental costs required to complete the work.

Except as specified, all material and debris shall become the property of the Contractor, and shall be recycled, reused, or disposed of properly off site.

ITEM 127.1 REINFORCED CONCRETE EXCAVATION CUBIC YARD

The work under this Item shall conform to the relevant provisions of Subsections 112 and 120 of the Standard Specifications and the following:

The work under this Item shall include furnishing all material, labor, equipment, and tools necessary to perform the removal of loose/unsound concrete and satisfactory disposal of the existing concrete at the existing north and south walls for repair depths greater than two inches identified during repair operations for work performed under Pay Item 909.2 Cementitious Mortar for patching, identified on the Contract Drawings, and/or found by field investigation.

CONSTRUCTION METHODS

During the prosecution of this work, the Engineer may reject the use of any method or equipment that causes undue vibration or possible damage to the remaining structure or any part thereof. The noise and dust created by demolition operations must be reduced to the maximum extent possible. Blasting and saw cutting will not be allowed without written permission from MassDOT.

The removal of deteriorated concrete shall be accomplished by pneumatic or power hammers approved by the Engineer. For concrete removal, the weight of pneumatic or power hammers shall not exceed 30 pounds. Fillets at inside corners of intersecting limit lines shall be carefully removed.

The Contractor shall not damage any existing reinforcing steel in areas where deteriorated or spalled concrete is being removed. If existing reinforcing steel is damaged or deteriorated, it shall be supplemented with new reinforcing steel of the same size. Pneumatic tools shall not be placed in direct contact with reinforcing steel. Any sound reinforcing steel damaged during the concrete removal operations shall be repaired or replaced by the Contractor at his expense as required by the Engineer. New steel shall be attached beside existing steel with a minimum splice length as indicated on the Contract Drawings or as required by the Engineer.

All materials removed in this demolition operation shall become the property of the Contractor and shall be properly disposed of away from the jobsite in accordance with the Standard Specifications.

The Contractor shall take care not to damage any portion of the existing structure to remain. Any damage caused by the Contractors operations shall be repaired as required by the Engineer at the Contractor’s expense.

The Contractor will not be paid for the removal of any concrete beyond the limits described under this Item and approved by the Engineer.

ITEM 127.1 (Continued)

METHOD OF MEASUREMENT

Item 127.1 will be measured for payment by the CUBIC YARD of actual reinforced concrete volume removed and properly disposed.

BASIS OF PAYMENT

Item 127.1 will be paid for at the Contract unit price per CUBIC YARD, which price shall include all labor, materials, tools, equipment, reinforcing steel, staging, access, removals, storage, the cost of all field measurements and survey required, and all incidental costs required to complete the work.

ITEM 180.01 ENVIRONMENTAL HEALTH AND SAFETY PROGRAM LUMP SUM

The work shall consist of ensuring the health and safety of the Contractor's employees and subcontracting personnel, the Engineer, their representatives, the environment, and public welfare from any on-site chemical contamination present in air, soil, water and sediment.

The Contractor shall prepare and implement a site-specific Environmental Health and Safety Plan (EHASP) which has been approved and stamped by a Certified Industrial Hygienist (CIH) and includes the preparer's name and work experience. The EHASP shall include appropriate components required by OSHA Standard 29 CFR 1910.120(b) and the Massachusetts Contingency plan (MCP) 310 CMR 40.0018 and must comply with all applicable state and federal laws, regulations, standards and guidelines, and provide a degree of protection and training appropriate for implementation on the project. The EHASP shall be a dynamic document with provision for change to reflect new information, new practices or procedures, changing site environmental conditions or other situations which may affect site workers and the public. The EHASP shall be developed and implemented independently from the standard construction HASP required to work on all MassDOT construction projects.

Health and safety procedures provided by the Contractor shall comply with all the appropriate regulations that address employee working conditions, including but not limited to standards established by OSHA and National Institute for Occupational Safety and Health (NIOSH). Equipment used for the purpose of health and safety shall be approved by and meet pertinent standards and specifications of the appropriate regulatory agencies.

A copy of the most up-to-date version of the EHASP shall be maintained on-site at all times by the Contractor. The on-site copy shall contain the signature of the Engineer and each on-site employee of the MassDOT, Contractor, and Subcontractors involved with on-site activities. The employee's signature on the EHASP shall be deemed prima facie evidence that the employee has read and understands the plan. Updated copies of signature sheets shall be submitted to the Engineer.

The EHASP shall specify a Contractor Site Safety and Health Officer responsible for implementation of the EHASP and to oversee all construction activities, including handling, storage, sampling and transport, which require contact with or exposure to potentially hazardous materials.

The level of protection, required to ensure the health and safety of on-site personnel will be stipulated in the EHASP. The Site Safety and Health Officer shall implement the EHASP based on changing site and weather conditions, type of operation or activity, chemical compounds identified on-site, concentration of the chemicals, air monitoring data, physical state of the hazardous materials, potential duration of exposure to hazardous materials, dexterity required to perform work, decontamination procedures, necessary personnel and type of equipment to be utilized.

ITEM 180.01 (Continued)

During implementation of the EHASP, a daily log shall be kept by the Site Safety and Health Officer and a copy shall be provided weekly to the Engineer. This log shall be used to record a description of the weather conditions, levels of personal protection being employed, screening data and any other information relevant to on-site environmental safety conditions. The Site Safety and Health Officer shall sign and date the daily log.

METHOD OF MEASUREMENT AND BASIS OF PAYMENT

Preparation and implementation of the Environmental Health and Safety Program, including the monitoring, protection and storage of all contaminated materials, as well as subsequent modifications to the EHASP, will be measured and paid for at the Lump Sum Bid Price.

Payment of 50% of the Environmental Health and Safety Program contract price will be made upon the initial acceptance of the EHASP by the Engineer. Payment of the remaining 50% of the Environmental Health and Safety Program contract price will be made upon completion of the work. The bid price shall include preparation and implementation of the EHASP as well as the cost for its enforcement by the Site Safety and Health Officer along with any necessary revisions and updates. The work of implementing the Environmental Health and Safety Program includes work involving, but not limited to, the monitoring, protection, and storage of all contaminated materials.

ITEM 180.02 PERSONAL PROTECTION LEVEL C UPGRADE HOUR

The work shall consist of providing appropriate personal protective equipment (PPE) for all personnel in an area either containing or suspected of containing a hazardous environment.

Contingencies for upgrading the level of protection for on-site workers will be identified in the EHASP and the Contractor shall have the capability to implement the personal protection upgrade in a timely manner. The protective equipment and its use shall be in compliance with the EHASP and all appropriate regulations and/or standards for employee working conditions.

Personal Protection Level C Upgrade will be measured and paid only upon upgrade to Level C and will be at the contract unit price, per hour, per worker, required in Level C personal protection. No payment will be made to the Contractor to provide Level D PPE.

ITEM 180.03 LICENSED SITE PROFESSIONAL SERVICES HOUR

Within limited areas of the project site, media (i.e. soils, sediments, surface water and/or groundwater) requiring evaluation and/or management under the Massachusetts Contingency Plan (MCP) may be encountered. A Licensed Site Professional (LSP) shall be required to provide the services necessary to comply with the requirements of the MCP. These services may include a site walk, field screening, sampling, analysis and characterization of potentially contaminated media, preparation and implementation of Immediate Response Action (IRA) Plans, Utility-Related Abatement Measure (URAM) and Release Abatement Measure (RAM) Plans, Imminent Hazard Evaluations, status reports, transmittal forms, release notification forms, risk assessments, completion statements, and related documents required pursuant to the MCP. LSP services shall also be necessary to temporarily move material generated on the project to an off-site storage location.

The name and qualifications of the LSP and all environmental technicians to be assigned to the project shall be submitted to the Engineer for approval at least four weeks prior to initial site activities. The LSP shall have a current, valid license issued by the Massachusetts Board of Registration of Hazardous Waste Site Cleanup Professionals. The LSP shall have significant experience in the oversight of MCP activities at active construction sites. Qualification packages for the LSP and each technician shall include a resume, all recent work assignments with responsibilities identified (previous 5 years), and applicable training and certifications. A list of all Notices of Noncompliance, Notice of Audit Findings and Enforcement Orders issued by the Massachusetts Department of Environmental Protection (DEP) shall be submitted for all work assignments listed for the LSP and environmental technicians. Upon approval of the LSP Qualifications, the LSP will be designated as the LSP of Record unless MassDOT designates in writing otherwise. The LSP of Record will serve as the primary point of contact for all hazardous material matters on the project.

The LSP shall evaluate soil and/or sediment with discoloration, odor, elevated field screening results, presence of petroleum liquid or sheen on the groundwater surface, or any abnormal gas or materials in the ground which are known or suspected to be oil or hazardous materials. Excavated soil and sediment which is suspected of petroleum contamination shall be field screened using the jar headspace procedures according to established DEP Guidance. All field screening equipment must be pre-approved by the Engineer. The LSP shall ensure proper on-site calibration of all field screening instrumentation.

The Engineer shall be contacted immediately when observations or any field screening results verify contamination requiring further analysis, and/or enhanced management of suspect media. Any enhanced management of contaminated soil to ensure proper stockpiling and storage is incidental to the LSP Services item. The LSP shall evaluate the need for confirmatory sampling prior to backfill in areas where contaminated material has been excavated and disposed off-site for compliance with applicable regulatory requirements. The Engineer shall approve the locations of the testing sites prior to the sampling.

ITEM 180.03 (Continued)

Contaminated media shall be handled in accordance with all applicable state and federal statutes, regulations, and policies. The LSP shall adequately evaluate contaminated media for compliance with the requirements of the MCP and Department Policies.

The Contractor and the LSP shall be aware of the reporting requirements for releases of oil and/or other hazardous material (OHM) as set forth in federal and state laws and regulations and both shall be held responsible for performing the work in accordance with all applicable Federal and State laws and regulations. The LSP shall maintain written records in a clear and concise tabular format which tracks the excavation, stockpiling, analysis and reuse/disposal of all known/suspect contaminated media. These records shall be up-to-date and submitted to the Engineer on a bi-weekly basis. The LSP shall review and summarize the laboratory data from any analyses performed on contaminated media in a tabular format and compare the results to applicable reporting thresholds. A report shall be delivered to the Engineer outlining the material sampling methods, laboratory analysis results, evaluation of applicable regulatory exemptions, reporting obligations, and proposed course of action. The laboratory report together with Chain of Custody forms for all analytical results shall be submitted to the Engineer within 14 days after completion of such analyses.

The LSP and Contractor shall be held responsible for the submission of all MCP-related documents to the Engineer at least 14 days in advance of any timeframe specified in the MCP and for the timely submission of data and tracking information as noted within this Item. All documents prepared under this Item must be reviewed and signed by the approved LSP. The Contractor and LSP shall be responsible for all fines, damages, and enforcement requirements imposed by applicable regulatory agencies for failure to meet regulatory and contract timeframes. No compensation will be provided for such fines, damages, and enforcement actions.

The Contractor and the LSP shall be aware of the reporting requirements for releases of oil and/or other hazardous material (OHM) as set forth in federal and state laws and regulations and shall both be held responsible for performing the work in accordance with all applicable Federal and State laws and regulations.

If the Contractor causes a release of OHM, the Contractor shall be responsible for assessing and remediating the release in accordance with all pertinent State and Federal regulations, including securing the services of a LSP, at his own expense.

The LSP shall coordinate all activities involving both MassDOT and the DEP through the Engineer. Any notification of release shall be approved by the Engineer before submittal to the DEP, except if an imminent hazard condition exists as defined in 309 CMR 4.03(4)(b).

ITEM 180.03 (Continued)

LABORATORY TESTING IN SUPPORT OF LSP SERVICES

Laboratory testing provides for analytical testing in support of LSP services related to maintaining MCP compliance, such as delineating the extent and type of contamination present. Sampling and testing for disposal purposes are not included and are incidental to Items 181.11-181.14.

In order to maintain compliance with the MCP and Department Policies or other regulatory requirements, the LSP shall request approval from the Engineer to obtain samples from various locations and depths within the project area and to perform laboratory analyses on those samples. No sampling shall be conducted without prior approval from the Engineer. The samples shall be delivered to a DEP-certified laboratory using proper chain-of-custody documentation for analyses which, depending upon site conditions and suspected and/or identified contaminants of concern, may include, but are not limited to, metals, polychlorinated biphenyls (PCBs), volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), pesticides, polycyclic aromatic hydrocarbons (PAHs), extractable petroleum hydrocarbons (EPHs) and volatile petroleum hydrocarbons (VPHs). Subsequent testing, depending upon initial results, may be required for Toxicity Characteristic Leaching Procedure (TCLP) analyses (EPA Method 1311) for metals.

METHOD OF MEASUREMENT AND BASIS OF PAYMENT

LSP Services for work under this item will be measured per person, per hour of service provided by LSP, Environmental Technicians and other approved personnel. Travel time shall not be included in the billable hours.

The quantity and type of laboratory tests must be approved by the Engineer beforehand. The Contractor will be reimbursed upon satisfactory written evidence of payment. The Contractor may be required to obtain cost estimates from three DEP certified laboratories for the Engineer to choose the service provider.

LSP Services will be paid at the Contractor bid price for each hour, or fraction thereof, spent to perform the work as described above. The bid price shall be a blended rate that includes the cost of the LSP, environmental technicians and other personnel, the performance of all work tasks and field screening, including required equipment, materials and instrumentation, and production of all documentation described above. All requests for payment must be accompanied by the following information: the names of the personnel associated with the work charged under LSP Services, dates and hours worked, work conducted, including, where appropriate, locations as identified on the construction plans, and a copy of the field diary for the dates submitted.

ITEM 180.03 (Continued)

Laboratory testing will be reimbursed upon receipt of paid invoices for testing approved by the Engineer.

This item is for LSP work for compliance with the MCP and Department Policies. LSP hours and any laboratory testing related to off-site disposal of excess soil and sediment is incidental to Items 181.11-181.14 (including, but not limited to, disposal characterization, disposal package preparation, landfill acceptance, shipment paperwork preparation, field screening, and tracking).

ITEM 181.11	**DISPOSAL OF UNREGULATED SOIL**	**TON**
ITEM 181.12	**DISPOSAL OF REGULATED SOIL - IN-STATE FACILITY**	**TON**
ITEM 181.13	**DISPOSAL OF REGULATED SOIL - OUT-OF-STATE FACILITY**	**TON**
ITEM 181.14	**DISPOSAL OF HAZARDOUS WASTE**	**TON**

The work under these Items shall include the transportation and disposal of contaminated material excavated, or excavated and stockpiled. It shall also include the cost of any additional laboratory analyses required by a particular disposal facility beyond the standard disposal test set.

Excavation of existing subsurface materials may include the excavation of contaminated soils. The Contractor shall be responsible for the proper coordination of characterization, transport and disposal, recycling or reuse of contaminated soils. Disposal, recycling or reuse will be referred to as "disposal" for the purposes of this specification. However, regardless of the use of the term herein, there will be no compensation under these items for reuse within the project limits. The Contractor will be responsible for coordinating the activities necessary for characterization, transport and disposal of contaminated soils. Such coordination will include the Engineer and his/her designee overseeing management of contaminated materials. Contaminated soils must be disposed of in a manner appropriate for the soil classification as described below and in accordance with the applicable laws of local, state and federal authorities. The Contractor shall be responsible for identifying disposal facility (ies) licensed to accept the class of contaminated soils to be managed and assure that the facility can accept the anticipated volume of soil contemplated by the project. The Contractor shall be responsible for hiring a Licensed Site Professional (LSP) and all ancillary professional services including laboratories as needed for this work. The Contractor will be responsible for obtaining all permits, approvals, manifests, waste profiles, Bills of Lading, etc. subject to the approval of the Engineer prior to the removal of the contaminated soil from the site. The Contractor and LSP shall prepare and submit to the Engineer for approval all documents required under the Massachusetts Contingency Plan (MCP) and related laws and environmental regulations to conduct characterization, transport, and disposal of contaminated materials.

CLASSES OF CONTAMINATED SOILS

The Contractor and its LSP shall determine if soil excavated or soil to be excavated is unregulated soil or contaminated soil as defined in this section. Such materials shall be given a designation for purposes of reuse or disposal based on the criteria of the MCP. Soils and sediments which are not suitable for reuse will be given a designation for purposes of off-site disposal based on the characterization data and disposal facility license requirements. The Classes of Contaminated Soils are defined as follows:

ITEMS 181.11 through 181.14 (Continued)

UNREGULATED SOIL consists of soil, fill and dredged material with measured levels of oil and hazardous material (OHM) contamination at concentrations below the applicable Reportable Concentrations (RCs) presented in the MCP. Unregulated soil consists of material which may be reused (or otherwise disposed) as fill within the Commonwealth of Massachusetts subject to the non-degradation criteria of the MCP (310 CMR 40.0032(3), in a restricted manner, such that they are sent to a location with equal or higher concentrations of similar contaminants. Disposal areas include licensed disposal facilities, approved industrial settings in areas which will be capped or covered with pavement or loamed and seeded, and for purposes of this project should be reused as fill within the project site construction corridor whenever possible. The material cannot be placed in residential and/or environmentally sensitive (e.g. wetlands) areas. Under no circumstances shall contaminated soils be placed in an uncontaminated or less contaminated area (including the area above the groundwater table if this area shows no sign of contamination).

The Contractor shall submit to MassDOT the proposed disposal location for unregulated soils for approval. If such a disposal location is not a licensed disposal facility, the Contractor shall submit to the Engineer analytical data to characterize the disposal area sufficiently to verify that the unregulated material generated within the MassDOT construction project limits is equal to or less than the contaminant levels at the disposal site and meets the non-degradation requirements of the MCP. In addition, the Contractor shall provide written confirmation from the owner of the proposed disposal location that they have been provided with the analytical data for both the materials to be disposed as well as the disposal site characterization and that s/he agrees to accept this material. A Material Shipping Record or Bill of Lading, as appropriate, shall be used to track the off-site disposal of unregulated soil and a copy, signed by the disposal facility or property owner, shall be provided to the Engineer in order to document legal disposal of the unregulated material.

The cost of on-site disposal of unregulated soil within the project area will be considered incidental to the item of work to which it pertains.

ITEMS 181.11 through 181.14 (Continued)

REGULATED SOIL consists of materials containing measurable levels of OHM that are equal to or exceed the applicable Reportable Concentrations for the site as defined by the MCP, 310 CMR 40.0000. Regulated soil which meets the MCP reuse criteria of the applicable soil/groundwater category for this project area may be reused on site provided that it meets the appropriate geotechnical criteria established by the Engineer. Regulated Soil may be reused (as daily or intermediate cover or pre-cap contouring material) or disposed (as buried waste) at lined landfills within the Commonwealth of Massachusetts or at an unlined landfill that is approved by the Massachusetts Department of Environmental Protection (DEP) for accepting such material, in accordance with DEP Policy #COMM-97-001, or at a similar out-of-state facility. It should be noted that soils which exceed the levels and criteria for disposal at in-state landfills, as outlined in COMM-97-001, may be shipped to an in-state landfill, but require approval from the DEP Division of Solid Waste Management and receiving facility. An additional management alternative for this material is recycling into asphalt. Regulated Soils may also be recycled at a DEP approved recycling facility possessing a Class A recycling permit subject to acceptance by the facility and compliance with DEP Policy #BWSC-94-400. Regulated Soil removed from the site for disposal or treatment must be removed via an LSP approved Bill of Lading, Manifest or applicable material tracking form. This type of facility shall be approved/permitted by the State in which it operates to accept the class of contaminated soil in accordance with all applicable local, state and federal regulations.

HAZARDOUS WASTE consists of materials which must be disposed of at a facility permitted and operated in full compliance with Federal Regulation 40 CFR 260-265, Massachusetts Regulation 310 CMR 30.000, Toxic Substances Control Act (TSCA) regulations, or the equivalent regulations of other states, and all other applicable local, state, and federal regulations. All excavated materials classified as hazardous waste shall be disposed of at an out-of-state permitted facility. This facility shall be a RCRA hazardous waste or TSCA facility, or RCRA hazardous waste incinerator. This type of facility shall be approved/permitted by the State in which it operates to accept hazardous waste in accordance with all applicable local, state and federal regulations and shall be permitted to accept all contamination which may be present in the soil excavate. The Contractor shall ensure that, when needed, the facility can accept TSCA waste materials i.e. polychlorinated biphenyls (PCBs). Hazardous waste must be removed from the site for disposal or treatment via an LSP approved Manifest.

MONITORING/SAMPLING/TESTING REQUIREMENTS

The Contractor shall be responsible for monitoring, sampling and testing during and following excavation of contaminated soils to determine the specific class of contaminated material. Monitoring, sampling and testing frequency and techniques should be performed in accordance with Item 180.03 – LSP Services. Additional sampling and analysis may be necessary to meet the requirements of the disposal facility license. The cost of such additional sampling and analysis shall be included in the bid cost for the applicable disposal items. The Contractor shall obtain sufficient information to demonstrate that the contaminated soil meets the disposal criteria set by the receiving facility that will accept the material.

ITEMS 181.11 through 181.14 (Continued)

No excavated material will be permanently placed on-site or removed for off-site disposal until the results of chemical analyses have been received and the materials have been properly classified. The Contractor shall submit to the Engineer results of field and laboratory chemical analyses tests within seven days after their completion, accompanied by the classification of the material determined by the Contractor, and the intended disposition of the material. The Contractor shall submit to the Engineer for review all plans and documents relevant to LSP services, including but not limited to, all documents that must be submitted to the DEP.

WASTE TRACKING:

Copies of the fully executed Weight Slips/Bills of Lading/ Manifests/Material Shipping Records or other material tracking form received by the Contractor from each disposal facility and for each load disposed of at that facility, shall be submitted to Engineer and the Contractor's LSP within three days of receipt by the Contractor. The Contractor is responsible for preparing and submitting such documents for review and signature by the LSP or other appropriate person with signatory authority, three days in advance of transporting soil off-site. The Contractor shall furnish a form attached to each manifest or other material tracking form for all material removed off-site, certifying that the material was delivered to the site approved for the class of material. If the proposed disposition of the material is for reuse within the project construction corridor, the Contractor shall cooperate with MassDOT to obtain a suitable representative sample(s) of the material to establish its structural characteristics in order to meet the applicable structural requirements as fill for the project.

All material transported off-site shall be loaded by the Contractor into properly licensed and permitted vehicles and transported directly to the selected disposal or recycling facility and be accompanied by the applicable shipping paper. At a minimum, truck bodies must be structurally sound with sealed tail gates, and trucks shall be lined and loads covered with a liner, which shall be placed to form a continuous waterproof tarpaulin to protect the load from wind and rain.

DECONTAMINATION OF EQUIPMENT

Tools and equipment which are to be taken from and reused off site shall be decontaminated in accordance with applicable local, state and federal regulations. This requirement shall include, but not be limited to, all tools, heavy machinery and excavating and hauling equipment used during excavation, stockpiling and handling of contaminated material. Decontamination of equipment is considered incidental to the applicable excavation item.

ITEMS 181.11 through 181.14 (Continued)

REGULATORY REQUIREMENTS

The Contractor shall be responsible for adhering to regulations, specifications and recognized standard practices related to contaminated material handling during excavation and disposal activities. MassDOT shall not be responsible at any time for the Contractor's violation of pertinent State or Federal regulations or endangerment of laborers and others. The Contractor shall comply with all rules, regulations, laws, permits and ordinances of all authorities having jurisdiction including, but not limited to, Massachusetts DEP, the U.S. Environmental Protection Agency (EPA), Federal Department of Transportation (DOT), Massachusetts Water Resources Authority (MWRA), the Commonwealth of Massachusetts and other applicable local, state and federal agencies governing the disposal of contaminated soils.

All labor, materials, equipment and services necessary to make the work comply with such regulations shall be provided by the Contractor without additional cost to MassDOT. Whenever there is a conflict or overlap within the regulations, the most stringent provisions shall apply. The Contractor shall reimburse MassDOT for all costs it incurs, including damages and/or fines, as a result of the Contractor's failure to adhere to the regulations, specifications, recognized standard practices, etc., that relate to contaminated material handling, transportation and disposal.

SUBMITTALS

I. Summary of Sampling Results, Classification of Material and Proposed Disposal Option.

The following information, presented in tabular format, must be submitted to the Engineer for review and approval prior to any reuse on-site or disposal off-site. This requirement is on-going throughout the project duration. At least two weeks prior to the start of any excavation activity, the Contractor shall submit a tracking template to be used to present the information as stipulated below. Excavation will not begin until the format is acceptable to MassDOT.

Characterization Reports will be submitted for all soil, sediment, debris and groundwater characterized through the sampling and analysis program. Each report will include a site plan which identifies the sampling locations represented in the Report. The Construction Plan sheets may be used as a baseplan to record this information.

The Sampling Results will be presented in tabular format. Each sample will be identified by appropriate identification matching the sample identification shown on the Chain of Custody Record. The sample must also be identified by location (e.g. grid number or stockpile number). For each sample, the following information must be listed: the classification (unregulated, regulated, etc.), proposed disposal option for the stockpile or unit of material represented, and, all analytical results.

ITEMS 181.11 through 181.14 (Continued)

Each Characterization Report will include the laboratory analytical report and Chain of Custody Record for the samples included in the Report.

II. Stockpiling, Transport, and Disposal.

At least two weeks prior to the start of any excavation activity, the Contractor shall submit, in writing, the following for review and shall not begin excavation activity until the entire submittal is acceptable to MassDOT.

Excavation and Stockpiling Protocol:
Provide a written description of the management protocols for performing excavation and stockpiling and/or direct loading for transport, referencing the locations and methods of excavating and stockpiling excavated material.

Disposal and Recycling Facilities:

1. Provide the name, address, applicable licenses and approved waste profile for disposal and/or recycling location(s) where contaminated soil will be disposed. Present information substantiating the suitability of proposed sites to receive classifications of materials intended to be disposed there, including the ability of the facility to accept anticipated volumes of material.

2. Provide a summary of the history of compliance actions for each disposal/recycling facility proposed to be used by the Contractor. The compliance history shall include a comprehensive list of any state or federal citations, notices of non-compliance, consent decrees or violations relative to the management of waste (including remediation waste) at the facility. Material should not be sent to facilities which are actively considered by the DEP, USEPA or other responsible agency to be in violation of federal, state or local hazardous waste or hazardous material regulations. MassDOT reserves the right to reject any facility on the basis of poor compliance history.

Transportation:
The name, address, applicable license and insurance certificates of the licensed hauler(s) and equipment and handling methods to be used in excavation, segregation, transport, disposal or recycling.

III. Material Tracking and Analytical Documentation for Reuse/Disposal.

The following documents are required for all excavation, reuse and disposal operations and shall be in the format described. At least two weeks prior to the start of any excavation or demolition activity, the Contractor shall submit the tracking templates required to present the information as stipulated below. Excavation or demolition will not begin until the format is acceptable to MassDOT.

ITEMS 181.11 through 181.14 (Continued)

All soils, sediments and demolition debris must be tracked from the point of excavation to stockpiling to onsite treatment/processing operations to off-site disposal or onsite reuse as applicable.

Demolition Debris:
Demolition debris must be tracked if the debris is stockpiled at a location other than the point of origin or if treatment or material processing is conducted. Identification of locations will be based on the station-offset of the location. The tracking table will identify date and point of generation, any field screening such as PID or dust monitoring, visual observations/comments, quantity, and stockpile ID/processing operation location. For each unit of material tracked, the table will also track reuse of the material on-site, providing reuse date, location of reuse as defined by start and end station, width of reuse location by offset, the fill elevation range, quantity, and finish grade for said location. For demolition debris which is not reused on site, the table will also track disposal of the material as defined by disposal date, quantity and disposal facility. The table must provide a reference to any analytical data generated for the material.

Soil/Sediment:
Soil excavation will be identified based on the station-offset of the excavation location limits. The tracking table will identify date and point of generation, any field screening such as PID or dust monitoring, visual observations, quantity, and stockpile number/location. For each unit of material tracked, the table will also track reuse of the material on-site and disposal of the material off-site using the same categories identified for demolition debris above.

Method Of Measurement And Basis Of Payment

Disposal of contaminated soil shall be measured for payment by the Ton of actual and verified weight of contaminated materials removed and disposed of. The quantities will be determined only by weight slips issued by and signed by the disposal facility. The most cost-effective, legal disposal method shall be used. The work of the LSP for disposal under all of these items shall be incidental to the work with no additional compensation.

ITEM 181.11 Measurement for Disposal of Unregulated Soil shall be under the Contract Unit Price by the weight, in tons, of contaminated materials removed from the site and transported to and disposed of at an approved location or licensed facility, and includes any and all costs for approvals, permits, fees and taxes, additional testing/characterization required by the facility beyond the standard disposal test set, decontamination procedures, transportation and disposal.

ITEM 181.12 Measurement for Disposal of Regulated Soil – In-State Facility shall be under the Contract Unit Price by the weight in tons of contaminated materials removed from the site and transported to and disposed of at an approved in-state facility, and includes any and all costs for approvals, permits, fees and taxes, testing/characterization required by the facility beyond the standard disposal test set, decontamination procedures, transportation and disposal.

ITEMS 181.11 through 181.14 (Continued)

ITEM 181.13 Measurement for Disposal of Regulated Soil - Out-of-State Facility shall be under the Contract Unit Price by the weight in tons of contaminated materials removed from the site and transported to and disposed of at an approved out-of-state facility, and includes any and all costs for approvals, permits, fees and taxes, testing/characterization required by the facility beyond the standard disposal test set, decontamination procedures, transportation and disposal.

ITEM 181.14 Measurement for Disposal of Hazardous Waste shall be under the Contract Unit Price by the weight in tons of hazardous waste removed from the site and transported to and disposed of at the licensed hazardous waste facility, and includes any and all costs for approvals, permits, fees and taxes, testing/characterization required by the facility beyond the standard disposal test set, decontamination procedures, transportation and disposal.

ITEM 182.1 INSPECTION AND TESTING FOR ASBESTOS LUMP SUM

The work shall include the inspecting and testing of all materials suspected of containing asbestos. When any demolition is required to enable the inspection and testing of the suspected material it will be considered incidental to this Item and the Contractor must perform all asbestos handling and testing in accordance with the regulations stated below.

Dust suppression in the form of light water sprays, foams, dust suppressants and calcium chloride will be implemented as required to control dusting during any disturbance of asbestos suspected material. Alternatively, intrusive activities may be reduced or curtailed under high wind or heavy rain conditions, which in the opinion of the Health and Safety Plan (HASP) may pose a safety hazard to the workers.

The Contractor shall employ the services of a Massachusetts licensed "Asbestos Inspector" to inspect the material to determine whether or not "ITEM 182.2 REMOVAL OF ASBESTOS" is required. Should the asbestos inspector determine laboratory testing is required, a state certified laboratory shall be used to perform all necessary tests.

The work associated with Item 182.1 Inspection and Testing for Asbestos is expected for, but not limited to, existing utility insulation material on exposed pipes, and is applicable during the demolition phase.

REGULATIONS

U.S. Department of Labor, Occupational Safety and Health Administration, (OSHA) including but not limited to:

29 CFR 1910 Section 1001 and 29 CFR 1926 Section 58 Occupational exposure to Asbestos, Tremolite, Anthophyllite and Actinolite, Final Rule
29 CFR 1910 Section 134 Respiration Protection
29 CFR 1926 Construction Industry
29 CFR 1910 Section 2 Access to Employee Exposure and Medical Records
29 CFR 1910 Section 1200 Hazard Communication
29 CFR 1910 Section 145 Specifications for Accident Prevention Signs and Tags

U.S. Environmental Protection Agency, (EPA) including but not limited to:

40 CFR 762, CPTS 62044, FRL 2843-9, Federal Register Vol. 50 no.134, July 12, 1985 p.28530 - 28540 Asbestos Abatement Projects Rule
40 CFR 61 Subpart A Regulation for Asbestos
40 CFR 61 Subpart M (Revised Subpart B) National Emission Standard for Asbestos

ITEM 182.1 (Continued)

U.S. Department of Transportation 49 CFR 172 and 173

Massachusetts Department of Labor Standards Regulations, (DLS) including but not limited to:

454 CMR 28.00 Removal, Containment and Encapsulation of Asbestos

Massachusetts Department of Environmental Protection (DEP) including but not limited to (supplementing subsection 7.01):

310 CMR 7.00, Section 7.09 Odor and Dust, Section 7.10 Noise, Section 7.15 Air Pollution Control Regulations
310 CMR 18.00 and 19.00 Solid Waste Regulations

Massachusetts Division of Industrial Safety 45 CMR 10.00

Local Requirements including but not limited to those of Health Departments, Fire Departments and Inspection Services Departments

Wherever there is a conflict or overlap of the above references, the most stringent provision shall apply.

BASIS OF PAYMENT

Item 182.1 will be paid for at the Contract unit price per Lump Sum, which price shall include all labor, materials, tools, equipment, and all incidental costs required to complete the work as described and as required by the Engineer.

No separate payment will be made for the protection of general public, private property, the proper inspecting and testing of the material, but all costs in connection therewith shall be included in the Contract unit price bid.

ITEM 182.2 REMOVAL OF ASBESTOS FOOT

The work shall include the removal and satisfactory disposal of existing asbestos. The Contractor's attention is directed to the fact that existing asbestos shall be inspected and tested prior to removal, to determine if special removal and disposal is required. The Contractor shall follow all the rules and regulations stated in "ITEM 182.1 INSPECTION AND TESTING FOR ASBESTOS". If asbestos is present, the Contractor shall follow all the rules and regulations stated in the section "REMOVAL AND DISPOSAL OF ASBESTOS CONTAINING MATERIALS", under this item. The Contractor should notify and coordinate his/her efforts with the proper utility accordingly.

REMOVAL AND DISPOSAL OF ASBESTOS CONTAINING MATERIALS

This section specifies the requirements for the handling and removal of asbestos containing material. The Contractor must perform all asbestos handling and removal work in accordance with these specifications and the following additional requirements.

U.S. Department of Labor, Occupational Safety and Health Administration, (OSHA) including but not limited to:

29 CFR 1910 Section 1001 and 29 CFR 1926 Section 58 Occupational exposure to Asbestos, Tremolite, Anthophyllite and Actinolite, Final Rule
29 CFR 1910 Section 134 Respiration Protection
29 CFR 1926 Construction Industry
29 CFR 1910 Section 2 Access to Employee Exposure and Medical Records
29 CFR 1910 Section 1200 Hazard Communication
29 CFR 1910 Section 145 Specifications for Accident Prevention Signs and Tags

U.S. Environmental Protection Agency, (EPA) including but not limited to:

40 CFR 762, CPTS 62044, FRL 2843-9, Federal Register Vol. 50 no.134, July 12, 1985 p.28530 - 28540 Asbestos Abatement Projects Rule
40 CFR 61 Subpart A Regulation for Asbestos
40 CFR 61 Subpart M (Revised Subpart B) National Emission Standard for Asbestos

ITEM 182.2 (Continued)

U.S. Department of Transportation 49 CFR 172 and 173

Massachusetts Department of Labor Standards, (DLS) including but not limited to:

454 CMR 28.00 Removal, Containment and Encapsulation of Asbestos

Massachusetts Department of Environmental Protection (DEP) including but not limited to (supplementing subsection 7.01):

310 CMR 7.00, Section 7.09 Odor and Dust, Section 7.10 Noise, Section 7.15 Air Pollution Control Regulations
310 CMR 18.00 and 19.00 Solid Waste Regulations

Massachusetts Division of Industrial Safety 45 CMR 10.00

Local Requirements including but not limited to those of Health Departments, Fire Departments and Inspection Services Departments

Wherever there is a conflict or overlap of the above references, the most stringent provision shall apply.

All asbestos material shall be removed and properly disposed of by a contractor or subcontractor with a current Massachusetts Abatement Contractors License issued by the Department of Labor Standards. Work shall be supervised by a competent person as required by OSHA in 29 CFR 1926 to ensure regulatory compliance. This person must have completed a course at an EPA Training Center or equivalent course in asbestos abatement procedures, have had a minimum of four years on-the-job training and meet any additional requirements set forth in 29 CFR 1926 for a Competent Person. This person must also be certified by the Commonwealth as an Asbestos Supervisor and Asbestos Project Designer as required by 454 CMR 28.00.

Asbestos removal work shall be coordinated with all other work under the contract and shall be completed prior to performing any activities which could disturb the asbestos material or produce airborne asbestos fibers.

Dust suppression in the form of light water sprays, foams, dust suppressants and calcium chloride will be implemented as required to control dusting during trenching and excavation. Alternatively, intrusive activities may be reduced or curtailed under high wind or heavy rain conditions, which in the opinion of the Health and Safety Plan (HASP) may pose a safety hazard to the workers.

ITEM 182.2 (Continued)

NOTIFICATION AND PERMITS

The Contractor shall prepare a formal pre-notification form at least ten (10) days prior to the start of asbestos removal work. This form must be submitted to the appropriate Regional Office of the Massachusetts Department of Environmental Protection and to the U.S. Environmental Protection Agency Region I Air and Hazardous Material Division. A copy of the submitted forms must be provided to the Engineer and kept at the work site.

Prior to starting any work, the Contractor shall also obtain any required asbestos removal permit(s) from the city/town. A copy of the permit(s) must be provided to the Engineer and posted at the work site.

The Contractor shall also obtain and pay all other applicable asbestos waste transportation and disposal permits, licenses and fees.

STANDARD OPERATING PROCEDURES

The standard operating procedure shall ensure the following:

1. Proper site security including posting of warning signs and restricting access to prevent unauthorized entry into the work spaces.

2. Proper protective clothing and respiratory protection prior to entering the work spaces.

3. Safe work practices including provisions for communications; exclusion of eating, drinking, smoking, or use of procedures or equipment that would in any way reduce the effectiveness of respiratory protection or other engineering controls.

4. Proper exit practices from the work space though the showering and decontamination facilities.

5. Removing asbestos containing material in ways that minimize release of fibers.

6. Packing, labeling, loading, transporting and disposing of contaminated material in a way that minimizes or prevents exposure and contamination.

7. Emergency evacuation of personnel, for medical or safety (fire and smoke) so that exposure will be minimized.

8. Safety from accidents in the work space, especially from electrical shocks, slippery surfaces and entanglements in loose hoses and equipment.

9. Provisions for effective supervision and OSHA - specified personnel air monitoring for exposure during work.

ITEM 182.2 (Continued)

REQUIRED SUBMITTALS

The Contractor shall submit to the Engineer the following listed items at least ten (10) calendar days prior to the start of asbestos work. No asbestos removal work activities shall commence until these items are reviewed by the Engineer, unless otherwise waived. Submittals shall be clearly labeled and in sufficient detail to enable the Engineer to form an opinion as to its conformity to the specifications.

1. Name, experience and DLS certification of proposed Supervisors and Foreman responsible for asbestos work.

2. Summary of workforce by disciplines and a notarized statement documenting that all proposed workers, by name, have received all required medical exams and have been properly trained and certified for asbestos removal work, respirator use and appropriate Massachusetts DLS, EPA and OSHA standards.

3. Notarized statement that workers are physically fit and able to wear and use the type of respiratory protection proposed for the project. Notarized certification signed by an officer of the abatement contracting firm that exposure measurements, medical surveillance and worker training records are being kept in conformance with 29 CFR 1926.

4. Written plan of action and standard operating procedures (HASP) to include: location and layout of decontamination areas; sequencing of asbestos work; detailed schedule of work activities by date and interface with other project activities which affect work performance; methods used to assure safety and security; worker protection and exposure monitoring; contingency and emergency evacuation procedures; detailed description of methods to be employed to control pollution; waste handling procedures.

5. Written respiratory protection program specifying level of protection intended for each operation required by the project and details of daily inspection and maintenance elements.

6. Copies of the U.S. EPA, State and local asbestos removal pre-notification forms. If applicable, lists and copies of all permits, licenses, or manifests which will be applied for and used.

7. Name, location and applicable approval certificates for primary and secondary landfill for disposal of asbestos-containing or asbestos contaminated waste. Name, address and licenses number(s) of hauler permitted to transport waste. (Submit copies of completed manifests upon disposal).

The Contractor must provide copies of daily inspection and record logs upon request of the Engineer, at any time during project. This information will include but is not limited to work area entry data, respirator inspections and maintenance, HEPA-exhaust inspections and maintenance and other work applicable activities or reports of accidents or unusual events.

ITEM 182.2 (Continued)

METHOD OF MEASUREMENT

ITEM 182.2 will be measured for payment by the FOOT for the complete removal and disposal of the asbestos containing material.

BASIS OF PAYMENT

Item 182.2 will be paid for at the Contract unit price per FOOT, which price shall include all labor, materials, tools, equipment, and all incidental costs required to complete the work specified above and as required by the Engineer.

No separate payment will be made for the protection of general public, private property, the proper inspecting and testing of the material, but all costs in connection therewith shall be included in the Contract unit price bid.

ITEM 210. SANITARY SEWER MANHOLE EACH

The work under this Item shall conform to the relevant provisions of Subsection 201 of the Standard Specifications and the following:

REFERENCES:

ASTM International (ASTM)

ASTM	A48	Gray Iron Castings
ASTM	C32	Sewer and Manhole Brick
ASTM	C144	Aggregate for Masonry Mortar
ASTM	C207	Hydrated Lime for Masonry Purposes
ASTM	C478	Precast Reinforced Concrete Manhole Sections
ASTM	C923	Specification for Resilient Connectors Between Reinforced Concrete Manhole Structures and Pipes
ASTM	C1244	Standard Test Method for Concrete Sewer Manholes by the Negative Air Pressure (Vacuum) Test.

American Association of State Highway and Transportation Officials (AASHTO)

AASHTO	M198	Joints for Circular Concrete Sewer and Culvert Pipe Using Flexible Watertight Gaskets

Occupational Safety and Health Administration

OSHA 29 CFR 1910.27	Fall Prevention Protection

PRODUCTS

PRECAST CONCRETE SECTIONS:

A. All precast concrete sections shall conform to ASTM C478 with the following exceptions and additional requirements

1. The wall thickness of precast sections shall be as designated on the drawings, meeting the following minimum requirements:

Section Diameter (Inches)	Minimum Wall Thickness (Inches)
48	5
60	6
72	7
84	8

2. Type II cement shall be used except as otherwise approved.
3. Sections shall be steam cured and shall not be shipped until at least five days after having been cast.
4. Minimum compressive strength of concrete shall be 4000 psi at 28 days.
5. No more than two lift holes may be cast or drilled in each section.

ITEM 210. (Continued)

6. The date of manufacture and the name or trademark of the manufacturer shall be clearly marked on the inside of each precast section.
7. Acceptance of the sections will be on the basis of material tests and inspection of the completed product.
8. Circumferential steel reinforcement in walls and bases shall be a minimum of 0.12 sq. in./lin. ft. for 4-foot diameter sections and 0.15 sq. in./lin. ft. for 5- and 6-foot diameter sections. Reinforcing shall extend into tongue and groove.

B. Conical reducing sections shall have a wall thickness not less than 5-inches at the bottom and wall thickness of 8-inches at the top. Conical sections shall taper from a minimum of 48-inches diameter to 24 or 30-inches diameter at the top, as shown on the drawings.

C. Except where insufficient depth of cover dictates the use of a shorter base, bases shall be a minimum of 4 feet in height.

D. Slab top sections and flat riser sections (Grade Rings) shall conform to the Contract drawings, with particular attention focused upon the reinforcing steel and be designed to meet or exceed an HS-20 Loading requirement.

E. The tops of the bases shall be suitably shaped by means of accurate ring forms to receive the riser sections.

F. Precast sections shall be manufactured to contain wall openings of the minimum size to receive the ends of the pipes, such openings being accurately set to conform with line and grade of the sewer or drain. Subsequent cutting or tampering in the field, for the purpose of creating new openings or altering existing openings, will not be permitted except as required by the Engineer.

G. The exterior surfaces of all precast manhole bases, walls, and cones shall be given a minimum of one shop coat of bituminous dampproofing.

H. The Engineer reserves the right to reject any unsatisfactory precast section and the rejected unit shall be tagged and removed from the job site immediately.

I. The Engineer may also require the testing of concrete sections as outlined under Physical Requirements in ASTM C478 with the Contractor bearing all testing costs.

BRICK MATERIALS:

A. Brick shall be in conformance to MassDOT M4.05.2.

B. Rejected brick shall be immediately removed from the work and brick satisfactory to the Engineer substituted.

C. Mortar shall be in conformance to MassDOT M4.04.3.

D. Cement shall be Type II Portland cement as specified for concrete masonry.

E. Hydrated lime shall be Type S conforming to ASTM C207.

ITEM 210. (Continued)

F. The sand shall comply with ASTM C144 specifications for "Fine Aggregate," except that all of the sand shall pass a No. 8 sieve.

STEPS:

A. Manhole steps shall conform to ASTM C478 requirements and shall be fabricated of either extruded aluminum or steel reinforced plastic. Steps shall be uniformly spaced at a maximum of 12-inches unless otherwise shown on the drawings.

SEWER MANHOLE ACCESSORIES:

A. Gasket materials shall be top grade (100% solids, vulcanized) butyl rubber and shall meet or exceed AASHTO M-198.

B. Couplings at the manhole-pipe interface shall be made with a rubber seal system (with or without stainless steel straps) meeting the requirements of ASTM C923 and recommended for this type of connection.

C. Stubs installed as specified and indicated on the drawings shall be short pieces of the same class pipe as that entering the manhole and shall have either stoppers or end caps as shown on the drawings. Stoppers or end caps shall be especially designed for that application.

METHOD OF MEASUREMENT

Item 210. will be measured for payment by the EACH Sanitary Sewer Manhole installed, complete in place.

BASIS OF PAYMENT

Item 210. will be paid for at the Contract unit price per EACH, which price shall include all labor, furnishing and installing base, walls, cones, invert channels, steps, gaskets, seals, sealants, connections, couplings, and bricks and grout to grade, connections of pipeline to proposed sewer or manholes, including any additional couplings or piping required, and all incidental costs required to complete the work.

ITEM 210.02 SANITARY SEWER MANHOLE REMOVED EACH

The work under this Item shall conform to the relevant provisions of Subsection 140 of the Standard Specifications and the following:

The work under this Item shall consist of removing and discarding existing sewer manhole designated as not required for reuse on this project.

Existing sewer pipe connected to the structure shall also be removed and discarded.

METHOD OF MEASUREMENT

Item 210.02 will be measured for payment by the EACH sanitary sewer manhole removed.

BASIS OF PAYMENT

Item 210.02 will be paid for at the Contract unit price per EACH, which price shall include all labor, materials, equipment, removal and disposal of the sanitary sewer manhole and sewer pipe connected to the structure, and all incidental costs required to complete the work.

ITEM 222.3 FRAME AND GRATE (OR COVER) MUNICIPAL STANDARD EACH

The work under this Item shall conform to the relevant provisions of Subsections 201 and 220 of the Standard Specifications and the following:

Manhole covers shall have a diamond pattern; pick holes and the appropriate word "DRAIN" or "SEWER" cast in 3-inch letters to match the corresponding utility.

Frames and grates shall be manufactured by a MassDOT approved fabricator listed on the Qualified Construction Materials List (QCML). Casting date shall be listed on the QCML.

METHOD OF MEASUREMENT

Item 222.3 will be measured for payment by the EACH frame and grate (or cover) municipal standard, furnished and delivered to the site. Frame and Grate or Frame and Cover shall be considered as a one unit.

BASIS OF PAYMENT

Item 222.3 will be paid for at the Contract unit price per EACH, which price shall include all labor, materials, equipment, and all incidental costs required to complete the work.

ITEM 225.52 TRAP AND HOOD MUNICIPAL STANDARD EACH

The work under this Item shall conform to the relevant provisions of Subsection 201 of the Standard Specifications and the following:

The work under this Item consists of furnishing and installing trap and hood.

The Trap and Hood Municipal Standard provided under this Item shall consist of four gray iron pieces; the trap, collar, flap valve and spigot, and the incidental hardware necessary to connect the pieces. The trap and hood assembly shall be manufactured by EJ USA, Inc., US Foundry, Neenah Foundry, or an approved equal.

Catalogue cuts of the proposed trap and hood assembly shall be submitted to the Engineer for review and approval.

METHOD OF MEASUREMENT

Item 225.52 will be measured for payment by the EACH trap and hood municipal standard installed, complete in place.

BASIS OF PAYMENT

Item 225.52 will be paid for at the Contract unit price per EACH, which price shall include all labor, material, equipment, and all incidental costs required to complete the work.

ITEM 250.08 **8 INCH POLYVINYL CHLORIDE SANITARY SEWER PIPE** **FOOT**

The work under this Item shall conform to the relevant provisions of Subsection 230 of the Standard Specifications and the following:

The work under this Item consists of furnishing and installing polyvinyl chloride sanitary sewer pipe and associated fittings.

Polyvinyl chloride pipe and fittings shall be Type PSM polyvinyl chloride (PVC) SDR 35 with full diameter dimensions conforming to the specifications for Type PSM Polyvinyl Chloride (PVC) Sewer Pipe and Fittings, ASTM Designation D-3034.

REFERENCES

American Society for Testing and Materials (ASTM)

ASTM	D2321	Recommended Practice for Underground Installation of Flexible Thermoplastic Sewer Pipe
ASTM	D3034	Specification for Type PSM Polyvinyl Chloride (PVC) Sewer Pipe and Fittings
ASTM	D3212	Specification for Joints for Drain and Sewer Plastic Pipes Using Flexible Elastomeric Seals
ASTM	F679	Specification for Polyvinyl Chloride (PVC) Large Diameter Plastic Gravity Sewer Pipe and Fittings

PRODUCTS

MATERIALS:

A. PVC nonpressure sewer pipe 4-inches through 15-inches diameter shall conform to ASTM D3034, 18-inches through 60-inches diameter to ASTM F679, all with SDR of 35 unless noted, and shall meet the specific requirements and exceptions to the aforementioned specifications that follow.

B. PVC nonpressure sewer pipe shall be furnished in standard lengths.

C. One pipe bell consisting of an integral wall section with a solid cross section rubber ring, factory assembled, shall be furnished with each standard, random and short length of pipe. Rubber rings shall be provided to the requirements of ASTM D3212.

D. The rubber ring shall be retained within the bell of the pipe by a precision formed groove or recess designed to resist fishmouthing or creeping during assembly of joints.

E. Spigot pipe ends shall be supplied with bevels from the manufacturer to ensure proper insertion. Each spigot end shall have an "assembly stripe" imprinted thereon to which the bell end of the mated pipe will extend upon proper jointing of the two pipes.

F. PVC fittings shall be provided with bell and/or spigot configurations with rubber gasketed joints compatible with that of the pipe. Bend fittings with spigot ends shorter than the pipe recess bells will not be allowed. The shorter spigot end would not allow proper seating of the spigot in the mating bell and would permit undesired contact between the mating bell and the outside of the fitting bell.

ITEM 250.08 (Continued)

G. All pipe delivered to the job site shall be accompanied by independent testing laboratory reports certifying that the pipe and fittings conform to the above-mentioned specifications. In addition, the pipe shall be subject to thorough inspection and tests, the right being reserved for the Engineer to apply such of the tests specified as it may from time to time deem necessary.

H. All cutting of pipe shall be done with a machine suitable for cutting PVC pipe. Cut ends shall be beveled when recommended by the pipe manufacturer.

EXECUTION

INSTALLATION:

A. Except as modified herein, installation of the PVC pipe shall be in accordance with ASTM D2321.

B. Each pipe length shall be inspected before being laid to verify that it is not cracked. Pipe shall be laid to conform to the lines and grades indicated on the drawings or given by the Engineer. Each pipe shall be so laid as to form a close joint with the next adjoining pipe and bring the inverts continuously to the required grade.

C. The pipe shall be supported by compacted crushed stone. Crushed stone shall be as specified under Subsection M.2.01.0 of the Standard Specifications.

D. The pipe shall not be driven down to grade by striking it with a shovel handle, timber, rammer, or other unyielding object. When each pipe has been properly bedded, enough of the backfill material shall be placed and compacted between the pipe and the sides of the trench to hold the pipe in correct alignment.

E. Before a joint is made, the pipe shall be checked to assure that a close joint with the next adjoining pipe has been maintained and that inverts are matched and conform to the required line and grade.

F. For pipe placed on crushed stone, immediately after the joint is made, the jointing area shall be filled with suitable materials so placed and compacted that the ends of either pipe will not settle under backfill load.

G. No pipe or fitting shall be permanently supported on saddles, blocking, or stones.

H. Branches and fittings shall be laid by the Contractor as indicated on the drawings, and/or as required by the Engineer. Open ends of pipe and branches shall be closed with PVC caps secured in place with premolded gasket joints or as required by the Engineer.

ITEM 250.08 (Continued)

I. All pipe joints shall be made as nearly watertight as practicable. There shall be no visible leakage at the joints and there shall be no sand, silt, clay, or soil of any description entering the pipeline at the joints. Where there is evidence of water or soil entering the pipeline, connecting pipes, or structures, the defects shall be repaired to the satisfaction of the Engineer.

J. The Contractor shall build a tight bulkhead in the pipeline where new work enters an existing sewer. This bulkhead shall remain in place until the Engineer authorizes its removal.

K. Care shall be taken to prevent earth, water, and other materials from entering the pipe, and when pipe laying operations are suspended, the Contractor shall maintain a suitable stopper in the end of the pipe and also at openings for manholes.

L. As soon as possible after the pipe and manholes are completed on any street, the Contractor shall flush out the new pipeline using a rubber ball ahead of the water, and none of the flushing water or debris shall be permitted to enter any existing sewer.

QUALITY CONTROL

A. LEAKAGE TESTING:

1. On completion of a section of sewer, including building connections installed to the property line, the Contractor shall install suitable bulkheads as required, dewater and test the sewer for leakage.

2. Unless otherwise approved, the section shall be tested using low pressure air test procedures. If circumstances permit, the Engineer may allow testing by infiltration or exfiltration in lieu of air testing.

3. The air test procedures shall conform to the Uni-Bell Recommended Practice for Low Pressure Air Testing of Installed Sewer Pipe, UNI-B-6. The starting air pressure for the test shall be 4 psig (greater than the average groundwater back pressure of any groundwater above the pipe, but not greater than 9.0 psig). The minimum duration permitted for the prescribed low pressure air exfiltration pressure drop between two consecutive manholes shall not be less than provided in Table I or Table II of UNI-B-6. **Note that UNI-B-6 suggests that use of the 0.5 psig pressure drop is more efficient since the time requirements are half of the 1.0 psig-pressure drop.** The two tables are reproduced on the following pages.

4. Using the air pressure test, if there has been no leakage (zero psig drop) after one hour of testing, the section undergoing test shall have passed.

5. If either infiltration or exfiltration testing is permitted by the Engineer, the test shall be conducted for at least 24 hours. The amount of infiltration or exfiltration shall not exceed 100 gallons per inch-diameter per mile of sewer per 24 hours.

ITEM 250.08 (Continued)

6. The infiltration test measures leakage into a section of sewer and may be used only where the groundwater level is one foot or more above the crown of the section of sewer pipe at its upper end and at least one foot above the top of building connections and chimneys. For making the infiltration tests, underdrains, if used, shall be plugged and other groundwater drainage shall be stopped to permit the groundwater to return to its normal level insofar as practicable. Allowances shall be made for water that may enter the sewer through pipe connections and inlets during the infiltration test.

7. Where the groundwater level is less than 1 foot above the top of the pipe at its upper end, the exfiltration test may be used. The sewers shall be subjected to an internal pressure by plugging the pipe at the lower end and then filling the pipelines and manholes with clean water to a height of 2 feet above the highest point in the system to be tested, including main pipeline, service connections and chimneys. When slopes between manholes are steep, the Contractor shall insure that this test can be accomplished without danger of forcing stoppers from wye or tee branches.

8. The rate of exfiltration from the sewers shall be determined by measuring the amount of water required to maintain the water level at the elevation established at the beginning of the test.

9. The Contractor shall construct such weirs or other means of measurements as may be required, shall furnish water and shall do all necessary pumping to enable the test to be properly made.

10. The Contractor shall be responsible for the satisfactory watertightness of the entire section of sewer. Should the sections under test fail to meet the requirements, the Contractor shall do all work of locating and repairing leaks and retesting as the Engineer may require without additional compensation. A plan of the method of repairing any leaks that are found shall be submitted to the Engineer for review.

1. On completion of a section of sewer, including building connections installed to the property line, the Contractor shall TV inspect the section, Sewer Cleaning, Inspection, Testing and Sealing at no additional cost to the Owner.

2. The Contractor shall be responsible for the satisfactory water-tightness of the entire section of the sewer. Should the Engineer determine that the sections inspected are unsatisfactory, the Contractor shall do all work required to locate and repair the defects and re-inspect as the Engineer may require without additional compensation.
3. A plan of the method for repairing any defects that are found shall be submitted to the Engineer for review.

ITEM 250.08 (Continued)

B. PIPE DEFLECTION MEASUREMENT:

1. In accordance with ASTM D3034, no less than 30 days after completion of the PVC sewer pipe installation, the Contractor shall test the pipeline for deflection using a "go/no-go" deflection mandrel having a minimum of nine evenly spaced arms or prongs. The "go/no-go" gauge shall be hand pulled through all sections of the pipeline by the Contractor. The Contractor shall submit drawings of the "go/no-go" gauge to the Engineer for approval prior to testing. Complete dimensions of the gauge for each diameter of pipe to be tested shall be in accordance with ASTM D3034.

2. Any section of pipe found to exceed 7.5 percent deflection shall be deemed a failed pipe and shall be excavated and replaced by the Contractor at its own expense.

METHOD OF MEASUREMENT

Item 250.08 will be measured for payment by the FOOT of sanitary sewer pipe installed, complete in place.

BASIS OF PAYMENT

Item 250.08 will be paid for at the Contract unit price per FOOT, which price shall include all labor, materials, equipment, saw cutting, excavation regardless of depth (excluding rock), dewatering, caps, bends, fittings, DI to PVC adaptor, tees, appurtenances, connection to existing services, stone bedding, testing, replacing existing pipe damaged during construction, removing and disposing of existing pipe, or plugging abandoned pipe ends, and all incidental costs required to complete the work.

For the inside drop connection all anchors, straps and expansion bolts shall be stainless steel.

ITEM 482.31 SAWING AND SEALING JOINTS IN ASPHALT PAVEMENT AT BRIDGES FOOT

The work under this Item consists of making a sealed kerf across the full width of the finished asphalt pavement at bridge abutments where called for on the Plans. The shape, width, and depth of the kerf shall be as shown on the Plans.

Prior to the start of the asphalt pavement operation, the Contractor shall place a mark on each curb or barrier on either side of the paved roadway. These marks shall be aligned with the actual end of the bridge deck and shall be placed so that they will not be covered or otherwise obscured by the asphalt pavement.

After the completion of the paving operation, the Contractor shall snap a straight chalk line on the pavement between these two marks. The Contractor shall then saw cut the pavement along this line to the depth, width and shape as shown on the Plans. The equipment shall be approved by the Engineer prior to commencing work.

After completing the saw cutting, the Contractor shall clean the saw groove of any dust and debris with an oil free air blast. If the groove was wet sawn, the groove shall be cleaned with a water blast to remove any remaining slurry and debris, vacuumed with a Wet-or-Dry vacuum to remove any standing water, and then dried with an air blast from a Hot-Air-Lance.

Once the groove is clean and dry, the Contractor shall fill it completely with a hot-applied bituminous crack sealer meeting the requirements of M3.05.4 in accordance with the manufacturer's application instructions and restrictions regarding ambient and material temperatures. The crack sealer shall be thoroughly cured prior to opening the road to traffic. To reduce tackiness, only boiler slag aggregate (black beauty) shall be scattered over the sealer when required by the Engineer. Conventional sand shall not be used for this purpose.

METHOD OF MEASUREMENT

Item 482.31 will be measured for payment by the FOOT, of the actual number of feet of kerf sawed and sealed in the asphalt pavement surface, complete in place.

BASIS OF PAYMENT

Item 482.31 will be paid for at the Contract unit price per FOOT, which price shall include all labor, materials, equipment, and all incidental costs required to complete the work.

ITEM 657. TEMPORARY FENCE FOOT

The work under this Item shall conform to the relevant provisions of Subsection 644 of the Standard Specifications and the following:

The work under this Item shall include furnishing, installing, adjusting and resetting, and subsequently removing a temporary chain link fence across the access to the work area as necessary for safety and security, and as directed by the Engineer.

All posts, including end, corner and intermediate brace posts and all access/egress gates and gate posts shall be included in the linear foot cost. The fencing height shall be 72 inches minimum. Material need not be new but shall not be deteriorated nor in any way jeopardize the security purposes intended. All fencing materials shall meet the approval of the Engineer.

Fence fabric shall be placed on the face of the post away from the work area. The top edge of the fabric shall be finished with a "Knuckled" selvage.

A 48" x 30" sign, conforming to the relevant provisions of Subsection 850 of the Standard Specifications, shall be mounted on each gate. The sign legend shall be 8"-high, bold-red font, printed on white background, and shall read as follows:

DANGER

AREA CLOSED TO VEHICLE, BICYCLE, AND PEDESTRIAN TRAFFIC

It may be necessary to remove and reset sections of temporary fence at times during construction to accommodate construction operations. This shall be considered incidental to the work.

The Contractor shall be responsible for maintenance of the temporary fence; be responsible and cognizant that it remains secure, and that the area is sealed off to the general public at all times. Fence gates shall be secured closed with a padlock and chain at all times while the Contractor is not on site.

METHOD OF MEASUREMENT

Item 657. Will be measured for payment by the FOOT of temporary fence installed, maintained, and removed.

BASIS OF PAYMENT

Item 657. will be paid for at the Contract unit price per FOOT, which price shall include all gates, signs, labor, tools, materials, equipment, and all incidental costs required to accomplish the work and for the removal and disposal of the fence upon the completion of the project. No additional payment shall be made for the replacement and/or restoration of fencing damaged by the Contractor's operations, vandalism, and/or any other manner.

ITEM 697.1 SILT SACK EACH

Work under this Item shall conform to the relevant provisions of Subsections 227 and 670 of the Standard Specifications and the following:

The work under this Item includes the furnishing, installation, maintenance and removal of a reusable fabric sack to be installed in drainage structures for the protection of wetlands and other resource areas and the prevention of silt and sediment from the construction site from entering the storm water collection system. Devices shall be ACF Environmental (800)-448-3636; Reed & Graham, Inc. Geosynthetics (888)-381-0800; The BMP Store (800)-644-9223; or approved equal.

CONSTRUCTION

Silt sacks shall be installed in retained existing and proposed catch basins and drop inlets within the project limits and as required by the Resident Engineer.

The silt sack shall be as manufactured to fit the opening of the drainage structure under regular flow conditions, and shall be mounted under the grate. The insert shall be secured from the surface such that the grate can be removed without the insert discharging into the structure. The filter material shall be installed and maintained in accordance with the manufacturer's written literature and as directed by the Engineer.

Silt sacks shall remain in place until the placement of the pavement overlay or top course and the graded areas have become permanently stabilized by vegetative growth. All materials used for the filter fabric will become the property of the Contractor and shall be removed from the site.

The Contractor shall inspect the condition of silt sacks after each rainstorm and during major rain events. Silt sacks shall be cleaned periodically to remove and disposed of accumulated debris as required. Silt sacks, which become damaged during construction operations, shall be repaired or replaced immediately at no additional cost to the Department.

When emptying the silt sack, the Contractor shall take all due care to prevent sediment from entering the structure. Any silt or other debris found in the drainage system at the end of construction shall be removed at the Contractors expense. The silt and sediment from the silt sack shall be legally disposed of offsite. Under no condition shall silt and sediment from the insert be deposited on site and used in construction.

All curb openings shall be blocked to prevent stormwater from bypassing the device.

All debris accumulated in silt sacks shall be handled and disposed of as specified in Subsection 227 of the Standard Specifications

ITEM 697.1 (Continued)

COMPENSATION

Silt sacks will be measured and paid at the Contract unit price per each, complete in place, which price shall include all labor, materials, equipment and incidental costs required to complete the work. No separate payment will be made for removal and disposal of the sediment from the insert, but all costs in connection therewith shall be included in the Contract unit price bid.

ITEM 698.3 GEOTEXTILE FABRIC FOR SEPARATION SQUARE YARD

The work under this Item shall conform to the requirements of Subsection M9.50.0 for separation of the Standard Specifications. Construction and installation shall be in accordance with AASHTO M 288 and the following:

The work under this Item shall consist of furnishing and placing geotextile fabric for separation under stone for pipe ends and under revetment stone slope protection at the locations shown on the Construction Details or as required by the Engineer.

CONSTRUCTION

Atmospheric exposure of the geotextile fabric to the elements following lay down shall be a maximum of 14 days.

For seams that are sewn in the field, the Contractor shall provide at least a six-foot length of sample sewn seam for the approval of the Engineer before the geotextile fabric is installed. The seams sewn for sampling shall be sewn using the same type of equipment and procedures as will be used for the production seams. If seams are sewn in both the machine and cross machine direction, samples of seams for both directions shall be provided. The seam assembly description shall be submitted by the Contractor along with the seam samples. This description shall include the seam type, stitch type, sewing thread, and stitch density. If the Contractor elects to sew seams instead of overlap, colored thread must be used.

Geotextile shall be placed in intimate contact with soils without wrinkles or folds, and shall be anchored on a smooth graded surface approved by the Engineer. The geotextile shall be placed in such a manner that placement of the overlaying materials will not excessively stretch or tear it.

Adjacent geotextile sheets shall be joined by either sewing or overlapping. At roll ends, overlapped seams shall overlap a minimum of 12 inches, except when placed under water, where they shall overlap a minimum of 3 feet. Adjacent rolls shall overlap a minimum of 12 inches.

Care shall be taken during installation to prevent damage to the geotextile as a result of the installation process. Should the geotextile be damaged, a geotextile patch shall be placed over the damaged area extending a minimum of 3 feet beyond the limits of the damage.

Any section of fabric that is damaged shall be repaired in accordance with the manufacturer's requirements and AASHTO M 288 and to the satisfaction of the Engineer or it shall be replaced at no cost to the state.

ITEM 698.3 (Continued)

Bedding and Slope Protection:

The geotextile shall be placed and anchored on a prepared surface approved by the Engineer. The geotextile shall be laid loosely so that placement of the overlaying materials will not stretch or tear the geotextile. The backfill placement shall begin at the toe and proceed up the slope. Successive geotextile sheets shall be overlapped in such a manner that the upstream sheet is placed over the downstream sheet.

Riprap shall not be dropped onto the geotextile from a height greater than 12 inches. Slope protection and smaller sizes of stone filling shall not be dropped onto the geotextile from a height exceeding 3 feet.

The surface upon which the geotextile is to be placed shall be within reasonable conformity to the proposed grade.

METHOD OF MEASUREMENT

Item 698.1 will be measured for payment by the number of SQARE YARDS of geotextile for separation actually installed at the locations shown on the plans, in accordance with these specifications, or as directed by the Engineer. Overlapping for seams and joints shall be measured as one layer of fabric. Any embedment or wrapping at the toe or top of the slope, applied per manufacturer's installation recommendations or the Engineer's direction will be measured for payment.

BASIS OF PAYMENT

Item 698.1 will be paid for at the Contract unit price per SQUARE YARD, which price shall include all labor, material, equipment, all miscellaneous associated assembly material, and all incidental costs required to complete the work.

ITEM 740. ENGINEER'S FIELD OFFICE AND EQUIPMENT (TYPE A) MONTH

The work under this Item shall conform to the relevant provisions of Subsection 740 of the Standard Specifications and the following:

Two computer systems and a printer system meeting minimum requirements set forth below including installation, maintenance, power, paper, disks, and other supplies shall be provided at the Resident Engineer's Office:

All equipment shall be UL approved and Energy Star compliant.

The Computer System shall meet the following minimum criteria or better:

Processor:	Intel, 3.5 GHz
System Memory (RAM):	12 GB
Hard Drive:	500 GB
Optical Drive:	DVD-RW/DVD+RW/CD-RW/CD+RW
Graphics Card:	8 GB
Network Adapter:	10/100 Mbit/s
USB Ports:	6 USB 3.0 ports
Keyboard:	Generic
Mouse:	Optical mouse with scroll, MS-Mouse compliant
Video/Audio	the computer system shall be capable of allow video calling and recording:
Video camera	shall be High Definition 1080p widescreen capable video calling and recording with built in microphone. The microphone system shall capture natural audio while filtering out background noise.
Audio	shall be stereo multimedia speaker system delivering premium sound.
OS:	Latest Windows Professional with all security updates
Web Browser:	Latest Internet Explorer with all security updates
Applications:	Latest MS Office Professional with all security updates Latest Adobe Acrobat Professional with all security updates Latest Autodesk AutoCAD LT Antivirus software with all current security updates maintained through the life of the contract.
Monitors:	Two 27" LED with Full HD resolution. Max. resolution 1920 x 1080
Flash drives:	2 (two) - 128GB USB 3.0
Internet access:	High Speed (min. 24 mbps) internet access with wireless router.

ITEM 740. (Continued)

The Multifunction Printer System shall meet the following minimum criteria or better:

Color laser printer, fax, scanner, email and copier all in one with the following minimum capabilities:

- Estimated volume 8,000 pages per month
- LCD touch panel display
- 50 page reversing automatic document feeder (RADF)
- Reduction/enlargement capability
- Ability to copy and print 11” x 17” paper size
- email and network pc connectivity
- Microsoft and Apple compatibility
- ability to overwrite latent images on hard drive
- 600 x 600 dpi capability
- 30 pages per minute print speed (color),
- 4 Paper Trays Standard (not including the bypass tray)
- Automatic duplexing
- Finisher with staple functions
- Standard Ethernet. Print Controller
- Scan documents to PDF, PC and USB
- ability to print with authenticated access protection

The Contractor shall supply a maintenance contract for next day service, and all supplies (toner, staples, paper) necessary to meet estimated monthly usage.

The Engineer's Field Office and the equipment included herein including the computer system, and printer shall remain the property of the Contractor at the completion of the project. Disks, flash drives, and card readers with cards shall become the property of the Department.

Compensation for this work will be made at the Contract unit price per MONTH which price includes full compensation for all services and equipment, and incidentals necessary to provide equipment, maintenance, insurance as specified and as directed by the Engineer.

ITEM 756.1 CONSTRUCTION PERIOD POLLUTION PREVENTION AND EROSION AND SEDIMENTATION CONTROL PLAN — LUMP SUM

The work under this Item shall consist of the preparation and implementation of a Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan (CP/PP) as required by a regulatory agency. This Item is applicable to projects that are not subject to the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) required by the National Pollutant Discharge Elimination System (NPDES) and applicable Construction General Permit (CGP) issued by the U.S. Environmental Protection Agency (EPA).

The work under this Item shall also include the preparation, submission and implementation of a Flood Contingency Plan. The plan shall address the potential need for the temporary relocation of construction and auxiliary equipment situated within the 1% annual chance of flooding zone to designated upland locations above the Base Flood Elevation during flood events. The Flood Contingency Plan shall address any additional MassDEP-required information requirements, as applicable. The Flood Contingency Plan shall be submitted to the Engineer for review and approval at the same time as the CP/PP.

The CP/PP, at a minimum, shall include the following:

- Project & Site Description
- Project Site Contact Information
  - This shall include the phone number for the Contractor Site Superintendent, Project Manager and CP/PP Inspector(s).
- Qualifications of the CP/PP Inspector and documentation of qualifications
  - At a minimum, relevant personnel responsible for erosion and sedimentation control inspections shall have completed the EPA's construction inspection training course and obtained a certificate confirming completion of the training module, or have completed a third-party stormwater course which covers the minimum topics listed in Part 6.3.b of the CGP.
- Reference to and information to address permit Special Conditions relevant to the CP/PP contents

  These include but are not limited to:
  - 401 Water Quality Certification
  - Army Corps of Engineers Section 404 Permit

  Special Conditions associated with the permits are:

1. Training regarding erosion and sedimentation controls is required. The RE, CP/PP Inspector, and any other relevant personnel responsible for erosion and sedimentation controls shall complete the EPA CGP Inspector Training, or other training that meets the CGP requirements, as well as complete a comprehensive review of the approved CP/PP. Verification of proof of completion training shall be submitted to MassDEP prior to start of work. **(Submittal)**

ITEM 756.1 (Continued)

2. A construction period erosion, sedimentation, and pollution prevention plan (CP/PP) shall be developed and implemented as required by 314 CMR 9.06(6)(a)8. A minimum of 14 days prior to the start of work, MassDOT shall submit the CP/PP for review and approval. If the U.S. Environmental Protection Agency (EPA) Construction General Permit (CGP) applies, the Stormwater Pollution Prevention Plan (SWPPP) may serve as the CP/PP, providing it includes the measures required to be in the CP/PP per these Special Conditions, in addition to the measures specifically required by the CGP. Any subsequent changes to the approved CP/PP (defined herein as including the construction period SWPPP) must be approved by MassDEP. **(Submittal)**

3. Training regarding erosion and sedimentation controls is required. The RE, CP/PP Inspector, and any other relevant personnel responsible for erosion and sedimentation controls shall complete the EPA CGP Inspector Training, or other training that meets the CGP requirements, as well as complete a comprehensive review of the approved CP/PP. Verification of proof of completion training of the shall be submitted to MassDEP prior to the start of work. **(Submittal)**

4. The CP/PP shall identify, but shall not be limited to, staging and laydown areas in relation to LUW, proposed dewatering locations, proposed stockpile locations and their proximity to catch basins or other drainage conveyances that discharge to wetland resource areas, and the location of construction-period erosion and sedimentation controls.

5. A minimum of 21 days prior to the start of work, MassDOT shall submit a Control of Water Plan for review and approval. The Plan shall include proposed methods to manage construction- period water including but not limited to dewatering methods and locations, specifications for any water bypass systems, and dredge and debris material dewatering prior to shipment off site, as applicable. The plan shall meet requirements of the CP/PP and be specific to the Project. Dewatering and water bypasses shall be conducted under the supervision of the RE and comply with the applicable conditions identified herein. **(Submittal)**

6. CP/PP inspections shall occur at least once every seven calendar days and within MassDEP and the Erving Conservation Commission within 24 hours prior to the commencement of dewatering. Dewatering methods and location(s) 24 hours of a storm event that produces 0.5 inches or more of rain within a 24-hour period, or at a more stringent frequency if the CP/PP requires.

ITEM 756.1 (Continued)

7. Copies of CP/PP Inspection and Maintenance Log Forms shall be submitted to MassDEP within 14 days upon request.

8. Work within LUW shall be conducted in low or no-flow conditions to the extent practicable. Notice shall be provided to shall be approved by the RE prior to use, and shall be documented in the CP/PP. There shall be no discharge of untreated dewatered stormwater or groundwater to LUW. Any discharges shall be visibly free of sediment.

9. Any storm drains with potential to receive discharge from stockpiled materials or construction operations shall be managed to inhibit the inflow of sediment while not increasing the likelihood of roadway flooding during periods of precipitation. Stockpiles shall be located no less than 50 feet from LUW, catch basins, or other drainage conveyances that discharge to BVWs or LUW. The CP/PP shall specify measures to implement this. Filter fabric stretched under storm drain inlet grates are not acceptable for this purpose.

- Construction Sequencing/Phasing
- Erosion Prevention, Sediment Control, and Best Management Practices (BMP s) to be implemented
- Maintenance measures and intended timeline to address maintenance and corrective actions for implemented Erosion Prevention Measures, Sediment Control Devices, and BMPs
- Anticipated inspection schedule and sample inspection report form
  - Use the EPA's Site Inspection Report Template found on the EPA's website.
- Site Plans
  - This shall depict, at minimum, the project limits, locations of construction phase erosion prevention measures, construction phase sedimentation control measures, limits of disturbance, staging and laydown areas, proposed dewatering locations and proposed stockpile locations. Depict existing jurisdictional wetland resource areas, drainage conveyances and stormwater treatment features.

ITEM 756.1 (Continued)

The Contractor shall prepare the CP/PP, and update/revise as needed upon changes in site conditions, relevant project personnel, construction phase controls, schedule changes, revised work, regulations, and construction methodologies. The Contractor shall submit the CP/PP to the Engineer for approval at least thirty (30) days prior to prior to commencement of any project related activity that disturbs land, including clearing and grubbing. Submission of the CP/PP to a regulatory agency for review and approval may also be required by a Special Condition associated with a permit issued under the Wetlands Protection Act, or Section 401of the Clean Water Act and their implementing Regulations. It is the responsibility of the Contractor to ensure the CP/PP is submitted to reviewers in a timely manner to support the construction schedule.

It is the responsibility of the Contractor to comply with the conditions of any state Wetlands Protection Act Order, Water Quality Certification, Army Corps of Engineers Section 404 Permit and other environmental permits applicable to the project, and to include in the CP/PP the methods and means necessary to comply with applicable conditions of said permits.

Inspection frequency shall be at least once every seven calendar days and within 24 hours of a storm event that produces 0.5 inches or more of rain with a 24-hour period.

The inspections shall be performed by an individual that meets the qualifications specified in the permits and proof of the inspector's qualifications shall be included as an Appendix in the CP/PP. CP/PP inspection reports shall be completed and distributed to the Resident Engineer within 24-hours of each inspection. Special conditions associated with permits may also require submittal of reports to regulators at a certain frequency. Reports shall be maintained throughout the duration of the project. In addition, if the Engineer determines at any time that the inspector's performance is inadequate, the Contractor shall provide an alternate inspector.

The Contractor is responsible for preparation of the CP/PP, inspections, and associated reports. The Standard Specifications require adequate erosion and sedimentation control for the duration of the Contract. All control measures must be properly selected, installed, and maintained in accordance with manufacturer specifications, good engineering practices, and MassDOT standard specifications and special provisions. Contractor must maintain all control measures and other protective measures in effective operating conditions in accordance with the additional Special Provisions herein. If periodic inspections or other information indicates a control has been used inappropriately or is no longer adequate, it is the responsibility of the Contractor to replace or modify the control for site conditions at no additional cost to the Department.

ITEM 756.1 (Continued)

BASIS OF PAYMENT

Item 756.1 will be paid for at the Contract price LUMP SUM, which price shall include all work detailed above, including CP/PP and Flood Contingency Plan preparation, required revisions, revisions/addenda during construction, inspections and reports.

The work under this Item shall include acceptable completion of the CP/PP, Flood Contingency Plan, site inspections, and revisions/amendments required during construction. In addition, any erosion prevention or sediment control measures beyond those specified in bid items that are selected by the Contractor to facilitate and/or address the Contractor's schedule, methods and execution of the work shall be considered incidental to this Item.

Payment of thirty (30) % of the Contract price will be made upon acceptance of the CP/PP and Flood Contingency Plan. Payment of forty (40) % of the Contract price will be made in equal installments over the expected duration of stormwater pollution prevention measures. Payment of the final thirty (30) % of the Contract price will be paid when final stabilization has been achieved (minimum of 75% total cover of disturbed vegetated areas with perennial ground cover).

ITEM 767.121 SEDIMENT CONTROL BARRIER FOOT

The work under this Item shall conform to the relevant provisions of Subsections 670, 751 and 767 of the Standard Specifications and shall include the furnishing and placement of a sediment control barrier. Sediment control barrier shall be installed prior to disturbing upslope soil.

The purpose of the sediment control barrier is to slow runoff velocity and filter suspended sediments from storm water flow. Sediment barrier may be used to contain stockpile sediments, to break slope length, and to slow or prevent upgradient water or water off road surfaces from flowing into a work zone. Contractor shall be responsible for ensuring that barriers fulfill the intent of adequately controlling siltation and runoff.

Twelve-inch diameter (after installation) compost filter tubes with biodegradable natural fabric (i.e., cotton, jute, burlap) are intended to be the primary sedimentation control barrier. Photo-biodegradable fabric shall not be used.

For small areas of disturbance with minimal slope and slope length, the Engineer may approve the following sediment control methods:

- 9-inch compost filter tubes
- Straw bales which shall be trenched

No straw wattles may be used. Additional compost filter tubes (adding depth or height) shall be used at specific locations of concentrated flow such as at gully points, steep slopes, or identified failure points in the sediment capture line.

When required by permits, additional sediment barrier shall be stored on-site for emergency use and replacement for the duration of the Contract.

Where shown on the plans or when required by permits, sedimentation fence shall be used in addition to compost filter tubes and straw bales and shall be compensated under that item.

Sediment control barriers shall be installed in the approximate location as shown on the plans and as required so that no excavated or disturbed soil can enter mitigation areas or adjacent wetlands or waterways. If necessary to accommodate field conditions and to maximize effectiveness, barrier locations may be shifted with approval from the Engineer. Barriers shall be in place prior to excavation work. No work shall take place outside the barriers.

MATERIALS AND CONSTRUCTION

Prior to initial placement of barriers, the Contractor and the Engineer shall review locations specified on the plans and adjust placement to ensure that the placement will provide maximum effectiveness.

Barriers shall be staked, trenched, and/or wedged as specified herein and according to the Manufacturer’s instructions. Barriers shall be securely in contact with existing soil such that there is no flow beneath the barrier.

ITEM 767.121 (Continued)

Compost Filter Tube

Compost material inside the filter tube shall meet M1.06.0, except for the following: no peat, manure or bio-solids shall be used; no kiln-dried wood or construction debris shall be allowed; material shall pass through a 2-inch sieve; and the C:N ratio shall be disregarded.

Outer tube fabric shall be made of 100% biodegradable materials (i.e., cotton, hemp or jute) and shall have a knitted mesh with openings that allow for sufficient water flow and effective sediment capture.

Tubes shall be tamped, but not trenched, to ensure good contact with soil. When reinforcement is necessary, tubes shall be stacked as shown on the detail plans.

Straw Bales

Straw bales shall be used if shown on the plans or when specified by Orders of Condition or other permit requirements.

Bales should be placed in a single row, lengthwise on the contour, with ends of adjacent bales tightly abutting one another. All bales should be either wire-bound or string-tied. Straw bales should be installed so that bindings are oriented around the sides (rather than along the tops and bottoms) of the bales in order to prevent deterioration of the bindings.

The barrier should be entrenched and backfilled. A trench should be excavated the width of a bale and the length of the proposed barrier to a minimum depth of 4 inches. The trench must be deep enough to remove all grass and other material which might allow underflow. After the bales are staked and chinked (filled by wedging), the excavated soil should be backfilled against the barrier. Backfill soil should conform to the ground level on the downhill side and should be built up to 4 inches against the uphill side of the barrier.

Each bale should be securely anchored by at least 2 stakes or re-bars driven through the bale. The first stake in each bale should be driven toward the previously laid bale to force the bales together. Stakes or re-bars should be driven deep enough into the ground to securely anchor the bales. For safety reasons, stakes should not extend above the bales but should be driven in flush with the top of the bale.

The gaps between the bales should be chinked (filled by wedging) with straw to prevent water from escaping between the bales. Loose straw scattered over the area immediately uphill from a straw bale barrier tends to increase barrier efficiency. Wedging must be done carefully in order not to separate the bales.

When used in a swale, the barrier should be extended to such a length that the bottoms of the end bales are higher in elevation than the top of the lowest middle bale to assure that sediment-laden runoff will flow either through or over the barrier but not around it.

ITEM 767.121 (Continued)

Sedimentation Fence

Materials and Installation shall be per Subsections 670.40 and 670.60 of the Standard Specifications and the following:

Sedimentation fence shall only be used if shown on the plans or when specified by Orders of Condition or other permit requirements.

When used with compost filter tubes, the tube shall be placed on a minimum of 8 inches of folded fabric on the upslope side of the fence. Fabric does not need to be trenched.

When used with straw bales, an 8-inch deep and 4-inch wide trench or V-trench shall be dug on the upslope side of the fence line. One foot of fabric shall be placed in the bottom of the trench followed by backfilling with compacted earth or gravel. Stakes shall be on the down slope side of the trench and shall be spaced such that the fence remains vertical and effective.

Width of fabric shall be sufficient to provide a 36-inch high barrier after fabric is folded or trenched. Sagging fabric will require additional staking or other anchoring.

MAINTENANCE

Maintenance of the sediment control barrier shall be per Subsection 670.60 of the Standard Specifications or per the Stormwater Pollution Prevention Plan (SWPPP), whichever is more restrictive.

The Contractor shall inspect the sediment barrier in accordance with relevant permits. At a minimum, barriers shall be inspected at least once every 7 calendar days and after a rain event resulting in 0.25 inches or more of rainfall. Contractor shall be responsible for ensuring that an effective barrier is in place and working effectively for all phases of the Contract.

Barriers that decompose such that they no longer provide the function required shall be repaired or replaced as directed. If the resulting berm of compost within the fabric tube is sufficiently intact (despite fabric decay) and continues to provide effective water and sediment control, barrier does not necessarily require replacement.

DISMANTLING & REMOVING

Barriers shall be dismantled and/or removed, as required, when construction work is complete and upslope areas have been permanently stabilized and after receiving permission to do so from the Engineer.

Regardless of site context, nonbiodegradable material and components of the sediment barriers, including photo-biodegradable fabric, plastic netting, nylon twine, and sedimentation fence, shall be removed and disposed off-site by the Contractor.

ITEM 767.121 (Continued)

For naturalized areas, biodegradable, natural fabric and material may be left in place to decompose on-site. In urban, residential, or other locations where aesthetics is a concern, the following shall apply:

- Compost filter tube fabric shall be cut and removed, and compost shall be raked to blend evenly (as would be done with a soil amendment or mulch). No more than a 2-inch depth shall be left on soil substrate.
- Straw bales shall be removed and disposed off-site by the Contractor. Areas of trenching shall be raked smooth and disturbed soils stabilized with a seed mix matching adjacent seeding or existing grasses (i.e., lawn or native grass mix).
- Sedimentation fence, stakes, and other debris shall be removed and disposed off-site. Site shall be restored to a neat and clean condition.

METHOD OF MEASUREMENT AND BASIS OF PAYMENT

Item 767.121 will be measured and paid for at the Contract unit price per foot of sediment control barrier which price shall include all labor, equipment, materials, maintenance, dismantling, removal, restoration of soil, and all incidental costs required to complete the work.

Additional barrier, such as double or triple stacking of compost filter tubes, will be paid for per foot of tube installed.

Barriers that have been driven over or otherwise damage by construction activities shall be repaired or replaced as directed by the Engineer at the Contractors expense.

ITEM 862.406 6 INCH RECESSED WHITE LINE (MC, UFD, WR) FOOT

ITEM 863.406 6 INCH RECESSED YELLOW LINE (MC, UFD, WR) FOOT

The work under these Items shall conform to the relevant provisions of Subsection 860 of the Standard Specifications and shall consist of furnishing and installing Recessed Multi-Component (MC), Wet Reflective (WR) Pavement Markings at the locations shown on the plans or as required by the Engineer.

If the Multi-Component Pavement Marking material is applied over a different pavement marking material, the Contractor shall provide documentation that the Multi-Component Pavement Marking Material being used will adhere to the existing marking material.

Materials

MC pavement markings shall consist of a two-component, 100% solids liquid binder, first drop beads or elements to provide wet and dry retroreflectivity, and second drop glass beads to improve the durability of the pavement marking, reduce track-free times, and provide supplementary retro-reflectivity. MC Pavement Marking binders are typically composed of, but not limited to, Epoxies, Polyureas, or Urethanes.

Classification of dry time is based upon the results of the test procedures found in ASTM D711 (73.5 ± 3.5°F at 50 ± 5% relative humidity) when applied with glass beads. MC Ultra-Fast Dry (MC, UFD) pavement markings shall have a no track time of 3 minutes or less. The Contractor shall provide a Certificate of Compliance verifying the product supplied meets the specified dry time requirements per ASTM D711 prior to installation.

The Contractor shall select a liquid binder and bead/element combination that meets these performance specifications.

Second drop beads shall be manufactured from glass of a composition that is highly resistant to traffic wear and to the effects of weathering. If coating is required to meet the performance requirements, the second drop beads shall be coated to ensure satisfactory embedment and adhesion. Second drop beads retained on a No. 40 U.S. Standard Mesh Sieve shall have a minimum crush strength of 30 lbs. when tested in accordance with ASTM D1213.

Second drop beads passing the No. 30 sieve shall have a minimum of 75 percent true spheres when tested in accordance with ASTM D1155. All second drop beads retained on the No. 20 and No. 30 sieves shall have a minimum of 80 percent true spheres as determined by ASTM D1155.

ITEMS 862.406 and 863.406 (Continued)

Second drop beads shall meet the following gradation requirements when tested in accordance with ASTM D1214:

U.S. Standard Sieve No.	Percent Retained
20	3-10
30	15-35
50	45-75
70	0-10
Pan	0-5

Construction Methods

The Contractor shall follow all installation instructions from the manufacturer, including allowable ranges of temperature and humidity for installation, unless otherwise approved by the Engineer.

The pavement surface shall be clean, dry and free of laitance, oil, dirt, grease, paint or other foreignn contaminants prior to the installation of any new pavement markings. If an air lance is used to clean the surface, air compressors shall initially be blown out away from the application area to prevent compressor condensation build-up. A minimum of 24 hours of dry time following any rainfall is required prior to the placement of pavement markings.

Recessing of markings shall be per Subsection 860.65: Recessed Markings of the Standard Specifications.

Application rate for binder and all glass beads shall consider final pavement surface composition and smoothness in advance of application to ensure proper wet film thickness and embedment of all beads. The Contractor shall provide the Engineer with documentation from the manufacturer with all recommended application rates in advance of any pavement marking installation.

The minimum uniform wet thickness for the MC binder shall be 20 mils but should be increased if recommended by the manufacturer. The line thickness shall be met across at least the middle ⅔ of the pavement marking width. Wet mil thickness gauges shall be provided by the Contractor to the Engineer to assure that desired thickness is achieved.

The finished white color shall be free from tint, with good opacity and visibility under both daylight and artificial light. The finished yellow color shall be defined by Federal Test Standard 595 - Color Chip Number 13538, using Federal Test Standard 141 (Method 4252). The finished lines shall be uniform in color and have clean, well-defined edges.

Glass beads shall be applied in a manner that does not induce rolling or bouncing, to ensure that exposed portions of beads are free of binder material. Beads should be embedded in the binder to a depth of approximately 50% of their diameter.

ITEMS 862.406 and 863.406 (Continued)

Glass beads shall be applied as a reflective medium, using the double drop method, at a rate in accordance with the manufacturer's specification in order to meet the minimum retro-reflectivity levels.

Newly installed pavement markings shall be protected from tracking during the curing period per Subsection 860.63.

Once the installed pavement markings have been open for traffic for a minimum of 7 days, the Contractor shall perform retro-reflectance readings per the measurement and sampling procedures contained in ASTM D7585 (Standard Practice for Evaluating Retroreflective Pavement Markings Using Portable Hand-Operated Instruments) using the Referee Evaluation Protocol found in section 6.4, and the testing procedures shall follow ASTM E1710 (Standard Test Method for Measurement of Retroreflective Pavement Marking Materials with CEN-Prescribed Geometry Using a Portable Retro-reflectometer) and ASTM E2177 (Standard Test Method for Measuring the Coefficient of Retroreflected Luminance (RL) of Pavement Markings in a Standard Condition of Wetness).
The average initial retro-reflectance readings shall exceed the following minimum values:

Test Method	*White Markings	*Yellow Markings
ASTM E1710 (Dry)	475 mcd/lux/m²	375 mcd/lux/m²
ASTM E2177 (Wet Recovery)	375 mcd/lux/m²	300 mcd/lux/m²

*Observation Angle = 1.05°, Entrance Angle = 88.8°

Pavement markings with measured average initial retro-reflectance readings that do not meet the specified minimum values using the procedures outlined in subsection 6.4.5 of ASTM D7585 shall be removed by a method approved by the Engineer and reapplied at no additional cost, unless otherwise approved by the Engineer.

METHOD OF MEASUREMENT

Item 862.406 and Item 863.406 will be respectively measured for payment by the FOOT of 6 inch recessed line (MC, UFD, WR) installed, complete in place.

BASIS OF PAYMENT

Item 862.406 and Item 863.406 will be paid for at the respective Contract unit price per FOOT, which prices shall include all material, labor, equipment, retro-reflectance readings, and all incidental costs required to complete the work.

ITEM 874.4 TRAFFIC SIGN REMOVED AND STACKED EACH

The work under this Item shall conform to the relevant provisions of Subsection 828 of the Standard Specifications and the following:

The work under this Item shall include the removal, dismantling, and stacking of the existing roadside traffic and street name signs as shown on the plans or as required by the Engineer. The work shall also include the excavation of foundations, removal of posts and supports, disposal of the concrete, backfilling with compacted gravel of the holes resulting from foundation excavation.

As shown on the plans and as required by the Engineer, all existing sign foundations, posts and supports shall be removed and discarded.

The existing signs shall not be removed and stacked without the permission of the Engineer.

Non-salvageable material, as determined by the Engineer, shall become the property of the Contractor and shall be legally disposed of offsite at no additional compensation.

METHOD OF MEASUREMENT

Item 874.4 will be measured for payment by the EACH traffic sign assembly removed and stacked.

BASIS OF PAYMENT

Item 874.4 will be paid for at the Contract unit price per EACH, which price shall include all labor, materials, equipment, removing and stacking the sign assembly, the excavating and disposal of the existing foundation, posts and supports of the same and the supplying and placing of compacted gravel backfill where foundations and posts are removed, and restoration of surface, and all incidental costs required to complete the work. Multiple signs on one post assembly (single or double, such as a route marker and cardinal direction markers or a sign requiring a second graphic sign) shall be considered as one unit.

ITEM 901.2 SHOTCRETE CHANNEL SLOPE CUBIC YARD

The work under this Item shall conform to the relevant provisions of the Standard Specifications, Subsection 901 and these Special Provisions.

The work under this Item shall consist of the placement of 6" reinforced cement concrete to protect the channel slopes at the bridge, as shown on the Contract drawings. Reinforcement shall be 6"x 6" x ¼" wire fabric, 5.2 lb./SY. The wire fabric shall have a 12" minimum lap at the spices and should extend within 3" of all edges.

Shotcrete shall conform to Subsection M4.06.12 of the Standard Specifications.

It is necessary to achieve 75% of the 28-day compressive strength of the concrete channel slopes prior to placing any materials on the slopes or operating any construction equipment on the channel slopes. The Contractor shall, therefore, secure and provide any additional concrete cylinder molds necessary to test concrete compressive strength to determine the point of acceptable strength.

The Contractor shall submit all pertinent information relative to placing concrete, equipment to be used placing the concrete and cleanup upon completion of installation of concrete to the Engineer for approval at the time of shop drawing submittal. The information submitted shall include: base preparation, method of concrete placement, concrete mix design, the name of the retardant and other admixtures selected for use, manufacturer's product information on the admixtures, method of use and amount to be used.

METHOD OF MEASUREMENT

Item 901.2 will be measured for payment by the CUBIC YARD, of the actual quantity of shotcrete concrete applied to the channel slopes.

BASIS OF PAYMENT

Item 901.2 will be paid for at the Contract unit price per CUBIC YARD, which price shall include all labor, materials, equipment,
reinforcement and all incidental costs required to complete the work.

ITEM 909.2 CEMENTITIOUS MORTAR FOR PATCHING SQUARE FOOT

The work under this Item shall conform to the relevant provisions of Subsection 901 of the Standard Specifications and the following:

The work under this Item shall include the removal of loose/unsound concrete and placement of cementitious mortar patch material as required by the Engineer at areas of spalled, delaminated, or cracked concrete identified on the Contract Drawings and/or found by field investigation. Repairs shall not begin until all demolition activities are complete.

This Item does not include the repair of any horizontal or vertical spalls which exceed 2 inches in depth. For areas of concrete removal exceeding 2 inches in depth, the repair of these areas shall be in accordance with and paid under Item 127.1 Reinforced concrete Excavation and Item 905.2 - 5000 PSI, 3/8 inch, 710 Cement Concrete.

Cracks to be repaired under this Item shall have a 45-degree v-groove of existing concrete.

MATERIAL

The cementitious mortar material used to repair/patch concrete surfaces for this Item shall be a polymer-modified, cementitious, 2-component, fast-setting, trowel grade patching mortar to patch vertical surfaces. Manufacturer's literature shall be submitted by the Contractor describing the products to be used. The materials shall be delivered to the site clearly marked with legible and intact labels containing the manufacturer's name, brand name, and identifications of the temperatures that conform to the manufacturer's recommendations and instructions.

All materials for patching shall be from MassDOT's Qualified Construction Materials list.

CONSTRUCTION METHODS

Inspection of the Concrete Surfaces

The Contractor shall perform his own investigations and will "evaluate" and mark out the surfaces of the concrete to determine the areas for repairs, including cracks. Methods for evaluation shall include non-destructive methods such as visual observations and acoustic impact method using a hammer. The Contractor is referenced to ACI Report 201.1R-92 "Guide for Making a Condition Survey of Concrete in Service" and ACI Report 364.1R-94 "Guide for Evaluation of Concrete Structures Prior to Rehabilitation" in regard to evaluation methods. Before any existing concrete is removed, the Contractor will provide the Engineer clear access to the areas designated for repair. During this time, the Engineer will perform an inspection of the areas and will approve and/or designate the areas where concrete removal and repair will be required.

ITEM 909.2 (Continued)

It shall be the responsibility of the Contractor to inform the Engineer, in writing, of the date that a structure element will be available for inspection operations. Notification shall be given to the Engineer at least seven (7) days prior to the date that the area in question will be in a condition acceptable to the Engineer.

The Contractor will not be allowed to do any repair work until all necessary inspection operations have been performed, unless given permission by the Engineer. The Contractor will include any costs related to this inspection in the general cost of the work.

Removal of Deteriorated Concrete

The lateral limits of each area to be repaired will be delineated by the Contractor and suitably marked and subsequently approved by the Engineer. Where several areas to be repaired are very close together, the Engineer may combine these individual repairs into a larger area.

Existing deteriorated concrete shall be removed to the limits of sound concrete as directed by the Engineer and as shown on the Contract Drawings. If sound concrete has been reached at more than 1½" from the outside surface, but less than 1" clearance exists between the sound concrete and the inside surface of exposed reinforcing steel, enough sound concrete as is necessary to achieve this 1" minimum clearance shall be removed.

The removal of deteriorated concrete shall be accomplished by pneumatic or power hammers approved by the Engineer. For concrete removal, the weight of pneumatic or power hammers shall not exceed 30 pounds. Fillets at inside corners of intersecting limit lines shall be carefully removed. After completion of concrete removal, the sides of the patch shall be vertical down to the bottom of the patch.

The Contractor shall not damage any existing reinforcing steel in areas where deteriorated or spalled concrete is being removed. If existing reinforcing steel is damaged or deteriorated, it shall be supplemented with new reinforcing steel of the same size. Pneumatic tools shall not be placed in direct contact with reinforcing steel. Any sound reinforcing steel damaged during the concrete removal operations shall be repaired or replaced by the Contractor at his expense as directed by the Engineer. New steel shall be attached beside existing steel with a minimum splice length as indicated on the Contract Drawings or as required by the Engineer.

The outlines of each repair area shall first be cut to a depth of 1/2 inch with an approved power-saw capable of making straight cuts. In the event that reinforcing steel is encountered within the outer 1/2 inch depth during sawing operations, the depth of sawcut shall immediately be adjusted to a shallower depth so as not to damage the steel bars. If so required by the Engineer, saw cutting shall again be carried down to the 1/2 inch depth at other locations of repair provided reinforcing steel is not again encountered. Where over-breakage occurs resulting in a featheredge, the featheredge shall be squared up to a vertical edge in an approved manner. Where sawing is impractical, the area shall be outlined by chisel or other approved means.

ITEM 909.2 (Continued)

Surface Preparation

Areas to be repaired must be clean, sound, and free of contaminants. All loose and deteriorated concrete shall be removed by mechanical means. Mechanically prepare the concrete substrate to obtain a surface profile of ±0.06 inch with a new exposed aggregate surface. Areas to be patched shall not be less than ½-inch in or greater than 2-inch depth or for repairs using Cementitious Mortar for Patching.

If reinforcing steel is exposed, then clean by mechanical cleaning and then high pressure washing with water that does not contain detergents or any bond inhibiting chemicals. Where active corrosion has occurred that would inhibit bonding, sandblast steel to white metal finish.

After removals and edge conditioning are complete, remove bond inhibiting materials (dirt, grease, loosely bonded aggregate) by abrasion blasting or high pressure water blasting with water that does not contain detergents or any bond inhibiting chemicals. Check the concrete surfaces after cleaning to ensure that surface is free from additional loose aggregate or that additional delaminations are not present.

Repair Procedure

Prior to the placement of the patch material, the concrete shall receive a coating of epoxy bonding compound conforming to M4.05.5 and shall be incidental to this Item. The grade and viscosity of the bonding compound shall be as required based on site conditions or as determined by the Engineer. Bonding Agent shall be listed on the MassDOT QCML. Fill the patch area with mortar and finish the patch area as required in maximum 1" lifts up to 2 inch repairs. All materials removed in this repair shall become the property of the Contractor and shall be disposed of away from the work site.

The preparation, mixing, application and curing of the cementitious mortar shall be in accordance with the manufacturer's recommendations.

The Contractor shall arrange with the material's manufacturer or distributor to have services of a competent field representative at the work site prior to any mixing of components to instruct the work crews in the proper mixing and application procedures. The field representative shall remain at the job site after work commences and continue to instruct until the representative and the Contractor, Inspector and/or Engineer are satisfied that the crew has mastered the technique of installing the system successfully. The representative shall make periodic visits to the project as the work progresses and shall confer on each visit with the Contractor, Inspector and/or Engineer.

The manufacturer's field representative must be fully qualified to instruct the field crews in performance of the work and shall be subject to the approval of the Engineer. The Contractor shall be responsible for the expense of the services of the required field representative and the bid Contract price shall be full compensation for all costs in connection therewith.

ITEM 909.2 (Continued)

METHOD OF MEASUREMENT

Item 909.2 will be measured for payment by the SQUARE FOOT of the wall/abutment repairs less than 2 inches in depth, complete in place.

BASIS OF PAYMENT

Item 909.2 will be paid for at the Contract unit price per SQUARE FOOT, which price shall include all labor, materials, equipment, the inspection, sounding and removal of existing concrete, manufacturer's field representative, and all incidental costs required to complete the work.

ITEM 945.10	**DRILLED MICROPILES**	**FOOT**
ITEM 948.60	**MICROPILE VERIFICATION LOAD TEST**	**EACH**
ITEM 948.61	**MICROPILE PROOF LOAD TEST**	**EACH**

GENERAL

These Items shall conform to the requirements of all relevant Sections of the Standard Specifications and Supplemental Specifications.

This work shall consist of constructing micropiles as shown on the plans, approved working drawings, and as specified herein. The Contractor is responsible for furnishing all materials, equipment, labor, services, and supervision; and for selecting means and methods for the installation and testing of micropiles for this project.

Micropiles shall consist of permanent casing sections and fully reinforced grout sections bonded with bedrock. Permanent casings shall be included as part of the micropiles and shall remain in place after grouting is complete. Temporary casings shall be installed if necessary to facilitate micropile construction and shall be removed during or after grouting. The Contractor is responsible for drilling through obstructions encountered during pile installation.

The micropiles load capacities shall be confirmed by verification and proof load testing. Testing must meet the test acceptance criteria specified herein. The bond length of the micropile may be modified by the Engineer, pending results of load testing performed as an initial part of the work.

MATERIALS

The materials for micropiles shall meet the following requirements:

Permanent/Drill Steel Casing used as Reinforcement: Permanent steel casing/pipe used as reinforcement shall be new “Prime” steel meeting the requirements of any API 5L PSL1 pipe with a yield strength of 52 ksi with SR15 supplemental requirements. The grade of the prime steel casing shall conform to the properties shown on the Plans. For steel pipe that is to be welded, the Carbon Equivalency, as defined in AWS D1.1 Section XI.1, shall be less than or equal to 0.45, as demonstrated by mill certificates. The sulfur content shall not exceed 0.05%, as demonstrated by mill certificates.

Permanent steel casing shall consist of ERW (Electric Resistance Welded) and/or seamless steel casing and shall be designed to withstand the design loadings determined by the Engineer or shown on the Plans and the verification/proof test loading described in this specification. Joints shall develop the full vertical capacity, and at least 60% of the moment capacity of the casing. As installed, there shall be no joints within three feet or as shown on the plans from the bottom of the pile cap.

The steel casing shall have certified mill test reports and shall be submitted for record purposes as the materials are delivered. The steel shall be traceable back to the mill certifications, and be free from defects (dents, cracks, tears, etc.).

ITEMS 945.10, 948.60, and 948.61 (Continued)

New "mill secondary" steel pipe/casing will not be accepted regardless if they are accompanied by coupon test results.

Permanent steel casing shall be installed a minimum of 12 inches into intact bedrock, while the micropile will be embedded a minimum of 6.5 feet into intact bedrock.

Reinforcing Bars: Central reinforcing steel shall be full-length, continuously threaded bars. The bars shall conform to AASHTO M 31 Grade 60 or Grade 75, or AASHTO M 275 Grade 150 as shown on the Contract Documents. The grade and size of the central reinforcement shall conform to any minimum and/or maximum properties shown on the Plans.

Reinforcing Bar Couplings: Reinforcing bar couplers shall be in accordance with Subsection M8.01.9 but are not required to be listed on the Qualified Construction Materials List (QCML). Where reinforcing bars are not specified with corrosion protection, bar couplers shall not be required to be epoxy coated or galvanized.

Independent testing shall be performed by a nationally recognized testing laboratory, approved by the Engineer, which shall provide certified test results showing that the reinforcing bar coupler meets the requirements of Subsection M8.01.9. Acceptance of the couplers shall be approved by the Engineer.

Centralizers and Spacers: Centralizers and spacers shall be fabricated from schedule 40 PVC pipe or tube, or material non-detrimental to the reinforcing steel. Wood shall not be used.

They shall be securely attached to the reinforcement; sized to position the reinforcement to provide the grout cover specified in the table below; sized to allow grout tremie pipe insertion to the bottom of the drill hole; and sized to allow grout to freely flow up the drill hole and casing.

Table 1 - Minimum Grout Cover for Steel Reinforcement

Condition	Minimum Cover on Bar (in.)	Minimum Cover on Coupler (in.)
Micropiles in Soil	1	¼
Micropiles in Rock	½	¼
Coated or Encapsulated Bars	½	¼

Admixtures for Grout: Admixtures shall conform to the requirements of AASHTO M 194 and shall be selected from the QCML where applicable. Expansive admixtures shall only be added to the grout used for filling sealed encapsulations or micropile top connections. Accelerators are not permitted. Admixtures containing intentionally added chlorides are not permitted. Admixtures shall be from the same Manufacturer and shall be compatible with the grout and mixed in accordance with the Manufacturer's recommendations.

ITEMS 945.10, 948.60, and 948.61 (Continued)

Admixtures that control bleed, improve flowability, reduce water content, and retard set may be used in the grout subject to review and acceptance by the Engineer.

Cement: All cement shall conform to AASHTO M 85 Type I, Type II, Type III, or Type V and shall be the product of one Manufacturer.

Grout: Neat cement mixture with a minimum 3-day compressive strength of 50 percent of the 28-day unconfined compressive strength. The grout shall be proportioned and mixed as to provide a fluid grout capable of maintaining the solids in suspension without appreciable bleed. Preparation and placement of grout shall be in accordance with the recommendations of "Recommended Practice for Measuring, Mixing, Transporting, and Placing Concrete," ACI 304.

A minimum of 60 calendar days prior to the start of micropile construction the grout mix design shall be submitted to the Engineer and a trial batch shall be performed. The trial batch shall take place at a location approved by the Engineer and be performed in the presence of Department personnel. It shall be representative of the production grout placement and shall consist of the same materials, equipment, methods of mixing, and sample preparation and curing methods.

Trial batch samples will be tested to verify that the material meets all grout criteria specified in Table 2. The quantity of material batched shall be sufficient to perform all required tests specified.

Table 2 – Grout Material Acceptance Criteria for Trial Batch Testing

Quality Characteristic	Test Method	Engineering Limit
Minimum Compressive Strength:	AASHTO T 106 Or AASHTO T 22	
3 days		≥ 2000 psi
7 days		For information only
28 days		≥ 6000 psi
Consistency	API RP-13B-1	± 10% of the density specified in the mix design

Plates and Shapes: Structural steel plates and shapes for pile top attachments shall conform to M8.05.0, AASHTO M 270, and have minimum yield strength of 50 ksi.

Water: Water for mixing grout shall be potable, clean, and free from substances that may be injurious to cement and steel.

Fillers: Inert fillers such as sand (conforming to AASHTO M 45) may be used in the grout in special situations, such as presence of large voids in the ground or when grout take and travel are to be limited, with prior written approval by the Engineer.

ITEMS 945.10, 948.60, and 948.61 (Continued)

CONSTRUCTION METHODS

QUALIFICATIONS

The Micropile Contractor must be experienced in the construction and load testing of micropiles and have successfully constructed at least 5 projects in the last 5 years involving construction totaling at least 100 micropiles with similar capacity and requirements specified in these plans and specifications. The Micropile Contractor shall have previous micropile drilling and grouting experience in soil/rock similar to project conditions and shall have available and be thoroughly familiar with the specialized type of equipment needed to perform work of this type.

The on-site foremen and drill rig operators shall also have experience on at least 3 projects over the past 5 years installing micropiles of equal or greater capacity than required in these plans and specifications.

Prior to the Pre-construction Meeting, the Micropile Contractor shall submit the following information to verify the firm's experience and the qualifications of personnel scheduled to perform the micropile design (load test frame) and construction:

1. Submit a list of at least five micropile projects successfully completed in the last five years. Include construction details, structural details, load test reports, and client contact for each project listed.
2. Submit a list of the equipment and resources the Micropile Contractor plans to mobilize and utilize for the performance of the project.
3. Provide the names and detail the experience of the micropile designer, on-site supervisor, foremen, and drill rig operators for this project.
4. A signed statement that the Micropile Contractor has inspected both the project site and all the subsurface information including any soil or rock samples made available in the Contract Documents.

Work on any micropiles shall not be started, nor materials ordered until the qualifications and submittals have been accepted by the Engineer. The Engineer may suspend the micropile construction if the Micropile Contractor substitutes unapproved personnel during construction. Requests for substitution of field personnel shall be submitted to the Engineer for acceptance. Additional costs resulting from the suspension of work will be the Micropile Contractor's responsibility, and no extension in contract completion date resulting from the suspension of work will be allowed.

The Micropile Contractor shall have, on site during all micropile construction activity, a minimum of one Quality Control (QC) inspector. This person shall be responsible for quality control of the micropiles during all phases of construction and will monitor and document all QC inspection and testing activities required by the specifications and outlined in the accepted procedures and Working Drawings. The QC person shall be a certified NETTCP Concrete Technician.

ITEMS 945.10, 948.60, and 948.61 (Continued)

MICROPILE PRE-CONSTRUCTION SUBMITTALS

The Contractor shall prepare and submit to the Engineer: shop drawings, a micropile installation plan, construction procedures, load testing procedures, and equipment calibrations for review and acceptance. The Contractor shall survey and verify the limits of the micropile structure before preparing the detailed working drawings and allow the Engineer four (4) weeks to review the submittal after a complete set has been received. Work shall not begin, nor materials ordered until all submittals have been received, reviewed, and accepted in writing by the Engineer.

The micropile submittals shall include:

A. Plans

1. A plan view of the micropile layout identifying the locations of micropiles, numbering system for records, and verification test and proof test micropile locations.

2. An elevation view of the test micropile(s) showing:
   i. A typical detail of test micropiles defining the micropile length, reinforcement, inclination, and load test bonded and unbonded test lengths.
   ii. Permanent casing length and diameter, casing plunge length, and grout bond zone length.
   iii. Estimated soil/bedrock strata.
   iv. Instrumentation to be installed.
   v. Minimum drill hole diameter.
   vi. Splice type and locations.
   vii. Centralizers and spacers.
   viii. Corrosion protection details.
   ix. Grout design strength.

3. Details for constructing micropile structures around utilities, as applicable.

B. Construction Procedures

1. Detailed step-by-step description of the proposed micropile construction procedure, including personnel, testing, and equipment to assure quality control. This step-by-step procedure shall be shown in sufficient detail to allow the Engineer to monitor the construction and quality of the micropiles. Include methods of drilling the holes, advancing the casing, drilling through or removing obstructions, flushing drilled holes, installing reinforcement, and grout pressures.
2. If welding of casing is proposed, submit the welding procedure. All welding shall be done in accordance with the current AWS Structural Welding Code.

3. Information on space requirements for installation equipment that verify the proposed equipment can perform at the site.

ITEMS 945.10, 948.60, and 948.61 (Continued)

4. Plan describing how surface water, drill flush, and excess waste grout will be controlled and disposed.

5. Certified mill test reports for the central reinforcing steel. The ultimate strength, yield strength, elongation, and material properties composition shall be included.

6. Certified mill test reports for the permanent casing. Certification that the permanent casing meets the supplemental requirements of SR15 shall be included.

7. Quality Control Plan. The QC Plan should sufficiently document the QC processes of all Contractor parties (i.e. Prime Contractor and Subcontractors) performing work required under this specification. The QC Plan shall be structured to follow the format and section headings outlined in the MassDOT Model QC Plan. It shall be submitted to the Engineer for review and approval a minimum of 30 days prior to the start of work.

   The QC Plan shall include complete descriptions, and details for the following:

   i. Micropile installation including drilling method and grouting procedure.
   ii. Grout mix design and type of materials to be used in the grout including certified test data and trial batch reports. The Micropile Contractor shall also provide specific gravity and density of the wet mix design.
   iii. Methods and equipment for accurately monitoring and recording the grout depth and grout volume as the grout is being placed.
   iv. Estimated curing time for grout to achieve specified strength. Previous test results for the proposed grout mix completed within one year of the start of grouting may be submitted for initial verification and acceptance, and start of production work. During production, grout shall be tested in accordance with the Grout Testing Requirement specified herein.
   v. Procedure and equipment for Micropile Contractor monitoring of grout quality. At a minimum, the Micropile Contractor shall verify the specific gravity of the mixed grout prior to placement of the grout into each drilled micropile.

C. Load Testing Procedures

Detailed plans and procedures for the proposed micropile load testing method. This shall include all drawings, details, and structural design calculations necessary to clearly describe the proposed test method, reaction load system capacity and equipment setup, types and accuracy of apparatus to be used for applying and measuring the test loads and pile top movements in accordance with the Micropile Load Testing section of this specification.

.**ITEMS 945.10, 948.60, and 948.61** (Continued)

D. Equipment Calibration

Calibration reports and data for each test jack, pressure gauge, master pressure gauge, and electronic load cell to be used. The calibration tests shall have been performed by a certified testing laboratory, and tests shall have been performed within 90 calendar days of the date submitted. Testing shall not commence until the Engineer has reviewed and accepted the jack, pressure gauge, master pressure gauge, and electronic load cell calibration data.

PRE-CONSTRUCTION MEETING

A mandatory pre-construction meeting will be scheduled by the Engineer and held prior to the start of micropile construction. The Design Consultant, MassDOT Resident Engineer, MassDOT District Materials Engineer, Prime Contractor, and Micropile Contractor, including QC personnel, shall attend the meeting. The preconstruction meeting will be conducted to clarify the construction and QC requirements for the work, to coordinate the construction schedule and activities, specifically those pertaining to excavation for micropile structures, installation of temporary sheeting, anticipated subsurface conditions, micropile installation and testing, micropile structure survey control, and site drainage control.

SITE DRAINAGE CONTROL

The Contractor shall control and properly dispose of drill flush and construction related waste, including excess grout, in accordance with related specifications within the Contract Documents, and all applicable local codes and regulations. Provide positive control and discharge of all surface water that will affect construction of the micropile installation. Maintain all pipes or conduits used to control surface water during construction. Repair damage caused by surface water at no additional cost. Upon substantial completion of the work, remove surface water control pipes or conduits from the site.

EXCAVATION

Coordinate the work and the excavation so the micropile structures are safely constructed and remain stable at all times. Perform the micropile construction and related excavation in accordance with the plans and accepted submittals. No excavation deeper than those specified herein or shown on the plans will be made above or below the micropile structure locations without written acceptance of the Engineer.

MICROPILE INSTALLATION

A. General

The Micropile Contractor shall select the drilling method, the grouting procedure, and the grout pressure used for installation of the micropiles. The construction method shall incorporate any special construction requirements specified on the plans. The production micropiles and its construction method shall be identical to the accepted verification test piles.

ITEMS 945.10, 948.60, and 948.61 (Continued)

When the plans require uncased drilling of the micropile into bedrock, the permanent and/or temporary casing shall be drilled a minimum 12 inches into intact bedrock or to a depth within the bedrock so as to prevent subsidence of over burden into the uncased and/or bond zone portion of the drill hole (i.e. the rock socket).

Piles shall be installed only in the presence of the Engineer's or MassDOT's Representative.

B. Location and Survey

Micropiles shall be located and marked using survey and a template by the Contractor who shall maintain and be responsible for all location and elevation stakes.

C. Drilling

The drilling equipment and methods shall be suitable for drilling through the conditions to be encountered, without causing damage to overlying or adjacent structures, buried structures, or utilities.

Temporary casing or other accepted method of pile drill hole support is required, when drilling within 10 feet of an existing foundation, or utility, and/or in caving or unstable ground, to permit the pile shaft to be formed to the minimum design drill hole diameter. The casing shall be of the type and thickness that can be installed without distortion. Casings that fail, fracture, or otherwise distort during drilling or after drilling shall, unless otherwise directed, be withdrawn or replaced at the Contractor's expense. The drill hole must be open along its full length to at least the design minimum drill hole diameter prior to placing grout and reinforcement. The Contractor's proposed method(s) to provide drill hole support and to prevent detrimental ground movements shall be reviewed by the Engineer. Detrimental ground movement is defined as movement which requires remedial repair measures, in order to maintain site conditions as determined by the Engineer. Do not progress a new hole, pressure-grout, or post-grout, within a radius of 5 pile diameters or 5 feet, whichever is greater, of a micropile until the grout for that micropile has set 24 hours or longer. Do not allow vibration or excessive wheel loads to influence piles during installation and construction.

Use of drilling fluid containing bentonite or any other non-reverting drilling fluid is not permitted. Use of polymer slurry to remove cuttings from the cased hole shall be approved by the Engineer.

Piles shall be installed using equipment capable of penetrating boulders, cobbles, bedrock, dense till material, granite blocks, timber, concrete, or other man-placed materials that hinder the advance of the pile.

ITEMS 945.10, 948.60, and 948.61 (Continued)

Use of drop-type impact hammers and blasting are not permitted. Prior to the use of down the hole air drilling methods the Contractor shall provide temporary fencing or barriers as necessary to prevent cuttings from leaving the work area and entering the adjacent traffic lanes.

Micropiles shall not be installed using auger cast methods.

Permanent casing must be installed in a manner which will not loosen the adjacent soils and will result in intimate contact between the casing and the soil. Driving of casing will not be allowed. Drilling shall be performed such that cuttings and/or wash fluid return through the inside of the casing. External flush will not be allowed. The method of drilling used shall prevent the loss of ground due to erosion, jetting, or blow-in at the bottom of the casing. No open-hole drilling will be allowed unless accepted by the Engineer.

D. Ground Heave or Subsidence

During construction, the Contractor shall observe the ground conditions in the vicinity of the micropile construction site on a daily basis for signs of ground heave or subsidence. Immediately notify the Engineer if signs of movements are observed. The Contractor shall immediately suspend or modify drilling or grouting operations if ground heave or subsidence is observed, if the micropile structure is adversely affected, or if adjacent structures are damaged from the drilling or grouting. If the Engineer determines that the movements require corrective action, the Contractor shall take corrective actions necessary to stop the movement or perform repairs. When due to the Contractor's methods or operations or failure to follow the specified/accepted construction sequence, as determined by the Engineer, the costs of providing corrective actions will be borne by the Contractor.

E. Pipe Casing and Reinforcing Bars Placement and Splicing

Reinforcement shall be placed prior to grouting the drill hole. Reinforcement surface shall be free of deleterious substances such as soil, mud, grease, or oil that might contaminate the grout or coat the reinforcement and impair bond. Reinforcement in the bond zone [i.e. rock socket] shall extend the minimum required length.

The Contractor shall install all micropiles to the planned elevations.

Centralizers and spacers shall be provided at a maximum spacing of 10 feet on center. The upper- and lower-most centralizers shall be located a maximum of 5 feet from the top and bottom of the micropile, respectively. Centralizers and spacers shall permit the free flow of grout without misalignment of the reinforcing bar(s) and permanent casing. The reinforcing steel shall be inserted into the drill hole to the desired depth without difficulty. Partially inserted reinforcing bars shall not be driven or forced into the hole. The Contractor shall re-drill and reinsert reinforcing steel when necessary to facilitate insertion.

ITEMS 945.10, 948.60, and 948.61 (Continued)

Lengths of casing and reinforcing bars to be spliced shall be secured in proper alignment and in a manner to avoid eccentricity or angle between the axes of the two lengths to be spliced. Splices and threaded joints shall meet the requirements of the Material section. Threaded pipe casing joints shall be located at least two casing outside diameters (O.D.) from a splice in any reinforcing bar. When multiple bars are used, bar splices shall be staggered at least 1 foot.

F. Grouting

Micropiles shall be grouted the same day the load transfer bond length is drilled, or the bond length shall be flushed prior to grouting procedures commence. The grouting equipment shall produce a grout free of lumps and undispersed cement. Admixtures, if used, shall be mixed in accordance with Manufacturer's recommendations. The Contractor shall have means and methods of measuring the grout quantity and pumping pressures during the grouting operations. The grout pump shall be a positive displacement pump equipped with a pressure gauge to monitor grout pressure. A second pressure gauge shall be placed at the point of injection into the pile top. The pressure gauge shall be capable of measuring pressures of at least 145 psi or twice the actual grout pressure used, whichever is greater. The grout shall be kept in agitation prior to pumping. Grout shall be placed within one hour of mixing. The grouting equipment shall be sized to enable each pile to be grouted in one continuous operation. The grout volume being pumped shall be measured to an accuracy of 10 percent.

The hole shall be flushed with clean water immediately prior to grouting, to remove all contaminated water and cuttings. The hole shall be flushed through the grout pipe fully extended to the bottom of the hole with the temporary casing (if any) in place. The water shall be pumped at a high velocity until the wash water at the top of the casing is clear. After flushing, the depth of the hole shall be measured to confirm that the hole is clean and no sediment exists at the bottom of the drilled rock-socket/bond length. Installation of the steel reinforcing and grouting shall be done immediately after flushing. In case of delay, the hole shall be re-flushed and rechecked prior to grouting as directed by the Engineer.

The grout shall be injected from the lowest point of the drill hole, and injection shall continue until uncontaminated grout flows from the top of the pile. Temporary casing, if used, shall be extracted in stages ensuring that, after each length of casing is removed, the grout level is brought back up to the proposed level before the next length is removed. The use of compressed air to directly pressurize the fluid grout takes is not permissible. The tremie pipe or casing shall always extend below the level of the existing grout in the drill hole during grouting procedures. The grout takes shall be controlled to prevent excessive heave or fracturing of rock or soil formations. The entire micropile shall be grouted to the design cut-off level. Upon completion of grouting, the grout tube may remain in the hole, but must be filled with grout.

If the Contractor elects to use a post-grouting system, Working Drawings and relevant details including grouting pressure, volume, location and mix design, shall be submitted to the Engineer for review.

ITEMS 945.10, 948.60, and 948.61 (Continued)

G. Construction Tolerance

Unless otherwise stated on the Plans, the following shall be the maximum construction tolerances for micropiles:

1. Centerline of piling shall not be more than 3 inches from indicated plan location.
2. Pile shall be plumb within 2 percent of total-length design plan alignment.
3. Battered piles inclined up to 1:6 shall be within 4 percent of design plan alignment.
4. Battered piles inclined greater than 1:6 shall be within 7 percent of design plan alignment.
5. Top elevation of pile shall be plus 1 inch or minus 2 inch maximum from vertical design elevation indicated.
6. Centerline of reinforcing steel shall not be more than 3/4 inches from indicated center of pile.
7. Minimum volume of grout placed shall be the 110% of the theoretical volume of the whole micropile length from bottom to top at time of grouting.

H. Micropile Installation Records

The Contractor shall prepare and submit to the Engineer full-length installation records for each micropile installed. The records shall be submitted within one work shift after that pile installation is completed. The data shall be recorded on a micropile installation log. A separate log shall be provided for each micropile. The log for each micropile shall contain the following minimum information:

1. Project name, structure name, micropile number, and Contract number.
2. Date and time of drilling, grouting, and completion.
3. Bottom elevation of the proposed footing and final top elevation of the micropile, to the nearest 0.1 feet.
4. Plumbness and deviation from design location and batter.
5. Micropile as-built information such as pile inclination, casing diameter and wall thickness, reinforcement size and length, casing length below bottom of footing, taped measurement inside casing to check cleanout, plunge length (cased bond length), bond length below casing, total pile length below and above bottom of footing, All dimensions shall be provided to the nearest 0.1 feet.
6. Drilling method, drill bit type and size, and drill operator's name.
7. Table showing the descriptions and approximate top and bottom elevation of each soil or rock layer encountered during pile drilling.
8. Grout mix, density, and quantity used, for initial grout and post-grout (if any) including cement type and admixtures.
9. Maximum and average grout pressure used during installation.
10. Damage (if any) to pile, description of any deviations from the design location and batter or from the approved pile design and installation procedures, and description of any unusual occurrences during drilling (including obstructions), installation, and grouting.

ITEMS 945.10, 948.60, and 948.61 (Continued)

The example micropile installation log in the "Micropile Design and Construction Guidelines Manual," Report No. FHWA-NHI-05-039 or FHWA-SA-97-070 can be used as a reference in developing the micropile installation log.

The Contractor shall also submit within 2 weeks after installation of all piles, an as-built plan, certified by a surveyor, showing the as-installed location of all piles to the nearest ½ inch.

CONSTRUCTION QUALITY ASSURANCE

Contractor Quality Control

The Contractor's QC personnel will perform Quality Control inspection, sampling, and testing to ensure that the processes are providing work conforming to the Contract requirements. Inspection, sampling, and testing shall be documented on appropriate forms and provided to the Engineer. The Engineer will not sample or test for Quality Control or assist in controlling the Contractor's operations.

A. Testing

1. Grout consistency: As measured by grout density shall be determined by the Contractor per API RP-13B-1 at a frequency of at least one test per pile, conducted just prior to start of pile grouting. The Baroid Mud Balance used in accordance with API RP-13B-1 is an approved device for determining the grout density of neat cement grout. The measured grout density shall be within ±10% of the density specified in the grout mix design submittal.
2. Compressive Strength: Grout within the micropiles shall be tested by the Contractor's Quality Control Inspector to ensure that it attains the minimum required compressive strength.
   Micropile grout shall be sampled and cured in accordance with AASHTO R 64 (for 2 inch by 2 inch cubes) or T 23 (for 3 inch by 6 inch cylinders) and tested for compressive strength in accordance with AASHTO T 106 (for cubes) or T 22 (for cylinders). Grout samples shall be taken directly from the grout plant (on-site mixer and pump).

   The QC Technician will take the following sets of grout samples for QC testing:

   i. Verification Test Piles – three (3) sets of three (3) cubes or cylinders for 3-, 7-, and 28-day strength testing.

   ii. Proof Test Piles – three (3) sets of three (3) cubes or cylinders for 3-, 7-, and 28-day strength testing.

   iii. Production Piles – one (1) set of three (3) cubes or cylinders for 28-day strength testing for every two (2) micropiles or one set from each grout plant on each day of operation; whichever occurs more frequently.

ITEMS 945.10, 948.60, and 948.61 (Continued)

The Contractor shall provide grout cube compressive strength, grout density, can grout volume results to the Engineer within 24 hours of testing.

Table 3 – Grout Material Acceptance Criteria

Quality Characteristic	Test Method	Engineering Limit
Minimum Compressive Strength:	AASHTO T 106 or AASHTO T 22	
3 days		≥ 2000 psi
7 days		For information only
28 days		≥ 6000 psi
Consistency	API RP-13B-1	± 10% of the density specified in the mix design
Volume		≥ Theoretical volume of hole

MassDOT Acceptance

The Engineer is responsible for performing all Acceptance activities and making the final Acceptance determination. The Engineer's Acceptance system will include monitoring the Contractor's QC activity, performing Acceptance inspection, and utilizing available sampling and testing data.

A. Inspection

The Engineer will perform Acceptance inspection of all work items to ensure that all materials and completed work are in conformance with the Contract requirements.

B. Testing

MassDOT will determine whether it will test 2-inch cubes or 3-inch by 6-inch cylinders for its Acceptance testing. The Contractor will be required to provide to MassDOT a sufficient amount of approved 2-inch cube molds or 3-inch cylinders. If it is determined that MassDOT will test 3-inch cylinders then a correlation between the 2-inch cube results and the 3-inch cylinders shall be determined by MassDOT.

MassDOT will take the following sets of grout samples for Acceptance testing:

i. Verification Test Piles – 3 sets of cubes or cylinders for 3-, 7-, and 28-day strength testing.

ii. Proof Test Piles – three (3) sets of three (3) cubes or cylinders for 3-, 7-, and 28-day strength testing.

iii. Production Piles – one (1) set of three (3) cubes or cylinders for 28-day strength testing for every two (2) micropiles or one set from each grout plant on each day of operation; whichever occurs more frequently.

ITEMS 945.10, 948.60, and 948.61 (Continued)

Pile verification or proof load testing shall not be performed until MassDOT has confirmed the grout has reached the minimum 3-day design strength specified in Table 4.

Table 4 – Grout Material Acceptance Criteria

Quality Characteristic	Test Method	Engineering Limit
Minimum Compressive Strength:	AASHTO T 106 or AASHTO T 22	
3 days		≥ 2000 psi
7 days		For information only
28 days		≥ 6000 psi

MICROPILE LOAD TESTING

A. General

The Contractor shall perform pre-production verification pile load testing on one sacrificial pile per bond zone bearing stratum. The number and location of the verification test(s) shall be as specified on the Plans. In general, the location of the verification test(s) shall be within 10 feet of the footprint of a substructure unit, but at least 5 feet from any production pile as selected by the Contractor and accepted by the Engineer.

Pile proof load testing shall be performed on actual production micropiles and shall be performed on one pile per substructure unit or five percent of the total number of piles, whichever is greater, in conformance with the approved working drawings and testing procedures. The production proof test pile(s) shall be at a location selected by the Contractor and accepted by the Engineer.

The load tests shall conform to the requirements of ASTM D1143 (vertical compression load testing) or ASTM D3689 (vertical tension load testing) except as modified herein. The maximum test loads shall be 150% of the Factored Design Load (FDL) for the micropile verification test and 100% of the FDL for Micropile Proof Test. The Factored Design Load is defined as the Factored Axial Design Load (compression and/or tension) as shown on the Plans. The maximum test loads shall be as specified above but not more than 80% of the structural capacity of the micropile elements, to include steel yield in tension, steel yield or buckling in compression, or grout crushing in compression. The structural elements of the verification test micropile may be modified for testing the FDL of the micropile as accepted by the Engineer. The Alignment Load (AL) should not be more than 0.04 FDL.

Before starting the work, the Contractor shall submit to the Engineer for acceptance, a pile load test plan including a written description of the equipment and methods which are intended to be used. The methods must be of an accepted type and shall be altered as necessary to meet the acceptance of the Engineer. The pile load test plan and description shall be prepared and stamped by a professional engineer registered in the Commonwealth of Massachusetts.

ITEMS 945.10, 948.60, and 948.61 (Continued)

Grout within the micropile verification test pile shall attain the minimum required 3-day compressive strength prior to load testing. The top elevation of the test pile shall be determined immediately before the load testing. The head of each micropile shall be cut-off level or capped to produce a level horizontal bearing surface.

The Contractor shall provide all personnel and equipment needed to perform the test, measure loads and movements, and record test data. A representative of the Department or the Engineer may observe and witness the test and record data independently. No testing is to be performed unless all the agreed representatives are present.

Testing equipment shall include dial gauges, dial gauge support, jack and pressure gauge, electronic load cell, and a reaction frame. The Contractor shall provide a description of test setup and jack, pressure gauge and load cell calibration curves in accordance with the submittals Section.

Design the testing reaction frame to be sufficiently rigid and of adequate dimensions such that excessive deformation of the testing equipment does not occur. Provide a reaction frame capable of safely supporting 125 percent of the maximum test load. Align the jack, bearing plates and stressing anchorage such that unloading and repositioning of the equipment will not be required during the test.

Apply and measure the test load with a hydraulic jack and pressure gauge. The pressure gauge shall be graduated in 100 psi increments or less. The jack pressure gauge shall have a pressure range not exceeding twice the anticipated maximum test pressure. The jack shall be positioned at the beginning of the test such that unloading and repositioning during the test will not be required.

Calibrate the test load jacking system including the hydraulic jack couplings, gas pump, pressure gauge, and hydraulic load cell prior to the test so that the load applied is controlled to within 3 percent of the total applied load. Submit calibration reports prior to the start of the pile load test. Monitor the creep test load hold during verification tests with both the pressure gauge and the electronic load cell. Use the load cell to accurately maintain a constant load hold during the creep test load hold increment of the verification test.

Readings of settlement and rebound shall be referred to a fixed benchmark and shall be made using at least three dial gauges (micrometer dial extensometers) graduated to 0.001 inches and located 120 degree intervals around the micropile. The gauges shall be mounted on a reference beam supported at each end by reliable supports located at least 10 feet from the center of the test pile and independent from the jack, pile, or reaction frame.

The dial gauges shall have a travel sufficient to allow the test to be done without having to reset the gauges. Visually align the gauges to be parallel with the axis of the micropile. Readings shall be taken at intervals specified in the Verification Test and Proof Test section.

ITEMS 945.10, 948.60, and 948.61 (Continued)

The Contractor shall establish a survey reference point on the test pile and another reference point at the center of the reference beam. The reference points shall consist of graduated scales machine-divided into 0.02 inch and attached securely to the pile and reference beam. The reference points shall be monitored using survey equipment during the pile load test.

Protect the settlement measuring system against rain, wind, frost, and any other disturbances that could affect the reliability of the settlement observations. Provide sun shading for the measuring system for the duration of the test and for a minimum of 1 hour prior to the start of the test.

B. Micropile Verification Test

The Contractor shall perform pre-production verification pile load testing on sacrificial piles at a location selected by the Contractor and accepted by the Engineer. The location of the verification tests shall be within 10 feet of footprint of a substructure unit but at least 5 feet away from any production pile. Testing shall be performed in compression or tension in accordance with ASTM D1143 or ASTM D3689, respectively, except as modified herein.

Verification load tests shall be performed to verify that the Contractor installed micropiles will meet the required FDL and load test acceptance criteria and to verify that the length of the micropile bond zone is adequate. The drilling-and-grouting method and casing outside diameter shall be identical to those specified for the production piles as indicated on the Plans.

Verification test piles shall be installed at the location accepted by the Engineer. The steel core may need to have a higher strength or a larger diameter than for the production piles to accommodate the test load.

Verification test piles shall include at least two, ¾-inch diameter PVC Schedule 40 pipes cast into the test pile to allow telltales to be installed for load testing. The pipes shall be securely fastened in straight alignment to prevent displacement during grouting. The pipes shall be sealed at the bottom with threaded steel caps and at the top with threaded PVC plugs. The pipes shall extend within one foot of the top and bottom of the bearing stratum (i.e. unbonded zone of the pile) at the test pile location. Strain gages may be substituted for telltales.

The micropile verification load test results must verify the micropile design and installation methods, and be reviewed and accepted by the Engineer prior to beginning installation of production micropiles. The verification test pile and reaction piles shall not be used as production piles.

Test verification pile to a maximum Test Load of 150% of the Factored Design Load (FDL) defined above, as indicated on the Plans. The verification pile load test shall be made by incrementally loading the micropile in accordance with the following cyclic load schedule:

ITEMS 945.10, 948.60, & 948.61 (Continued)

Step	Loading	Applied Load	Hold Time (min.)
1	Cycle 1	AL	-
		0.075 FDL	4
		0.15 FDL	4
		0.225 FDL	4
		0.30 FDL	4
		0.375 FDL	4
2	Cycle 2	AL	1
		0.15 FDL	1
		0.30 FDL	1
		0.375 FDL	1
		0.45 FDL	4
		0.525 FDL	4
		0.60 FDL	4
		0.675 FDL	4
		0.75 FDL	4
3	Cycle 3	AL	1
		0.30 FDL	1
		0.60 FDL	1
		0.675 FDL	1
		0.75 FDL	1
		0.875 FDL	4
		0.90 FDL	4
		0.975 FDL	10 or 60 (Creep Test)
4	Cycle 4	AL	1
		0.30 FDL	1
		0.60 FDL	1
		0.90 FDL	1
		0.975 FDL	1
		1.05 FDL	4
		1.125 FDL	4
		1.20 FDL	4
		1.275 FDL	4
		1.35 FDL	4
		1.425 FDL	4
		1.50 FDL	4
		1.20 FDL	4
		0.90 FDL	4
		0.60 FDL	4
		0.30 FDL	4
		AL	15

ITEMS 945.10, 948.60, and 948.61 (Continued)

Creep Test: Pile top movement shall be measured at each load increment. The load-hold period shall start as soon as each test load increment is applied. The verification test pile shall be monitored for creep at the 0.975 FDL. Depending on performance, either a 10 minute or 60 minute creep test shall be performed at the 0.975 FDL test load where movements shall be recorded at 1, 2, 3, 5, 6, and 10 minutes. When the pile top movement between 1 and 10 minutes exceeds 0.04 inches, the 0.975 FDL test load shall be maintained an additional 50 minutes. Movements shall be recorded at 20, 30, 50, and 60 minutes. Dial gauges shall be reset to zero after the initial AL is applied.

The Acceptance criteria for micropile verification load tests are:

1. If the pile is tested in compression, acceptance will be based on the Davisson criteria. For this criterion, the ultimate load is defined as the load at which settlement measured relative to the top of the pile prior to the start of testing exceeds the sum of:
    I. The theoretical elastic compression of the pile assuming the load applied at the top of the pile act over the full length of the pile, and
    II. 0.15 inches plus 1 percent of the pile tip diameter.
2. If the pile is tested in tension, the ultimate load is defined as the load that produces an upward movement under load of 0.5 inch at the pile tip. The movement at the pile tip is:
    I. Measured directly by tell-tale, or
    II. Computed by deducting the theoretical elastic elongation of the pile from the upward movement measured relative to the top of the pile prior to the start of testing.
3. At the end of the 0.975 FDL increment, the test pile shall have a creep rate not exceeding 0.04 inch/log cycle time (1 to 10 minutes) or 0.08 inch/log cycle time (6 to 60 minutes or the last log cycle if held longer). The creep rate shall be linear or decreasing throughout the creep load hold period.
4. Failure does not occur at any load increment up to and including the maximum test load, 1.50 FDL. Failure is defined as load where the slope of the load versus head settlement curve first exceeds 0.025 in/kip.

At the completion of verification testing, test piles shall be removed down to the elevation specified on the plans or by the Engineer.

For the verification load tests, reports must be written and submitted to the Engineer within 3 working days of the load test completion. This report will either confirm the micropiles' resistance and bond lengths specified on the plans or reject the piles based upon the test results. This report shall be reviewed and acceptance by the Engineer prior to beginning installation of production micropiles. The contents of the verification load test report shall include:

ITEMS 945.10, 948.60, and 948.61 (Continued)

1. Brief project description.
2. Description of site and subsurface conditions including information on the ground conditions at the location of the load test and a comparison to actual conditions encountered.
3. Key personnel including the drill rig operator, the superintendent, the grout plant operator, and any other personnel involved in the installation and testing of the)
4. Micropile installation data including information such as length of the micropile (cased and uncased), number of bags of cement used to construct the micropile, size and type of casing and reinforcement, geology encountered (e.g. soil material, rock material, and water levels) during drilling, grouting record and grout testing results.
5. Results of load test including load-movement curves/figures and filled-out data sheets.
6. Statement of load test requirements and acceptance criteria.
7. Comparison of load test requirements and acceptance criteria.
8. Summary statement on the load test results.

If a tested micropile fails to meet the Acceptance criteria, the Contractor shall modify the design, the construction procedure, or both. These modifications may include but not limited to modifying the installation methods, increasing the bond length, regrouting the pile via preplaced regrout tubes or changing the micropile type. Any modification that necessitates changes to the structure design shall be submitted as a revision to the Working Drawings and require the Engineer's review and acceptance. Additional load testing may be required until an acceptable pile load test meets the designated load test requirements.

ITEMS 945.10, 948.60, and 948.61 (Continued)

C. Micropile Proof Test

Proof test piles to a maximum test load of 1.00 FDL as defined above. Proof tests shall be made by incrementally loading the micropile in accordance with the following cyclic load schedule:

Step	Loading	Applied Load	Hold Time (min.)
1	Cycle 1	AL	-
		0.10 FDL	4
		0.20 FDL	4
		0.30 FDL	4
		0.40 FDL	4
		0.50 FDL	4
		0.60 FDL	4
		0.70 FDL	4
		0.80FDL	4
		0.90 FDL	4
		1.00 FDL	10 or 60 (Creep Test)
		0.75 FDL	4
		0.50 FDL	4
		0.25 FDL	4
		AL	4

Creep Test: Pile top movement shall be measured at each load increment. The load-hold period shall start as soon as each test load increment is applied. The proof test pile shall be monitored for creep at the 1.00 FDL. Depending on performance, either a 10 minute or 60 minute creep test shall be performed at the 1.00 FDL test load where movements shall be recorded at 1, 2, 3, 5, 6, and 10 minutes. When the pile top movement between 1 and 10 minutes exceeds 0.04 inches, the 1.00 FDL test load shall be maintained an additional 50 minutes. Movements shall be recorded at 20, 30, 50, and 60 minutes. Dial gauges shall be reset to zero after the initial AL is applied.

The Acceptance criteria for Micropile Proof Load Test are the same as those for the Micropile Verification Load Test, except as modified below:

1. The creep test shall be held at the end of the 1.00 FDL increment.
2. Failure does not occur at any load increment up to and including the maximum test load, 1.00 FDL

Within 3 days of the completion of each proof load, the Contractor shall submit a report confirming the micropiles' capacities and bond lengths specified on the plans or reject the piles based upon the test results. The contents of the proof load test report shall be the same as those in the report for the Micropile Verification Load Test.

ITEMS 945.10, 948.60, and 948.61 (Continued)

If a proof-tested micropile fails to meet the Acceptance criteria, the Contractor shall immediately proof test another micropile within that substructure. For failed piles and further construction of other piles, the Contractor shall modify the construction procedure. Failed micropiles shall be replaced at the Contractor's expense. Any modification that necessitates changes to the structure design shall require the Engineer's prior review and acceptance. Verification and proof tests will be re-performed if the micropile type is changed.

NON-CONFORMING PILES

Non-conforming piles include piles that are installed out of tolerance, are damaged, the volume of grout placed is less than the theoretical volume of the hole, or the grout tests do not indicate the specified strength has been achieved. The Contractor shall submit a written remedial action plan to the Engineer for approval. The remedial action plan shall indicate how to correct the problem and prevent its reoccurrence. To mitigate or remediate non-conforming piles, the Contractor may be required to provide additional piles or supplement piles to meet specified requirements at no additional cost to the Owner.

METHOD OF MEASUREMENT

Item 945.10 will be measured for payment by the Foot of drilled micropiles installed, complete in place.

Item 948.60 will be measured for payment by the Each micropile verification load test complete.

Item 948.61 will be measured for payment by the Each micropile proof load test performed.

ITEMS 945.10, 948.60, and 948.61 (Continued)

BASIS OF PAYMENT

Item 945.10 will be paid at the Contract unit price per FOOT, complete in place and accepted. Payment for drilled micropiles shall be considered complete compensation for providing all materials, labor, equipment, proper disposal of drilling spoil, and incidentals to complete the work. There will be no separate measurement for mobilization and demobilization associated with this item. Any difference in the required length of permanent casing and micropile installed and accepted by the Engineer from the estimated lengths shall be measured for payment and/or credit. There will be no payment for differences in required length of temporary casing. The Micropile Contractor is also responsible for estimating the grout take. There will be no extra payment for grout overruns.

The Contractor shall anticipate encountering obstructions as noted herein and shall utilize equipment and methods necessary to advance through or remove the obstructions. The presence of obstructions, any lost production, replacement piles, and the removal of obstructions, if necessary, shall not be measured or paid for separately. Any costs associated with the presence of obstructions shall be considered incidental to the Drilled Micropiles Item.

Drilling tools that are lost during the drilling shall not be considered obstructions and shall be promptly removed by the Contractor without compensation. If removal will degrade the hole, the hole shall be abandoned with a new hole located by the Engineer. All costs due to lost tool removal, drilling a new hole and filling the abandoned hole shall be borne by the Contractor.

Item 948.60 and Item 948.61 will be paid for at the respective Contract unit price per EACH completed and accepted test, for which payment shall be considered complete compensation for providing all design, materials, labor, equipment, load test report, and incidentals to complete the work including the installation and materials of the test pile and reaction piles, if used. This payment shall also include full compensation for cutting the pile to the elevation necessary to properly incorporate the pile in the structure. If a pile is not to be incorporate in the structure, this payment item includes cutting the pile to the grade necessary to avoid its interference with the proposed construction. Payment for Micropile Verification Load Tests shall also include full compensation for installing the test pile. Micropiles installed as test piles for Proof Load Tests, if incorporated in the final structures, the length of pile installed in place shall be paid for at Contract unit price of Drilled Micropiles.

ITEM 953.1 TEMPORARY SUPPORT OF EXCAVATION SQUARE YARD

The work under this Item shall conform to the relevant provisions of Subsections 140 and 950 of the Standard Specifications and the following:

The temporary support of excavation shall be designed by the Contractor.

The temporary support of excavation shall consist of soldier piles (drilled micropiles, steel H-piles) and timber lagging reinforced, as required, by the framework of wales, struts, tie-backs, deadman soil anchors, corner braces and vertical spacers; or any other system approved by the Engineer. The approximate layout of the temporary support of excavation is shown on the plans. Steel sheeting, if used, shall conform to M202M/M 202-08 (2016). Foreign source of supply may be submitted for approval if sufficient documentation is provided demonstrating that domestic material is unavailable and that M202M/M 202-08 (2016) compatibility is achieved.

The Contractor shall be aware of the following:

A. The temporary support of excavation shall be designed to resist a surcharge live load of at least H20 truck loading and any construction equipment loading.
B. The Contractor shall make his own evaluation of existing conditions and facilities, and of the effects of the proposed temporary support of excavation and construction methods, and shall provide in his design for all loads and methods necessary to permit the construction of the proposed abutments and wingwalls while maintaining public safety and protecting completed work and all third party property from damage caused by this operation.
C. Timber lagging, if used, shall be southern yellow pine, mixed hardwoods or equivalent of Grade 2 or better, having F_b= 1,500 psi, minimum. Install lagging tightly against the soil to minimize loss of ground. If necessary, install the lagging one board at a time as required to minimize loss of ground in any local areas having unstable soil conditions. Immediately backpack the lagging tightly with gravel backfill as required to fill any voids that develop behind the lagging.

Utility lines shall be accurately located to ensure that the proposed temporary support of excavation will not interfere with them or with the utility company's access to them.

Prior to the start of work, the Contractor shall submit excavation support plan for approval by MassDOT. Such plan should include, at minimum:

1. A detailed description of the means, methods, equipment, and sequence of the planned excavations and excavation support.
2. A plan showing the anticipated location(s) of excavation support
3. Plans and calculations stamped and signed by a Massachusetts Professional Engineer

ITEM 953.1 (Continued)

All work shall be performed in such a manner to minimize impacts on the adjacent properties and wetlands.

METHOD OF MEASUREMENT

Item 953.1 will be measured for payment by the SQUARE YARD of temporary support of excavation installed. The vertical pay limit will be from the bottom of excavation at the face of the earth support to existing grade.

BASIS OF PAYMENT

Item 953.1 will be paid for at the Contract unit price per SQUARE YARD, which price shall include all labor, materials, tools, equipment, submission preparation and submittal, and all incidental costs required to complete the work. Payment of 75% of the Contract unit price of this Item will be made upon complete installation. The remaining 25% of the Contract unit price of this Item will be paid following proper complete removal of all the temporary support of excavation components from the site.

The Temporary Support of Excavation Systems shall be entirely removed from the job site after their function has been accomplished. Note the following:

All permanent and temporary support of excavation that protrudes into the soil that supports the bridge structure shall be left in place. Supporting soil shall be defined as all soil directly below the footing contained within a series of planes that originate at the perimeter of the bottom of the footing and project down and away from the footing at an angle of 45° from the horizontal.

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ITEM 983.522 NATURAL STREAMBED MATERIAL CUBIC YARD

The work under this Item shall conform to the relevant provisions of Subsection 983 of the Standard Specifications and the following:

The work under this Item shall consist of furnishing and placing streambed material upstream of the new structure between the existing culvert slab that will remain and the small dam to set a desired channel profile and establish a natural bed, and maintain aquatic organism passage.

The purpose of this Item is to provide natural streambed material to naturalize the channel upstream of the existing concrete slab and below the upstream dam as shown on the plans. The ultimate produce will, to the extent possible, replicate the function and appearance of the natural stream channel upstream and downstream of the new structure.

The ultimate product will to the extent possible replicate the function and appearance of natural areas of the existing stream adjacent to the culvert.

The streambed material is an important element to comply with environmental permits issued for the project. In order to satisfy those requirements and ensure the restoration is constructed as designed, MassDOT Environmental Services will be providing a Fluvial Geomorphologist (Geomorphologist) to provide on-site oversight and assistance during streambed restoration.

At least 30 days prior to the commencement of construction, the Contractor or Resident Engineer shall coordinate with MassDOT's Geomorphologist. At this meeting, the Geomorphologist will provide an overview of the channel restoration work and will discuss the Contractor's proposed streambed restoration material source, anticipated means, methods, and schedule.

Related Items:

Modified Rockfill. Shall conform to the requirements of Subsection M2.02.4 Modified Rockfill of the Standard Specifications and will be paid under this Item 983.522.

The Geomorphologist will be on site periodically during construction to assist the Contractor and Resident Engineer on installation of the streambed material in accordance with the environmental permits.

MATERIAL

The streambed material is to be installed as depicted on the plans.

Any stone excavated from the existing streambed during the project shall be stockpiled and reused for streambed restoration, provided the excavated stone is characteristic of the existing stream material upstream and downstream of the work area, or meets the below criteria.

ITEM 983.522 (Continued)

If the excavated material is not suitable or there is not enough material, the streambed material shall be locally sourced, rounded river stone, that matches the composition of the native riverbed. The following gradation may be used as a guide.

Streambed Material Gradation

Stone/Sieve Size % Finer

900 mm (36 inches) 90-100

300 mm (12 inches) 75-90

150 mm (6 inches) 30-75

4.75 mm (No. 4) 4-30

75 µm (No. 200) 0-4

The streambed material shall be well graded and shall be approved by the Resident Engineer and Geomorphologist prior to use.

Larger material will project up through the bed to create habitat and hydraulic roughness.

CONSTRUCTION METHODS

The streambed material shall be installed over the modified rockfill with thicknesses necessary to replicate the existing channel conditions. The initial placement of the streambed material shall fill the voids in the underlying modified rockfill. The purpose of filling the voids is to prevent subsurface flow where surface water disappears into large voids between the stone fill below the channel bed surface during low flow conditions. The final streambed shape and appearance shall be finalized in the field as directed by the Geomorphologist.

The streambed material shall fill /choke the voids in the underlying modified rockfill. The modified rockfill shall be choked with finer streambed material, and shall consist of a well-graded mix of cobble, gravel, sand and silt that represents the local streambed. Fill voids by hand tamping with metal tamping rods, by shaking stone with the teeth of an excavator bucket, and/or by spraying water to settle fines between large stones. Plate compactors shall not be used.

The material shall be installed during dewatered conditions in accordance with the environmental permits. Boulders that are part of the natural streambed material shall project above the bed to maintain a natural level of hydraulic roughness and to re-establish fish habitat.

ITEM 983.522 (Continued)

Once all material has been placed in the culvert and approved by the Geomorphologist and Resident Engineer, the Contractor shall restore flow in such a way to slowly wet the stream to minimize the initial sediment pulse. Every attempt shall be made to minimize the downstream movement of sediment.

The final streambed in the culvert and approaches shall look like a natural riverbed, shall match nearby river reaches, and there shall be minimal subsurface flow upon final inspection by the Project Engineer and Geomorphologist.

The Contractor shall submit to the Resident Engineer for approval prior to the start of operations, a placement plan and method of placement.

METHOD OF MEASUREMENT

Item 983.522 will be measured for payment by the CUBIC YARD of streambed material imported to the site and installed in the complete and accepted work, measured within the limits shown on the Plans or as directed by the Engineer.

BASIS OF PAYMENT

Item 983.522 will be paid for at the Contract unit price per CUBIC YARD, which price shall include all labor, equipment, materials, tools, and all incidentals required to complete the work.

Excavation required for the streambed material, including stockpiling of on-site materials, shall be considered as included under the work for this Item.

The Geomorphologist will be provided by MassDOT at no cost to the Contractor.

ITEM 991.1 **CONTROL OF WATER, STRUCTURE NO. E-10-011 (CLV)** **LUMP SUM**

The work under this Item shall conform to the relevant provisions of Subsection 140 of the Standard Specifications and these Special Provisions for all dewatering activities necessary for the project, including, but not limited to, excavation, construction of proposed pile caps and footings, abutments, riprap installation, and proposed drainage outfall structures to ensure work will be performed in the dry.

The Contractor's attention is directed to the section of these Special Provisions that addresses the Contractor's requirements for Sedimentation and Erosion Controls for this project.

The Contractor shall take all steps to fulfill the requirements of the Massachusetts DEP Erosion and Sedimentation Controls guidelines and all environmental permits associated with this project.

The Contractor shall review the boring logs and site conditions to assess the bearing soils and determine the Contractor's methods for the control of water.

The Contractor should take precautions to reduce subgrade disturbance by diverting storm water run-off away from construction areas and maintaining effective dewatering.

As part of the work under this Item, it is the responsibility of the Contractor to determine the need and extent of stream diversions, sedimentation basins and dewatering techniques and sedimentation controls needed to control water and sediment at the site. Prior to the actual process of executing the excavation operations, the Contractor shall submit the methods and materials proposed to be used for the Engineer's approval.

The Contractor shall be responsible for the design of the water control structure for placement in the river as shown on the Contract Plans. The water control structure shall include an impermeable barrier to ensure sediments from construction operations do not migrate into river.

SUBMITTALS

Plans and calculations for the water control structure shall be developed by the Contractor for this Item, prepared by a Professional Engineer registered in the Commonwealth of Massachusetts and submitted for the review of the Engineer prior to the start of construction.

This submittal shall include, but is not limited to, excavation support, dewatering and construction sequence designs to sufficiently address the channel flow caused by the control of water.

ITEM 991.1 Continued)

CONSTRUCTION METHODS

Stream diversions shall be conducted in such a manner as to minimize siltation and prevent contamination of the waterway.

Maximum screen sizes on the inlet side of all pumps shall not exceed 0.5 inch.

Recommended devices to control water at the site include, but are not limited to:

- Installation of precast concrete median barriers or blocks covered with sedimentation fabric and sandbags to reduce water infiltration.
- Sandbag dams installed at the top of the excavation to provide temporary control of water.
- Portable cofferdam system comprised of steel frames covered by an impervious fabric membrane.

The Contractor is advised that the effectiveness of the water control method used will vary based on the field conditions and the time at which the actual excavation work is being performed. The Engineer has the right to order the Contractor to stop all excavation operations when in his judgment the Contractor's water control operations are failing to produce adequate results or are posing a threat to the environment.

The Contractor shall provide the means of removing all sediment from water pumped from the excavation areas; this shall include the use of sedimentation basins, check dams, sedimentation fences or tanks as directed in the Special Provisions under Sedimentation and Erosion Controls.

BASIS OF PAYMENT

Item 991.1 will be paid for at the Contract price LUMP SUM, which price shall include all labor, material, equipment, design, submittals, installation, maintenance, removal, and all incidental costs required to complete the work.

ITEM 995.01 BRIDGE STRUCTURE, BRIDGE NO. E-10-011 (CLV) LUMP SUM

The work under this Item shall conform to the applicable provisions of Subsection 995 of the Standard Specifications and the specific requirements stipulated below for the component parts of this Item. Where no specific requirement is identified for an item, the Standard Specifications shall apply, except for payment. Payment for all bridge components shall be included under the Lump Sum Price for this Item, unless otherwise noted elsewhere as a separate item.

Work under this Item shall include all materials, equipment, tools and labor needed to construct the following for the replacement of Bridge E-10-011 Church Street over Keyup Brook:

- Precast 3-Sided Concrete Frame
- Cast-in-place reinforced Concrete Pile Cap
- Precast Concrete Footing
- Precast Highway Guardrail Transitions;
- Cast-in place reinforced concrete safety curbs;
- Cast-in-place reinforced concrete sidewalk;
- Steel reinforcement for structures, including epoxy coated bars;
- Metal Bridge Railing (3-Rail), Steel (S3-TL4);
- Membrane Waterproofing for Bridge Decks;
- Damp-Proofing;

Any item shown on the drawings, specified or implied and not specifically included for payment under another item shall be included for payment under this Item. This work includes all labor, materials, and equipment necessary for, and incidental to, the completion of the structure in accordance with the schedule of items included hereinafter under "Basis of Payment."

5000 PSI, 3/4 INCH, 685 HP CEMENT CONCRETE

The work under this heading for the Item identified below shall conform to the relevant provisions of the Standard Specifications, Subsection 901, these Special Provisions and the following:

5000 psi, 3/4 in, 685 HP Cement Concrete

Work considered incidental to the cement concrete items shall include closed cell foam, joint seal, deck drains, epoxy coated chairs and ties, water stops, inserts, and any other work involved in furnishing and placing the concrete.

ITEM 995.01 (Continued)

It is necessary to achieve 75% of the 28-day compressive strength of the concrete bridge components prior to casting of reinforced concrete sidewalk and safety curb, installation of S3-TL-4 bridge rail, and application of paving or construction equipment. The Contractor shall, therefore, secure and provide any additional concrete cylinder molds necessary to test concrete compressive strength to determine the point of acceptable strength.

The Contractor shall submit all pertinent information relative to placing concrete to the Engineer for approval at the time of shop drawing submittal. The information submitted shall include: method of concrete placement, the name of the retardant and other admixtures selected for use, manufacturer's product information on the admixtures, method of use and amount to be used.

PRECAST HIGHWAY GUARDRAIL TRANSITION AND BASE PRECAST CONCRETE FOOTING

A. General.

The work under this Heading consists of fabricating, transporting and installing precast highway guardrail transition and base and includes all necessary labor, materials, and equipment to complete the work as shown on the Plans. The Precast Concrete Bridge Elements shall meet the requirements of Section M4: Cement Concrete and Related Materials.

MATERIALS

1. Materials.

Materials shall conform to M4.09.1 and the following:

Non-Shrink Grout Products	M4.04.5
Controlled Low-Strength Material – Structural Non-Excavatable	M4.08.0
Welded Steel Wire Fabric	M8.01.2
Mechanical Reinforcing Bar Splicer	M8.01.9
Lifting Devices	PCI MNL-116
Corrugated Metal Pipe	AASHTO M 36

1. Vertical Adjustment Assembly.

Vertical Adjustment Assembly details and material requirements shall be as shown on the plans. Alternate devices may be used provided that they are adjustable and can support the anticipated loads. The design of the leveling devices, with necessary calculations, shall be submitted to the Engineer of Record for approval.

2. Threaded Inserts.

Threaded inserts are permissible to facilitate forming the keyway pours. Threaded inserts shall be hot dip galvanized or made of stainless steel. The number of threaded inserts shall be minimized, and the inserts shall not come in contact with the reinforcing steel.

3. **Corrugated Metal Pipe.**

Corrugated Metal Pipe to be used for forming voids as specified on the plans shall be fabricated from steel and shall have a protective metallic coating of zinc (galvanizing).

ITEM 995.01 (Continued)

CONSTRUCTION METHODS – PLANT FABRICATION

A. **Pre-Production Meeting**.

The Contractor shall notify the MassDOT Research and Materials Section to determine if a pre-production meeting will be required to review the specification, shop drawings, curing plan, schedule, and discuss any specific requirements. The meeting shall be held prior to scheduling a MassDOT Inspector (refer to M4.09.4 *Department Acceptance*), and at least seven (7) days prior to the scheduled casting of any Precast Concrete Bridge Element or control section. The Contractor shall schedule the meeting, which shall include representatives of the Fabricator and MassDOT.

B. Reinforcement.

The reinforcing bars shall be installed in accordance with Subsection 901.35, including tolerances for cover and horizontal spacing of bars. Components of mechanical reinforcing bar splicers shall be set with the tolerances shown on the plans. The reinforcing bars and mechanical reinforcing bar splicers shall be assembled into a rigid cage that will maintain its shape in the form and which will not allow individual reinforcing bars to move during the placement of concrete. This cage shall be secured in the form so that the clearances to all faces of the concrete, as shown on the plans, shall be maintained.

Where reinforcing bars are to protrude from one Precast Concrete Bridge Element in order to mate with reinforcing bar splicers in a second precast concrete element, the fabricator shall set the reinforcing bars and the reinforcing bar splicers with a template in order to ensure proper fit up within the tolerances specified on the plans.

C. **Tolerances**.

Fabrication shall comply with tolerances specified on the plans. Tolerances for steel reinforcement placement shall be in accordance with Subsection 901.35. In the absence of specifications on the plans, tolerances shall comply with the latest version of the PCI MNL 135, Precast Tolerance Manual.

D. Forms.

Concrete shall be cast in rigidly constructed forms, which will maintain the Precast Concrete Bridge Elements within specified tolerances to the shapes, lines and dimensions shown on the approved fabrication drawings. Forms shall be constructed from flat, smooth, non-absorbent material and shall be sufficiently tight to prevent the leakage of the plastic concrete. When wood forms are used, all faces in contact with the concrete shall be laminated or coated with a non-absorbent material. All worn or damaged forms, which cause irregularities on the concrete surface or damage to the concrete during form removal, shall be repaired or replaced before being reused. If threaded inserts are cast into the elements for support of formwork, the inserts shall be recessed a minimum of 1 inch and shall be plugged after use with a grout of the same color as that of the precast cement concrete.

ITEM 995.01 (Continued)

CONSTRUCTION METHODS – FIELD CONSTRUCTION

A. **General**.

All of the Contractor's field personnel involved in the erection and assembly of the Precast Concrete Bridge Elements shall have knowledge of and follow the approved Erection Procedure .

Prior to installation, the following documentation shall be reviewed and confirmed by the MassDOT Resident Engineer or designee:

(a) QC Compressive Strength Test Report Forms attaining Design Strength, f'c for the Precast Concrete Bridge Element's representative sublot.
(b) Certificate of Compliance generated by the Fabricator as described under the Fabricator Quality Control section.
(c) QC Inspection Reports signed by the Quality Control Manager.

Field construction staff shall verify that the Resident Engineer has accepted all Precast Concrete Bridge Elements prior to installation.

B. Erection Procedure

Prior to the erection, the Contractor shall submit an Erection Procedure for approval by the Engineer. This submittal shall include computations and drawings for the transport, hoisting, erection and handling of the Precast Concrete Bridge Elements. The Erection Procedure shall be prepared and stamped by a Professional Engineer registered in the Commonwealth of Massachusetts with working knowledge of the Contractor's equipment, approved shop drawings, and materials to build the bridge. The Erection Procedure shall, at a minimum, include the following:

1. Erection Procedure

The Erection Procedure shall be prepared to conform to the requirements of 960.61, Design, Fabrication and Erection and the applicable sections in Chapter 8 of the PCI Design Handbook (eighth edition) for handling, erection, and bracing requirements. At a minimum, the Erection Procedure shall provide:

(a) Minimum concrete compressive strength for handling the Precast Concrete Bridge Elements.
(b) Concrete stresses during handling, transport, and erection.
(c) Crane capacities, pick radii, sling geometry, and lifting hardware.
(d) Verification that the equipment can handle all pick loads and weights with the required factor of safety.
(e) Evaluation of construction sequence and evaluation of any geometric conflicts in the lifting of the Precast Concrete Bridge Elements and setting them as shown on the plans.
(f) Design of crane supports including verification of subgrade for support.
(g) Location and design of all temporary bracing that will be required during erection.

ITEM 995.01 (Continued)

Non-shrink grout and concrete materials, approved by the Engineer, shall be placed as shown on the plans. Fill joints, keyways, and voids, in strict accordance with the specifications and manufacturer's recommendations and instructions.

For footings, approach slabs and highway guardrail transitions, once these Precast Concrete Bridge Elements have been set to the correct horizontal and vertical alignment, the void between them and the supporting soil shall be filled with Controlled Low-Strength Material – Structural Non-Excavatable to the limits as shown on the plans. Add additional grout ports in the footings to facilitate the bedding process if required.

Except in approach slabs, joints shall be filled flush to the top with non-shrink grout, and any vertical misalignment between adjacent elements shall be feathered out on a slope of 1 to 12.

Curing of grout or concrete shall be performed in strict accordance with the specifications and manufacturer's recommendations. Filling shall not be completed in cold weather when either the ambient temperature or the precast member's temperature is below the manufacturer's recommendation. No localized heating of either the precast members or of the air surrounding the element will be permitted in an attempt to reach application temperatures.

If the joints or voids are not filled within five days after the Precast Bridge Elements are erected, the Contractor shall cover and protect the openings from weather and debris until they are filled.

C. Survey and Layout.

Working points, working lines, and benchmark elevations shall be established prior to placement of all elements. The Contractor is responsible for field survey as necessary to complete the work. MassDOT reserves the right to perform additional independent survey. If discrepancies are found, the Contractor may be required to verify previous survey data.

D. Preparation of Closure Pours and Grouted Keyways.

Immediately prior to erecting the Precast Concrete Bridge Elements, the closure pours and grouted keyways shall be cleaned at the job site of all dust, dirt, carbonation, laitance, and other potentially detrimental materials which may interfere with the bonding of the closure pour concrete or grout and precast concrete using a high-pressure water blast. Any exposed reinforcing steel in the precast concrete shall be protected from damage during the cleaning of the keyways. Damaged epoxy coating of steel reinforcement shall be repaired, and the reinforcing steel shall be cleaned as directed by the Engineer. The surfaces of the closure pours and grouted keyways shall be wetted so that the surfaces shall have a Saturated Surface Dry (SSD) condition for at least 24 hours prior to the placement of the closure pour concrete.

E. Erection.

The elements shall be placed in the sequence and according to the methods outlined in the Erection Procedure. As the erection proceeds, the Contractor shall constantly monitor the assembly to ensure that the precast concrete bridge element is within proper horizontal and vertical location and tolerances prior to releasing it from the crane and setting the next unit. The Contractor may use shims to maintain proper setting tolerances.

The concrete elements shall be lifted only by the lifting devices, and the utmost care shall be taken to prevent distortion of the elements during handling, transportation or storage.

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This approval will be contingent on the Contractor demonstrating by calculations, prepared by a Professional Engineer registered in Massachusetts, that the elements will not be damaged by the non-vertical lifting force and by documentation that the capacity of the lifting devices is adequate for the non-vertical lifting force.

After all Precast Concrete Bridge Elements have been placed, the actual overall dimensions of the structure both horizontal and vertical, as laid out shall not deviate from the nominal dimensions shown on the plans beyond a tolerance of +0 inches and -1 inches. Once the layout of Precast Concrete Bridge Elements has been accepted by the Engineer, the Contractor shall cut all lifting devices off below the surfaces of the elements.

F. Filling of Blockouts for Lifting Devices and Threaded inserts.

If the blockouts in the Precast Concrete Bridge Elements where the lifting devices were located will be exposed and visible after assembly is complete, the Contractor shall fill these blockouts with Mortar (M4.04.5).

After the formwork has been removed, all threaded inserts that have been cast into the precast concrete bridge deck for support of the formwork shall be filled with a grout of the same color as that of the precast concrete.

STEEL REINFORCEMENT FOR STRUCTURES – EPOXY COATED

The work under this heading shall conform to the applicable provisions of Subsection 901 of the Standard Specifications.

Shall be used in abutment stems, abutment footings, wingwall stems, wingwall footings concrete topping slab, safety curb, and sidewalk.

PRECAST CONCRETE 3-SIDED FRAME AND FOOTING

A. General.

The work under this Heading consists of design, fabricating, transporting and installing the precast concrete 3-sided frame and 1 precast concrete footing and includes all necessary labor, materials, and equipment to complete the work as shown on the Plans. The work shall conform with the MassDOT Standard, Supplemental, and Interim Specifications and the requirements of the current AASHTO LRFD Bridge Construction Specifications, supplemented by the current relevant provisions of the latest edition of PCI MNL-116 (The Manual for Quality Control for Plants and Production of Precast and Prestressed Concrete Products), except as noted herein.

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QUALITY ASSURANCE

A. General.

Quality Assurance includes all the planned and systematic actions necessary to provide confidence that a product or facility will perform satisfactorily in service. It is an all-encompassing term that includes Quality Control (performed by the Fabricator) and Acceptance (performed by MassDOT). Quality Control is the system used by the Contractor and Fabricator to monitor and assess their production processes at the plant facility and installation activities at the project site to ensure that the final product will meet the specified level of quality. Acceptance includes all factors used by MassDOT to determine the corresponding value for the product. MassDOT Acceptance inspection at the plant facility is intended as a means of evaluation of compliance with contract requirements. Contractor and Fabricator Quality Control activities and MassDOT Acceptance activities shall remain independent from one another. MassDOT Acceptance activities shall not replace Fabricator Quality Control activities.

B. Fabricator Quality Control.

Quality Control shall be performed by the Fabricator to ensure that the product is fabricated in conformance with the specifications herein. The Fabricator shall maintain a Quality Control system to monitor, assess, and adjust placement and fabrication processes to ensure the Precast Concrete Bridge Element(s) meet the specified level of quality, through sufficient Quality Control sampling, testing, inspection, and corrective action (where required). The Fabricator's Quality Control system shall address all key activities during the placement and fabrication and shall be performed in conformance with the Fabricator's NPCA or PCI Certification. Quality Control documentation shall meet the requirements of the *Fabricator Quality Control – Documentation* section below. Upon request, Fabricator Quality Control documentation shall be provided to the MassDOT Plant Inspector.

1. Plant.

Prior to the fabrication of Precast Concrete Bridge Elements, the Fabricator's precast concrete plant shall obtain the following:

(a) Certification by the National Precast Concrete Association (NPCA) Plant Certification Program or Precast/Prestressed Concrete Institute (PCI) Plant Certification Program, for the applicable types of Precast Concrete Bridge Element(s) being fabricated
(b) MassDOT Prequalification
(c) MassDOT Mix Design Approval

All concrete for a given Precast Concrete Bridge Element shall be produced by a single company and plant, unless otherwise approved by the Engineer.

2. Personnel.

The Fabricator shall provide adequate training for all QC personnel in accordance with NPCA or PCI certification. There shall be sufficient personnel trained and certified to perform the tests listed under Subsection M4.02.13, Part D. At a minimum, the Fabricator's Quality Control Personnel shall maintain the following qualifications and certifications:

(a) QC Manager with an active NETTCP Field Technician or ACI Concrete Field Testing Technician – Grade I certification or higher, and a minimum of 4 years continuous experience in the manufacture of Precast Concrete Bridge Elements for state transportation departments. The QC Manager shall be on site while the batch plant is producing and placing concrete for MassDOT projects.

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(b) A Technician/Inspector having the Precast/Prestressed Concrete Institute (PCI) Technician/Inspector Level I or NorthEast Transportation Training and Certification Program (NETTCP) Precast Concrete Inspector, or higher.

The Contractor shall submit to the Engineer a copy of the Fabricator's Quality Control Personnel required qualifications, as specified above.

3. Laboratory.

The Fabricator shall provide a room of sufficient size to house all equipment and to adequately perform all testing. The room shall have either a separate moisture storage room or curing box for concrete cylinders, and it shall be thermostatically controlled to maintain temperatures consistent with AASHTO T 23. It shall include a desk and file cabinet for proper record keeping, and have good lighting and ventilation. This room shall be kept for testing and quality control and not used for any other purpose. An additional desk and file cabinet shall be provided for exclusive use of the Engineer. No exception from these requirements will be allowed without the express written permission of the Engineer.

4. Testing Equipment.

At a minimum, the Fabricator's plant facility shall have the following testing equipment:

(a) Air Content Meter Type A or B: AASHTO T 152
(b) Air Content Meter Volumetric Method: AASHTO T 196 (Required for Lightweight Concrete)
(c) Slump Cone: AASHTO T 119
(d) Cylinder Molds AASHTO M 205
(e) Concrete Testing Machine: AASHTO T 22
(f) Screening Sieve: AASHTO T 27, AASHTO T 11
(g) Curing Box: AASHTO T 23
(h) Spread Test Base Plate for Self-Consolidating Concrete (SCC): ASTM C1611
(i) All other equipment prescribed by AASHTO and ASTM standards for the tests to be performed by the Fabricator as specified

5. Inspection.

Quality Control personnel shall monitor and inspect the fabrication of each Precast Concrete Bridge Element. Quality Control personnel shall report all inspection activities on Quality Control Inspection Reports and non-conformances on Non-Conformance Reports (NCRs) throughout the entire fabrication process, as speciefied herein.

6. Temperature Monitoring.

At a minimum, the Fabricator shall monitor, record, and report the temperatures of the form, ambient temperatures surrounding the concrete, and temperatures of the concrete continuously, without interruption as specified below:

(a) Prior to placement of concrete to verify that $T_i \geq 50°F$.
(b) Immediately after placement to verify that $T_i \geq 50°F$ is maintained.
(c) Throughout the entire duration of the curing cycle, at regular intervals not to exceed one hour until 100% Design Strength (f'_c) is attained and concrete has cooled to within 40°F of the ambient temperature surrounding the Precast Concrete Bridge Element.

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At a minimum, the temperature measuring devices shall record and report the temperature of the concrete to the nearest 2°F. At least two temperature sensors (thermocouples) shall be positioned to record the maximum and minimum anticipated concrete temperatures. The anticipated minimum temperature shall be measured with one or more thermocouples at a distance no greater than 2 inches from the surface of the thinnest section. The anticipated maximum temperature shall be measured with one or more thermocouples at the center of the thickest section. Proposed temperature measurement locations shall be submitted to the Engineer for approval. Temperature recording devices shall be located within the curing enclosure and calibrated as required by PCI MNL-116 Section 4.18.4. Maximum heat increase and cool down rates shall comply with PCI MNL-116, Section 4.19. The Contractor shall furnish temperature logs recorded at a minimum frequency of once per hour to the Inspector as required, with each post-pour QC inspection report.

7. Sampling and Testing.

At a minimum, the Fabricator shall perform random Quality Control sampling and testing as specified in *Table 1: Quality Control Sampling and Testing*. The Fabricator shall perform additional Quality Control sampling and testing on concrete that has been retempered with admixtures or hold-back water during fabrication. Test Specimens shall conform to the requirements of Section M4.02.13 of the MassDOT Standard and Supplemental Specifications and AASHTO R 60, with the exception of the Stripping (80% f'_c) set of cylinders. Stripping (80 % f'_c) cylinders shall be cured in the same location and environment as the Precast Bridge Elements they represent. If approved by the Engineer, compressive strength cylinder match curing equipment, that maintains the same concrete conditions that the corresponding Precast Bridge Element is exposed to, may be utilized in lieu of Stripping (80 % f'_c) field cured cylinders, with the use of thermocouples, controllers, and heaters.

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Table 1: Quality Control Sampling and Testing

Quality Characteristic	Test Method	Sample Size	Specification Limit	Lot Size [c]	Sublot Size [d]	Frequency	Point of Sampling
Slump (in.) [a]	AASHTO T 119	Per AASHTO	≤ 8 in. or as approved by the Engineer	Total Quantity of Concrete (cy) produced on a Contract, per Type of Element fabricated, per Mix Design	20 cy	One (1) per Sublot or fraction thereof	Point of Discharge
Air Content (%)	AASHTO T 152	Per AASHTO	5% ≤ % ≤ 8%				
Temperature (°F)	AASHTO T 309	Per AASHTO	50°F ≤ °F ≤ 90°F				
Compressive Strength (psi)	AASHTO T 22 AASHTO T 23	Stripping Cylinders: One (1) set of Three (3) 4 x 8 in.	≥ 80% f'c at Stripping				
		7-day Cylinders: One (1) set of Three (3) 4 x 8 in.	For Information at 7 days				
		28-day Cylinders: One (1) set of Three (3) 4 x 8 in.	≥ 100% f'c at 28 days				
		56-day Cylinders: One (1) set of Three (3) 4 x 8 in.	≥ 100% f'c at 56 days [b]				

Notes:

(a) Self-consolidating concrete (SCC) shall meet the requirements of M4.02.17.
(b) 56-day Compressive Strength test specimens shall require testing only when 28-day Compressive Strength test specimens have failed to meet Design Strength (f'c).
(c) Lot shall be defined as a specific quantity of material from a single source, produced or placed by the same controlled process.
(d) Sublot shall be defined as an equal division or part of a Lot from which a sample of material is obtained in order to assess the Quality Characteristics of the Lot.

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8. Certificate of Compliance.

The Fabricator shall provide a Certificate of Compliance in accordance with Standard Specifications, Division I, Section 6.01, stating that QC test cylinders have achieved the design strength, f'_c. A Certificate of Compliance shall accompany each shipment and shall be presented to the MassDOT Resident Engineer or designee upon delivery to the site.

9. Documentation.

At a minimum, the Fabricator shall maintain a filing system for the following QC records and documentation. All QC records and documentation shall be made available to MassDOT upon the request of the Department.

(a) Current MassDOT Approved Mix Design Sheet(s) and Approval Letter(s)
(b) PCI or NPCA Certification
(c) Current Qualifications and Certifications for QC Manager(s) and QC Technician(s)
(d) Most current set of Approved Shop Drawings
(e) Approved Placement, Finishing and Curing Plan
(f) Approved Dunnage Plan
(g) Fabricator Certificate of Compliance for each fabricated Precast Concrete Bridge Element
(h) Admixture Manufacturer's Certification of Compliance for each approved Admixture
(i) Completed QC Inspection Report for each fabricated Precast Concrete Bridge Element
(j) Identification Number for each fabricated Precast Concrete Bridge Element
(k) Time and date of casting of each fabricated Precast Concrete Bridge Element
(l) Date of stripping of each fabricated Precast Concrete Bridge Element
(m) Batch Ticket Printout reporting the quantity of concrete produced for each batch of concrete produced
(n) Concrete temperature records for each Precast Concrete Bridge Element fabricated
(o) QC Test Report Forms for each sublot of concrete produced
(p) Non-Conformance Reports (NCRs)
(q) Documentation of Repairs (if applicable)

C. Acceptance.

MassDOT will perform Acceptance inspection, sampling, and testing during fabrication and installation, to evaluate the quality and degree of compliance of the fabricated Precast Concrete Bridge Element to MassDOT specifications. Additionally, MassDOT Inspectors will monitor the Fabricator's Quality Control activities to ensure the Fabricator is properly administering Quality Control in conformance with the Fabricator's NPCA or PCI Certification. Acceptance inspection and test results not meeting MassDOT specifications will result in Non-conformance Reports (NCR) being issued by MassDOT to the Fabricator or Contractor for corrective action. Final Acceptance for the fabricated Precast Concrete Bridge Elements shall be determined by MassDOT.

1. Inspection.

A MassDOT MassDOT Inspector will be assigned to perform Acceptance activities during fabrication, which includes the inspection of the materials, work procedures, and Precast Concrete Bridge Elements. At least seven (7) days prior to the scheduled start of fabrication, the Fabricator shall contact the MassDOT Research and Materials Section (RMS) to provide notice of the scheduled fabrication start date. The Fabricator shall complete the following activites prior to notifying MassDOT RMS of the scheduled start date:

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(a) Receive approval for all submitted Fabricator cement concrete mix designs from the MassDOT Research and Materials Section for the current year, as specified under the *Mix Design* section and *Table 3: Trial Batch Sampling Testing for New Mix Designs*. Self-consolidating concrete shall meet the requirements of M4.02.17.
(b) Receive approval for the submitted Fabricator Placement, Finishing, and Curing Plan from the MassDOT Research and Materials Section, as specified under the *Placement, Finishing, and Curing Plan* section.
(c) Receive Engineer of Record approved shop drawings from the MassDOT Research and Materials Section as specified under the *Shop Drawings* section.
(d) Participate in the pre-production meeting, as described under the *Pre-Production Meeting* section (if required).

Prior to the start of fabrication, the Fabricator shall review the fabrication schedule with the MassDOT Inspector. Fabrication shall only proceed when:

(a) The QC Inspector and MassDOT Inspector are present to inspect the Precast Concrete Bridge Element(s) being fabricated.
(b) The QC Manager is present at the Fabricator's plant.

The Fabricator shall grant access to all required areas of the Fabricator's plant to the MassDOT Inspector, during the hours of fabrication. Fabrication without MassDOT Inspector access to required areas is prohibited, and will result in the rejection of the fabricated Precast Concrete Bridge Element(s).

Additionally, the MassDOT Inspector will monitor the adequacy of the Fabricator's Quality Control activities. MassDOT Inspector Acceptance activities performed at the Fabricator's plant shall remain independent from the Fabricator, and does not replace the Fabricator's required Quality Control activities.

2. Sampling and Testing.

At a minimum, the MassDOT Inspector will perform random Acceptance sampling and testing for each Sublot of concrete produced as specified in *Table 2: Acceptance Sampling and Testing.* The MassDOT Inspector will also perform Acceptance sampling and testing on concrete that has been retempered with admixtures or hold-back water during production. Test Specimens will conform to the requirements of Section M4.02.13 of the MassDOT Standard and Supplemental Specifications and AASHTO R 60.

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Table 2: Acceptance Sampling and Testing

Quality Characteristic	Test Method	Sample Size	Specification Limit	Lot Size [c]	Sublot Size [d]	Frequency	Point of Sampling
Slump (in.) [a]	AASHTO T 119	Per AASHTO	≤ 8 in. or as approved by the Engineer	Total Quantity of Concrete (cy) produced on a Contract, per Type of Element fabricated, per Mix Design	20 cy	One (1) per Sublot or fraction thereof	Point of Discharge
Air Content (%)	AASHTO T 152	Per AASHTO	5% ≤ % ≤ 8%				
Temperature (°F)	AASHTO T 309	Per AASHTO	50°F ≤ °F ≤ 90°F				
Compressive Strength (psi)	AASHTO T 22 AASHTO T 23	7-day Cylinders: One (1) set of Three (3) 4 x 8 in.	For Information at 7 days				
		28-day Cylinders: One (1) set of Three (3) 4 x 8 in.	≥ 100% f'_c at 28 days				
		56-day Cylinders: One (1) set of Three (3) 4 x 8 in.	≥ 100% f'_c at 56 days [b]				

Notes:

(a) Self-consolidating concrete (SCC) shall meet the requirements of M4.02.17.
(b) 56-day Compressive Strength test specimens shall require testing only when 28-day Compressive Strength test specimens have failed to meet Design Strength (f'_c).
(c) Lot shall be defined as a specific quantity of material from a single source, produced or placed by the same controlled process.
(d) Sublot shall be defined as an equal division or part of a Lot from which a sample of material is obtained in order to assess the Quality Characteristics of the Lot.

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MATERIALS

A. Materials.

Materials shall meet the following specifications (if applicable):

General	M4.00.00
Portland Cement	M4.01.0
Blended Hydraulic Cements	M4.01.1
Fly Ash	M4.01.2
Cement Concrete	M4.02.00
Cement	M4.02.01
Cement Mortar	M4.02.15
Aggregates	M4.02.02
Lightweight Aggregates	M4.02.03
Water	M4.02.04
Cement Concrete Additives	M4.02.05
Proportioning	M4.02.06
Mixing and Delivery	M4.02.10
Test Specimens	M4.02.13
Mortar for Filling Keyways	M4.04.0
Slag	AASHTO M 302
High Performance Cement Concrete	M4.06.1
Self-Consolidating Concrete (SCC)	M4.02.17
Controlled Density Fill – Non-Excavatable	M4.08.0
Reinforcing Bars	M8.01.0
Epoxy Coated Reinforcing Bars	M8.01.7
Galvanized Reinforcing Bars	M8.01.8
Welded Wire Reinforcement	M8.01.2
Mechanical Reinforcing Bar Splicer	M8.01.9
Lifting Devices	PCI MNL-116
Corrugated Metal Pipe	AASHTO M 36

1. Cement Concrete Mix Design.

The cement concrete shall be comprised of specified proportions of water and MassDOT approved aggregates, cement, supplementary cementitious materials (SCMs), and admixtures to form a homogenous composition. Cement concrete for Precast Concrete Bridge Elements shall meet the requirements of M4.06.1 High Performance Cement Concrete, with the exception that the "Total Cementitious Content" specified shall be considered the "Maximum Allowable Cementitious Content". When used, self-consolidating concrete (SCC) shall meet the requirements of M4.02.17.

Prior to production of cement concrete, the Fabricator shall report and submit all proposed mix design formulations and its constituent materials onto the MassDOT Cement Concrete Mix Design Sheet to the MassDOT Research and Materials Section for review and approval. All mix design yields shall be designed for 1.0 cubic yards of concrete, with an allowable tolerance of +/- 1.0 %. All liquids incorporated into the proposed mix design(s) shall include both water and admixtures in the liquid mass calculation.

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During production of cement concrete, the Fabricator shall not alter the previously approved mix design formulation or its constituent materials. Proposed alterations in source, type, batch quantity, or gradation to any of the constituent materials of the previously approved mix design formulation shall require a new MassDOT Mix Design Sheet submission to the MassDOT Research and materials Section for review and approval. Fabrication shall not occur without prior MassDOT mix design approval.

The Fabricator shall notify MassDOT RMS to schedule trial batch testing for the new mix design(s). Trial batch testing shall meet the following requirements:

(a) Performed by a qualified laboratory and/or AASHTO accredited laboratory.
(b) Performed and/or sampled in the presence of a MassDOT Inspector.
(c) Meet the requirements as specified in *Table 3: Trial Batch Sampling Testing for New Mix Designs*. Self-consolidating concrete (SCC) shall meet M4.02.17.

Failure to perform all of the required trial batch testing or provide MassDOT RMS trial batch test results within the Specification Limits (as specified in Table 3) will result in the disqualification of the Fabricator's proposed mix design(s).

Table 3: Trial Batch Sampling and Testing for New Mix Designs

Quality Characteristic	Test Method	Sample Size	Specification Limit	Performed By
Slump [(a)]	AASHTO T 119	Per AASHTO	Max. 8 inches or as approved by the Engineer	Quality Control
Air Content (AC)	AASHTO T 152	Per AASHTO	$5\% \leq AC \leq 8\%$	Quality Control
Temperature (°F)	AASHTO T 309	Per AASHTO	$50°F \leq °F \leq 90°F$	Quality Control
Compressive Strength [(b)]	AASHTO T 22 AASHTO T 23	28-day Cylinders: One (1) set of Three (3) 4 x 8 in.	Lab Mixed $f'_{cr} = 1.3\ f'_c$ at 28 days	MassDOT
			Batch Mixed $f'_{cr} = 1.2\ f'_c$ at 28 days	
Alkali-Silica Reaction (ASR) [(d)]	ASTM C 1567	Per ASTM	M4.02.00	Quality Control
Resistance to Chloride Ion Penetration Chloride Ion Penetration [(e)]	AASHTO T 358 [(f)]	28-day Cylinders: One (1) set of Three (3) 4 x 8 in.	Resistivity ≥ 21 kΩ-cm at 28 days	MassDOT
Freeze/Thaw Durability [(c)]	AASHTO T 161 (Procedure A)	Per AASHTO	Relative Dynamic Modulus of Elasticity after 300 cycles ≥ 80%	Quality Control

Notes:

(a) Self-consolidating concrete (SCC) shall meet the requirements of M4.02.17.
(b) Trial batch compressive strength testing shall be performed by MassDOT. Laboratory mixed trial batch compressive strength results shall achieve 130% Design Strength (f'_c). Batch-mixed trial batch compressive results shall achieve 120% f'_c. Acceptance will be based on compressive strength testing performed by MassDOT.

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(c) If an AASHTO accredited laboratory is preparing the trial batch test specimens, MassDOT Acceptance presence is not required. If the Fabricator is preparing the trial batch test specimens, MassDOT Acceptance presence is required during trial batch test specimen preparation.
(d) Alkali Silica Reaction (ASR) testing shall meet the requirements of M4.02.00. Independent laboratories performing ASR testing shall be listed on the MassDOT Quality Construction Materials List (QCML).
(e) Calcium nitrite shall be removed from mix designs containing the admixture and replaced by an equivalent quantity of water when preparing Chloride Ion Penetration resistance trial batch test specimens.
(f) The Wenner probe tip spacing "a" shall be 1.5.

2. Vertical Adjustment Assembly.

Vertical Adjustment Assembly details and material requirements shall be as shown on the plans. Alternate devices may be used provided that they are adjustable and can support the anticipated loads. The design of the leveling devices, with necessary calculations, shall be submitted to the Engineer of Record for approval.

3. Grout.

Grout used for shear keys, vertical adjustment assembly voids, and hand holes shall be in accordance with M4.04.0.

4. Reinforcement.

All reinforcing steel shall be coated Grade 60 unless otherwise noted on the plans. Mechanical reinforcing bar splicers shall be epoxy coated.

5. Threaded Inserts.

Threaded inserts are permissible to facilitate forming the keyway pours. Threaded inserts shall be hot dip galvanized or made of stainless steel. The number of threaded inserts shall be minimized, and the inserts shall not come in contact with the reinforcing steel.

6. Corrugated Metal Pipe.

Corrugated Metal Pipe to be used for forming voids as specified on the plans shall be fabricated from steel and shall have a protective metallic coating of zinc (galvanizing).

CONSTRUCTION METHODS – PLANT FABRICATION

A. Shop Drawings.

Prior to performing any work under this Section, the Contractor shall receive approval for all shop drawings for the Precast Concrete Bridge Element being worked on and any special Contract requirements, provided that a complete shop drawing package is provided. The Contractor shall not order materials or begin work before receiving approved shop drawings. MassDOT will reject Precast Concrete Bridge Elements that deviate from the approved drawings or are fabricated prior to receiving written approval of the shop drawings.

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The Contractor shall bear full responsibility and costs for all materials ordered or work performed prior to the approval of the shop drawings or written authorization from MassDOT.

Contractor shall submit scaled shop drawings to the Engineer of Record for review and approval. Upon approval, the Engineer of Record will forward two (2) sets of scaled, full size (minimum 24x36") paper copies of the Approved (or Approved As Noted) shop drawings to the MassDOT Director of Research and Materials. Calculations are not to be included in any submittal to the Research and Materials Section. An approval stamp shall appear on every shop drawing sheet. Wet-stamping or wet-signing is not required, provided that the stamp and reviewer name are legible. The Fabricator's name and address shall appear on each sheet.

Resubmittal of "Approved as Noted" shop drawings is not necessary for minor revisions, provided that the correction can be clearly understood and is unambiguous without possibility of misinterpretation. Shop drawings with questions or comments that require a response and/or additional information from the Fabricator must be resubmitted.

Detailed shop drawings shall be prepared in accordance with the relevant provisions of Subsection 5.02 and shall, at a minimum, contain the following:

(a) Number and type and/or piece mark of the precast concrete bridge element including overall length, width and height.
(b) Skew angle.
(c) Location, size and geometry of all steel reinforcement, including mechanical reinforcing bar splicers to be used for connecting Precast Concrete Bridge Elements together in the field.
(d) Location and details of all inserts, anchors, Vertical Adjustment Assemblies, and any other items required to be cast into the Precast Concrete Bridge Elements (whether detailed on the plans by the Engineer of Record or provided for the Contractor's convenience). Precast Concrete Bridge Elements shall not be fired or drilled into for attachment purposes. All hardware shall be galvanized except as noted.
(e) Locations and details of the lifting devices, including supporting calculations, type and amount of any additional reinforcing required for lifting. The Fabricator shall design all lifting devices based on the no cracking criteria in Chapter 8 of the PCI Design Handbook (7^{th} edition).
(f) The minimum compressive strength required prior to handling the precast concrete bridge element.

The shop drawings shall not include procedures for placement, finishing, and curing of concrete. These details shall be included in the Placement, Finishing and Curing Plan that is to be submitted to MassDOT Research and Materials Section as described under *Placement, Finishing, and Curing Plan*.

B. Fabrication.

All Precast Concrete Bridge Elements shall be fabricated in accordance with the latest edition of PCI MNL-116 as modified herein.

C. Placement, Finishing and Curing Plan.

At least 30 days prior to start of fabrication, the Contractor shall submit the Fabricator's proposed Placement, Finishing and Curing Plan to the Engineer for approval by MassDOT Research and Materials Section. This shall be an independent submittal, separate from the fabrication shop drawings. The Placement, Finishing and Curing Plan shall include the following:

(a) Method of Mixing
(b) Method of Placement

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(c) Method of Consolidation
(d) Method of Finishing
(e) Method of Initial Curing
(f) Method of Intermediate Curing
(g) Method of Final Curing
(h) Moisture Retention Materials and Equipment (water spray equipment, saturated covers, sheet materials, liquid membrane-forming compounds, accelerated curing equipment, etc.)
(i) Cylinder Curing Methods, Location, and Environmental Control (temperature, humidity, etc.)
(j) Temperature Monitoring, Recording, and Reporting

D. Dunnage Plan Shop Drawings.

At least 30 days prior to the start of fabrication, the Contractor shall submit proposed Dunnage Plan Shop Drawings to the Engineer of Record for review and approval. This shall be an independent submittal, separate from the fabrication shop drawings. Upon approval, the Engineer of Record will forward two (2) sets of scaled, full size (minimum 24"x36") paper copies of the Approved (or Approved As Noted) Dunnage Plan to the MassDOT Director of Research and Materials. Calculations are not to be included in any submittal to the Research and Materials Section. The Dunnage Plan shall include the following:

(a) Proposed layout of the Precast Concrete Bridge Elements for storage in yard and during shipping
(b) Support and blocking point locations
(c) Support and blocking materials

E. Three-Sided Frame.

The Contractor shall submit design computations for the three-sided rigid frame to the Engineer for review and approval. The computations shall be prepared in accordance with the latest AASHTO LRFD Bridge Design Specifications, the 2013 MassDOT LRFD Bridge Design Manual, and the Plans using English units and HL-93 live loading. The design computations shall consider all Strength, Extreme Event and Service Limit States as are appropriate for each stage of fabrication, shipment, construction, and for the final in-service condition. Design computations and shop drawings shall be prepared and stamped by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts. The shop drawings shall be prepared and submitted in accordance with the section, Drawings, above.

The frame dimensions provided on the plans are shown to establish the size of the proposed opening. The width and thickness of each frame unit may vary depending upon the manufacturer's specifications provided that the opening size is maintained. The Contractor shall be responsible for modifying the dimensions of the frame bridge elements to compensate for elastic shortening, shrinkage, grade corrections, and other phenomena that make in-process fabricating dimensions different from those shown on the drawings. Approval of the shop drawings shall not relieve the Contractor from responsibility for the correctness of the dimensions shown.

1. Joints.

The precast reinforced concrete three-sided frame shall be produced with grout-filled keyways per the details on the plans, the manufacturer's recommendations, and as approved by the Engineer. The ends shall be manufactured such that when the sections are laid together they will make a continuous line of frames with a smooth interior surface free of appreciable irregularities, and in compliance with the permissible variations.

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2. Marking.

The following information shall be clearly marked on the interior of each frame by indentation, waterproof paint, or other approved means:

(a) Frame span and rise
(b) Date of manufacture and lot number
(c) Name and trademark of the manufacturer

F. Pre-Production Meeting.

The Contractor shall notify the MassDOT Research and Materials Section to determine if a pre-production meeting will be required to review the specification, shop drawings, curing plan, schedule, and discuss any specific requirements. The meeting shall be held prior to scheduling a MassDOT Inspector (refer to Section *Quality Assurance – Precast Concrete, C. Acceptance, A. Inspection*), and at least seven (7) days prior to the scheduled casting of any Precast Concrete Bridge Element or control section. The Contractor shall schedule the meeting, which shall include representatives of the Fabricator and MassDOT.

G. Reinforcement.

The reinforcing bars shall be installed in accordance with Section 901.62 of the Supplemental Specifications, including tolerances for cover and horizontal spacing of bars. Components of mechanical reinforcing bar splicers shall be set with the tolerances shown on the plans. The reinforcing bars and mechanical reinforcing bar splicers shall be assembled into a rigid cage that will maintain its shape in the form and which will not allow individual reinforcing bars to move during the placement of concrete. This cage shall be secured in the form so that the clearances to all faces of the concrete, as shown on the plans, shall be maintained.

Where reinforcing bars are to protrude from one Precast Concrete Bridge Element in order to mate with reinforcing bar splicers in a second precast concrete element, the fabricator shall set the reinforcing bars and the reinforcing bar splicers with a template in order to ensure proper fit up within the tolerances specified on the plans.

H. Tolerances.

Fabrication shall comply with tolerances specified on the plans. Tolerances for steel reinforcement placement shall be in accordance with 901.62. In the absence of specifications on the plans, tolerances shall comply with the latest version of the PCI MNL 135, Precast Tolerance Manual.

I. Forms.

Concrete shall be cast in rigidly constructed forms, which will maintain the Precast Concrete Bridge Elements within specified tolerances to the shapes, lines and dimensions shown on the approved fabrication drawings. Forms shall be constructed from flat, smooth, non-absorbent material and shall be sufficiently tight to prevent the leakage of the plastic concrete. When wood forms are used, all faces in contact with the concrete shall be laminated or coated with a non-absorbent material. All worn or damaged forms, which cause irregularities on the concrete surface or damage to the concrete during form removal, shall be repaired or replaced before being reused. Any defects or damage of more than "Category 2, Minor Defects" made to the concrete, due to form work, stripping or handling, shall be subject to repair or rejection, as defined in the *Repairs and Replacement* section. If threaded inserts are cast into the elements for support of formwork, the inserts shall be recessed a minimum of 1 inch and shall be plugged after use with a grout of the same color as that of the precast cement concrete.

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J. Mixing of Concrete.

The concrete shall be proportioned and mixed in conformance with the Fabricator's MassDOT approved mix design and M4.02.10 Mixing and Delivery Fabrication shall not occur without prior MassDOT mix design approval. The Fabricator shall provide copies of batch tickets to the MassDOT Plant Inspector. The MassDOT Plant Inspector will verify if the batch ticket quantities are within the tolerances of the Fabricator's MassDOT approved mix design.

K. Placement of Concrete.

Prior to the placement of concrete, the temperature of the forms shall be greater than or equal to 50°F. Quality Control inspection shall be performed by the Fabricator as specified in the *Fabricator Quality Control* section. Placement of the concrete shall not proceed until the MassDOT Plant Inspector is present to perform inspection and begin monitoring Fabricator Quality Control inspection activities, and is in compliance with specifications. The MassDOT Plant Inspector shall inspect and accept the placement of the reinforcing steel prior to the placement of concrete into the forms. The Fabricator shall verify all materials and equipment required for protecting and curing the concrete are readily available and meet the requirements of the *Final Curing Methods* section below. All items encased in the concrete shall be accurately placed in the position shown on the Plans and firmly held during the placing and setting of the concrete. Clearance from the forms shall be maintained by supports, spacers, or hangers and shall be of approved shape and dimension.

During placement, the concrete shall maintain a concrete temperature range between 50°F and 90°F. The Fabricator shall minimize the time to concrete placement (measured from start of mixing to completion of placement). In no event shall time to placement exceed 90 minutes. The Fabricator shall perform additional Quality Control sampling and testing on concrete that has been retempered with admixtures or hold-back water during the placement of the concrete as specified in the *Fabricator Quality Control* section above. Delays or shutdowns of over 30 minutes shall not be allowed during the continuous filling of individual forms.

L. Consolidation of Concrete.

Suitable means shall be used for placing concrete to prevent segregation or displacement of reinforcing steel or forms. The concrete shall be thoroughly consolidated by external or internal vibrators or a combination of both. Vibrators shall not be used to move concrete within the forms. Vibrators shall be used as specified in 901.63C and as directed by the Engineer. Concrete shall be placed and consolidated in a way that minimizes the presence of surface voids or bug holes on the formed surfaces. When used, self-consolidating concrete (SCC) shall meet the requirements of M4.02.17.

M. Finishing of Concrete.

The finish of the Precast Concrete Bridge Elements shall be as indicated on the plans. Where Precast Concrete Bridge Elements have keyways for grout or closure pours, the surfaces of these shear keys shall be abrasive blasted prior to shipment. The Fabricator may utilize a surface retarder with water blast, sandblast, or a combination of both to achieve the desired keyway finish. At a minimum, the profile of the keyway surfaces shall be similar to that of 60 grit sand paper. The exposed reinforcing steel in the precast slab shall be protected from damage during the cleaning of the keyways. Damaged epoxy coating of steel reinforcement shall be repaired, and the reinforcing steel shall be cleaned as directed by the Engineer.

The Fabricator shall permanently mark each precast concrete bridge element with its type and/or piece mark, date of casting, and supplier identification either by stamp markings in fresh concrete, waterproof paint, or other approved means on a surface that will not be exposed after assembly.

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N. Exposed Surfaces of Precast Concrete Bridge Elements.

As soon as conditions permit, before the concrete has fully hardened, all dirt, laitance, and loose aggregate shall be removed from the exposed concrete surfaces. Contractor shall not allow foot traffic on the uncured concrete until it has reached sufficient strength to prevent damage.

O. Exposed Surfaces of Closure Pour Shear Keys.

The closure pour shear key cast in the sides of the beam flanges shall have an exposed aggregate finish. The closure pour reinforcing steel and its coating shall not be damaged by the process for creating the exposed aggregate surface. Fabricator may utilize a surface retarder with water blast, abrasive blast, or a combination of both to achieve the desired shear key finish. The abrasive blast shall use oil free compressed air. The profile of the shear key surfaces shall be similar to that of 60 grit sand paper.

P. Initial Curing Methods.

After the placement of concrete and prior to concrete finishing, the Fabricator shall initiate initial curing methods when the concrete surface begins to dry, to reduce moisture loss from the surface. Application of one or more of the following initial curing methods shall occur immediately after the bleed water sheen has disappeared.

1. Fogging.

Fogging nozzles shall atomize water into a fog-like mist. The fog spray shall be directed and remain visibly suspended above the concrete surface, to increase the humidity of the air and reduce the rate of evaporation. Water from fogging shall not be worked into the surface during finishing operations and shall be removed or allowed to evaporate prior to finishing.

2. Liquid-applied Evaporation Reducers

Evaporation reducers shall be sprayed onto the freshly placed concrete surface to produce an effective monomolecular film that reduces the risk of plastic-shrinkage cracking and rate of evaporation of the bleed water from the concrete surface. Evaporation reducers shall be applied in accordance with manufacturer's recommendations.

Q. Intermediate Curing Methods.

The Fabricator shall initiate intermediate curing methods if concrete finishing has taken place prior to the concrete reaching final set. The freshly finished concrete surface shall be protected from moisture loss, by the continuation of initial curing methods (fogging and evaporation reducers) until final curing methods are applied or by the use of liquid membrane-forming curing compounds (see *Liquid Membrane-Forming Compounds for Curing* section).

R. Final Curing Methods.

The Fabricator shall initiate and apply final curing methods to the concrete immediately after the following conditions are met:

(a) Completion of concrete finishing
(b) Final set of concrete
(c) Concrete has hardened sufficiently enough to prevent surface damage

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During fabrication of Precast Concrete Bridge Elements, the Fabricator shall maintain the required concrete temperature ranges throughout the entire duration of the final curing method cycle as specified herein. Controlled and gradual termination of the final curing method shall occur after all specified conditions are met. The concrete temperature shall be reduced at a rate not to exceed 36°F per hour until the concrete temperature is within 20°F of the ambient temperature outside of the final curing method enclosure. The Fabricator shall maintain a minimum concrete temperature of 40°F until 100% f'c is attained (see *Handling and Storage* section below).

1. Water Spray Curing.

All exposed concrete surfaces shall remain moist with a continuous fine spray of water throughout the entire duration of the final curing method cycle (see *Table 4: Final Curing Method Cycle for Water Spray*).

Table 4: Final Curing Method Cycle for Water Spray

Sustained Concrete Temperature	Final Curing Method Cycle Duration	Compressive Strength
50°F ≤ °F ≤ 90°F	≥ Five (5) days	≥ 80% f'_c

2. Saturated Covers for Curing.

All exposed concrete surfaces shall remain moist with a continuous application of saturated covers throughout the entire duration of the final curing method cycle (see *Table 5: Final Curing Method Cycle for Saturated Covers*). Saturated covers shall be allowed to dry thoroughly before removal to provide uniform, slow drying of the concrete surface.

Table 5: Final Curing Method Cycle for Saturated Covers

Sustained Concrete Temperature	Final Curing Method Cycle Duration	Compressive Strength
50°F ≤ °F ≤ 90°F	≥ Three (3) days	≥ 80% f'_c

Saturated covers, such as burlap, cotton mats, and other coverings of absorbent materials shall meet the requirements of AASHTO M 182, Class 3. Saturated covers shall be in good condition, free from holes, tears, or other defects that would render it unsuitable for curing concrete. Saturated covers shall be dried to prevent mildew when storing. Prior to application, saturated covers shall be thoroughly rinsed in water and free of harmful substances that are deleterious or cause discoloration to the concrete. Saturated covers shall have sufficient thickness and proper positioning onto the concrete surface to maximize moisture retention.

Saturated covers shall contain a sufficient amount of moisture to prevent moisture loss from the surface of the concrete. Saturated covers shall be kept continuously moist so that a film of water remains on the concrete surface throughout the entire duration of the final curing method cycle. The Fabricator shall not permit the saturated covers to dry and absorb water from the concrete. Use of polyethylene film (see *Polyethylene Film* section) may be applied over the saturated cover to potentially decrease the need for continuous watering.

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3. Sheet Materials for Curing.

All exposed concrete surfaces shall remain moist with a continuous application of curing sheet materials throughout the entire duration of the final curing method cycle (see *Table 6: Final Curing Method Cycle for Curing Sheet Materials*).

Table 6: Final Curing Method Cycle for Sheet Materials

Sustained Concrete Temperature	Final Curing Method Cycle Duration	Compressive Strength
50°F ≤ °F ≤ 90°F	≥ Three (3) days	≥ 80% f'_c

Sheet Materials used for curing, such as polyethylene film, white burlap-polyethylene sheeting, and reinforced paper shall meet the requirements of ASTM C171 and the specifications herein. Sheet materials shall inhibit moisture loss and reduce temperature rise in concrete exposed to radiation from the sun during the final curing method cycle. Adjoining covers shall overlap not less than 12 inches. All edges of the covers shall be secured to maintain a moist environment.

(a) Polyethylene Film.

Polyethylene film shall meet the requirements of ASTM C171, consist of a single sheet manufactured from polyethylene resins, be free of visible defects, and have a uniform appearance. Careful considerations shall be taken by the Fabricator to prevent the film from tearing during storage and application, so as to not disrupt the continuity of the film (polyethylene film reinforced with glass or other fibers is more durable and less likely to be torn). The Fabricator shall monitor the application of the film to prevent uneven spots from appearing (mottling) on the concrete surface, due to variations in temperature, moisture content, or both. The Fabricator shall prevent mottling from occurring on the concrete surface by applying additional water under the film or applying a combination of polyethylene film bonded to absorbent fabric to the concrete surface to retain and evenly distribute the moisture.
Immediately following final finishing, polyethylene film shall be placed over the surface of the fresh concrete surface, so as to not damage the surface of the concrete and shall be placed and weighted so that it remains in contact with the concrete throughout the entire duration of the final curing method cycle. The film shall extend beyond the edges of the concrete surface. The film shall be placed flat on the concrete surface, avoiding wrinkles, to minimize mottling. Edges of adjacent polyethylene film shall overlap a minimum of 6 inches and be tightly sealed with the use of sand, wood planks, pressure-sensitive tape, mastic, or glue to maintain close contact with the concrete surface, retain moisture, and prevent the formation of air pockets throughout the entire duration of the final curing method cycle.

(b) White Burlap-Polyethylene Sheeting

White burlap-polyethylene sheeting shall meet the requirements of ASTM C171, be securely bonded to the burlap so to avoid separation of the materials during handling and curing of the concrete, and be applied in the same manner as the polyethylene film.

(c) Reinforced Impervious Paper.

Reinforced impervious paper shall meet the requirements of ASTM C171, consist of two sheets of kraft paper cemented together with a bituminous adhesive and reinforced with embedded cords or strands of fiber running in both directions, and be white in color. Reinforced impervious paper shall be treated to prevent tearing when wetted and dried.

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Reinforced impervious paper can be reused so long as it is effective in retaining moisture on the concrete surface. The Fabricator shall visually inspect the reinforced impervious paper for all holes, tears, and pin holes from deterioration of the paper through repeated use by holding the paper up to the light. The paper shall be discarded and prohibited from use when the moisture is no longer retained.

After the concrete has hardened sufficiently to prevent surface damage, the concrete surface shall be thoroughly wetted prior to the application of the reinforced impervious paper, and be applied in the same manner as the polyethylene film.

4. Liquid Membrane-Forming Compounds for Curing.

All exposed concrete surfaces shall remain moist with a continuous application of liquid membrane-forming compounds throughout the entire duration of the final curing method cycle (see *Table 7: Final Curing Method Cycle for Liquid Membrane-Forming Compounds*).

Table 7: Final Curing Method Cycle for Liquid Membrane-Forming Compounds

Sustained Concrete Temperature	Final Curing Method Cycle Duration	Compressive Strength
50°F ≤ °F ≤ 90°F	≥ Seven (7) days	≥ 80% f'_c

Liquid membrane-forming compounds shall meet the requirements of ASTM C 1315, Type I, Class A and shall exhibit specific properties, such as alkali resistance, acid resistance, adhesion-promoting quality, and resistance to degradation by ultraviolet light, in addition to moisture-retention capabilities. Liquid membrane-forming compounds shall consist of waxes, resins, chlorinated rubber, or other materials to reduce evaporation of moisture from concrete. Liquid membrane-forming compounds shall be applied in accordance with the manufacturer's recommendations. Liquid membrane-forming compounds shall be applied immediately after the disappearance of the surface water sheen following final finishing. All exposed surfaces shall be wetted immediately after form removal and kept moist to prevent absorption of the compound, allowing the curing membrane to remain on the concrete surface for proper membrane moisture retention. The concrete shall reach a uniformly damp appearance with no free water on the surface prior to the application of the compound.

If patching or finishing repairs are to be performed prior to the application of the compound, the Precast Concrete Bridge Element shall be covered temporarily with saturated covers until the repairs are completed and the compound is applied. Only areas being repaired shall be uncovered during this period. While the saturated covers are removed to facilitate the patching process, the work shall continue uninterrupted. If for any reason the work is interrupted, saturated covers shall be placed onto the uncovered concrete surface, until the work continues and is completed, at which time the curing compound shall be applied to the repaired area.

Careful considerations shall be made by the Fabricator to determine if the evaporation rate is exceeding the rate of bleeding, thus causing the surface to appear dry even though bleeding is still occurring. Under such conditions, the application of liquid membrane-forming compounds to the concrete surface shall be delayed, in order to prevent bleed water from being sealed below the concrete surface and avert map cracking of the membrane films, reduction in moisture-retention capability, and reapplication of the compound. To diagnose and prevent this condition, the Fabricator shall place a transparent plastic sheet over a test area of the uncured and unfinished concrete surface and shall determine if any bleed water accumulates under the plastic.

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The compound shall be applied in two applications at right angles to each other to ensure uniform and more complete coverage. On very deeply textured surfaces, the surface area to be treated shall be at least twice the surface area of a troweled or floated surface. In such cases, two separate applications may be needed, each at 200 ft^2/gal., with the first being allowed to become tacky before the second is applied.

The curing compound shall be applied by power sprayer, using appropriate wands and nozzles with pressures between 25 and 100 psi. For very small areas such as repairs, the compound shall be applied with a wide, soft-bristled brush or paint roller. The compound shall be stirred or agitated before use and applied uniformly in accordance with the manufacturer's recommended rate. The Fabricator shall verify the application rates are in accordance with the manufacturer's recommended rate.

When the concrete surface is to receive paint, finishes, or toppings that require positive bond to the concrete, it is critical that the curing procedures and subsequent coatings, finishes, or toppings be compatible to achieve the necessary bond

After the termination of the final curing method cycle has occured, liquid membrane-forming compounds shall be removed by blast-cleaning from any concrete surface that is to receive paint, finishes, plastic concrete from secondary pour, grout, or any other toppings that require bonding to the concrete surface. These surfaces shall be further blast-cleaned to remove the cement matrix down to exposed aggregate to ensure proper bonding to the material. The method used to remove the curing compound shall not damage the reinforcement and coating. Compounds are prohibited on any concrete surface that will have a penetrating or coating type treatment such as a sealer, stain, or waterproofing membrane applied to it.

5. Accelerated Curing.

Accelerated curing shall use live steam or radiant heat with moisture in accordance with PCI MNL-116 as modified herein. The concrete temperature shall meet the maximum heat increase and cool down rates as specified herein. Concrete temperature monitoring shall meet the requirements of the *Temperature Monitoring* section. Excessive and fluctuating rates of heating and cooling shall be prohibited. The concrete temperature shall not exceed 158°F at any time. The Fabricator shall meet the following accelerated curing sequencing and requirements.

(a) Initial Delay Period.

The initial delay period shall be defined as the duration immediately following the placement of the concrete and the attainment of initial set of the concrete. The Fabricator shall determine the time of initial set in accordance with AASHTO T 197 specifications. Throughout the entire duration of the preset period, initial curing shall be implemented. The temperature increase period (see *Temperature Increase Period* section) shall not occur until initial set of the concrete is attained. During the initial delay period, the concrete temperature shall meet the following requirements:

i. Concrete temperature rate of increase shall not exceed 10°F per hour.
ii. Total concrete temperature increase shall not exceed 40°F higher than the placement concrete temperature or 100°F, whichever is less

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(b) Temperature Increase Period.

The temperature increase period shall be defined as the duration immediately following the completion of the initial delay period (after initial set) and immediately prior to the start of the constant maximum temperature period. Application of steam to the enclosure shall not occur until the initial delay period is complete. After the initial delay period is complete, all exposed concrete surfaces shall be cured in a moist environment where the concrete temperature increases at a rate not to exceed 36°F per hour.

(c) Constant Maximum Temperature Period.

The constant maximum temperature period shall be defined as the duration immediately following the completion of the temperature increase period and immediately prior to the start of the temperature decrease period. After the temperature increase period is complete, all exposed concrete surfaces shall be cured in a moist environment at a controlled and constant elevated temperature throughout the entire duration of the constant maximum temperature period. Termination of the constant maximum temperature period and the start of the termination decrease period shall occur after all specified conditions are met (see *Table 8: Constant Maximum Temperature Period*).

Table 8: Constant Maximum Temperature Period

Sustained Concrete Temperature	Constant Maximum Temperature Period	Compressive Strength
120°F ≤ °F ≤ 158°F	6 hrs ≤ Time ≤ 48 hrs	≥ 80% f'_c

(d) Temperature Temperature Decrease Period.

After the constant maximum temperature period is complete, the concrete temperature shall be cured in a moist environment at a controlled and reduced rate not to exceed 36°F per hour until the concrete temperature is within 20°F of the ambient temperature outside of the curing enclosure.

S. Stripping.

The Fabricator shall not strip forms or handle the Precast Concrete Bridge Element until Quality Control compressive strength cylinders attain a minimum compressive strength of 80% Design Strength (f'_c) or the value indicated on the approved drawings has been achieved. After removal from the form, all exposed concrete surfaces shall continue to be cured in conformance with the *Final Curing Methods* sections until completion.

T. Handling and Storage of Precast Concrete Bridge Elements.

Precast Concrete Bridge Elements may be exposed to temperatures below freezing (32°F) when the chosen curing cycle has been completed, provided that the following conditions are met:

(a) Precast Concrete Bridge Elements are protected from precipitation with polyethylene curing covers until 100% f'_c is attained
(b) Precast Concrete Bridge Elements maintain a minimum concrete temperature of 40°F until 100% f'_c is attained

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Precast Concrete Bridge Elements damaged during handling and storage will be repaired or replaced at MassDOT's direction at no cost to MassDOT. Precast Concrete Bridge Elements shall be lifted at the designated points by approved lifting devices embedded in the concrete and in accordance with proper lifting and handling procedures. Storage areas shall be smooth and well compacted to prevent damage due to differential settlement. Precast Concrete Bridge Elements shall be supported on the ground by means of continuous blocking, in accordance with the approved dunnage plan.

Precast Concrete Bridge Elements shall be loaded on a trailer with blocking as described above, in accordance with the approved dunnage plan. Shock-absorbing cushioning material shall be used at all bearing points during transportation of the Precast Concrete Bridge Elements. Blocking shall be provided at all locations of tie-down straps. Precast Concrete Bridge Elements stored prior to shipment shall be inspected by the Contractor prior to being delivered to the site to identify damage that would be cause for repair or rejection.

U. Repairs and Replacement.

In the event defects are identified, they shall be classified in the following categories and a non-conformance report (NCR) shall be filed if required. The NCR shall be submitted to MassDOT for review. Defects in all categories shall be documented by plant Quality Control personnel and made available to MassDOT upon request. Any required repairs shall utilize materials listed on the MassDOT QCML.

Where noted, defects shall be repaired according to the PCI Northeast Region Guidelines for Resolution of Non-Conformances in Precast Concrete Bridge Elements, Report Number PCINE-18-RNPCBE. Please note that reference to PCINE-18-RNPCBE is made for repair details only. In the case of conflicts with this Special Provision, this Special Provision shall govern.

1. Category 1, Surface Defects.

Category 1 defects do not need to be repaired, and an NCR does not need to be filed. Surface defects are defined as the following:

(a) Surface voids or bug holes that are less than 5/8-inch in diameter and less than ¼-inch deep, except when classified as Category 4
(b) Cracks less than or equal to 0.006 inches wide
(c) Cracks less than or equal to 0.125 inches wide on surfaces that will receive a field-cast concrete overlay

2. Category 2, Minor Defects.

Category 2 defects shall be repaired, but an NCR does not need to be filed. Minor defects are defined as the following:

(a) Spalls, honeycombing, surface voids that are less than 2 inches deep and have no dimension greater than 12 inches
(b) Cracks less than or equal to 0.016 inches that will not receive a concrete overlay

(c) Broken or spalled corners that will be covered by field-cast concrete

Minor defects shall be repaired according to PCINE-18-RNPCBE. Cracks shall be sealed according to the PCI Repair Procedure #14 in PCINE-18-RNPCBE.

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3. Category 3, Major Defects.

For Category 3 defects, the Fabricator shall prepare an NCR that documents the defect and describes the proposed repair procedure. The NCR shall be submitted to MassDOT for approval prior to performing the repair. Major defects are defined as the following:

(a) Spalls, honeycombing and surface voids that are deeper than 2 inches or have any dimension greater than 12 inches, when measured along a straight line
(b) Concentrated area of defects consisting of four or more Category 2 Defects within a 4-square foot area.
(c) Exposed reinforcing steel
(d) Cracks greater than 0.016 inches and less than or equal to 0.060 inches in width that will not receive a concrete overlay
(e) Bearing area spalls with dimensions not exceeding 3 inches
(f) Cracks, spalls and honeycombing that will be encased in cast in place concrete need not be repaired, but the limits and location of the defects shall be documented with an NCR

Upon MassDOT approval, defects and cracks shall be repaired according to PCINE-18-RNPCBE and this specification. All repairs shall be completed at the expense of the Contractor.

4. Category 4, Rejectable Defects.

Rejectable defects as determined by the MassDOT Inspector, RMS, and Engineer may be cause for rejection. Fabricator may submit an NCR with a proposed repair procedure, requesting approval. Some rejectable defects are defined as the following:

(a) Surface defects on more than 5% of the surface area which will be exposed to view after installation
(b) Minor defects that in total make up more than 5% of the surface area of the unit
(c) Cracks greater than 0.060 inches in width except as noted in Category 1
(d) Elements fabricated outside of the specified tolerances
(e) MassDOT compressive strength testing that does not meet the specified Design Strength, f'_c

V. Loading.

Prior to the Fabricator loading the Precast Bridge Element on to the truck for shipping, the Fabricator shall provide the MassDOT Plant Inspector and RMS a minimum seven (7) days' notice of the Fabricator's intent to load the Precast Bridge Element. Inspection by the MassDOT Plant Inspector shall take place while the element is still on dunnage in the yard. The element shall not be loaded onto the truck until the MassDOT Plant Inspector has performed the inspection.

W. Shipping.

Prior to shipment, the Fabricator shall perform the following actions and provide the required documentation to the MassDOT Plant Inspector:

(a) Precast Concrete Bridge Elements shall remain at the Fabricator's plant for a minimum of 7 days after cast date.
(b) QC Inspection Reports shall be signed by the Quality Control Manager and provided to the MassDOT Plant Inspector.

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(c) QC Compressive Strength Test Report Forms attaining Design Strength, f'c for the Precast Concrete Bridge Element's representative Sublot shall be generated by the Fabricator and provided to the MassDOT Plant Inspector.
(d) Certificate of Compliance shall be generated by the Fabricator as described under the Fabricator Quality Control section and provided to the MassDOT Plant Inspector.
(e) All MassDOT RMS approved Corrective Actions submitted on the Non-Conformance Reports (NCR), shall be verified to have been completed by the MassDOT Plant Inspector and Quality Control Manager.
(f) All NCRs shall be signed off by the Quality Control Manager, MassDOT Inspector and MassDOT RMS.

X. Delivery.

Upon Delivery, the following documentation shall be provided to the MassDOT Resident Engineer or designee:

(a) QC Compressive Strength Test Report Forms attaining Design Strength, f'c for the Precast Concrete Bridge Element's representative sublot.
(b) Certificate of Compliance generated by the Fabricator as described under the Fabricator Quality Control section.
(c) QC Inspection Reports signed by the Quality Control Manager.

The Contractor shall inspect Precast Concrete Bridge Elements upon receipt at the site. Precast Concrete Bridge Elements damaged during delivery shall be repaired or replaced at MassDOT's direction at no cost to MassDOT.

CONSTRUCTION METHODS – FIELD CONSTRUCTION

A. General.

All of the Contractor's field personnel involved in the erection and assembly of the Precast Concrete Bridge Elements shall have knowledge of and follow the approved Erection Procedure and Quality Control Plan for Precast Concrete Bridge Element Assembly.

Prior to installation, the following documentation shall be reviewed and confirmed by the MassDOT Resident Engineer or designee:

(d) QC Compressive Strength Test Report Forms attaining Design Strength, f'c for the Precast Concrete Bridge Element's representative sublot.
(e) Certificate of Compliance generated by the Fabricator as described under the Fabricator Quality Control section.
(f) QC Inspection Reports signed by the Quality Control Manager.

Field construction staff shall verify that the Resident Engineer has accepted all Precast Concrete Bridge Elements prior to installation.

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B. Erection Procedure and Quality Control Plan for Precast Concrete Bridge Element Assembly.

Prior to the erection, the Contractor shall submit an Erection Procedure and a Quality Control Plan for Precast Concrete Bridge Element Assembly for approval by the Engineer. This submittal shall include computations and drawings for the transport, hoisting, erection and handling of the Precast Concrete Bridge
Elements. The Erection Procedure and Quality Control Plan for Precast Concrete Bridge Element Assembly shall be prepared and stamped by a Professional Engineer registered in the Commonwealth of Massachusetts with working knowledge of the Contractor's equipment, approved shop drawings, and materials to build the bridge. The Erection Procedure and Quality Control Plan for Precast Concrete Bridge Element Assembly shall, at a minimum, include the following:

1. Erection Procedure

The Erection Procedure shall be prepared to conform to the requirements of 960.61, Erection and the applicable sections in Chapter 8 of the PCI Design Handbook (seventh edition) for handling, erection, and bracing requirements. At a minimum, the Erection Procedure shall provide:

(h) Minimum concrete compressive strength for handling the Precast Concrete Bridge Elements.
(i) Concrete stresses during handling, transport, and erection.
(j) Crane capacities, pick radii, sling geometry, and lifting hardware.
(k) Verification that the equipment can handle all pick loads and weights with the required factor of safety.
(l) Evaluation of construction sequence and evaluation of any geometric conflicts in the lifting of the Precast Concrete Bridge Elements and setting them as shown on the plans.
(m) Design of crane supports including verification of subgrade for support.
(n) Location and design of all temporary bracing that will be required during erection.

Non-shrink grout and concrete materials, approved by the Engineer, shall be placed as shown on the plans. Fill joints, keyways, and voids, in strict accordance with the specifications and manufacturer's recommendations and instructions.

For footings, approach slabs and highway guardrail transitions, once these Precast Concrete Bridge Elements have been set to the correct horizontal and vertical alignment, the void between them and the supporting soil shall be filled with Controlled Density Fill – Non-Excavatable to the limits as shown on the plans. Add additional grout ports in the footings to facilitate the bedding process if required.

Joints shall be filled flush to the top with non-shrink grout, and any vertical misalignment between adjacent elements shall be feathered out on a slope of 1 to 12.

Curing of grout or concrete shall be performed in strict accordance with the specifications and manufacturer's recommendations. Filling shall not be completed in cold weather when either the ambient temperature or the precast member's temperature is below the manufacturer's recommendation. No localized heating of either the precast members or of the air surrounding the element will be permitted in an attempt to reach application temperatures.

If the joints or voids are not filled within five days after the Precast Bridge Elements are erected, the Contractor shall cover and protect the openings from weather and debris until they are filled.

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2. Quality Control Plan for Precast Concrete Bridge Element Assembly

The Quality Control Plan for Precast Concrete Bridge Element Assembly is a document prepared and submitted by the Contractor prior to the start of work which requires the Contractor to identify and detail the sequence of construction in accordance with the project schedule and which clearly identifies all stages of field construction. The assembly procedures for the Precast Concrete Bridge Elements shall be submitted on full size 24"x36" sheets. This document will be treated as a Construction Procedure and will be reviewed by both the Designer and the District Construction Office. The approval of this document will serve as a guideline for setting interim concrete and grout strengths and curing procedures to allow construction to proceed without waiting for the final in-service strengths to be achieved.

The following list details the minimum criteria that should be included in the Quality Control Plan for Precast Concrete Bridge Element Assembly:

(a) A detailed schedule showing the sequence of operations that the Contractor will follow. The schedule shall include a timeline for installation of all major elements of the bridge accounting for the installation of temporary works and cure times of grouts or closure pour concrete and other selected materials.
(b) Calculations that support the schedule outlined above should be included verifying that the selected materials have adequate interim strength to proceed from one step to another. Final material strengths
(c) are not normally required until the bridge is opened to vehicular traffic. The minimum factor of safety of two (2) will be required for the interim strength of grouts and closure pour concrete before construction is allowed to proceed to subsequent steps. The factor of safety is applied to the service loads that are supported by the elements and materials during various stages of construction. For example, if the Contractor calculates that the grout between the precast pier cap and pier wall requires a strength of 100 psi to support the dead load of the beams in the next step, a cylinder break of 200 psi will be required prior to allowing the pier cap to be loaded with the beams. The required strength of materials for subsequent construction stages shall also be calculated and the material strength verified.
(d) The Contractor is responsible for determining the center of gravity for all elements. Special care shall be used for unusual elements that are not symmetric. These elements may require special lifting hardware to allow for installation in a plumb or flat position.
(e) Plan of the work area, depicting items such as temporary earth support, utilities within the immediate vicinity of the work, drainage structures, etc. The Contractor shall coordinate the various subcontractors that will need to occupy the same area and shall ensure that there are no conflicts. For example, if the Contractor is having different Subcontractors prepare and submit plans for temporary earth support and demolition, and the earth support is required to be installed prior to the demolition, it shall be the Contractor's responsibility to ensure that the Quality Control Plan for Precast Concrete Bridge Element Assembly submission allows both operations to be performed without field modification.
(f) Details of all equipment that shall be employed for the construction of the bridge.
(g) Methods of providing temporary support of the elements. Include methods of adjusting and securing the element after placement.
(h) Vertical Adjustment Assemblies to be used as a means of setting precast concrete footings to the correct elevations.

ITEM 995.01 (Continued)

(i) Procedures for controlling the overall horizontal dimensions and the vertical elevations as each precast concrete bridge element is erected by using the tolerance limits of the joints as detailed on the plans.
(j) Methods for curing grout.
(k) Proposed methods for installing non-shrink grout and the sequence and equipment for the grouting operation.
(l) Methods for sealing the keyways in preparation for filling with non-shrink grout, including the use of backer rods. The Contractor shall not assume that the backer rods will restrain the pressure from the grout in vertical grout joints. Provide additional forming to retain the backer rod.

C. Survey and Layout.

Working points, working lines, and benchmark elevations shall be established prior to placement of all elements. The Contractor is responsible for field survey as necessary to complete the work. MassDOT reserves the right to perform additional independent survey. If discrepancies are found, the Contractor may be required to verify previous survey data.

D. Preparation of Closure Pour Keyways.

Immediately prior to erecting the Precast Concrete Bridge Elements, the closure pour shear keys shall be cleaned at the job site of all dust, dirt, carbonation, laitance, and other potentially detrimental materials which may interfere with the bonding of the closure pour concrete and precast concrete using a high-pressure water blast. The exposed reinforcing steel in the precast concrete shall be protected from damage during the cleaning of the keyways. Damaged epoxy coating of steel reinforcement shall be repaired, and the reinforcing steel shall be cleaned as directed by the Engineer. The surfaces of the shear keys shall be wetted so that the surfaces shall have a Saturated Surface Dry (SSD) condition for at least 24 hours prior to the placement of the closure pour concrete.

E. Erection.

The elements shall be placed in the sequence and according to the methods outlined in the Erection Procedure and Quality Control Plan for Precast Concrete Bridge Element Assembly. As the erection proceeds, the Contractor shall constantly monitor the assembly to ensure that the precast concrete bridge element is within proper horizontal and vertical location and tolerances prior to releasing it from the crane and setting the next unit. The Contractor may use shims to maintain proper setting tolerances.

The concrete elements shall be lifted only by the lifting devices, and the utmost care shall be taken to prevent distortion of the elements during handling, transportation or storage.

Suitable spreaders shall be used during lifting so that only a vertical pull will be made on the lifting device. A non-vertical lifting force may be permitted if prior written approval is given by the Engineer. This approval will be contingent on the Contractor demonstrating by calculations, prepared by a Professional Engineer registered in Massachusetts, that the elements will not be damaged by the non-vertical lifting force and by documentation that the capacity of the lifting devices is adequate for the non-vertical lifting force.

Precast components shall be pre-bed with non-shrink grout thicker than shim stacks prior to placing other precast elements on top of them.

After all Precast Concrete Bridge Elements have been placed, the actual overall dimensions of the structure both horizontal and vertical, as laid out shall not deviate from the nominal dimensions shown on the plans beyond a tolerance of +0 inches and -1 inches. Once the layout of Precast Concrete Bridge Elements has been accepted by the Engineer, the Contractor shall cut all lifting devices off below the surfaces of the elements.

ITEM 995.01 (Continued)

F. Box Culverts, Three-Sided Frames and Arches.

Backfilling operations shall not begin until the following checks have been made:

(a) The frame to footing key joints are grouted as shown on the plans;
(b) The joints between exterior frame bridge elements and wingwall stems are complete as shown on the plans;
(c) All joint seals are properly placed.

Backfill shall be paid for under separate items. The backfilling procedures shall be in accordance with Sections 120, 150, and 170 of the Standard Specifications and Supplemental Specifications modified as follows:

(a) Fill shall be placed and compacted in layers not exceeding one foot in depth;
(b) Dumping of fill shall not be allowed any nearer to the structure than 3.25 feet from a vertical plane extending from the back of the footing;
(c) Backfill shall be placed as symmetrically as possible around the structure with differential depths of backfill on each side of the structure not exceeding 1.5 feet with respect to each other;
(d) Compaction shall be achieved using hand compaction equipment for all fill within one foot of the structure;
(e) The bare structure shall not be crossed by any equipment heavier than that specified by the frame manufacturer. All damage resulting from equipment damage shall be rectified to the satisfaction of the Engineer at no cost to the Department;
(f) Construction equipment will not be permitted atop an uncompleted structure;
(g) Construction equipment whose weight exceeds the design capacity shall not be permitted atop the completed structure under any circumstances;
(h) The use of vibratory rollers for compaction purposes will not be permitted.

A representative of the manufacturer shall be on site at the commencement of the installation, at no cost to the Department, to assist the Contractor. The representative shall offer advisory assistance only and shall not supplant the Contractor's representative, or the Engineer.

G. Filling of Blockouts for Lifting Devices and Threaded inserts.

If the blockouts in the Precast Concrete Bridge Elements where the lifting devices were located will be exposed and visible after assembly is complete, the Contractor shall fill these blockouts with Cement Mortar (M4.02.15) or grout.

After the formwork has been removed, all threaded inserts that have been cast into the precast concrete bridge deck for support of the formwork shall be filled with a grout of the same color as that of the precast concrete.

MEMBRANE WATERPROOFING FOR BRIDGE DECKS

The work under this heading shall conform to the applicable provisions of Subsection 965 of the Standard Specifications. The Membrane Waterproofing will be spray-applied and shall be used above the precast three-sided concrete frame, to protect the top slab from penetration of moisture and deicing chemicals.

ITEM 995.01 (Continued)

BITUMINOUS DAMP-PROOFING

The work under this heading shall conform to the applicable provisions of Subsection 970 of the Standard Specifications.

Shall be used on concrete walls of the precast three-sided concrete frame.

METAL BRIDGE RAILING (3 RAIL), STEEL (TYPE S3-TL4)

The work under this heading shall conform to the applicable provisions of Subsection 975 of the Standard Specifications.

The Type S3-TL4 steel bridge railing shall be furnished and installed in accordance with the plans and specifications.

SCHEDULE OF BASIS FOR PARTIAL PAYMENT

Within ten (10) days after Notice to Proceed, the Contractor shall submit on his/her proposal form a schedule of unit prices for the major component Sub-Items that make up Item 995.01 as well as his/her total bridge structure Lump Sum cost for Bridge Structure No. E-10-011 (CLV). The bridge structure Lump Sum breakdown quantities provided in the proposal form are estimated and not guaranteed. The total of all partial payments to the Contractor shall equal the Lump Sum Contract price regardless of the accuracy of quantities furnished by the Engineer for the individual bridge components. The cost of labor and materials for any Item not listed but required to complete the work shall be considered incidental to Item 995.01 and no further compensation will be allowed.

The schedule on the proposal form applies only to Bridge Structure No. E-10-011(CLV). Payment for similar materials and construction at locations other than at this bridge structure shall not be included under this Item. Sub-Item numbering is presented for information only in coordination with MassDOT Standard Nomenclature.

Sub-Item.	Description	QTY.	Units
904.3	5000 PSI, ¾ INCH, 685 HP CEMENT CONCRETE	120	CY
904.31	PRECAST HIGHWAY GUARDRAIL TRANSITION AND BASE	4	EA
910.1	STEEL REINFORCEMENT FOR STRUCTURES, EPOXY COATED	5400	LB
965.	MEMBRANE WATERPROOFING FOR BRIDGE DECKS	1645	SF
970.	BTIUMINOUS DAMP-PROOFING	905	SY
975.1	METAL BRIDGE RAILING (3 RAIL), STEEL (TYPE S3-TL4)	70	FT
995.1	PRECAST CONCRETE 3-SIDED FRAME	10	EA
995.2	PRECAST CONCRETE FOOTING	5	EA

ITEM 995.01 (Continued)

The above schedule applies only to Bridge Structure No. E-10-011. Payment for similar materials and construction at locations other than at this bridge structure shall not be included under this Item. Sub-Item numbering is presented for information only in coordination with MassDOT Standard Nomenclature. Any component not covered in these special provisions, but shown on the plans, shall be included in the Contract Lump Sum Bid Price for Item 995.01.

END OF SPECIAL PROVISIONS

DOCUMENT A00802

DETAIL SHEETS

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THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
TEN PARK PLAZA - BOSTON, MA

PS&E ESTIMATE OF QUANTITIES - DETAIL SHEET

CITY/TOWN: Erving
STA 10+70 to STA. 12+13.76
TYPE OF PROJECT: Bridge Replacement

YEAR: 2025
ROAD: Church Street
CLASS: Rural Major Collector
DATE: July 2025

Earth Excavation:	270 CY	Gravel Borrow:	155 CY

PAVEMENT NOTES

PROPOSED FULL DEPTH RECONSTRUCTION: **AREA=380 SY**

1 1/2" SUPERPAVE BRIDGE SURFACE COURSE - 9.5 (SSC-B-9.5) OVER
ASPHALT EMULSION FOR TACK COAT OVERLAY
2” SUPERPAVE INTERMEDIATE COURSE – 12.5 (SIC-12.5) OVER
ASPHALT EMULSION FOR TACK COAT OVERLAY
4” SUPERPAVE BASE COURSE – 37.5 (SBC-37.5)
4” DENSE GRADED CRUSHED STONE
8” GRAVEL BORROW, TYPE B

CEMENT CONCRETE WALK AND WHEELCHAIR RAMP: **AREA=86 SY**

4” CEMENT CONCRETE OVER
8” GRAVEL BORROW, TYPE B

PROPOSED HOT MIX ASPHALT DRIVEWAY:

SURFACE: 1 1/2" SURFACE COURSE OVER
2 1/2" INTERMEDIATE COURSE
FOUNDATION: 8" GRAVEL BORROW, TYPE B

TACK COAT
TACK COAT SHALL BE APPLIED AT RATE OF 0.06 – 0.08 GALLON PER SQUARE YARD OVER SMOOTH PAVED SURFACES.

ITEM 102.51 1INDIVIDUAL TREE PROTECTION

Station	*Offset*
11+07	17’ RT
11+43	30’ RT

ITEM 102.521 TREE AND PLANT PROTECTION FENCE

SEE ITEM 102.51FOR LOCATIONS

ITEM 146. DRAINAGE STRUCTURE REMOVED

Station	*Offset*
11+27 LT	12.3’
11+31 RT	11.4’
11+79 LT	25.1’

ITEM 201. CATCH BASIN

Station	*Offset*
11+30.61	11.4 RT
11+18.46	12.9’ LT

ITEM 202. MANHOLE

Station	*Offset*
11+25.64	7’ LT

ITEM 210. SANITARY SEWER MANHOLE

Station	*Offset*
11+14.90	4.1’ LT
11+87.42	84.5’ RT

ITEM 210.02 SANITARY SEWER MANHOLE REMOVED

Station	*Offset*
11+36	2’ LT

ITEM 222.3 FRAME AND GRATE (OR COVER) - MUNICIPAL STANDARD

SEE ITEMS 201., 202., and 210.

ITEM 223.2 FRAME AND GRATE (OR COVER) REMOVED AND DISCARDED

SEE ITEMS 146. AND 210.02 FOR LOCATIONS

ITEM 225.52 TRAP AND HOOD MUNICIPAL STANDARD

SEE ITEM 201.FOR LOCATIONS

ITEM 482.5 SAWCUTTING ASPHALT PAVEMENT FOR BOX WIDENING

Station	*Offset*	*to*	*Station*	*Offset*
10+70LT	N/A			
11+43RT	22.0'	TO	11+90RT	87.0'
50+11RT	10.0'	TO	52+15RT	10.0'

ITEM 506. GRANITE CURB TYPE VB - STRAIGHT

Station	*Offset*	*to*	*Station*	*Offset*
10+70LT	10.5'		10+80LT	11.3'
11+03LT	12.7		11+20LT	14.5'

ITEM 506.1 GRANITE CURB TYPE VB - CURVED

Station	*Offset*	*to*	*Station*	*Offset*
11+20LT	14.0'		11+95LT	30.0'

ITEM 509. GRANITE TRANSITION CURB FOR PEDESTRIAN CURB RAMPS-STRAIGHT

Station	*Offset*	*to*	*Station*	*Offset*
10+80LT	11.3'		11+03LT	11.7'
50+61RT	12.1'		50+71RT	12.6'
50+50LT	11.0'		50+71LT	11.0'

ITEM 620.13 GUARDRAIL, TL-3 (SINGLE FACED)

Start STA	End STA	Offset
10+55	10+83	16' LT
51+33	51+89	13' RT
50+22	50+34	13' RT
11+62		

ITEM 627.1 TRAILING ANCHORAGE

Start STA	End STA	Offset
10+44	10+55	16' LT
51+89	52+00	13' RT

ITEM 628.21 TRANSITION TO NCHRP 350 GUARDRAIL

Station	*Offset*	*to*	*Station*	*Offset*
11+80RT	80'			
49+87RT	18'		50+22RT	18'

ITEM 628.24 TRANSITION TO BRIDGE RAIL

Station	*Offset*	*to*	*Station*	*Offset*
10+83	15'		11+17	15'
11+91RT	23'		12+17	23'
50+34RT	18'		50+67RT	18'
11+62RT	18'			

ITEM 630.2 HIGHWAY GUARD REMOVED AND DISCARDED

Station	*Offset*	*to*	*Station*	*Offset*
10+95LT	18.8'		11+16	18.8'
11+41RT	22'			
50+11RT	11'		50+65RT	33'
11+90RT	13.5'		12+07RT	30'

ITEM 715. RURAL MAIL BOX REMOVED AND RESET

Station	Offset
11+19RT	15’
11+52RT	13’
11+52RT	13’
11+52RT	13’
51+87RT	15

ITEM 751. LOAM FOR ROADSIDES

Station	*Offset*	*to*	*Station*	*Offset*
10+90RT	16.8’		11+44RT	23’
11+80LT	22’		12+02LT	54’
12+02RT	15’		12+07RT	125’

ITEM 765. SEEDING

SEE ITEM 751. FOR LOCATIONS

ITEM 769. PAVEMENT MILLING MULCH UNDER GUARD RAIL

Station	*Offset*	*to*	*Station*	*Offset*
49+95RT	12’		50+75RT	20’
11+91RT	12’		52+10RT	15’
10+45LT	15’		11+15LT	15’
11+62RT	18’			

ITEM 862.406 6 INCH RECESSED WHITE LINE (MC, UFD, WR)

Station	*Offset*	*to*	*Station*	*Offset*
50+11RT			50+52RT	
50+65RT			50+72RT	
51+43RT			52+15RT	
10+70LT			12+00LT	
10+70RT			11+21RT	
11+65RT			12+13RT	

ITEM 863.406 6 INCH RECESSED YELLOW LINE (MC, UFD, WR)

Station	*Offset*	*to*	*Station*	*Offset*
10+70			12+07	

ITEM 866.112 12 INCH REFLECTORIZED WHITE LINE (THERMOPLASTIC)

Station	*Offset*
10+90	-
12+07 RT	-
50+60	-

ITEM 874.4 TRAFFIC SIGN REMOVED AND STACKED

Location	Offset
11+00LT	20’
11+60RT	16’
11+70RT	30’
12+00RT	37.5’
12+07RT	23’
50+48RT	18.0’
50+60LT	20’
51+60RT	25’
51+76RT	21’

DOCUMENT A00808

PROJECT UTILITY COORDINATION FORM

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Project Utilities Coordination (PUC) Form

CONTACTS AND GENERAL UTILITY INFORMATION

12/23/2024

City/Town:	Project File #:	PUC Completed by:	Utility Pole Set:		
Erving	612982	Paul Kelly	NGRID		
Route/Street:	**Resident Engineer:**	**Mass DOT PM:**	**Scheduled Ad Date:**	**Total Poles Relocated:**	8/22/2025
Church Street over Ketchum Brook		Stephen Soma	3/29/2025	9	PRINTED

Consultant:	Contact:	Office #	Cell #	Email
Weston and Sampson	Louis Bacho			Bacho.Louis@wseinc.com

Utility Company	Contact	Office #	Cell #	Email	Scope, Budget, Duration Submitted		Reimbursement			Potential for District Initiated Early Relocation *		Utilities On Bridge/Structure		Utilities Underground (UG) /Aerial (OH)	
					Yes	No	Agreement	Non-Reimb'le	Notes	YES	NO	YES	NO	UG	OH
NGRID	Casey Silva	(617)-429-7797		Casey.Silva@nationalgrid.com	X		x				x		x		x
VZ(PVC)	Paul Styspeck	(413) 787-1845		paul.m.styspeck@verizon.com	X		x				x		x		x
Comcast	Thomas Brown			Thomas_Brown@comcast.com	X		x				x		x		x

Utility Relocation Notes for MassDOT Contractor

Unless otherwise noted by Contract, the MassDOT Contractor is to provide the District Construction Office with 7 Calendar Days advance notification in order to validate the current progress and provide the required 30 Days advance notice-to-proceed for the first Utility - and each subsequent Utility. These advance notifications are to be identified in the Contractor's Schedules (Pre-Con preparation, Baseline, Subnets, and Updated/Monthly Schedules) as specified in Subsection 8.02 (for DBB Contracts) and/or Section 9 (of DB Contracts). Note: The durations included below do not include these lead-times. See Additional 'Important Basis notes for Contractor' - on last PUC Form page.

Additional notes:

Suggested Sequence of Relocation (Based on Consultant proposed construction staging)

The sequence as detailed on the following pages is based on the consultants proposed staging plan. This information was compiled through meetings that included all of the utilities listed below along with the designer and the (insert Municipality here). The information provided is the best available information prior to project advertisement.

Is 'enabling' (prep) work, by the Contractor, necessary prior to the start of the first series of utility relocations:	Yes	No
	x	

Has any of the Utility work been identified to work concurrently	Yes	No
	x	

8/22/2025
PRINTED

massDOT Massachusetts Department of Transportation Highway Division

	RESPONSIBLE PARTY		DESCRIPTION - Utility Relocation Phases, Tasks and Activities	Estimated Duration (Work Days) by Utilities (Lead time not included)	Concurrent / Exclusive Utility Work Contractor note: In planning and executing the work, the Access Restraints listed in the Special Provisions, takes precedence over the checklist in these 4 columns.				Access Restraint & Limitations of Operations Notes Should an AR be considered for the Contractor ?	
	C = Contractor	U = Utility Co.			Exclusive Utility on site: Utility working with no other Utilities in vicinity	Concurrent Utilities: Utility working with other Utilities on site	Contractor Off-Site: No Contractor physical construction operations on-site (while Utility is	Contractor Concurrent: Contractor and Utility are working on-site - but NOT in the same vicinity	Potential Access Restraint (Yes/No)	Reason/Note (optional)
Stage : 1 Phase : A	C = Co		Enabling' work by the Contractor - _____The Contractor completes tree clearing and provides access for utility companies to temporarily relocate utilities around the existing Bridge Structure.							
			UTILITY OPERATIONS - _____							
Task: 1			***Utility Co. NGRID***							
		u	NGRID sets **temporary** utility poles.	7	x		x		Y	
		u	NGRID frames poles, sets anchor, replaces conductors,install and guying.	25	x		x		Y	
			Sub-Total	**32**						
			UTILITY OPERATIONS - _____							
Task: 2			***Utility Co. Comcast***							
		u	Comcast transfers cable	15	x		x		Y	
		u	Comcast removes existing cable	2	x					
			Sub-Total	**17**						
			UTILITY OPERATIONS - _____							
Task: 3			***Utility Co. Verizon***							
		u	Verizon transfers cable	21	x		x		Y	
		u	Removes abandoned poles	4		x		x	NO	
			Sub-Total	**25**						
Stage : 2 Phase : A	C = Co		Enabling' work by the Contractor - _____The Contractor completes bridge replacement and restores site.							
			UTILITY OPERATIONS - _____							
Task: 1			***Utility Co. NGRID***							
		u	NGRID sets **permanent** utility poles .	4	x		x		Y	
		u	NGRID frames poles, sets anchor, replaces conductors and guying.	5	x		x		Y	
			Sub-Total	**9**						
			UTILITY OPERATIONS - _____							
Task:2			***Utility Co. Comcast***							
		u	Comcast transfers cable to permanent utility poles	15	x		x		Y	
		u	Comcast removes temporary strand wire	2	x					
			Sub-Total	**17**						
			UTILITY OPERATIONS - _____							
Task: 3			***Utility Co. NGRID***							
		u	removes abandoned poles	2		x		x	NO	
				2						
			Total	**102**						

1 Unless otherwise specified in the MassDOT Construction Contract, or unless specifically noted within this PUC Form, these durations (herein) are based upon the Contractor providing *unimpeded access* to the Utility company to perform Utility relocations (see Note 5 - Access).

2 "Concurrent Utilities" operations noted herein, are to signify those Utility Company operations that can be worked concurrently (e.g. Utility A and Utility B work on-site together) - MassDOT and the Contractor are to prepare NTPs to Utilities accordingly.

3 "Potential Access Restraints" noted within this PUC Form are for planning purposes. See MassDOT Contract for Contractual Access Restraints (refer to Subsections 8.02, 8.03, and/or 8.06 for Design Bid Build Contracts and Volume II Section 9 for Design Build Contracts).

Proposal No. 612982-132268

	RESPONSIBLE PARTY	DESCRIPTION - Utility Relocation Phases, Tasks and Activities	Estimated Duration (Work Days) by Utilities (Lead time not included)	Concurrent / Exclusive Utility Work Contractor note: In planning and executing the work, the Access Restraints listed in the Special Provisions, takes precedence over the checklist in these 4 columns.				Access Restraint & Limitations of Operations Notes Should an AR be considered for the Contractor ?	
	C = Contractor U = Utility Co.			Exclusive Utility on site Utility working with no other Utilities in vicinity	Concurrent Utilities Utility working with other Utilities on site	Contractor Off-Site No Contractor physical construction operations on-site (while Utility is	Contractor Concurrent Contractor and Utility are working on-site - but NOT in the same vicinity	Potential Access Restraint (Yes/No)	Reason/Note (optional)
4		Utility non-work periods - For planning purposes, the durations above contain some non work days (contingency) for New England conditions (precipitation, high temperatures, low temperatures, snow, ice). Gas line work however, typically has a seasonal restriction and can NOT be installed from 15-November to 15-March. Municipally Owned Electric and Gas Utilities are also restricted from proceeding from 15-November to 15-March. The Contractor shall (and the CTD plan) reflect this calendar restriction within the schedule (unless otherwise note).							
5		Access - Unless otherwise noted in the Contract, and in addition to the 'enabling' notes above, the Contractor must provide safe and unimpeded access (for trucks, lifts, cranes, etc.) to the Utilities, to allow for the proposed relocation(s) - including but not limited to snow removal, clearing and grubbing, guard rail removal, barrier removal, tree removal, and grading.							
6		For all MassDOT construction contracts issued after January 2014, the new Utility Coordination/documentation specification is required. This is Section 8.14 in Design-Bid-Build Contracts (see Design-Build index reference for applicable section #).							
7		Prior to starting any and all enabling work for Utilities, the Contractor is to plan in advance with submittals and approved durations.							
8		* Potential District Initiated Early Utility Relocation - if noted herein, the District reserves the right to initiate early utility relocation in advance of the Contract NTP. In submitting a bid price and in the development/basis of the Baseline Schedule, the Contractor shall not plan the Work with the potential benefit of any form of 'early utility relocation.' As a requirement of the Baseline submission, unless otherwise noted in this Specification, the earliest that the first Utility company is to receive the 30 days advance notification to mobilize to the site, will be 7 calendar days after the pre-construction meeting and never sooner than 7 days after the Contract NTP.							
9									

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DOCUMENT A00811

WATERING LOG
for
MassDOT Plantings

Watering Log for MassDOT Plantings

Project Description:

Contract No:

Project No:

Plant Locations/s: (Attach planting plan/s as necessary)

Notes:

	Separate logs shall be kept to track areas or plants with different watering schedules. Trees shall receive a minimum of 10 gallons with each watering and shrubs a minimum of 5 gallons. Provide note that if watering is not performed as scheduled due to rain. Record date of rainfall and amount.												
Date Watered													
Landscape Contractor Initial													
Prime Contractor Initial													
Date Watered													
Landscape Contractor Initial													
Prime Contractor Initial													

Each week, following watering, Log shall be submitted to the MassDOT Engineer.
6/15/2018

DOCUMENT A00820

Massachusetts Department of Transportation
Conditions of Custody

REQUEST FOR RELEASE OF MASSDOT AUTOCAD FILES FORM
(Only to be used following award of contract)

City/Town: ERVING Project File Number: 612982

Contract Number: 132268

Project Description: Bridge Replacement, E-10-011, Church Street over Keyup Brook

All AutoCAD files are provided solely as a courtesy to facilitate public access to information. MassDOT attempts to provide current and accurate information but cannot guarantee so. MassDOT provides such documents, files or other data "as is" without any warranty of any kind, either expressed or implied, including but not limited to, accuracy, reliability, omissions, completeness and currentness. The Commonwealth of Massachusetts and its Consultants shall not be liable for any claim for damages, including lost profits or other consequential, exemplary, incidental, indirect or special damages, relating in any way to the documents, files or other data accessible from this file, including, but not limited to, claims arising out of or related to electronic access or transmission of data or viruses. Because data stored on electronic media can deteriorate undetected or be modified without our knowledge, MassDOT cannot be held liable for its completeness or correctness. MassDOT makes no representation as to the compatibility of these files beyond the version of the stated CAD software.

By signing this form, I agree that it shall be my responsibility to reconcile this electronic data with the conformed contract documents, and that only the conformed contract documents shall be regarded as legal documents for this Project. I understand that this authorization does not give me the right to distribute the files. I agree to the terms above and wish to receive the AutoCAD files.

This signed form shall be emailed to the Highway Design Engineer at the MassDOT -Highway Division at the following email address:

DOTHighwayDesign@dot.state.ma.us
Attn: AutoCAD Files

Name of person requesting AutoCAD files: _____

Affiliation/Company: _____

Address: _____

_____

Telephone number: _____

Email address: _____

Signature/Date: _____

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DOCUMENT A00830

ARMY CORPS OF ENGINEERS PERMIT APPLICATION

And

MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION WATER QUALITY CERTIFICATION APPLICATION

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401 WQC Minor Project Certification (BRP WW 11) Pre-Construction Notification (PCN)

Church Street over Keyup Brook Bridge Replacement Project

MassDOT Project 612982

Town of Erving, MA

May, 2024

Weston & Sampson

Weston & Sampson Engineers, Inc.
273 Dividend Road
Rocky Hill, Connecticut 06067

www.westonandsampson.com
Tel: 560-513-1473 Fax: 860-513-1483

Weston & Sampson SM

427 Main St., Suite 400, Worcester,MA 01608
Tel: 508.762.1676

May 7, 2024

Massachusetts Department of Environmental Protection Division of Wetlands and Waterways

U.S. Army Corps of Engineers New England District

SUBMITTED VIA Mass EEA ePLACE Portal and EMAIL

Re: Joint Permit Application 401 Water Quality Certification and Section 404 General Permit PCN
Church Street Bridge Replacement, Erving, MA

To whom it may concern:

On behalf of the Town of Erving, MA, Weston & Sampson Engineers, Inc. is hereby enclosing a Joint Permit Application, including applicable Plans, to fulfill the requirements of the Massachusetts Clean Waters Act, M.G.L. Chapter 21, Sections 26-53 as a WW 11 Minor Water Quality Certification, and the Federal Clean Water Act Sections 401 and 404 as a General Permit (MA GP-23) Pre-Construction Notification (PCN). This submittal is a formal Application for the Church Street Bridge Replacement Project which will replace an existing bridge superstructure crossing Keyup Brook a Water of the U.S. (WOTUS).

This project is a municipality designed project with the Town of Erving as Applicant and Weston and Sampson Engineers Inc. as Agent. The project is supported and funded by MassDOT under the Transportation Improvement Program (TIP). This project is being filed under the MassDOT bridge exemption as specified in the 2014 Transportation Bond Bill. The bridge replacement design is substantially the functional equivalent of and in similar alignment to, the existing bridge. A narrative describing how construction of the proposed project will comply with the Massachusetts and Federal Clean Water Acts is included in Appendix A.

The project proponent hereby certifies that all information contained herein is true, accurate and complete to the best of my knowledge and belief. The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.

The MassDOT Wetlands Coordinator for this project is:

Courtney Walker
Massachusetts Department of Transportation – Highway Division
10 Park Plaza, Room 7630, Boston, MA 02116
courtney.l.walker@dot.state.ma.us; 857-262-0757

This filing includes the following:

Cover Letter
Copy of Mass. EEA ePLACE Portal Form
ACOE Mass. PCN Application Form

Appendix A:	Application Narrative
	Attachment 1 USGS Locus Map
	Attachment 2 Aerial Locus Map
	Attachment 3 NRCS Soil Survey
	Attachment 4 FEMA Map
	Attachment 5 Section 7 NLEB Documentation
	Attachment 6 Section106 Documentation
	Attachment 7 Cold Water Fisheries
	Attachment 8 Photos
Appendix B:	Wetlands Report
Appendix C:	Stormwater Management Memo for Bridges
Appendix D:	Erosion and Sedimentation Control Plan
Appendix E:	Operation and Maintenance Plan
Appendix F:	Public Notice
Appendix G:	Project Plans & Specifications

If you have any questions regarding this submittal, please contact me.

Very truly yours,

WESTON & SAMPSON ENGINEERS, INC.

Conrad Nuthmann, P.E.
Project Manager

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION – HIGHWAY DIVISION

Courtney Walker
Wetlands Coordinator

cc: Town of Erving, Conservation Commission
Michael Joa, MassDOT
Tyler Lewis, MassDEP
Ryan Hale, MassDEP
Stephen Soma, MassDOT
File

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Contact:
Energy and Environmental Affairs, MASSDEP
Energy and Environmental Affairs, MDAR
Energy and Environmental Affairs, DCR

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Instructions

* indicates a required field.

Permittee

"Permittee" is the individual or individual authorized by a company/organization (previously referred to as "Applicant").

If you are the Permittee you may click on "Add New" button and select the checkbox on the top "Use Login Information" and click "Continue". (Please note: if you are just filing this Application on your behalf, please disregard the language below!)

However,

If you are a consultant, engineer, attorney, or other authorized representative who is preparing the application on behalf of the Permittee you are an "Application Contributor". Do not enter your name or contact information in the fields for the Permittee.

- If the Permittee has an EEA ePLACE account and they would like to contribute to the Application process, click "Look Up" button, search and select the appropriate Permittee.
- If the Permittee does not have an EEA ePLACE account and does not want to contribute to the Application process, click "Add New" button and enter the Permittee information on their behalf.

Permittee:

Bryan Smith

12 East Main Street
Erving, MA, 01344

Telephone #: 413-422-2800 Email: bryan.smith@erving-ma.gov

Edit or View Remove

Application Contacts

An "Application Contact" is an individual or organization who is a party to the application (in addition to the Permittee), or who is contributing to the application. For example, a Property Owner, Additional Permittee, a consultant, an authorized representative etc.,

- If the Contact has an EEA ePLACE account and they will be contributing to the Application process, click "Look Up" button, search and select the appropriate Contact.
- If the Contact does not have an EEA ePLACE account and/or will not be contributing to the Application process, click "Add New" button and enter their Contact information.

Note – If a Contact who will be submitting information in the online Application process has not yet created an account, click on "save and resume later" button, advise the Contact to create an account in the EEA ePLACE Portal, and then resume the application and "Look Up" that person.

Add New Look Up

Contact updated successfully.

Showing 1-1 of 1

	Contact Type	Name	Organization Name	Contact Person	Action
	Application Prepared By	CONRAD NUTHMANN			Edit/View Delete

Continue Application » Save and resume later

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Instructions

* indicates a required field.

Primary Project Location

If the project site does not have a traditional physical address, please enter Street Number as "0" Street Name as "N/A" and enter the latitude and longitude coordinates.

To find the latitude and longitude information, type in your address on Search Google Maps - Right click on your location pin and select "What's here?"

The information will be displayed at the bottom of your page. The format should be in decimal degrees (i.e. Latitude XX.XXXXXX Longitude XX.XXXXXX) Please do not include the "-" sign with the longitude.

*
Name of the Waterbody:
Keyup Brook aka Jack's Brook

*Street #: 21
*Street Name: Church Street
Street Name 2:

*City: Erving
*State: MA
*Zip: 01344-

Latitude*: 42.60227
Longitude*: 72.399545

Clear

Other Primary Location Info

*Parcel ID: 6-4-33

*Municipality : ERVING

Project Information

Project Name:

Church Street Bridge Replacement

* Proposed Activity:

Bridge Replacement over water.

* Will the project occur in multiple municipalities?:

○ Yes ◉ No

Additional Project Sites

Additional Project Sites

Showing 0-0 of 0

	Municipality	Property Description	
No records found.			

Add a Row | Edit Selected Delete Selected

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* indicates a required field.

Project Type

Commercial / Industrial:
☐
Utility:
☐
Real Estate Subdivision:
☐
Institutional:
☐
Other:
☑
* Please provide additional information for the selection of your project type:

Municipal Bridge Replacement with MassDOT TIP funding. Bridge exempt from MA Wetlands Protection Act under the MA Transportation Bond Bill.

Proposed Areal Extent Info

Proposed Areal Extent of "Discharges of Dredged or Fill Material", including "redeposit of dredged or excavated material" to "Waters of the United States within the Commonwealth"
Report the areal extent, as expressed in square feet, of all proposed "discharges of dredged or fill material", including "redeposit of dredged or excavated material", both temporary and permanent, to each category of "Waters of the United States within the Commonwealth" below:

* Bordering Vegetated Wetland (sqft):

0

* Isolated Vegetated Wetland (sqft):

0

* Non-tidal Land Under Water (sqft):

206

* Salt Marsh (sqft):

0

* Land Under the Ocean (sqft):

0

* Intertidal Zone (sqft):

0

Total cumulative loss (sqft):

206

Continue Application »

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* indicates a required field.

Compliance With 314 CMR 9.00

For additional details regarding the compliance, please visit mass.gov

* Does the proposed project meet the definition of a Single and Complete Project at 314 CMR 9.02?:
(●) Yes ( ) No

* Does the proposed project include "multi-phased activities"?:
( ) Yes (●) No

* Does the proposed project meet the definition of an Ecological Restoration Project?:
( ) Yes (●) No

* Have you completed the Public Notice as per 314 CMR 9.05(3)? If yes, please attach a completed 'Proof of Public Notice' document in the document section.:
( ) Yes (●) No

Does the required Alternatives Analysis screen all practicable alternatives to the proposed discharge that would have less adverse impact on the aquatic ecosystem?:
(●) Yes ( ) No

* Does this proposed project meet the definition of Water-Dependent at 314 CMR 9.02?:
(●) Yes ( ) No

* Is the proposed project restricted to access to one dwelling unit?:
( ) Yes (●) No

* Will the cumulative discharges of dredged or fill material to Waters of the United States within the Commonwealth exceed 1 acre in areal extent?:
( ) Yes (●) No

* Report the areal extent, as expressed in square feet, of all proposed restoration or replication of Bordering Vegetated Wetlands and/or Isolated Vegetated Wetlands:
0

* Will any proposed discharges of dredged or fill material or any proposed restoration or replication occur within Rare Species Habitat as defined at 314 CMR 9.02?:
( ) Yes (●) No

* Will the proposed project include or consist of the construction of a new non-tidal crossing of any Land Under Water? :
( ) Yes (●) No

* Will the proposed project include or consist of the construction of a new tidal crossing of any Land Under Water?:

Will the proposed project include or consist of the construction of a new tidal crossing of any Land Under Water?:

○ Yes ◉ No

*Will the proposed project include or consist of the repair, replacement, and/or expansion of an existing non-tidal crossing of any Land Under Water? :

◉ Yes ○ No

If yes, will such repair, replacement, and/or expansion of an existing crossing comply with the Massachusetts River and Stream Crossing Standards (March 8, 2012) to the maximum extent practicable (see Practicable at 314 CMR 9.02)?: *

◉ Yes ○ No

*Will the proposed project include or consist of the repair, replacement, and/or expansion of an existing tidal crossing of any Land Under Water?:

○ Yes ◉ No

* Does the proposed project include any amount of discharges of dredged or fill material to any Outstanding Resource Water?:

○ Yes ◉ No

*Will any proposed "discharge of dredged or fill materials" occur within any certified Vernal Pool (as defined at 314 CMR 9.02)? :

○ Yes ◉ No

Continue Application »

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* indicates a required field.

Additional Information

* Is your project subject to Massachusetts Environmental Policy Act (MEPA)?:
○ Yes ◉ No

* Is your project subject to Massachusetts Wetlands Protection Act?:
○ Yes ◉ No

* Is your project subject to Massachusetts Public Waterfront Act?:
○ Yes ◉ No

* Is your project subject to Massachusetts Historical Commission?:
◉ Yes ○ No

MHC File Number (if available):

Date of MHC Determination Letter (if available):
MM/DD/YYYY

* Is your project subject to Massachusetts Bureau of Underwater Archeological Resources?:
◉ Yes ○ No

BUAR File Number (if available):

Date of BUAR Determination Letter (if available):
MM/DD/YYYY

* Is your project subject to U.S. Army Corps of Engineers – Section 404 of Federal Clean Water Act?:
◉ Yes ○ No

USACE File Number (if available):

Date of USACE PCN Authorization (if available):
MM/DD/YYYY

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Instructions

* indicates a required field.

Documents

If you have Site Plans, please upload them for the Agency to review your application.

The system allows documents of up to 50MB in size. If your document is greater than 50MB, please attach a brief description of document type and instructions on how you will provide the document to the agency.

Documents:

Please upload 2 Required Document(s) which are mandatory to Submit this Application:

1. Alternatives Analysis
2. Site Plans

Attachment

When uploading file document(s) the maximum file size allowed is 50 MB.
The 'File Name' (including file extension) MUST NOT exceed 75 characters in length.
The document 'Description' MUST NOT exceed 50 characters in length.
Documents that exceed any of these limits will be removed by the system, and cannot be retrieved, which may delay the review process.
.bat;.bin;.dll;.exe;.js;.msi;.sql;.vbs;ade;adp;chm;cmd;com;cpl;hta;ins;isp;jar;jse;lib;lnk;mde;msc;msp;mst;php;pif;scr;sct;shb;sys;vb;vbe;vxd;wsc;wsf;wsh are disallowed file types to upload.

Name	Type	Size	Latest Update	Description	Action
No records found.					

Browse

Continue Application »

Save and resume later

U.S. Army Corps of Engineers (USACE), New England District (NAE)

PRE-CONSTRUCTION NOTIFICATION (PCN)

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332.

Principal Purpose The information provided will be used in evaluating activities under Pre-Construction Notification procedures within New England.

Routine Uses This information may be shared with other federal, state, and local government agencies during the application review process. Submission

Disclosure of requested information is voluntary. However, if information is not provided the PCN application cannot be fully evaluated nor can USACE render a permit decision.

Instructions The applicant must complete ALL required sections of this document before their submission to USACE. The PCN submission to USACE shall include one set of drawings which show the location and character of the proposed activity, statements that address each required field below, and documentation that supports each field (e.g., emails, letters, description/narrative, phone calls, surveys, reports, etc.). Electronic submissions to the following address are strongly preferred: cenae-r-ma@usace.army.mil. The email subject line shall contain the following: General Permit #, PCN, City/Town, and date submitted. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY USACE)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME
First - Bryan Middle - Last - Smith
Company - Town of Erving, MA
E-mail Address - bryan.smith@ervingm-ma.gov

8. AUTHORIZED AGENT'S NAME AND TITLE (*agent is not required*)
First - Conrad Middle - Last - Nuthmann
Company - Weston and Sampson Engineers, Inc.
E-mail Address - nuthmann.conrad@wseinc.com

6. APPLICANT'S ADDRESS:
Address- 12 East Main Street
City - Erving State - MA Zip - 01344 Country - USA

9. AGENT'S ADDRESS:
Address- 427 Main Street Suite 400
City - Worcester State - MA Zip - 01608 Country - USA

7. APPLICANT'S PHONE NOs. with AREA CODE
a. Residence b. Business c. Fax d. Mobile
413-422-2800

10. AGENT'S PHONE NOs. with AREA CODE
a. Residence b. Business c. Fax d. Mobile
774-389-0924

STATEMENT OF AUTHORIZATION

11. I hereby authorize, Conrad Nuthmann to act on my behalf as my agent in the processing of this general permit PCN application and to furnish, upon request, supplemental information in support of this general permit PCN application.

SIGNATURE OF APPLICANT 5/10/2024 DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME or TITLE (*see instructions*)
Church Street Bridge Replacement

13. NAME OF WATERBODY, IF KNOWN (*if applicable*)
Keyup Brook aka Jack's Brook

14. PROPOSED ACTIVITY STREET ADDRESS (*if applicable*)
21 Church Street
City: Erving State: MA Zip: 01344

15. LOCATION OF PROPOSED ACTIVITY (*see instructions*) Center
Latitude: 42.60227 °N Longitude: -72.399545 °W

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (*see instructions*)

State Tax Parcel ID: Municipality:

Section: Township: Range:

17. DIRECTIONS TO THE SITE.

From Concord, MA Route 2 west to Church Street north to Highland Ave.

18. IDENTIFY THE SPECIFIC GENERAL PERMIT(S) YOU PROPOSE TO USE:

GP 23

19. DESCRIPTION OF PROPOSED GENERAL PERMIT ACTIVITY (*see instructions*)

Bridge replacement over water leaving existing abutments, base slab, and retaining walls in place. The new superstructure and foundations will be concrete. 206 square feet of rip rap will be placed in the stream bed immediately upstream from the existing base slab as a scour countermeasure.

20. DESCRIPTION OF PROPOSED MITIGATION MEASURES (*see instructions*)

The rip rap scour countermeasure will mitigate stream bed erosion occuring at the upstream end of the structure.

21. PURPOSE OF GENERAL PERMIT ACTIVITY (*Describe the reason or purpose of the project, see instructions*)

Replace an existing failing bridge structure over a perennial stream that carries a local street and a sidewalk.

22. Quantity of Wetlands, Streams, or Other Types of Waters Directly Affected by Proposed General Permit Activity (*see instructions*)

Area (square feet)	Length (linear feet)	Volume (cubic yards)	Duration	Purpose
206			Permanent	Bridge scour countermeasure.

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site.

23. List any other GP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project on any related activity (*see instructions*)

N/A

24. If the proposed activity will result in the loss of aquatic resources that exceed those identified in the New England District Compensatory Mitigation Thresholds, explain how the compensatory mitigation requirement will be satisfied. (*see instructions*)

N/A There will be no loss of aquatic resource.

25. Is Any Portion of the General Permit Activity Already Complete? ☐ Yes ☒ No If Yes, describe the completed work:

26. List the name(s) of any species listed as endangered or threatened under the Endangered Species Act that might be affected by the proposed GP activity or utilize the designated critical habitat that might be affected by the proposed GP activity. (*see instructions*)

None

27. List any historic properties that have the potential to be affected by the proposed GP activity or include a vicinity map indicating the location of the historic property or properties. Attach relevant project information, along with any responses received from project notifications to this submittal. (*see instructions*)

None

28. For a proposed GP activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, identify the Wild and Scenic River or the "study river":

N/A

29. If the proposed GP activity also requires permission from the USACE pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, have you submitted a written request for section 408 permission from the USACE district having jurisdiction over that project? ☐ Yes ☐ No N/A

If "yes", please provide the date your request was submitted to the USACE District:

30. Does the activity require a 401 Water Quality Certification (WQC)? If so, specify the type of 401 WQC that is required (general or individual). In cases where an individual 401 WQC is required, provide the date the 401 WQC certification request was submitted to the certifying authority and their contact information.

Yes (individual).

31. If the terms of the GP(s) you want to use require additional information to be included in the PCN (i.e. sampling and analysis plan), please include that information in this space or provide it on an additional sheet of paper marked Block 30. (*see instructions*)

N/A

32. I certify that the information in this pre-construction notification is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT	DATE	SIGNATURE OF AGENT	DATE
[signature]	5/10/2024	[signature]	5/8/2024

The Pre-Construction Notification must be signed by the person who desires to undertake the proposed activity (applicant) and, if the statement in block 11 has been filled out and signed, the authorized agent.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both.

Instructions for Preparing a

Department of the Army

General Permit (GP) Pre-Construction Notification (PCN)

Blocks 1 through 4. To be completed by the U.S. Army Corps of Engineers.

Block 5. Applicant' Name. Enter the name and the e-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the PCN, please attach a sheet of paper with the necessary information marked Block 5.

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the PCN. If more space is needed, attach an extra sheet of paper marked Block 6.

Block 7. Applicant Telephone Number(s). Please provide the telephone number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed, if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, consultant, or any other person or organization. Note: An agent is not required.

Blocks 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where they can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by the applicant, if an agent is to be employed.

Block 12. Proposed General Permit Activity Name or Title. Please provide a name identifying the proposed GP activity, e.g., Windward Marina, Rolling Hills Subdivision, or Smith Commercial Center.

Block 13. Name of Waterbody. Please provide the name (if it has a name) of any stream, lake, marsh, or other waterway to be directly impacted by the GP activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14. Proposed Activity Street Address. If the proposed GP activity is located at a site having a street address (not a box number), enter it in Block 14.

Block 15. Location of Proposed Activity. Enter the latitude and longitude of where the proposed GP activity is located. Indicate whether the project location provided is the center of the project or whether the project location is provided as the latitude and longitude for each of the "corners" of the project area requiring evaluation. If there are multiple sites, please list the latitude and longitude of each site (center or corners) on a separate sheet of paper and mark as Block 15.

Block 16. Other Location Descriptions. If available, provide the Tax Parcel Identification number of the site, Section, Township, and Range of the site (if known), and / or local Municipality where the site is located.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide a description of the location of the proposed GP activity, such as lot numbers, tract numbers, or you may choose to locate the proposed GP activity site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed GP activity site if known. If there are multiple locations, please indicate directions to each location on a separate sheet of paper and mark as Block 17.

Block 18. Identify the Specific General Permit(s) You Propose to Use. List the number(s) of the General Permit(s) you want to use to authorize the proposed activity (e.g., GP 4).

Block 19. Description of the Proposed General Permit Activity. Describe the proposed GP activity, including the direct and indirect adverse environmental effects of the proposed activity. The description of the proposed activity should be sufficiently detailed for USACE to determine that the adverse environmental effects of the activity will be no more than minimal. Identify the materials to be used in construction, as well as the methods by which the work is to be done.

Provide drawings to show that the proposed GP activity complies with the terms of the applicable GP(s). Drawings should contain sufficient detail to provide an illustrative description of the proposed GP activity, but do not need to be detailed engineering plans. The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 19.

Block 20: Description of Proposed Mitigation Measures. Describe any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed GP activity. The description of any proposed mitigation measures should be sufficiently detailed for USACE to determine how the measures would avoid and minimize adverse environmental effects. If adverse effects exceed the New England District compensatory mitigation thresholds, you must document how compensatory mitigation would be satisfied in Block 24.

Block 21. Purpose of General Permit Activity. Describe the purpose and need for the proposed GP activity. What will it be used for and why? Also include a brief description of any related activities associated with the proposed project. Provide the approximate dates you plan to begin and complete all work.

Block 22. Quantity of Wetlands, Streams, or Other Types of Waters Directly Affected by the Proposed General Permit Activity. For discharges of dredged or fill material into Waters of the U.S., provide the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained by the proposed GP activity. For structures or work in Navigable Waters of the U.S. subject to Section 10 of the Rivers and Harbors Act of 1899, provide the amount of navigable waters filled, dredged, occupied by one or more structures (e.g., aids to navigation, mooring buoys) by the proposed GP activity. The area of impact includes the structures or fills with direct or indirect effects to waters of the U.S. The length of impact includes the length of a stream, including is banks, that are directly affected by the structures or fills. The duration of impact should be identified as temporary (xx days) or permanent. The impact purpose should briefly describe what structure or fill is responsible for the impact.

Block 23. Identify Any Other General Permit(s), Regional General Permit(s), or Individual Permit(s) Used to Authorize Any Part of Proposed Activity or Any Related Activity. List any other GP(s) or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. For linear projects, list other separate and distant crossings of waters and wetlands authorized by these GPs that do not require PCNs. If more space is needed, attach an extra sheet of paper marked Block 23.

Block 24. Compensatory Mitigation Statement for Losses Greater Than the New England District Compensatory Mitigation Thresholds. New England District requires compensatory mitigation at a minimum one for one replacement ratio or greater for all aquatic resource losses that require a PCN and exceed the New England District Compensatory Mitigation Thresholds, unless USACE determines in writing that either some other form of mitigation is more environmentally appropriate or the adverse environmental effects of the proposed GP activity are no more than minimal without compensatory mitigation, and provides an activity specific waiver of this requirement. Describe the proposed compensatory mitigation for wetland losses greater than the New England District Compensatory Mitigation Thresholds or provide an explanation of why USACE should not require wetland compensatory mitigation for the proposed GP activity. If more space is needed, attach an extra sheet of paper marked Block 24.

Block 25. Is Any Portion of the General Permit Activity Already Complete? Describe any work that has already been completed for the GP activity.

Block 26. List the Name(s) of Any Species Listed As Endangered or Threatened under the Endangered Species Act that Might be Affected by the General Permit Activity. If you are not a federal agency, and if any listed species or designated critical habitat might be affected or is in the vicinity of the proposed GP activity, or if the proposed GP activity is located in designated critical habitat, list the name(s) of those endangered or threatened species that might be affected by the proposed GP activity or utilize the designated critical habitat that might be affected by the proposed GP activity. If you are a Federal agency, and the proposed GP activity requires a PCN, you must provide documentation demonstrating compliance with Section 7 of the Endangered Species Act.

Block 27. List Any Historic Properties that Have the Potential to be Affected by the General Permit Activity. If you are not a federal agency, and if any historic properties have the potential to be affected by the proposed GP activity, list the name(s) of those historic properties that have the potential to be affected by the proposed GP activity. Provide all relevant documentation about these historic properties in the PCN submittal. If you are a Federal agency, and the proposed GP activity requires a PCN, you must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

Block 28. List the Wild and Scenic River or Congressionally Designated Study River if the General Permit Activity Would Occur in such a River. If the proposed GP activity will occur in a river in the National Wild and Scenic River System or in a river officially designated by Congress as a "study river" under the Wild and Scenic Rivers Act, provide the name of the river. For a list of Wild and Scenic Rivers and study rivers, please visit http://www.rivers.gov/

Block 29. General Permit Activities that also Require Permission from the USACE Under 33 U.S.C. 408. If the proposed GP activity also requires permission from the USACE under 33 U.S.C. 408 because it will temporarily or permanently alter, occupy, or use a USACE federal authorized civil works project, indicate whether you have submitted a written request for section 408 permission from the USACE district having jurisdiction over that project.

Block 30. 401 Water Quality Certification. As described above, specify if the activity requires a 401 WQC from the certifying authority.

Block 31. Other Information Required For General Permit Pre Construction Notifications. The terms of some of the General Permits include additional information requirements for preconstruction notifications:

* Maintenance – information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals.
* Temporary Construction, Access, and Dewatering – a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions.
* Repair of Uplands Damaged by Discrete Events – documentation, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration.
* Commercial Shellfish Aquaculture Activities – (1) a map showing the boundaries of the project area, with latitude and longitude coordinates for each corner of the project area; (2) the name(s) of the species that will be cultivated during the period this GP is in effect; (3) whether canopy predator nets will be used; (4) whether suspended cultivation techniques will be used; and (5) general water depths in the project area (a detailed survey is not required).Dredging – (1) a proposed sampling and analysis plan shall be provided to USACE for approval prior to its execution. Pre-application meetings are encouraged.
* Beach Nourishment – sediment grain size should be determined for the length of the beach where nourishment is proposed. The frequency and locations of sediment sampling shall be sufficient to identify the sediment composition of the beach profile. This data shall be consolidated to generate a sediment gradation curve for each sampled transect. Each sampled transect should also be identified on the project plans (drawings).

If more space is needed, attach an extra sheet of paper marked Box 31.

Block 32. Signature of Applicant or Agent. The PCN must be signed by the person proposing to undertake the GP activity, and if applicable, the authorized party (agent) that prepared the PCN. The signature of the person proposing to undertake the GP activity shall be an affirmation that the party submitting the PCN possesses the requisite property rights to undertake the GP activity (including compliance with special conditions, mitigation, etc.).

DELINEATION OF WETLANDS, OTHER SPECIAL AQUATIC SITES, AND OTHER WATERS

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current wetland delineation manual and regional supplement published by the USACE. The permittee may ask the USACE to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the USACE does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. The 60-day PCN review period will not start until a delineation has been completed.

DRAWINGS AND ILLUSTRATIONS

General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross Section Map. Identify each illustration with a figure or attachment number. For linear projects (e.g. roads, subsurface utility lines, etc.) gradient drawings should also be included. Please submit one copy of all drawings on 8½ x 11 inch plain white paper (electronic submissions preferred). Use the fewest number of sheets necessary for your drawings or illustrations. Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross section). While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.

ADDITIONAL INFORMATION AND REQUIREMENTS

For proposed GP activities that involve discharges into waters of the United States, water quality certification from the State, Tribe, or EPA must be obtained or waived. Some States, Tribes, or EPA have issued water quality certification for one or more GPs. Please check the New England District website to see if water quality certification has already been issued for the GP(s) you wish to use. For proposed GP activities in coastal states, state Coastal Zone Management Act consistency concurrence must be obtained, or a presumption of concurrence must occur. Some States have issued Coastal Zone Management Act consistency concurrences for one or more GPs. Please check the New England District website to see if Coastal Zone Management Act consistency concurrence has already been issued for the GP(s) you wish to use.

APPENDIX A

APPLICATION NARRATIVE

MADEP 401 WQC / ACOE PCN Application Narrative
Church Street Bridge Replacement, Erving, MA

Section 1. Introduction

Background

The Town of Erving is submitting this combination MADEP 401 Water Quality Certification (WQC) / USACE Pre-Construction Notification (PCN) Report for the Church Street Bridge Replacement Project in Erving, MA. under the Massachusetts Transportation Bond Bill Bridge Exemption. Church Street is a two-lane, Rural Collector that is currently closed to through traffic because of structural deterioration at the bridge. The purpose of the project is to restore traffic across the bridge which is needed for access to existing houses. The project is located at the Church Street crossing of Keyup Brook aka Jack's Brook, which is a perennial stream tributary to the Millers River which is tributary to the Connecticut River. See attached Locus Map of the Project Location.

The existing retaining walls adjacent to the bridge have been damaged because of stream flow and stormwater impacts during recent major flood events. The damage included scouring and erosion at the base of the existing retaining walls adjacent to the bridge.

Scope of Work

This project consists of removing and replacing the existing bridge superstructure and repairing existing retaining walls adjacent to the bridge. The existing abutments and stream bottom slab will be cut down and left in place and the new superstructure will be supported on new concrete walls and footings outside of the existing abutment walls. Approximately 206 square feet of natural streambed material over rip rap will be placed at the bottom of the stream channel immediately upstream of the existing bottom slab to act as a scour countermeasure during larger flood events.

During construction the temporary water handling will be done using sandbag cofferdams as shown on the plans. Flow will be maintained throughout the construction period. The temporary water handling stages are evaluated using a hydraulic model to verify there are no adverse impacts to the properties. Erosion and sedimentation controls will be utilized throughout the construction phases of this project. Erosion control barriers usually consist of compost filter tubes and silt fence or similar are specified for environmental protection.

Section 2. Existing Conditions

The existing Church Street Bridge over Keyup Brook in Erving, MA consists of a 16' single span cast-in-place concrete deck slab superstructure supported on stone masonry abutments. The existing overall bridge width of approximately 33' consisting of 2-12' lanes with 2.5' shoulder and a 4' wide structure sidewalk on the west side of the bridge. The streambed is lined with a 4" thick reinforced concrete slab under the bridge. There is a vehicle restriction on the bridge structure with commercial vehicles over 2.5 tons excluded from traveling on the bridge. Additionally, the bridge was also closed to one-lane of traffic

due to the existing concrete deck slab deterioration. Adjacent land use is residential. There are existing utilities and overhead wires on and around the bridge. Concrete and stone masonry retaining walls form the stream banks upstream and downstream of the bridge on both sides of the stream.

A wetlands report prepared by a professional Wetland Scientist is included as Appendix B. Keyup Brook is contained within retaining walls both upstream and downstream of the structure. The only wetland resource area noted in the investigation area is perennial stream bank.

The project is not located in an Area of Critical Environmental Concern or Outstanding Resource Waters.

Keyup Brook is identified as a cold water fishery by the Massachusetts Division of Fisheries and Wildlife.

There are no National Wild and Scenic Rivers within 0.25 miles of Keyup Brook. There are no "bordering and contiguous wetlands" in the project area and the project has no potential to alter flows within a river within the National Wild and Scenic River System including rivers officially designated by Congress as study rivers for possible inclusion while such rivers are in official study status.

There are no federal lands including National Wildlife Refuges, National Forests, National Marine Sanctuaries, National Parks, or any other areas administered by the National Park Service, U.S. Fish and Wildlife Service, or U.S. Forest Service, and USACE project lands and easements within the project area.

The span length of the Church Street Bridge over Keyup Brook is 16'. The USGS Streamstats bankfull width is 37.2 feet and depth is 1.85 feet at a flow of 299 cubic feet per second (cfs). The hydraulic study for this bridge based on field surveyed cross sections indicates the top width of the upstream cross section just upstream of the retaining walls 2 Year storm flow at 277 cfs is approximately 25 feet wide and 2.2 feet deep. The top of bank flagging becomes narrower upstream of the retaining walls.

Section 3. Proposed Conditions

The proposed new bridge superstructure will span over the existing abutments and in stream slab all of which will be left in place. The new superstructure will span 32 feet and will be supported by a precast concrete frame and footings with micro piles which will be constructed entirely away from the existing stream banks which consist of retaining walls that will remain in place. The only in stream construction will involve placement of natural streambed material in the bottom of the stream immediately upstream of the existing concrete slab to act as a scour countermeasure. The streambed material will be placed according to MassDOT streambed restoration specification which is included in Appendix G of this application. If unsuitable materials are encountered during construction sandbag cofferdams may be used to control in stream flows. There are no existing trees in the project area so no tree clearing will be required.

The proposed work includes roadway shoulders, guardrail, and sidewalk where necessary to provide for public safety. Some existing pavement will be removed and replaced with vegetation such that the project will decrease the existing impervious area.

Construction of the footings and micro piles to support the new superstructure will be conducted entirely outside of the resource area and may require dewatering. Dewatering discharges will be located away from the resource area and will be mitigated by filter bags at the end of hose that will be contained within an erosion and sediment control barrier enclosure to prevent sedimentation. The means and methods for dewatering will be determined by the contractor at the time of construction based on site specific conditions.

Sandbag cofferdams may be used for water handling or dewatering during placement of rip rap and natural streambed material and during patching of retaining walls so that the work may be done in the dry. Alternate methods of water handling or dewatering may be used by the contractor if approved by the engineer.

There will be no temporary access ways required for this project. Standard excavation equipment and cranes for placing the new superstructure and supports will be located within the existing right of way and inside erosion control barriers.

The existing roadway over the bridge will be closed to traffic so that construction access, equipment, stockpiling, staging and laydown will occur within the existing roadway. Standard erosion control measures such as silt fence with filter tubes or haybales will be located along the edges of the existing retaining walls such that no sediments will be allowed to get into the brook.

Section 4. Wetland Impacts

The Inland Resource Areas impacted in this project include Land Under Water (LUW)/Water of the U.S.(WOTUS). This impact will be 206 square feet (SF) and is shown on the attached Permit Plans.

Table 1 Summary of LUW / WOTUS Impacts

		LUW / WOTUS (SF)	
Location		Temporary	Permanent
Mid Stream	Upstream Rip Rap and Natural Streambed Material	0	206
	TOTAL	0	206

The impact is the minimum area required to provide a scour countermeasure to protect the structures. Streambed material may be removed to a depth of two feet below the LUW / WOTUS impact area for a total dredge volume of 412 cubic feet or 15.26 cubic yards. Rip

rap will be placed at the bottom of the excavation and natural streambed material will be placed on top of the rip rap as shown on the plans and indicated in the specifications.

No mitigation is proposed as the project is not proposing to impact vegetated wetlands.

There is no FEMA designated floodway in the project area.

Section 5. Erosion and Sedimentation Control

Construction of the footings and micro piles to support the new superstructure will be conducted entirely outside of the resource area and may require dewatering. Dewatering discharges will be located away from the resource area and will be mitigated by filter bags at the end of hose that will be contained within an erosion and sediment control barrier enclosure to prevent sedimentation. The means and methods for dewatering will be determined by the contractor at the time of construction based on site specific conditions.

Sandbag cofferdams may be used for water handling or dewatering during placement of rip rap and natural streambed material and during patching of retaining walls so that the work may be done in the dry. Alternate methods of water handling or dewatering may be used by the contractor if approved by the engineer.

The proposed erosion and sedimentation controls to be implemented during construction consist of standard erosion control measures such as silt fence and compost filter tubes or similar placed along the edge of the resource area.

Section 6. Dewatering

During construction the temporary water handling will be done using sandbag cofferdams as shown on the plans. Flow will be maintained throughout the construction period. The temporary water handling stages are evaluated using a hydraulic model to verify there are no adverse impacts to the properties. If unsuitable materials are encountered during construction sandbag cofferdams may be used to control in stream flows.

Construction of the footings and micro piles to support the new superstructure will be conducted entirely outside of the resource area and may require dewatering. Dewatering discharges will be located away from the resource area and will be mitigated by filter bags at the end of hose that will be contained within an erosion and sediment control barrier enclosure to prevent sedimentation. The means and methods for dewatering will be determined by the contractor at the time of construction based on site specific conditions.

Section 7. Stormwater

Existing stormwater management at the bridge consists of traditional closed drainage systems in Church Street and North Street where there are curbs and sidewalks. Country drainage exists adjacent to the bridge and along Highland Ave., where there are not existing curbs and sidewalks. The proposed stormwater management will maintain the existing closed drainage and add deep sumps to existing catch basins. The project will

reduce runoff and improve water quality by reducing the existing impervious area as much as possible and replace existing pavement with vegetated surfaces. The MassDEP Stormwater Standards will be met to the maximum extent practicable. Each of the ten standards is addressed in the MassDOT Stormwater Management Memo for Bridges attached to this application in Appendix C.

Section 8. Alternatives Analysis

Weston & Sampson completed an alternatives analysis for Church Street Bridge Transportation Improvements project in the Town of Erving, Massachusetts. The following information is presented below:

SUMMARY OF ALTERNATIVES CONSIDERED FOR THE PROJECT

The development of the proposed plan took into account the following alternatives:

- No action alternative.
- 32 Foot Span Precast Concrete Three-Sided Frame on Precast Footings
- Precast Concrete Three-Sided Arch on Precast Footings
- Precast Concrete Box Culvert.

No Action Alternative

The no action alternative was reviewed during the initial stages of the project development. This alternative would leave the bridge in poor condition forcing the closure of Church Street to through traffic. Stormwater collection would not meet current development standards.

32 Foot Span Precast Concrete Three-Sided Frame on Precast Footings

- Clear span of 32'-0"
- Five 6'-0" wide adjacent precast three-sided frames with two varying frames on the south side frames, totaling to 46'-9.25" on the east side and 42'-6" on the west side out-to-out.
- The top slab of the three-sided frame is anticipated to be 14" deep.
- The proposed low chord is at approximately as the same height at the existing low chord.
- Highest possible low chord, and since the existing abutment is partially cutdown this structure has the largest hydraulic opening.
- Existing abutments will be cut-down approximately 2'-0" to span the frames over and bear behind the existing abutments.
- The proposed location of the structure's footing will not influence the existing stone masonry abutment foundations
- Environmental impacts are limited to the placement of scour countermeasures upstream of the bridge. This impact would be the same for the three sided arch described below and would be less than the box culvert which would require demolition and excavation in the channel beneath the bridge.

Precast Concrete Three-Sided Arch on Precast Footings

- Clear span of 32'-0"
- Five 6'-0" wide adjacent precast three-sided frames with two varying frames on the south side frames, totaling to 46'-9.25" on the east side and 42'-6" on the west side out-to-out.
- The top slab of the three-sided arch frame varies with an anticipated minimum thickness of 12" deep at the center.
- The proposed low chord is at approximately as the same height at the existing low chord.
- Since the arch is vertically curved, it provides the smallest hydraulic opening since the structure gets shorter at its ends.
- Existing abutments will be cut-down approximately 4'-0" to span the frames over and bear behind the existing abutments.
- Environmental impacts are limited to the placement of scour countermeasures upstream of the bridge. This impact would be the same for the three sided frame described above and would be less than the box culvert which would require demolition and excavation in the channel beneath the bridge.

Precast Concrete Box Culvert.

- Span length of 16'-0"
- Five 6'-0" wide adjacent precast box culverts with two varying frames on the south side frames, totaling to 46'-9.25" on the east side and 41'-6" on the west side out-to-out.
- The top slab of the box culvert is anticipated to be 14" deep.
- The proposed low chord is at approximately as the same height at the existing low chord.
- Highest possible low chord, with a large hydraulic opening.
- The existing substructure will need to be completely demolished in order to install box culvert.
- Will require additional impacts and is not the preferred construction according to the Massachusetts Stream Crossing Handbook published by the Department of Fish and Game.
- Will required by-pass pumping or a water diversion pipe.
- Environmental impacts include the placement of scour countermeasures upstream of the bridge and demolition and excavation beneath the bridge This impact would be greater than the three sided frame and arch options described above.

Precast Concrete Three-Sided Frame with the 32' span is recommended for this bridge site, as it has a shallow superstructure, allows for construction to occur outside of the brook, and provides the largest hydraulic opening for this site.

- The precast frame structure provides a sleek finished product that requires less maintenance and limits joints/susceptible areas that are typically present on a conventional bridge.
- The precast frame can be placed over the existing abutments, limiting the substructure demolition and reducing impacts to the MEP.
- Precast units also allow for an expedited construction duration during the road closure period.
- The precast frame allows for all three bridge rails discussed in this report to be installed on it so it provides versatility and allows for the town to decide what the finished product will look like.

Alternatives analysis of stormwater control measures and low impact development (LID) techniques were evaluated based on the existing physical constraints of the project area, and the measures of deep sump catch basins and impervious area reduction were implemented for the project area. Use of vegetated filtration and infiltration BMPs beyond the impervious area reduction provided are not practicable due to the limited land area available within the right of way and the necessity of maintaining existing structures for safe vehicular and pedestrian traffic.

Section 9. MA Stream Crossing Standards

Standard 1 TYPE OF CROSSING

The general span type proposed is a bridge which is the optimum type listed in the Standard. The project MEETS Standard 1.

Standard 2 EMBEDMENT

The embedment standard is not applicable since this standard applies to culverts and the proposed replacement is a bridge.

Standard 3 CROSSING SPAN

Bankfull width of Keyup Brook is equal to or greater than the 16-foot existing span of the bridge such that this project DOES NOT MEET Standard 3 for the 1.2 times bankfull width requirement of the Massachusetts Stream Crossing Standards. The project will maintain the existing continuity of the stream which is contained within retaining walls.

Standard 4 OPENNESS

The openness ratio of the proposed structure is approximately 4.24 feet which exceeds the optimum 1.64 feet given under Standard 4, so the project MEETS Standard 4.

Standard 5 SUBSTRATE

The natural streambed material used for this project will match the existing upstream and downstream substrates, so the project MEETS Standard 5.

Standard 6 WATER DEPTH AND VELOCITY

The water depths and velocities through the bridge are not comparable to those found in the natural channel so the project DOES NOT MEET Standard 6. Providing increased channel width through the bridge would require removing existing abutments and retaining walls that support existing roadways and adjacent property that is not considered practical.

Section 10. Fisheries and Wildlife

The Project does not lie within mapped Estimated or Priority habitat or in the vicinity of any certified or potential vernal pools.

The state and federal listed species or habitat was investigated through the NHESP mapping and the IPAC planning tool as shown in Attachment 5 of this document. Listed species consist of the Northern Long Eared Bat, the Monarch Butterfly, and Migratory Birds such as Bald and Golden Eagles. The project will not impact habitat of these listed species as there are no trees in the project area and the project is reducing impervious cover.

The project is not located in an Area of Critical Environmental Concern or Outstanding Resource Waters.

Keyup Brook is identified as a cold water fishery by the Massachusetts Division of Fisheries and Wildlife.

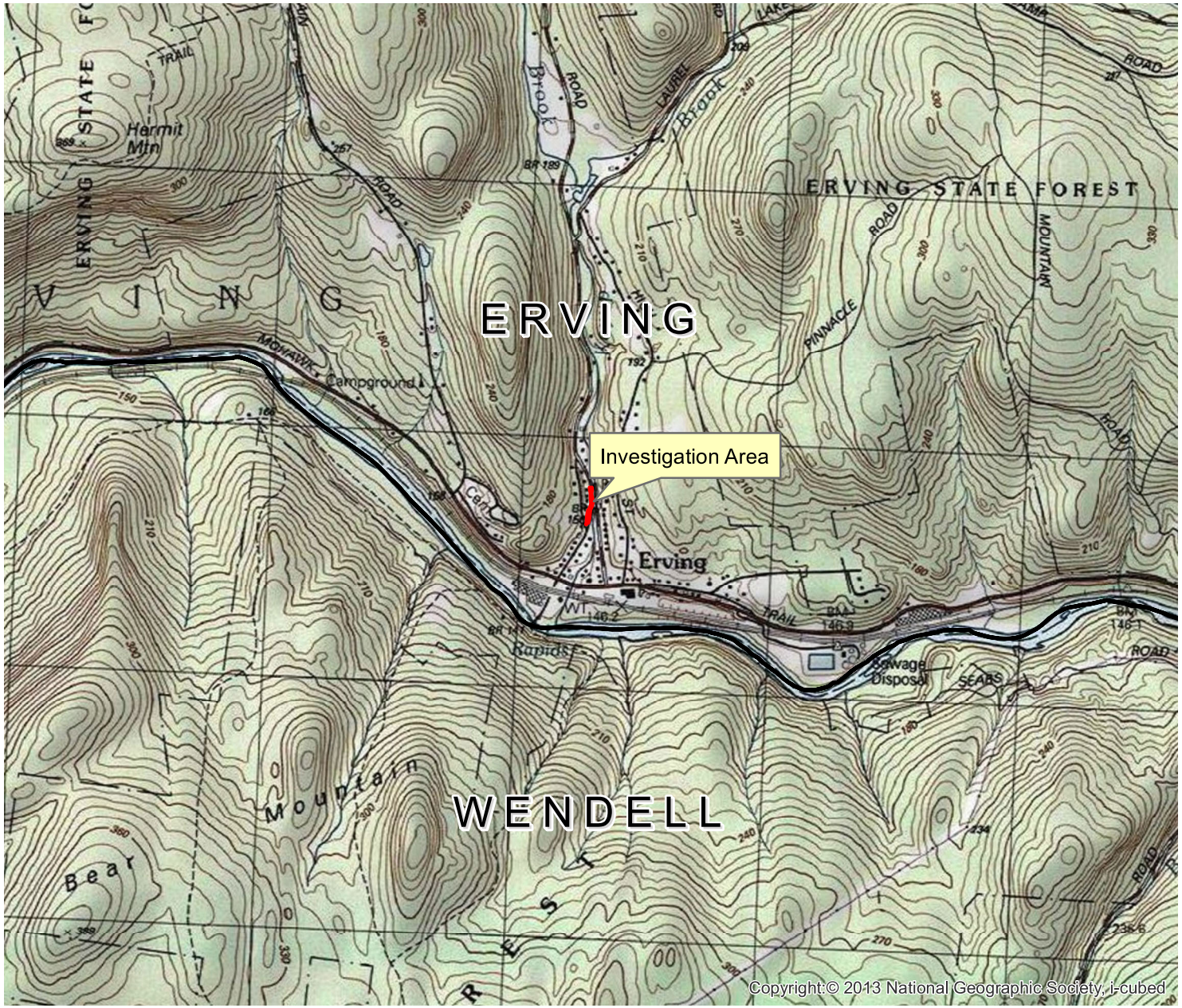
Conclusion

This project will replace an existing structurally deficient bridge by building a new structure that spans over existing stone masonry abutments essentially within the footprint of the existing structure. Existing stormwater management will be enhanced by removing some of the existing pavement adjacent to the bridge and replacing the pavement with a vegetated surface which will provide some increased infiltration of stormwater into the project area. An existing catch basin will be replaced with a 4-foot sump to meet the current standards for water quality. Some natural streambed material will be placed in the stream immediately upstream of the structure to act as a bridge scour countermeasure. The current MassDEP Stormwater Standards and Stream Crossing Standards will be met to the Maximum Extent Practicable (MEP).

The applicant respectfully requests that MassDEP and the United States Army Corps of Engineers find these measures adequately protective of the interests identified in the 401 Water Quality Regulations and 404 Massachusetts General Permits and issue a Water Quality Certificate and 404 Authorization approving the work shown on the accompanying plan set.

ATTACHMENT 1

USGS LOCUS MAP



N
W E
S

1 0 1 0 0 0
Feet

Data Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs

Legend

MA Towns

FIGURE 2

Church Street
Erving, MA

Locus Map
Map

Weston & Sampson

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ATTACHMENT 2

AERIAL LOCUS MAP

CHURCH STREET BRIDGE

2021 Aerial Imagery
Property Tax Parcels

ATTACHMENT 3

NRCS SOIL SURVEY

Hydrologic Soil Group—Franklin County, Massachusetts
(Church Street Bridge)

Map Scale: 1:343 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 5 10 20 30

Feet
0 15 30 60 90

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Lines
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Soil Rating Points
- A
- A/D
- B
- B/D
- C
- C/D
- D
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Franklin County, Massachusetts
Survey Area Data: Version 18, Sep 12, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 15, 2020—Oct 31, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

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Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
245B	Hinckley loamy sand, 3 to 8 percent slopes	A	0.5	100.0%
Totals for Area of Interest			**0.5**	**100.0%**

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

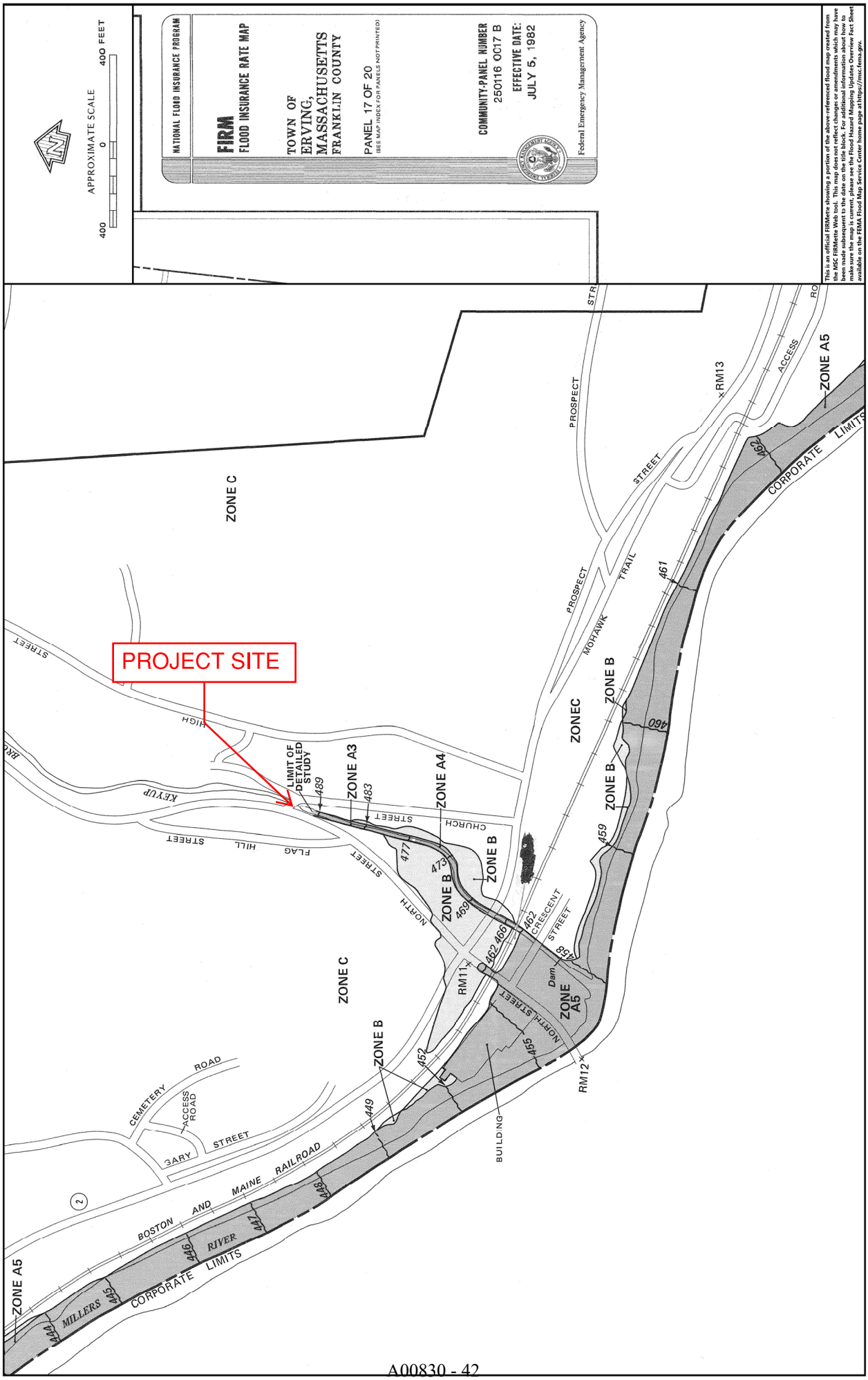
Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

ATTACHMENT 4

FEMA MAP


NATIONAL FLOOD INSURANCE PROGRAM
FIRM
FLOOD INSURANCE RATE MAP
TOWN OF ERVING, MASSACHUSETTS
FRANKLIN COUNTY
PANEL 17 OF 20
(SEE MAP INDEX FOR PANELS NOT PRINTED)
COMMUNITY-PANEL NUMBER
250116 0017 B
EFFECTIVE DATE:
JULY 5, 1982
Federal Emergency Management Agency
APPROXIMATE SCALE
400 0 400 FEET
PROJECT SITE
ZONE A5
ZONE B
ZONE C
ZONE A3
ZONE A4
ZONEC
LIMIT OF DETAILED STUDY
CORPORATE LIMITS
PROSPECT STREET
MOHAWK TRAIL
CHURCH STREET
NORTH STREET
CRESCENT STREET
HILL STREET
FLAG
HIGH
KEYUP
CEMETERY ROAD
ACCESS ROAD
BOSTON AND MAINE RAILROAD
MILLERS RIVER
BUILDING
Dam
RM11
RM12
RM13
489
483
477
473
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462
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452
449
448
447
446
445
444
461
460
457

ATTACHMENT 5

SECTION 7 NLEB DOCUMENTATION

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: February 23, 2024
Project code: 2024-0023184
Project Name: 612982 - ERVING- BRIDGE REPLACEMENT, E-10-011, CHURCH STREET OVER KEYUP BROOK

Subject: Concurrence verification letter for the '612982 - ERVING- BRIDGE REPLACEMENT, E-10-011, CHURCH STREET OVER KEYUP BROOK' project under the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (NLEB).

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated February 23, 2024 to verify that the **612982 - ERVING- BRIDGE REPLACEMENT, E-10-011, CHURCH STREET OVER KEYUP BROOK** (Proposed Action) may rely on the concurrence provided in the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures. **At least one of the qualification interview questions indicated an activity or portion of your project is consistent with a not likely to adversely affect determination therefore, the overall determination for your project is, may affect, and is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the endangered northern long-eared bat (*Myotis septentrionalis*)**. Consultation with the Service pursuant to section 7(a)(2) of ESA (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) is required.

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed

Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities: If your initial bridge/culvert or structure assessment documented signs of bat use or occupancy, or an assessment failed to detect Indiana bats and/or NLEBs, yet are later detected prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office within 2 working days of any potential take. In these instances, potential incidental take of Indiana bats and/or NLEBs is covered under the Incidental Take Statement in the 2018 FHWA, FRA, FTA PBO (provided that the take is reported to the Service).

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:
If your initial bridge/culvert or structure assessments failed to detect Indiana bats and/or NLEB use or occupancy, yet bats are later detected prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office within 2 working days of the incident. In these instances, potential incidental take of Indiana bats and/or NLEBs may be exempted provided that the take is reported to the Service.

If the Proposed Action may affect any other federally-listed or proposed species, and/or any designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please contact this Service Office.

The following species may occur in your project area and **are not** covered by this determination:

- Monarch Butterfly *Danaus plexippus* Candidate

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

NAME

612982 - ERVING- BRIDGE REPLACEMENT, E-10-011, CHURCH STREET OVER KEYUP BROOK

DESCRIPTION

612982 - ERVING- BRIDGE REPLACEMENT, E-10-011, CHURCH STREET OVER KEYUP BROOK

The principal project objective is to replace the existing bridge. The proposed structure will be a single span 3- sided precast frame structure that will be placed over the existing abutments; structure (approximately 16’ wide x 6’ deep). The channel bottom will remain as the original concrete slab which will protect the new structure from scour in peak flow events. The overall length of the proposed structure will be about 40 feet long on the west side and 46 feet 9 inches long on the east side.

Monarch Butterfly: Candidate Species only, no conservation measures at this time

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@42.6023603,-72.39958430596633,14z

DETERMINATION KEY RESULT

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the endangered northern long-eared bat, therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required. However, also based on your answers provided, this project may rely on the concurrence provided in the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

QUALIFICATION INTERVIEW

1. Is the project within the range of the Indiana bat[1]?

   [1] See Indiana bat species profile

   Automatically answered
   No

2. Is the project within the range of the northern long-eared bat[1]?

   [1] See northern long-eared bat species profile

   Automatically answered
   Yes

3. Which Federal Agency is the lead for the action?

   A) Federal Highway Administration (FHWA)

4. Are *all* project activities limited to non-construction[1] activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

   [1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

   No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces[1]?

   [1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

   No

6. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum[1]?

   [1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

   No

7. Is the project located **within** a karst area?

   No

8. Is there *any* suitable[1] summer habitat for Indiana Bat or NLEB **within** the project action area[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

   [1] See the Service's summer survey guidance for our current definitions of suitable habitat.

   [2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the User's Guide for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat.

   Yes

9. Will the project remove *any* suitable summer habitat[1] and/or remove/trim any existing trees **within** suitable summer habitat?

   [1] See the Service's summer survey guidance for our current definitions of suitable habitat.

   Yes

10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

    No

11. Have presence/probable absence (P/A) summer surveys[1][2] been conducted[3][4] **within** the suitable habitat located within your project action area?

    [1] See the Service's summer survey guidance for our current definitions of suitable habitat.

    [2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

    [3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

    [4] Negative presence/probable absence survey results obtained using the summer survey guidance are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

    Yes

    SUBMITTED DOCUMENTS

    - *612982_erving_nleb_survey_20231103.pdf https://ipac.ecosphere.fws.gov/project/GCJHB6EJMZD2VO4I4IFFAHGES4/projectDocuments/135488801*

12. Did the presence/probable absence (P/A) summer surveys detect Indiana bats and/or NLEB[1]?

    [1] P/A summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate home range) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

    No

13. Were the P/A summer surveys conducted **within** the fall swarming/spring emergence range of a documented Indiana bat hibernaculum[1]?

    [1] Contact the local Service Field Office for appropriate distance from hibernacula.

    No

14. Does the project include activities **within documented NLEB habitat**[1][2]?

    [1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

    [2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

    No

15. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors?

    Yes

16. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur?

    C) During both the active and inactive seasons

17. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces?

    Yes

18. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?

    No

19. Are *all* trees that are being removed clearly demarcated?

    Yes

20. Will the removal of habitat or the removal/trimming of trees involve the use of **temporary** lighting?

    Yes

21. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?

    No

22. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

    No

23. Does the project include slash pile burning?

    No

24. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

    Yes

25. Is there *any* suitable habitat[1] for Indiana bat or NLEB **within** 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

    [1] See the Service's current summer survey guidance for our current definitions of suitable habitat.

    Yes

26. Has a bridge assessment[1] been conducted **within** the last 24 months[2] to determine if the bridge is being used by bats?

    [1] See User Guide Appendix D for bridge/structure assessment guidance

    [2] Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that bridge/structure in subsequent years.

    Yes

    SUBMITTED DOCUMENTS

    - *612982_erving_nleb_survey_20231103.pdf https://ipac.ecosphere.fws.gov/project/GCJHB6EJMZD2VO4I4IFFAHGES4/projectDocuments/135488801*

27. Did the bridge assessment detect *any* signs of Indiana bats and/or NLEBs roosting in/under the bridge (bats, guano, etc.)[1]?

    [1] If bridge assessment detects signs of *any* species of bats, coordination with the local FWS office is needed to identify potential threatened or endangered bat species. Additional studies may be undertaken to try to identify which bat species may be utilizing the bridge prior to allowing *any* work to proceed.

    Note: There is a small chance bridge assessments for bat occupancy do not detect bats. Should a small number of bats be observed roosting on a bridge just prior to or during construction, such that take is likely to occur or does occur in the form of harassment, injury or death, the PBO requires the action agency to report the take. Report all unanticipated take within 2 working days of the incident to the USFWS. Construction activities may continue without delay provided the take is reported to the USFWS and is limited to 5 bats per project.

    No

28. Will the bridge removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

    No

29. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

    No

30. Will the project involve the use of *any* **temporary** lighting in addition to the lighting already indicated for habitat removal (including the removal or trimming of trees), or bridge/structure removal, replacement or maintenance activities?

    Yes

31. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **temporary** lighting (other than the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities) will be used?

    Yes

32. Will the project install new or replace existing **permanent** lighting?

    No

33. Does the project include percussives or other activities (**not including tree removal/ trimming or bridge/structure work**) that will increase noise levels above existing traffic/ background levels?

    Yes

34. Will the activities that use percussives (**not including tree removal/trimming or bridge/ structure work**) and/or increase noise levels above existing traffic/background levels be conducted *during* the active season[1]?

    [1] Coordinate with the local Service Field Office for appropriate dates.

    Yes

35. Will *any* activities that use percussives (**not including tree removal/trimming or bridge/ structure work**) and/or increase noise levels above existing traffic/background levels be conducted *during* the inactive season[1]?

    [1] Coordinate with the local Service Field Office for appropriate dates.

    Yes

36. Are *all* project activities that are **not associated with** habitat removal, tree removal/ trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives, limited to actions that DO NOT cause any additional stressors to the bat species?

    Examples: lining roadways, unlighted signage , rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

    Yes

37. Will the project raise the road profile **above the tree canopy**?

    No

38. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) consistent with a Not Likely to Adversely Affect determination in this key?

    Automatically answered
    Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and conducted during the active season within undocumented habitat.

39. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) and/or increase noise levels above existing traffic/background levels consistent with a No Effect determination in this key?

    Automatically answered
    Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and conducted during the inactive season

40. Is the location of this project consistent with a Not Likely to Adversely Affect determination in this key?

    Automatically answered
    Yes, because no bats were detected during presence/probable absence surveys conducted during the summer survey season and outside of the fall swarming/spring emergence periods. Additionally, all activities were at least 0.5 miles from any hibernaculum.

41. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

    Automatically answered
    Yes, because the bridge has been assessed using the criteria documented in the BA and no signs of bats were detected

42. **General AMM 1**
    Will the project ensure *all* operators, employees, and contractors working in areas of known or presumed bat habitat are aware of *all* FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

    Yes

PROJECT QUESTIONNAIRE

1. Have you made a No Effect determination for *all* other species indicated on the FWS IPaC generated species list?

   N/A

2. Have you made a May Affect determination for *any* other species on the FWS IPaC generated species list?

   N/A

3. How many acres[1] of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

   [1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

   0.25

4. Please describe the proposed bridge work:

   This project replaces the current bridge built in 1940 with a new precast concrete three-sided rigid frame structure on new precast footings. The original bridge is a single span cast-in-place concrete slab on granite stone masonry walls faced with concrete. The current streambed is partially lined with a 4" thick reinforced concrete slab under the bridge. The existing concrete slab will be removed in its entirety and the existing granite stone masonry walls will be partially removed to allow the new precast footings and three-sided frame to be placed behind. The existing roadway consists of two 10-foot lanes with no shoulders and a 5 ft. sidewalk on the west side of the bridge. The new roadway will be widened to accommodate two 10-foot lanes, two 4-foot shoulders, and a 5-foot sidewalk on the west side of the bridge. There will also be full depth roadway replacement up to 73 feet south of the bridge and 32 feet north of the bridge.

5. Please state the timing of all proposed bridge work:

   The overhead utility relocation & tree trimming will take place from mid-January thru mid-April 2025. The bridge will be closed starting in April with the removal of the bridge completed by mid-May. The bulk of the work to install the new bridge will h

6. Please enter the date of the bridge assessment:

   June 2, 2023

AVOIDANCE AND MINIMIZATION MEASURES (AMMS)

This determination key result includes the committment to implement the following Avoidance and Minimization Measures (AMMs):

GENERAL AMM 1

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

DETERMINATION KEY DESCRIPTION: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING NLEB OR INDIANA BAT

This key was last updated in IPaC on October 30, 2023. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the endangered **northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects. The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

IPAC USER CONTACT INFORMATION

Agency: Massachusetts Department of Transportation
Name: Ian Battles
Address: 10 Park Plaza
City: Boston
State: MA
Zip: 02116
Email ian.h.battles@dot.state.ma.us
Phone: 8572623378

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration

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: October 03, 2023
Project Code: 2024-0000894
Project Name: Church Street Bridge Erving, MA

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 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: 2024-0000894
Project Name: Church Street Bridge Erving, MA
Project Type: Bridge - Replacement
Project Description: Bridge replacement
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@42.602180649999994,-72.39954194429237,14z

Counties: Franklin 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 Fisheries[1], 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 *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* 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: Erving town
Name: Conrad Nuthmann
Address: 427 Main Street Suite 400
City: Worcester
State: MA
Zip: 01608
Email nuthmann.conrad@wseinc.com
Phone: 7743890924

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Erving town
Name: Conrad Nuthmann
Email: Nuthmann.Conrad@wseinc.com

ATTACHMENT 6

SECTION 106 DOCUMENTATION

CULTURAL RESOURCES PROJECT RECORD

City/Town	Erving	Project #	612982	Date Cleared	11/07/2023
Project Name	Bridge Replacement, E-10-011, Church Street over Keyup Brook	Date Filed	11/07/2023	Finding Under Review	☐
		FHWA to MHC			
Project Type	Bridge Replacement	Early Coord. Letter Sent:	☑		
Review	Section 106 (PA)	Comment Received: ☐ MHC ☐ LHC		Reviewer	MA
Finding:	Stip VB - No historic properties affected			Consultant	
Comment	No PNF comments received from THPOs or BUAR.				

Determination based on: ☑ Scope of Work ☑ Plan ☑ Inventory ☑ Site Visit ☐ Archaeological Survey

Attach appropriate documentation for checked items

Projects Requiring No Massachusetts SHPO Review

Programmatic Agreement, Appendix 1 (check all that apply) :

☐ 1) Interstate bridge or roadway projects
☐ 2) Resurfacing, repair existing roadways
* ☐ 3) Reconstruction on existing roadway
* ☐ 4) Roadway geometrics, intersections
* ☐ 5) Curbs and sidewalks
☐ 6) Pavement markings, rumble strips, etc
☐ 7) Curbs, sidewalks (MAAB, ADA)
* ☐ 8) Removal of trees
☐ 9) Landscaping
☐ 10) Utilities
☐ 11) Railroad crossing
☐ 12) Stream stabilization and restoration
☐ 13) Wetland mitigation area
* ☐ 14) Bridge (NR "Not Eligible" or "Conditionally Not Eligible")
* ☐ 15) Bridge (concrete slab post 1900, steel stringer)
☐ 16) Bridge (less than 20' span)
* ☐ 17) Highway safety improvement
☐ 18) Drainage system element
* ☐ 19) Traffic signal, safety improvement
* ☐ 20) Intelligent Transportation System project
☐ 21) Rest area, maintenance facility
* ☐ 22) Bicycle, pedestrian lane, path or facility
☐ 23) Lighting system
☐ 24) Sign
☐ 25) Hazardous waste
☐ 26) Highway fencing
☐ 27) Emergency repair
☐ 28) Erosion control
☐ 29) Noise barrier

* National Register eligibility evaluation required

-OR-

No Historic Properties Affected
Programmatic Agreement Stipulation V.B. (check one):

☑ No NR listed or -eligible properties within Area of Potential Effect
☐ No effect on National Register listed or -eligible properties

Reviewer's Initials: MJA JMH

CULTURAL RESOURCES PROJECT RECORD

Summary of MassDOT Highway Division Finding
(Appendix 1 and Section V.B. Projects only)

MassDOT proposes to replace Bridge E-10-011 in Erving, which carries Church Street over the Keyup Brook and provides access between Church and North streets. The bridge is in a village setting, surrounded by residential properties. Keyup Brook, within and adjacent to the project area, is lined by stone and concrete retaining walls and the ground of the brook beneath the bridge is faced in a 4-in-thick concrete slab. A timber run-of-river dam is approximately 10-ft upstream of the bridge, is outside of the project area, and will not be impacted by the proposed work.

The proposed work consists of removing and replacing the existing concrete bridge superstructure. This type of bridge replacement allows for limited substructure demolition and construction to occur outside of the brook. The bridge superstructure will be replaced with a 32-ft-span precast-concrete three-sided frame. The new superstructure will span over the existing fieldstone abutments, which will remain in place to maintain the existing channel of Keyup Brook and provide scour protection. New concrete footings supporting the superstructure will be placed behind the existing abutments, requiring the existing abutments to be shortened by approximately 2-ft in height. Wingwalls will remain in place and unaltered. Railing designs are pending but will consist of either MassDOT standard designed cast-in-place concrete parapet railings with formliner design; cast-in-place bridge railings with openings; or steel bridge rails.

The bridge was constructed in 1922 to replace a 19th century wood bridge in the same location. It consists of a single-span cast-in-place reinforced concrete superstructure supported by fieldstone abutments faced in concrete. The bridge has concrete parapets with rough-faced panels on the side elevations and corner posts. The bridge has a span length of 16 ft, a width of 33 ft, and is 3.5-ft above Keyup Brook. The bridge has an asphalt road surface and carries two 12.2 ft-wide travel lanes in north and south directions, although it is presently restricted to one lane of travel southbound. A 4-ft sidewalk is along the west side of the bridge deck and an 8-in curb on the east side of the bridge deck.

A review of MACRIS revealed no National Register (NR)-listed or eligible districts or individual properties adjacent to Bridge E-10-011 or within the project's area of potential effect (APE). The review of MACRIS revealed one previously inventoried area, Erving Center (ERV.B), to the west and south of the project's APE. Based on this MACRIS review and review of the project area during a site visit on October 30, 2023, by MassDOT, there are no NR-eligible properties or districts within or adjacent to the project APE. The Erving Center area does not retain sufficient integrity to qualify for listing due to infill construction, demolition, and alterations and removal of character-defining elements to many buildings within the area. The bridge is not inventoried in MACRIS. It was reviewed by Kurt Jergensen, MassDOT Historic Bridge Specialist, and it was determined to be ineligible for listing in the NR. The bridge is a standard design, lacking significant engineering and architectural features, and any known historical significance.

A review of the MHC's archaeological maps in MACRIS revealed no recorded sites in the vicinity of the project area. It is the opinion of MassDOT Archaeologist, Jameson Harwood, that low sensitivity can be ascribed to the project's area of potential effect based on past roadway and bridge construction. The proposed work, including the bridge construction and road work, will be confined to the existing bridge alignment and roadway footprint, as well as disturbed areas adjacent to roadway.

A letter was sent on November 7, 2023, to the Erving Historical Commission by MassDOT and a copy was forwarded to the MHC at the same time. Response from the historical commission is pending. Per the Army Corps permit, PNFs were forwarded to the ATHPO, MTHPO, NTHPO, and BUAR on November 7, 2023. Bridge projects cleared in-house under 106 are exempt from SHPO notification per 2013 Corps letter, therefore no PNF was submitted to the SHPO for this project.

Reviewer's Initials: _____

950 CMR: OFFICE OF THE SECRETARY OF THE COMMONWEALTH

APPENDIX A
MASSACHUSETTS HISTORICAL COMMISSION
220 MORRISSEY BOULEVARD
BOSTON, MASS. 02125
617-727-8470, FAX: 617-727-5128

PROJECT NOTIFICATION FORM

Project Name: Bridge Replacement, Bridge E-10-011 (MassDOT Project #612982)

Location /Address: Church Street over Keyup Brook

City/Town: Erving

Project Proponent

Name: Massachusetts Department of Transportation

Address: 10 Park Plaza

City/Town/Zip/Telephone: Boston, MA 02116

Agency license or funding for the project (list all licenses, permits, approvals, grants or other entitlements being sought from state and federal agencies).

Agency Name	Type of License or funding (specify)
FHWA	Federal funding/undertaking (lead federal agency)
U.S. Army Corps of Engineers	Section 404 Permit

Project Description (narrative):

MassDOT proposes to replace Bridge E-10-011 in Erving, which carries Church Street over the Keyup Brook and provides access between Church and North streets. The bridge is in a village setting, surrounded by residential properties. Keyup Brook, within and adjacent to the project area, is lined by stone and concrete retaining walls and the ground of the brook beneath the bridge is faced in 4-in-thick concrete. A timber run-of-river dam, approximately 10-ft upstream, is outside of and will not be impacted by the project.

The proposed work consists of removing and replacing the existing concrete bridge superstructure. This type of bridge replacement allows for limited substructure demolition and construction to occur outside of the brook. The bridge superstructure will be replaced with a 32-ft-span precast-concrete three-sided frame. The new superstructure will span over the existing fieldstone abutments, which will remain in place to maintain the existing channel of Keyup Brook and provide scour protection. New concrete footings supporting the superstructure will be placed behind the existing abutments, requiring the existing abutments to be shortened 2-ft in height. Wingwalls will remain in place and unaltered. Railing designs are pending but will consist of either MassDOT standard designed cast-in-place concrete parapet railings with formliner design; cast-in-place bridge railings with openings; or steel bridge rails. The new bridge will carry a travel lane in each direction, in addition to a sidewalk.

APPENDIX A (continued)

Does the project include demolition? If so, specify nature of demolition and describe the building(s) which are proposed for demolition.

Bridge E-10-011 will be removed and replaced. The bridge was constructed in 1922 to replace a 19th century wood bridge in the same location. It consists of a single-span cast-in-place reinforced concrete superstructure supported by fieldstone abutments faced in concrete. The bridge has concrete parapets with rough-faced panels on the side elevations and corner posts. The bridge has a span length of 16 ft, a width of 33 ft, and is 3.5-ft above Keyup Brook. The bridge has an asphalt road surface and carries two 12.2 ft-wide travel lanes in north and south directions, although it is presently restricted to one lane of travel southbound. A 4-ft sidewalk is along the west side of the bridge deck and an 8-in curb on the east side of the bridge deck.

The bridge was reviewed by Kurt Jergensen, MassDOT Historic Bridge Specialist, and it was determined to be ineligible for listing in the NR. The bridge is a standard design, lacking significant engineering and architectural features, and any known historical significance.

Does the project include rehabilitation of any existing buildings? If so, specify nature of rehabilitation and describe the building(s) which are proposed for rehabilitation.

N/A

Does the project include new construction? If so, describe (attach plans and elevations if necessary).

See plans

To the best of your knowledge, are any historic or archaeological properties known to exist within the project's area of potential impact? If so, specify.

A review of MACRIS revealed no National Register (NR)-listed or eligible districts or individual properties adjacent to Bridge E-10-011 or within the project's area of potential effect (APE). The review of MACRIS revealed one previously inventoried area, Erving Center (ERV.B), to the west and south of the project's APE. The Erving Center area does not retain sufficient integrity to qualify for listing due to infill construction, demolition, and alterations and removal of character-defining elements to many buildings within the area. Based on this MACRIS review and review of the project area during a site visit on October 30, 2023, by MassDOT CRU staff, there are no NR-eligible properties or districts within or adjacent to the project APE.

A review of the MHC's archaeological maps in MACRIS revealed no recorded sites in the vicinity of the project area. It is the opinion of the MassDOT Archaeologist that low sensitivity can be ascribed to the project's area of potential effect based on past roadway and bridge construction. The proposed work, including the bridge construction and road work, will be confined to the existing bridge alignment and roadway footprint, as well as disturbed areas adjacent to roadway.

What is the total acreage of the project area?

Woodland	_____	acres	Productive Resources:		
Wetland	_____	acres	Agriculture	_____	acres
Floodplain	_____	acres	Forestry	_____	acres
Open Space	_____	acres	Mining/Extraction	_____	acres

APPENDIX A (continued)

Developed _____ acres Total Project Acreage _____ acres

What is the acreage of the proposed new construction? N/A acres

What is the present land use of the project area?

The project is in a residential village setting. The bridge and road provide access to houses along Church and North streets, as well as access to Erving Center and Route 2A to the south. The project work will occur within the existing bridge and roadway footprint.

Please attach a copy of the section of the USGS quadrangle map which clearly marks the project location.

This Project Notification Form has been submitted to the MHC in compliance with 950 CMR 71.00.

Signature of person submitting this form: Melissa Andrade **Date:** 11/07/2023

Name: Melissa Andrade, Architectural Historian

Address: 10 Park Plaza, Suite 7130

City/Town/Zip: Boston, MA 02116

Telephone: Email: melissa.j.andrade@dot.state.ma.us

REGULATORY AUTHORITY

950 CMR 71.00: M.G.L. c. 9, §§ 26-27C as amended by St. 1988, c. 254.

CC

CC:

PROJECT LOCUS

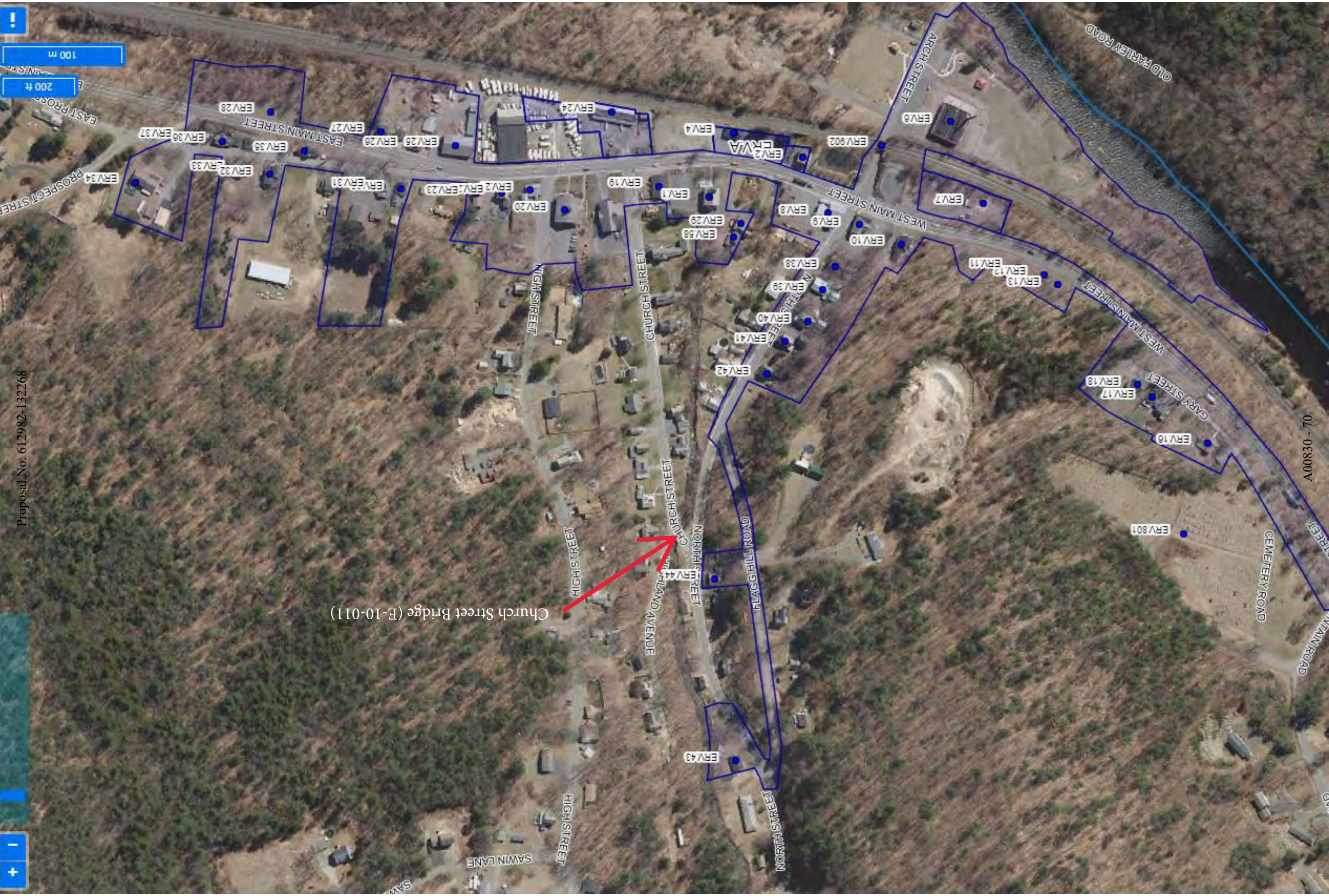
CHURCH STREET BRIDGE REPLACEMENT
ERVING, MASSACHUSETTS

2,000 0 2,000

Scale In Feet

Weston & Sampson

Path: P:\MA\Erving, MA\ENG21-0376 Church Street Bridge\Geotech\Plans\GIS\Figure 1: Project Locus.mxd User: ZanchiM Saved: 6/1/2021 7:20:09 PM Opened: 6/7/2021 6:12:16 PM



Proposal No. 612982-132268

A00830 - 70

CITY/TOWN	B.I.N.	BR. DEPT. NO.	8.-STRUCTURE NO.	INSPECTION DATE
ERVING	0PW	E-10-011	E10011-0PW-MUN-NBI	DEC 29, 2020

PHOTOS

Photo 1: West Elevation

Photo 2: East Elevation

CITY/TOWN	B.I.N.	BR. DEPT. NO.	8.-STRUCTURE NO.	INSPECTION DATE
ERVING	0PW	E-10-011	E10011-0PW-MUN-NBI	DEC 29, 2020

PHOTOS

Photo 3: South Approach "Advance" Posting - Near Route 2

Photo 4: North Approach "At Bridge" Posting

CITY/TOWN	B.I.N.	BR. DEPT. NO.	8.-STRUCTURE NO.	INSPECTION DATE
ERVING	0PW	E-10-011	E10011-0PW-MUN-NBI	DEC 29, 2020

PHOTOS

Photo 5: Wearing Surface with Crack Along South Abutment Line

Photo 6: East Edge of Underside of Deck, Spall with Exposed and Deteriorated Reinforcing

CITY/TOWN	B.I.N.	BR. DEPT. NO.	8.-STRUCTURE NO.	INSPECTION DATE
ERVING	0PW	E-10-011	E10011-0PW-MUN-NBI	DEC 29, 2020

PHOTOS

Photo 7: West Edge of Underside of Deck, Spall with Exposed Reinforcing

Photo 8: Underside of Deck near North Abutment, Spall and Void with Exposed Reinforcing

CITY/TOWN	B.I.N.	BR. DEPT. NO.	8.-STRUCTURE NO.	INSPECTION DATE
ERVING	0PW	E-10-011	E10011-0PW-MUN-NBI	DEC 29, 2020

PHOTOS

Photo 9: West Sidewalk and West Parapet Interior Face, Minor Chips to Sidewalk Edge

Photo 10: East Curb and East Parapet Interior Face, Curb Covered in Asphalt

CITY/TOWN	B.I.N.	BR. DEPT. NO.	8.-STRUCTURE NO.	INSPECTION DATE
ERVING	0PW	E-10-011	E10011-0PW-MUN-NBI	DEC 29, 2020

PHOTOS

Photo 11: North Abutment at the West Edge of the Bridge and Northwest Wingwall, Void in Base of Wall

Photo 12: Spall with Surrounding Hollow Area Lower North Abutment Breastwall Near Mid-Abutment

CITY/TOWN	B.I.N.	BR. DEPT. NO.	8.-STRUCTURE NO.	INSPECTION DATE
ERVING	0PW	E-10-011	E10011-0PW-MUN-NBI	DEC 29, 2020

PHOTOS

Photo 13: North Abutment, East End with Scoured Wall Base and Void up to 6 1/2" Deep

Photo 14: South Abutment near East Edge of Bridge, Settlement Crack and Scaled SE Wing

CITY/TOWN	B.I.N.	BR. DEPT. NO.	8.-STRUCTURE NO.	INSPECTION DATE
ERVING	0PW	E-10-011	E10011-0PW-MUN-NBI	DEC 29, 2020

PHOTOS

Photo 15: Scour Void Adjacent to the Northwest Wingwall

Photo 16: Looking Upstream to the East, Note Scour Abrasion Along the Lower Channel Walls

CITY/TOWN	B.I.N.	BR. DEPT. NO.	8.-STRUCTURE NO.	INSPECTION DATE
ERVING	0PW	E-10-011	E10011-0PW-MUN-NBI	DEC 29, 2020

PHOTOS

Photo 17: Concrete Floor Base Slab, Scour with Exposed Reinforcing

Photo 18: Northwest Supplementary Rail and Northwest Approach Rail, Impact Damage to Approach Rail

CITY/TOWN	B.I.N.	BR. DEPT. NO.	8.-STRUCTURE NO.	INSPECTION DATE
ERVING	0PW	E-10-011	E10011-0PW-MUN-NBI	DEC 29, 2020

PHOTOS

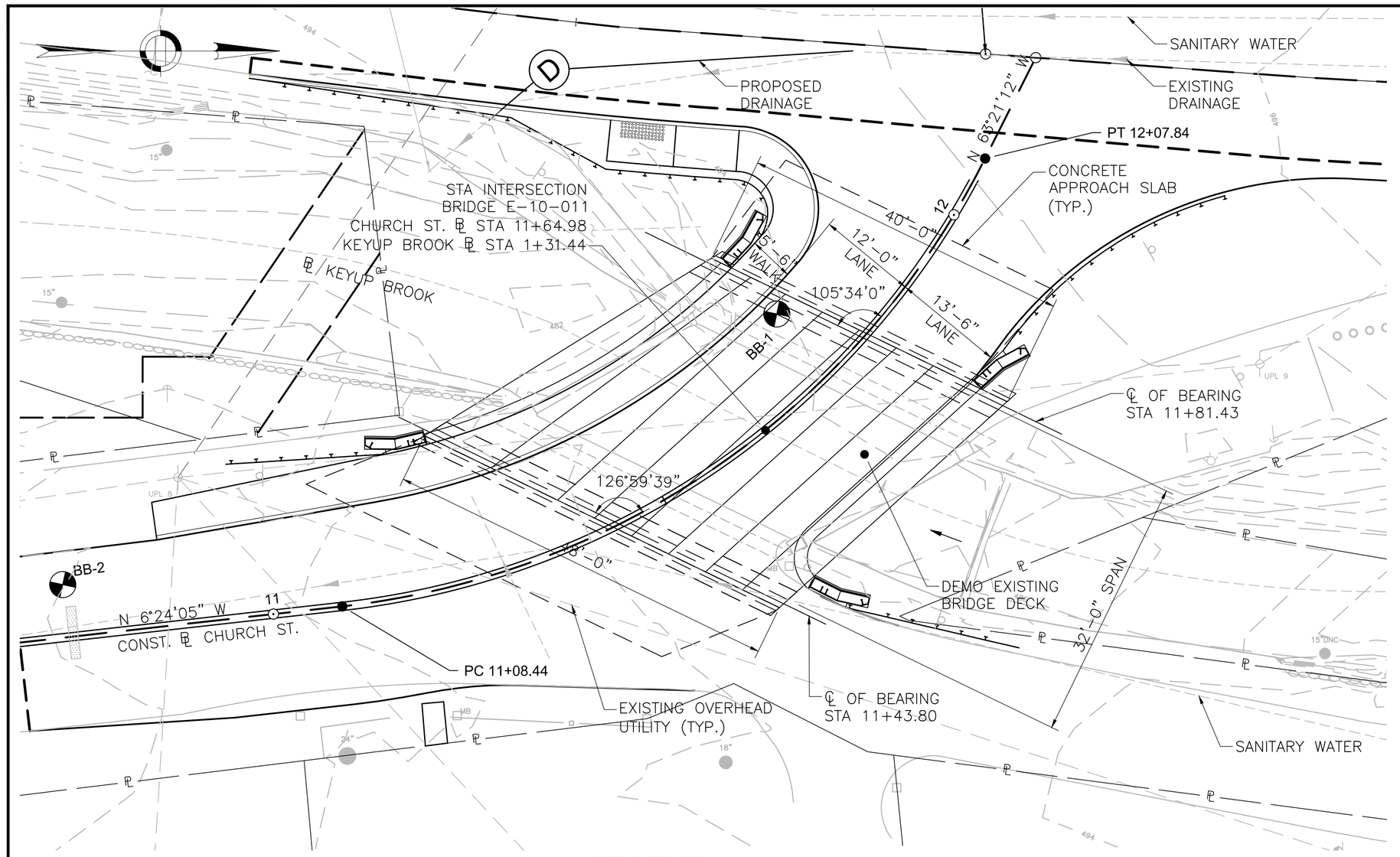
Photo 19: West Parapet and Northwest Approach Rail, Impact Damage to Approach Rail

Photo 20: Southeast Approach Rail with Damaged Spacer Block - No Transition or Stiffening

CITY/TOWN	B.I.N.	BR. DEPT. NO.	8.-STRUCTURE NO.	INSPECTION DATE
ERVING	0PW	E-10-011	E10011-0PW-MUN-NBI	DEC 29, 2020

PHOTOS

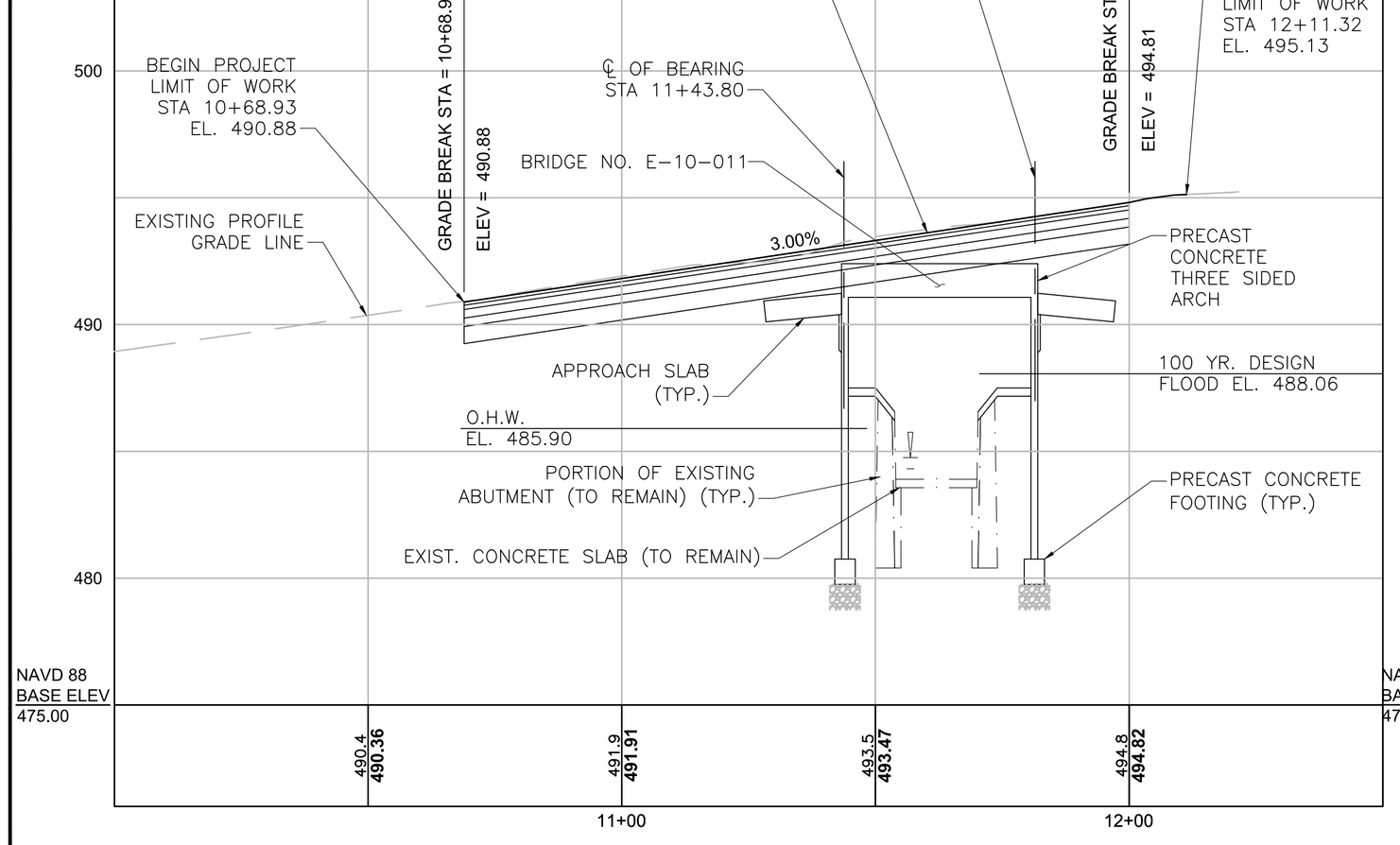
Photo 21: Leaning Southwest Approach Rail, Spalling along Concrete Wall and Missing Fasteners



KEY PLAN

SCALE: 1" = 10'

CURVE DATA	
T	54.24'
L	99.40'
R	100.00'
Δ	56° 57' 07"



PROFILE – CHURCH STREET

HORIZONTAL SCALE: 1" = 20'
VERTICAL SCALE: 1" = 4'

GENERAL NOTES

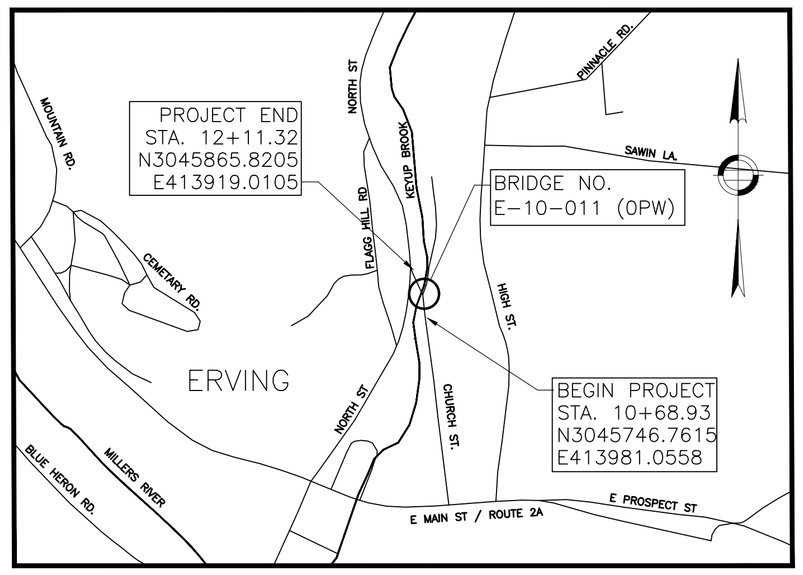
DESIGN:

1. IN ACCORDANCE WITH THE 2020 AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS LRFD BRIDGE DESIGN SPECIFICATIONS WITH CURRENT INTERIM SPECIFICATIONS, FOR HL-93 LOADING.

NOTES:

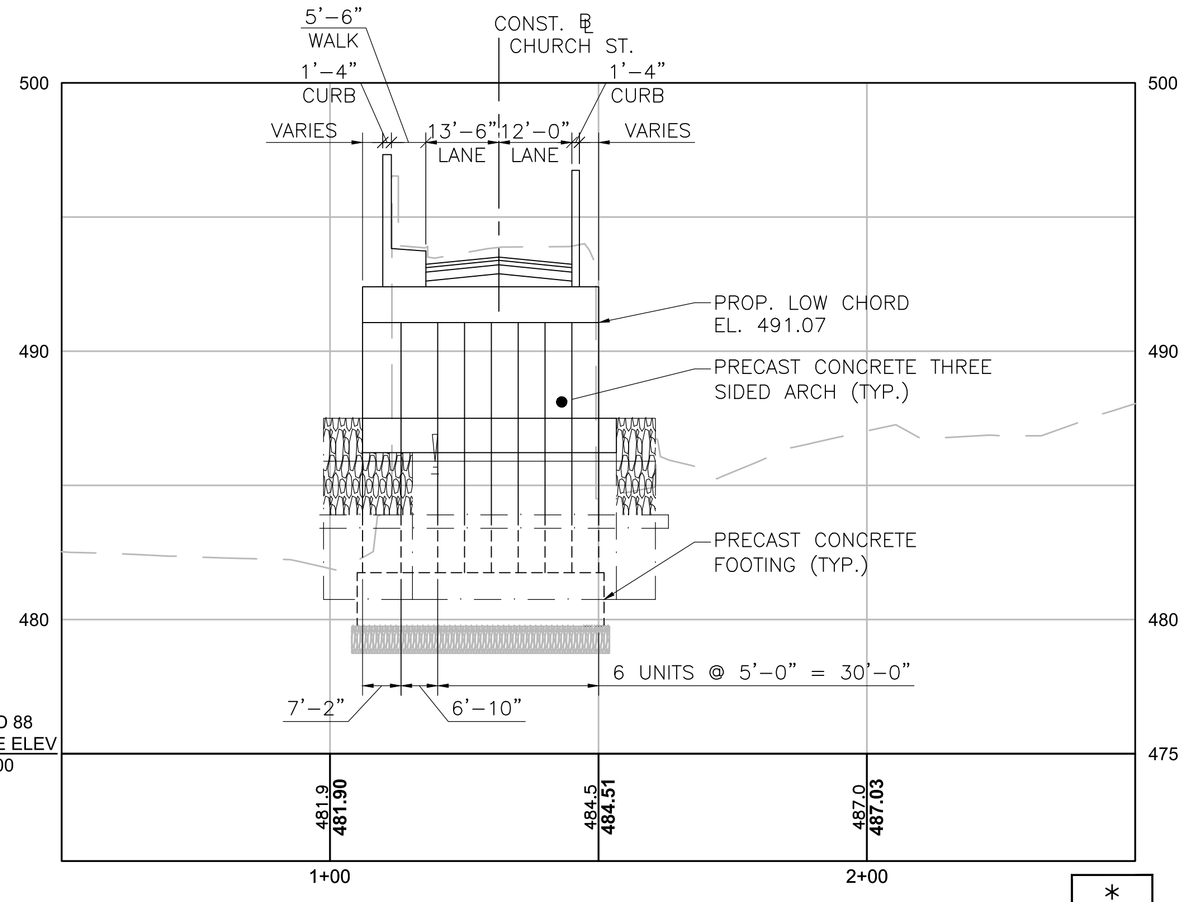
1. APPROVAL DOES NOT INCLUDE THE PROFILE GRADES WHICH ARE PRELIMINARY ONLY.
2. APPROVAL DOES NOT INCLUDE STRUCTURAL ANALYSIS.
3. DIMENSIONS OF STRUCTURAL MEMBERS ARE APPROXIMATE, AND WILL BE FINALIZED DURING THE FINAL DESIGN PHASE.

   SEE GEOTECHNICAL REPORT DATED, AUGUST 2021
4. NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988 IS USED THROUGHOUT.



LOCUS

SCALE: 1" = 500'



PROFILE – KEYUP BROOK

HORIZONTAL SCALE: 1" = 20'
VERTICAL SCALE: 1" = 4'

*
OPW ####

ERVING
CHURCH STREET

STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	#	####	#
PROJECT FILE NO.	######		

KEY PLAN, PROFILE AND LOCUS

PROJECT INFORMATION
PROJECT FILE NO.: ######
PROJECT DESCRIPTION: PROPOSED BRIDGE
BRIDGE DESIGN LOADING: HL-93
SURVEY: ELECTRONIC SURVEY BY WESTON & SAMPSON
ELEVATION REFERENCE: NAVD OF 1988
BENCH MARK: SEE BORING NOTES (SHEET X)

TRAFFIC DATA	ROADWAY OVER	ROADWAY UNDER
DESIGN YEAR	2031	N/A
AVERAGE DAILY TRAFFIC – PRESENT	1113	N/A
AVERAGE DAILY TRAFFIC – DESIGN YEAR	1247	N/A
DESIGN HOURLY VOLUME	145	N/A
DIRECTIONAL DISTRIBUTION	51%	N/A
TRUCK PERCENTAGE – AVERAGE DAY	3.8%	N/A
TRUCK PERCENTAGE – PEAK HOUR	8.6%	N/A
DESIGN SPEED	25 MPH	N/A
DIRECTIONAL DESIGN HOURLY VOLUME	74	N/A

HYDRAULIC DESIGN DATA	
DRAINAGE AREA (SQ. MILES)	7.1
DESIGN FLOOD DISCHARGE (C.F.S.)	851
DESIGN FLOOD FREQUENCY (YEARS)	25
DESIGN FLOOD VELOCITY (F.P.S.)	16.03
DESIGN FLOOD ELEVATION (FEET, NAVD)	487.19
BASE (100-YEAR) FLOOD DATA	
BASE FLOOD DISCHARGE (C.F.S.)	1260
BASE FLOOD ELEVATION (FEET, NAVD)	488.06
DESIGN AND CHECK SCOUR DATA	
DESIGN SCOUR FLOOD EVENT RETURN FREQUENCY (YEARS)	N/A
DESIGN FLOOD ABUTMENT SCOUR DEPTH (FEET)	N/A
DESIGN FLOOD PIER SCOUR DEPTH (FEET)	N/A
CHECK SCOUR FLOOD EVENT RETURN FREQUENCY (YEARS)	N/A
CHECK FLOOD ABUTMENT SCOUR DEPTH (FEET)	N/A
CHECK FLOOD PIER SCOUR DEPTH (FEET)	N/A
FLOOD OF RECORD	
DISCHARGE (C.F.S.)	N/A
FREQUENCY (IF KNOWN, YEARS)	N/A
MAXIMUM ELEVATION (FEET, NAVD)	N/A
DATE (MM/YYYY)	N/A
HISTORY OF ICE FLOES	N/A
EVIDENCE OF SCOUR AND EROSION	N/A
SEISMIC DESIGN CRITERIA	
DESIGN RETURN PERIOD:	1000 YRS
DESIGN SPECTRA	
As	0.072g
SDs	0.216g
SD1	0.070g
SITE CLASS	C
SEISMIC DESIGN CATEGORY (SDC)	D

9/30/2022	ISSUED FOR CONSTRUCTION

MassDOT Massachusetts Department of Transportation Highway Division

PROPOSED SUPERSTRUCTURE REPLACEMENT
ERVING
CHURCH STREET
OVER KEYUP BROOK

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION
10 PARK PLAZA BOSTON, MASS

STATE BRIDGE ENGINEER

CHIEF ENGINEER

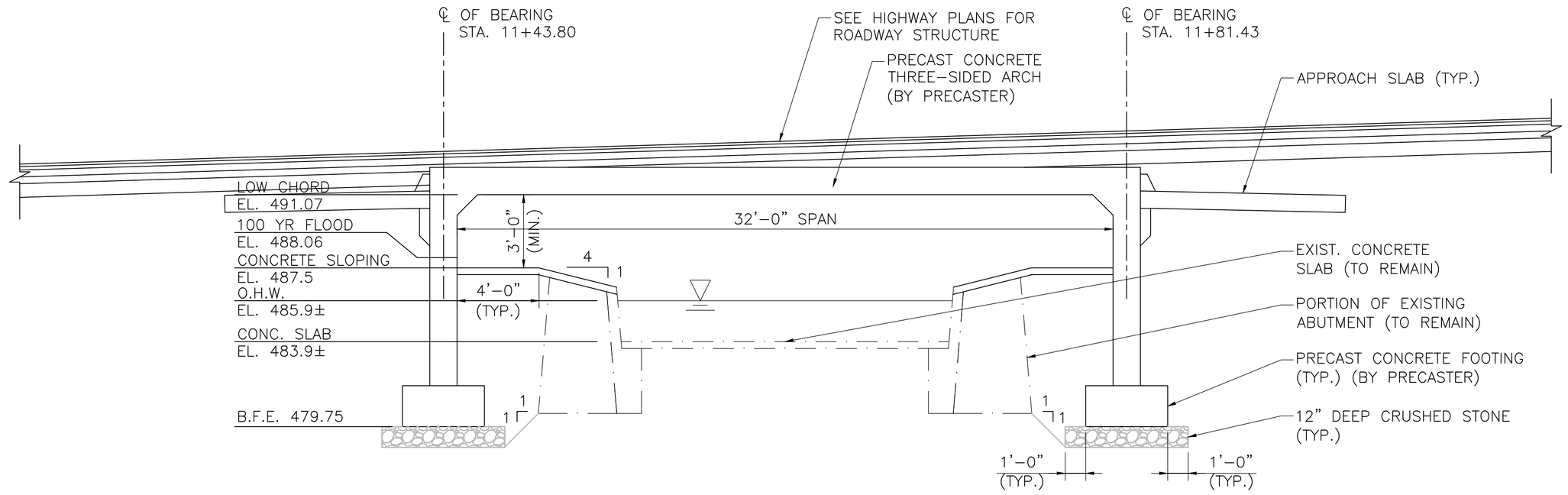
SHEET # OF # BRIDGE NO. E-10-011 (OPW) (*)

BR1(E10011).DWG Plotted on 22-Dec-2022 9:43 AM
Proposal No. 612362-132288
A00830 82

ERVING
CHURCH STREET

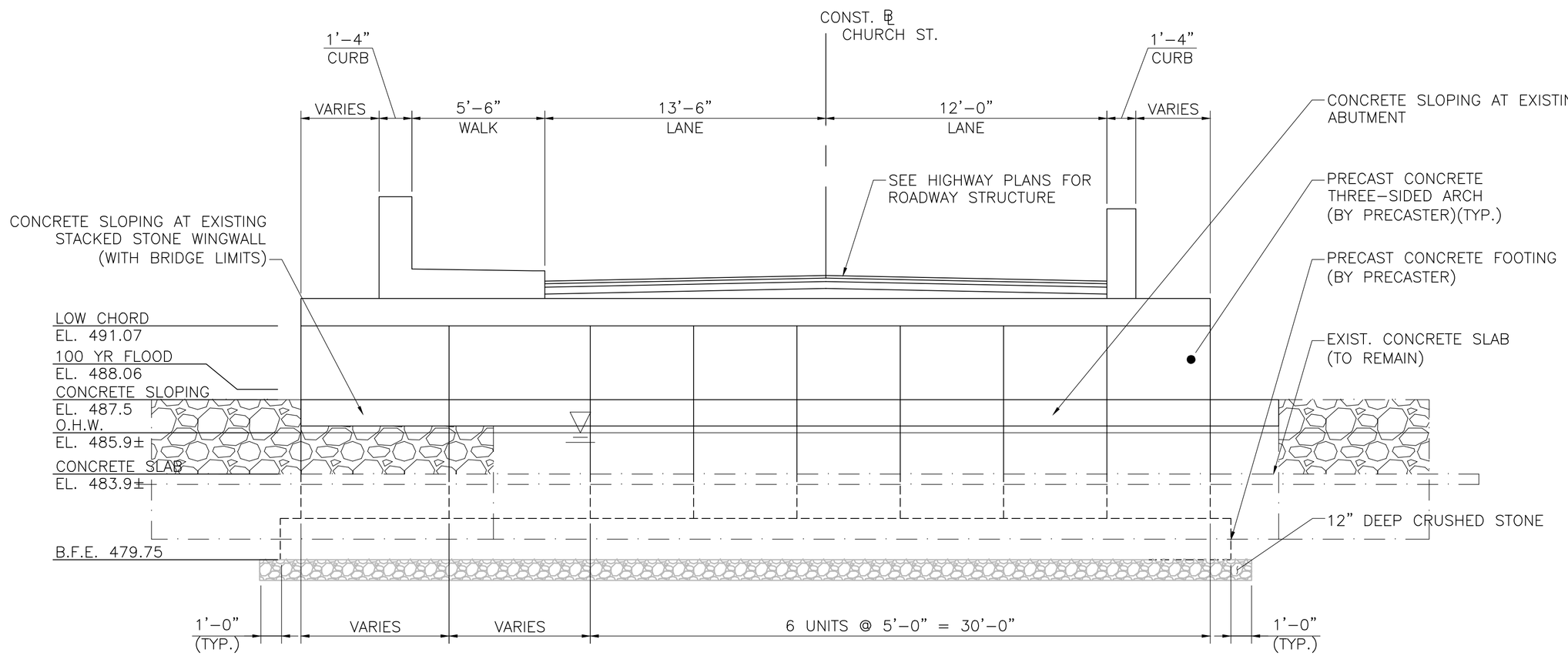
STATE	FED. AID PROJ. NO.	SHEET NO.	TOTAL SHEETS
MA	#	####	#
PROJECT FILE NO.		######	

BRIDGE DETAIL VIEWS



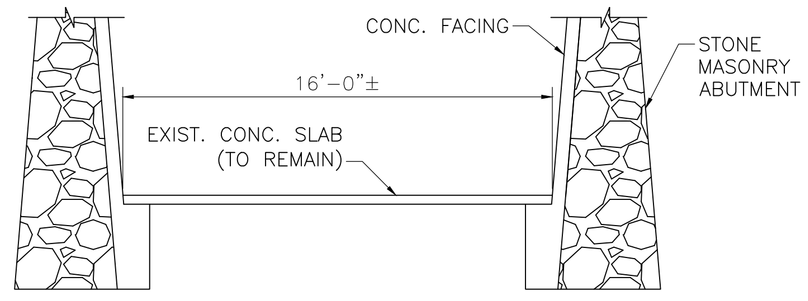
LONGITUDINAL SECTION

SCALE: 1" = 4'



TRANSVERSE SECTION

SCALE: 1" = 4'



CHANNEL SECTION

SCALE: 1" = 4'

BR3(E10011).DWG Plotted on 22-Dec-2022 9:43 AM
Proposal No. 612982-132268
A00830 - 83

From:	Microsoft Outlook
To:	Robinson, David S (EEA)
Subject:	Delivered: MassDOT Project #612982 - E-10-011 Replacement, Erving
Date:	Tuesday, November 7, 2023 11:26:07 AM
Attachments:	MassDOT Project #612982 - E-10-011 Replacement Erving.msg

Your message has been delivered to the following recipients:
Robinson, David S (EEA) (David.S.Robinson@mass.gov) <mailto:David.S.Robinson@mass.gov>
Subject: MassDOT Project #612982 - E-10-011 Replacement, Erving

From: Andrade, Melissa J. (DOT)
To: Robinson, David S (EEA)
Subject: MassDOT Project #612982 - E-10-011 Replacement, Erving
Date: Tuesday, November 7, 2023 11:25:00 AM
Attachments: 20231107 E-10-011 Erving PNF and Attachments (612982).pdf
20231107 E-10-011 Erving PNF Plans (612982).pdf

Dear Mr. Robinson,

MassDOT is submitting the enclosed project information for the above-referenced project to the BUAR to meet the Section 106 consultation requirements of the FHWA (lead federal agency) and the US Army Corps of Engineers. Please submit any written comments or concerns regarding historic or archaeological properties that may be affected by this project to Carrie Lavallee, P.E., Chief Engineer, Massachusetts Department of Transportation, 10 Park Plaza, Boston, MA 02116-3973, Attn: Jameson Harwood.

You also may send comments, questions, or requests for more information by email to Jameson.Harwood@state.ma.us.

Thank you,
Melissa

Melissa Andrade, Architectural Historian
Environmental Services
MassDOT – Highway Division
10 Park Plaza
Boston, MA 02116

From: Microsoft Outlook
To: thpo@wampanoagtribe-nsn.gov; tcrm2@wampanoagtribe-nsn.gov
Subject: Relayed: MassDOT Project #612982 - E-10-011 Replacement, Erving
Date: Tuesday, November 7, 2023 11:27:24 AM
Attachments: MassDOT Project #612982 - E-10-011 Replacement Erving.msg

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Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
thpo@wampanoagtribe-nsn.gov (thpo@wampanoagtribe-nsn.gov) <mailto:thpo@wampanoagtribe-nsn.gov>
tcrm2@wampanoagtribe-nsn.gov (tcrm2@wampanoagtribe-nsn.gov) <mailto:tcrm2@wampanoagtribe-nsn.gov>
Subject: MassDOT Project #612982 - E-10-011 Replacement, Erving

From:	Andrade, Melissa J. (DOT)
To:	thpo@wampanoagtribe-nsn.gov
Cc:	tcrm2@wampanoagtribe-nsn.gov
Subject:	MassDOT Project #612982 - E-10-011 Replacement, Erving
Date:	Tuesday, November 7, 2023 11:27:00 AM
Attachments:	20231107 E-10-011 Erving PNF and Attachments (612982).pdf 20231107 E-10-011 Erving PNF Plans (612982).pdf

Dear Ms. Washington,

MassDOT is submitting the enclosed project information for the above-referenced project to the Tribal Historic Preservation Officer to meet the Section 106 consultation requirements of the FHWA (lead federal agency) and the US Army Corps of Engineers. Please submit any written comments or concerns regarding historic or archaeological properties that may be affected by this project to Carrie Lavallee, P.E., Chief Engineer, Massachusetts Department of Transportation, 10 Park Plaza, Boston, MA 02116-3973, Attn: Jameson Harwood.

You also may send comments, questions, or requests for more information by email to Jameson.Harwood@state.ma.us.

Thank you,
Melissa

Melissa Andrade, Architectural Historian
Environmental Services
MassDOT – Highway Division
10 Park Plaza
Boston, MA 02116

From: Microsoft Outlook
To: 106review@mwtribe-nsn.gov; David.weeden@mwtribe-nsn.gov
Subject: Relayed: MassDOT Project #612982 - E-10-011 Replacement, Erving
Date: Tuesday, November 7, 2023 11:27:31 AM
Attachments: MassDOT Project #612982 - E-10-011 Replacement Erving.msg

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Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
106review@mwtribe-nsn.gov (106review@mwtribe-nsn.gov) <mailto:106review@mwtribe-nsn.gov>
David.weeden@mwtribe-nsn.gov (David.weeden@mwtribe-nsn.gov) <mailto:David.weeden@mwtribe-nsn.gov>
Subject: MassDOT Project #612982 - E-10-011 Replacement, Erving

From:	Andrade, Melissa J. (DOT)
To:	106review@mwtribe-nsn.gov
Cc:	David.weeden@mwtribe-nsn.gov
Subject:	MassDOT Project #612982 - E-10-011 Replacement, Erving
Date:	Tuesday, November 7, 2023 11:27:00 AM
Attachments:	20231107 E-10-011 Erving PNF and Attachments (612982).pdf 20231107 E-10-011 Erving PNF Plans (612982).pdf

Dear Mr. Weeden,

MassDOT is submitting the enclosed project information for the above-referenced project to the Tribal Historic Preservation Officer to meet the Section 106 consultation requirements of the FHWA (lead federal agency) and the US Army Corps of Engineers. Please submit any written comments or concerns regarding historic or archaeological properties that may be affected by this project to Carrie Lavallee, P.E., Chief Engineer, Massachusetts Department of Transportation, 10 Park Plaza, Boston, MA 02116-3973, Attn: Jameson Harwood.

You also may send comments, questions, or requests for more information by email to Jameson.Harwood@state.ma.us.

Thank you,
Melissa

Melissa Andrade, Architectural Historian
Environmental Services
MassDOT – Highway Division
10 Park Plaza
Boston, MA 02116

From:	Microsoft Outlook
To:	tashtesook@aol.com
Subject:	Relayed: MassDOT Project #612982 - E-10-011 Replacement, Erving
Date:	Tuesday, November 7, 2023 11:26:26 AM
Attachments:	MassDOT Project #612982 - E-10-011 Replacement Erving.msg

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
tashtesook@aol.com (tashtesook@aol.com) <mailto:tashtesook@aol.com>
Subject: MassDOT Project #612982 - E-10-011 Replacement, Erving

From: Andrade, Melissa J. (DOT)
To: "tashtesook@aol.com"
Subject: MassDOT Project #612982 - E-10-011 Replacement, Erving
Date: Tuesday, November 7, 2023 11:26:00 AM
Attachments: 20231107 E-10-011 Erving PNF and Attachments (612982).pdf
20231107 E-10-011 Erving PNF Plans (612982).pdf

Dear Mr. Brown,

MassDOT is submitting the enclosed project information for the above-referenced project to the Tribal Historic Preservation Officer to meet the Section 106 consultation requirements of the FHWA (lead federal agency) and the US Army Corps of Engineers. Please submit any written comments or concerns regarding historic or archaeological properties that may be affected by this project to Carrie Lavallee, P.E., Chief Engineer, Massachusetts Department of Transportation, 10 Park Plaza, Boston, MA 02116-3973, Attn: Jameson Harwood.

You also may send comments, questions, or requests for more information by email to Jameson.Harwood@state.ma.us.

Thank you,
Melissa

Melissa Andrade, Architectural Historian
Environmental Services
MassDOT – Highway Division
10 Park Plaza
Boston, MA 02116

Maura Healey, Governor
Kimberley Driscoll, Lieutenant Governor
Monica Tibbits-Nutt, Acting Secretary & CEO
Jonathan L. Gulliver, Highway Administrator

massDOT
Massachusetts Department of Transportation
Highway Division

November 7, 2023

Erving Historical Commission
Erving Town Hall
12 East Main Street
Erving, MA 01344

RE: Erving Bridge Replacement – Church Street over Keyup Brook (E-10-011)
MassDOT Highway Division – Project Number #612982
Section 106 Review – Early Environmental Coordination

Dear Commission Members:

The Massachusetts Department of Transportation, Highway Division (MassDOT) is proposing to replace Bridge E-10-011 in Erving, which carries Church Street over the Keyup Brook. This project will be supported in part with federal funds dispersed through MassDOT. The project, therefore, will require review under Section 106 of the National Historic Preservation Act of 1966 as amended (36 CFR 800). The enclosed project information is provided to the Erving Historical Commission to initiate consultation with appropriate representatives of local government in compliance with the regulations governing Section 106.

The bridge was constructed in 1922 and consists of a single-span cast-in-place reinforced concrete superstructure supported by fieldstone abutments faced in concrete. The bridge has concrete parapets with rough-faced panels on the side elevations. Keyup Brook, within and adjacent to the project area, is lined by stone and concrete retaining walls and the ground of the brook beneath the bridge is faced in 4-in-thick concrete.

The proposed work consists of removing and replacing the bridge superstructure with a 32-ft span precast-concrete three-sided frame. The new superstructure will span over the existing fieldstone abutments, which will remain in place to maintain the existing channel of Keyup Brook. Concrete footings supporting the superstructure will be placed behind the abutments, requiring them to be shortened by approximately 2-ft in height. Wingwalls will remain in place and unaltered. Railing designs are pending but will consist of either MassDOT standard designed cast-in-place concrete parapets with formliner design; cast-in-place bridge railings with openings; or steel bridge rails.

MassDOT requests that the Commission review the enclosed materials at their earliest convenience. Please submit written comments to: Carrie Lavallee, P.E., Chief Engineer, MassDOT, Highway Division, 10 Park Plaza, Room 4260, Boston, MA 02116, Attn: Melissa Andrade.

If you have any questions, please feel free to contact me at melissa.j.andrade@state.ma.us.

Sincerely,

Melissa Andrade

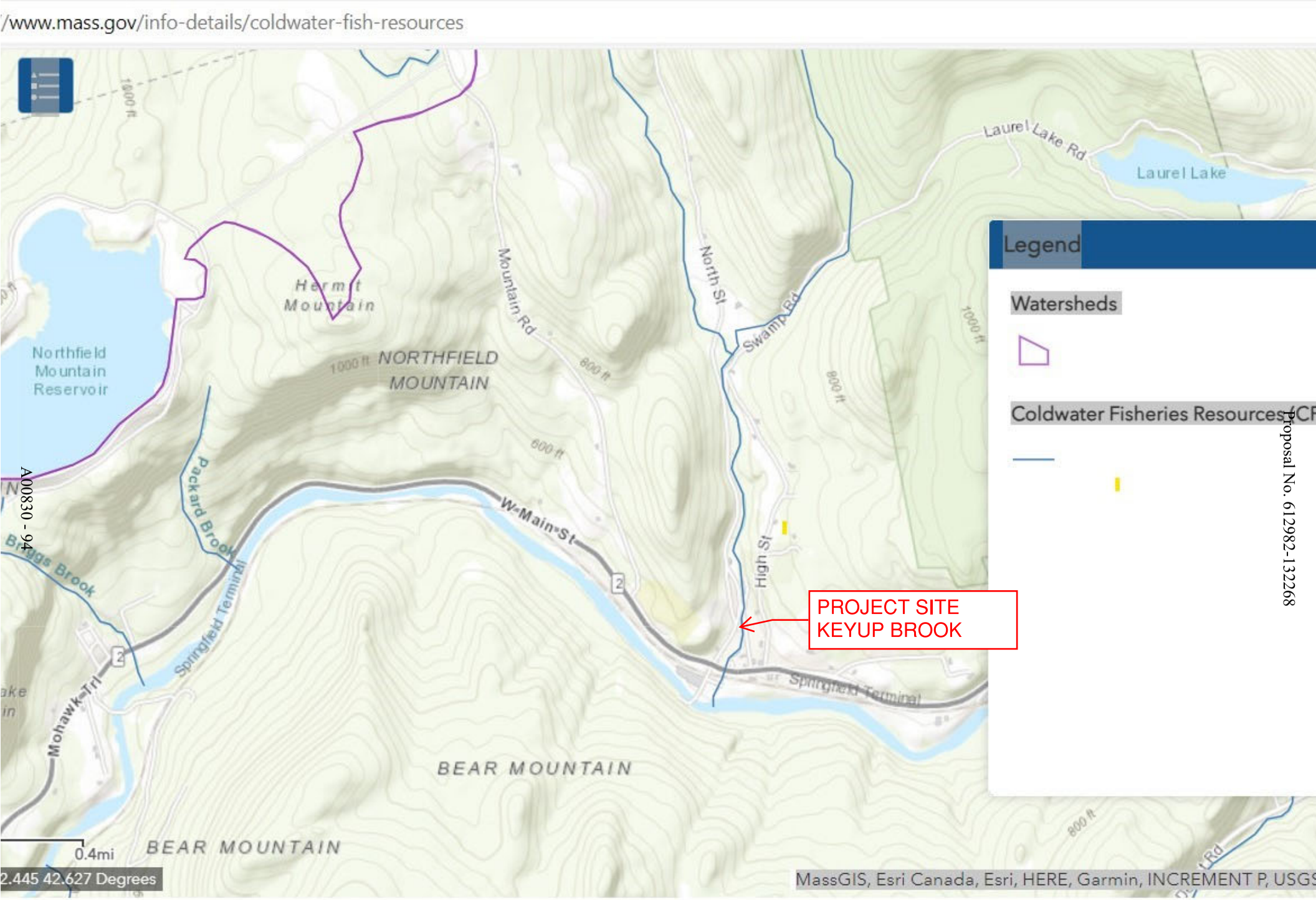
Melissa Andrade
Architectural Historian
Environmental Services

atts: Locus
cc: B. Simon, MHC w/atts.

Ten Park Plaza, Suite 4160, Boston, MA 02116
Tel: 857-368-4636, TTY: 857-368-0655
mass.gov/massdot

ATTACHMENT 7

COLD WATER FISHERIES


/www.mass.gov/info-details/coldwater-fish-resources
Laurel Lake Rd
Laurel Lake
Hermit Mountain
Mountain Rd
North St
Swamp Rd
Northfield Mountain Reservoir
NORTHFIELD MOUNTAIN
1000 ft
800 ft
600 ft
Legend
Watersheds
Coldwater Fisheries Resources (CF
Proposal No. 612982-132268
A00830 - 94
Packard Brook
W Main St
High St
Briggs Brook
Springfield Terminal
PROJECT SITE
KEYUP BROOK
Mohawk Trl
BEAR MOUNTAIN
0.4mi
2.445 42.627 Degrees
MassGIS, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS

ATTACHMENT 8

PHOTOS

Downstream Face

Downstream Face

Upstream Face

Upstream Face

Upstream Drop

Looking Downstream

Looking Upstream

APPENDIX B

WETLANDS REPORT

Weston & Sampson SM

westonandsampson.com

55 Walkers Brook Drive, Suite 100
Reading, MA 01867
tel: 978.532.1900

Wetland Delineation Report

June 2023

Erving, Massachusetts

North/Church Street
Erving, MA

Wetland Delineation Conducted By:
Megan Kearns, PWS on 6/15/2023

Delineation Report Reviewed By:
Mel Higgins, PWS

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- 2.1 Site Observations 2-1
- 2.2 Wetland Delineation Methodology 2-1
- 2.3 Bank 2-2
- 2.4 Other Protected Areas 2-3

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Figure 1 ..... Wetlands Field Map
Figure 2 ..... USGS Topographic Map
Figure 3 ..... FEMA FIRM Map
Figure 4 ..... Environmental Resources Map

APPENDICES

Appendix A ..... Site Photographs

1.0 SITE DESCRIPTION

On June 15th, 2023, the presence of wetland resources was investigated near North and Church Street in Erving, MA. This investigation area is surrounding the bridge between North and Church Street. Please see Figure 1 (Wetlands Field Map) and Figure 2 (USGS Topographic Map) of this report for the investigation area.

One perennial stream was identified and flagged in the field using pink flagging by a Weston & Sampson employee who is trained in the wetland delineation process using the Massachusetts Department of Environmental Protection (MassDEP) and the US Army Corps of Engineers methodology. Further descriptions of these wetland resource area is presented in the following sections.

2.0 DELINEATION OF WETLAND RESOURCES

2.1 Site Observations

The Weston & Sampson wetland scientist, trained in the ACOE Wetland Delineation Manual and Massachusetts Department of Environmental Protection (MassDEP) Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetland Protection Act guidance document, observed the following protected wetland resources at the site:

- Bank – Perennial Stream

See Appendix A for site photographs.

2.2 Wetland Delineation Methodology

A wetland delineation assessment was conducted in accordance with the Massachusetts Wetland Protection Act Regulations (310 CMR 10.55(2)(c)), Massachusetts Department of Environmental Protection (MassDEP) Massachusetts Handbook for Delineation of Bordering Vegetated Wetlands (Second Edition, September 2022), and ACOE Wetland Manual (Technical Report Y-87-1).

The bordering vegetated wetlands (BVW) delineation methodology included the characterization of vegetation, soil and hydrologic conditions in both wetland and upland areas to identify the transitional area, which was used as the wetland limit. Pink flags with distinct flag numbers were left in the field to show wetland resource area limits.

Vegetation, hydrology and soils were assessed in both wetland and upland areas to accurately place the wetland limits at each site. The percentage of vegetative species was estimated by creating sample plots. Sample plot radius for trees, saplings, shrubs, groundcover and woody vine strata was 30', 15', 15', 5' and 30', respectively. After creating the sample plot areas, the percent basal area coverage of each species within the monitoring plot was recorded. Using these field observations, the percent dominance of each species within its stratum was calculated. The 50/20 Rule was then used to determine dominance. Dominant species were considered the most abundant plant species (when ranked in descending order of abundance and cumulatively totaled) that immediately exceeds 50% of the total dominance measure (basal area) for the stratum, plus any additional species comprising 20%

or more of the total dominance measure for the stratum. Once the dominant species were determined, they were treated equally to determine the presence of hydrophytic vegetation. If the number of dominant species with a Wetland Indicator Status of FAC (excluding FAC-), FACW or OBL is greater than, or equal to, the number of remaining dominant species, the area was considered a jurisdictional wetland resource area based on vegetation.

A soil sample from each wetland sample plot were also taken. Each soil sample goes to a depth of at least 12-24 inches. The soil was characterized to determine if the soil sample was considered a hydric (wetland) soil. Soil samples, including mottles, were characterized based on color using Munsell Soil-Color charts as a color reference.

The general area was then assessed for hydrologic conditions, including, but not limited to, site inundation, depth to free water, depth of soil saturation, water marks, drift lines, sediment deposits, water stained leaves.

No BVW resource areas were noted within the investigation area.

2.3 Bank

Water bodies, including perennial streams, intermittent streams, ponds and lakes, have banks which are protected by the Massachusetts Wetland Protection Act. Bank is a wetland resource area defined by 310 CMR 10.54(2)(a) as "the portion of land surface which normally abuts and confines a water body. It occurs between a waterbody and a vegetated bordering wetland and adjacent floodplain, or, in absence of these, it occurs between a waterbody and an upland." Vegetated banks provide valuable functions such as flood control, stormwater prevention, fisheries protection, and water quality protection. The limit of this resource area is identified by Top of Bank (TOB) which is located at the first observable break in slope or the Mean Annual Flood Level (MAFL), whichever is lower. TOB is easily identified in the field so that indicator was utilized for this wetland delineation.

Perennial Stream Banks

A single perennial stream known as the Jack's Brook was identified within the investigation area. The boundary of the perennial stream was identified in the field utilizing Top of Bank (TOB), identified by flag line TOB-A and TOB-B. The Jack's Brook is shown as perennial on the current United States

Geographical Survey (USGS) map. The boundary of the perennial stream was identified in the field by the first observable break in slope (TOB). Wetland flags left in the field included:

- TOB-A1 through TOB-A12 (Perennial Stream Bank "A" Series)
- TOB-B1 through TOB-B10 (Perennial Stream Bank "B" Series)

Perennial streams are subject to a 200-foot Riverfront Area under the Massachusetts Wetland Protection Act per 301 CMR 10.58(2)(a)(2)(c).

2.4 Other Protected Areas

Weston & Sampson created environmental resources maps (see Figure 4) of the site to determine the presence of other protected areas. The data source of these map layers was the Massachusetts Geographic Information System (MassGIS). These areas included:

- NHESP Priority Habitats of Rare Species
- NHESP Estimated Habitats of Rare Wildlife
- NHESP Certified and Potential Vernal Pools
- Areas of Critical Environmental Concern (ACEC)
- Outstanding Resource Waters (ORW)
- Cold Water Fishery

Wetland resources identified in the field were also added to these maps. Based on the MassGIS information, the perennial stream is a cold water fishery.

FEMA Flood Insurance Rate Maps (FIRM) were created online from the FEMA website to determine if there is a 100-year flood zone at the site. See Figure 3 for FIRM map. Based on FEMA flood maps, the southern portion of the investigation area is located within the 100-year flood zone.

3.0 SUMMARY

On June 15th, 2023, the presence of wetland resources was investigated near North and Church Street in Erving, MA. A single perennial stream was identified and flagged at the site.

Additional environmental mapping was conducted using MassGIS data layers and FEMA FIRM mapping. This additional mapping indicates that the perennial stream is a cold water fishery and a portion of the site is located within the 100-year flood zone.

This Wetlands Delineation Report has been reviewed and approved by a Professional Wetland Scientist (PWS).

4.0 REFERENCES

Massachusetts Department of Environmental Protection. September 2022. "Massachusetts Handbook for Delineation of Bordering Vegetated Wetlands – Second Edition".

Massachusetts Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program. Massachusetts Natural Heritage Atlas, 13th Edition with 2017 web updates. Accessed on 6/28/2023.

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United States Department of Agriculture, Natural Resources Conservation Service. *2018. Field Indicators of Hydric Soils in the United States, Version 8.2.* L. M. Vasilas, G. W. Hurt, and J.F. Berkowitz (eds.). USDA, NRCS, in cooperation with the National Technical Committee for Hydric Soils.

USACOE, January 1987, Corps of Engineers Wetlands Delineation Manuel, Wetlands Research Program Technical Report Y-87-1.

FEMA Flood Map Service Center, online at msc.fema.gov/portal Assessed on 6/28/2023.
Tiner, Jr., Ralph W., 2005, Field Guide to Nontidal Wetland Identification

Tiner, Jr., Ralph W, 2009, Field Guide to Tidal Wetland Plants of the Northeastern United States and Neighboring Canada.

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New England Hydric Soils Technical Committee, 2019, Version 4, *Field Indicator of Identifying Hydric Soils in New England*. New England Interstate Water Pollution Control Commission, Lowell, MA.

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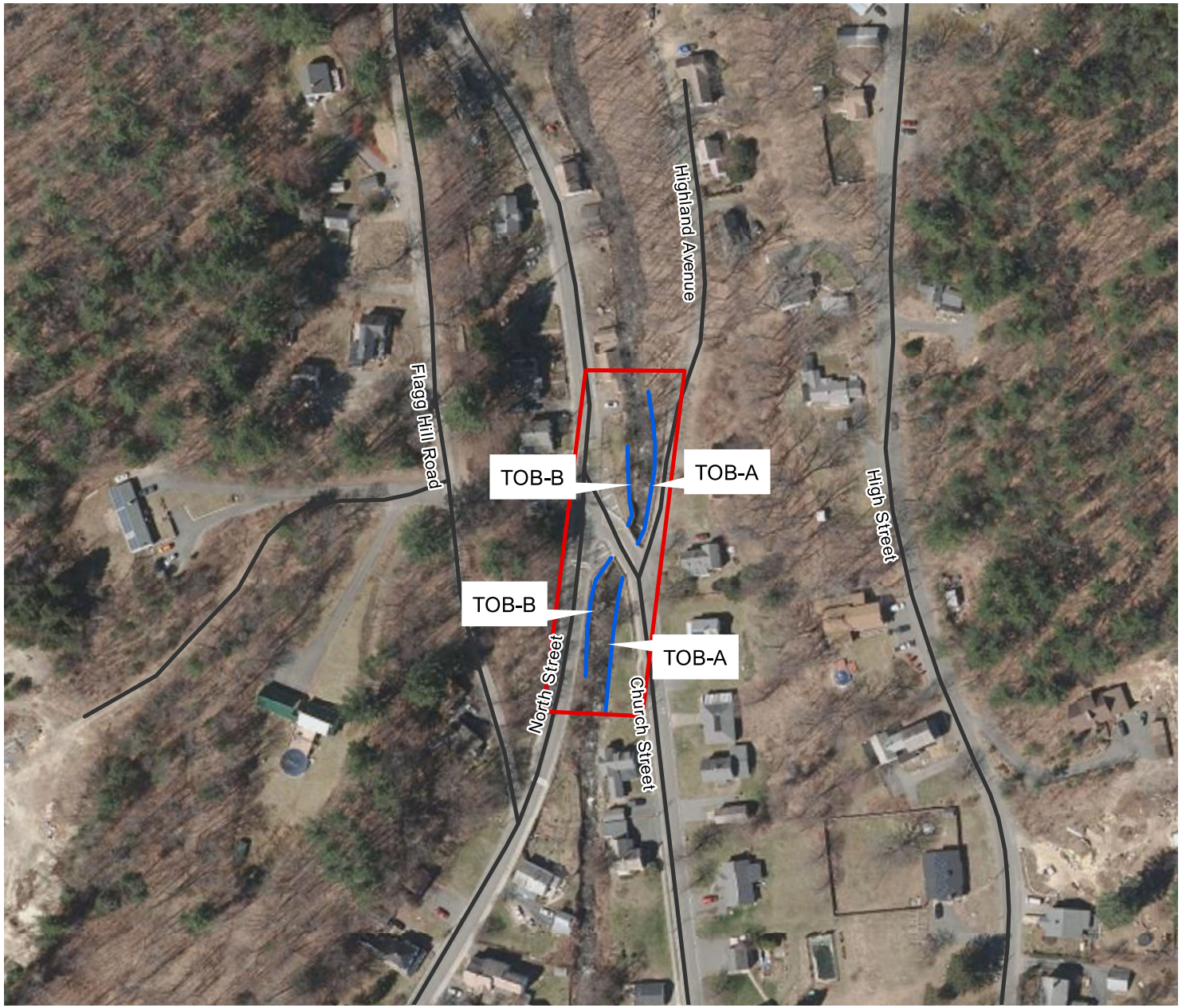

Data Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs

Legend

- Investigation Area
- Bank - Perennial

FIGURE 1

North/Church Street
Erving, MA

WETLANDS FIELD MAP

Weston & Sampson

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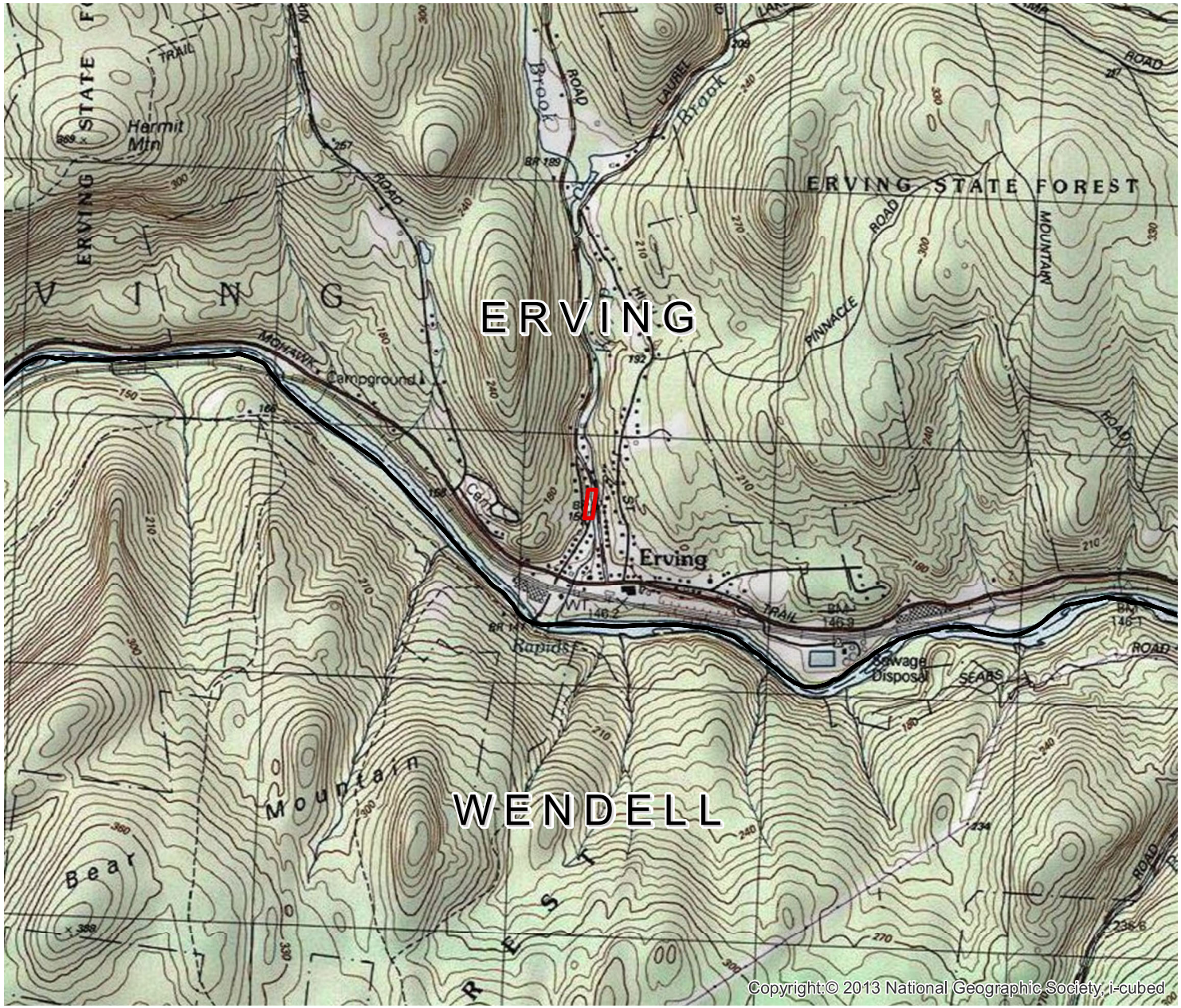

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Feet

Data Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs

Legend

Investigation Area

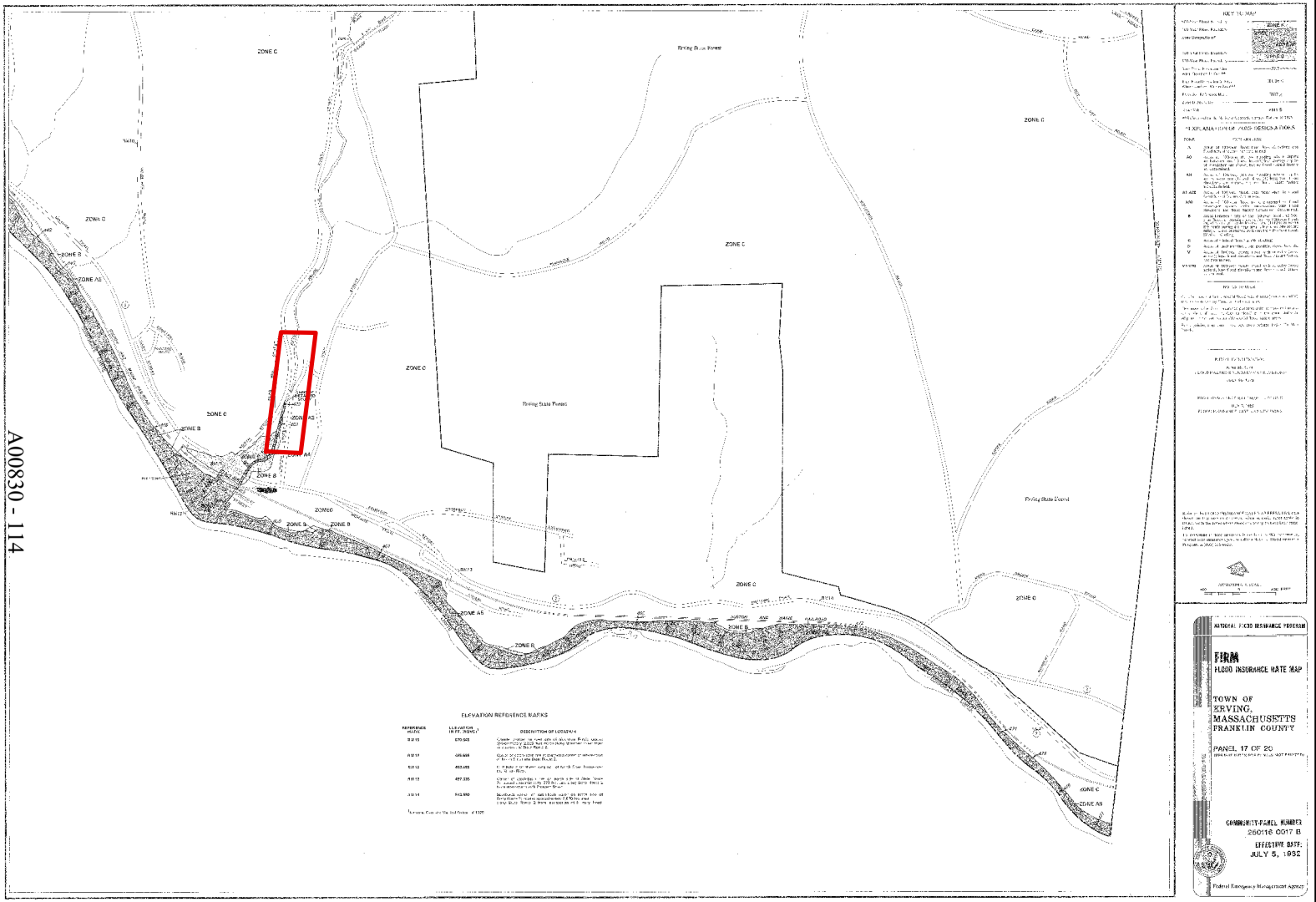
MA Towns

FIGURE 2

North/Church Street
Erving MA

USGS Topographic Map

Weston & Sampson



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Legend

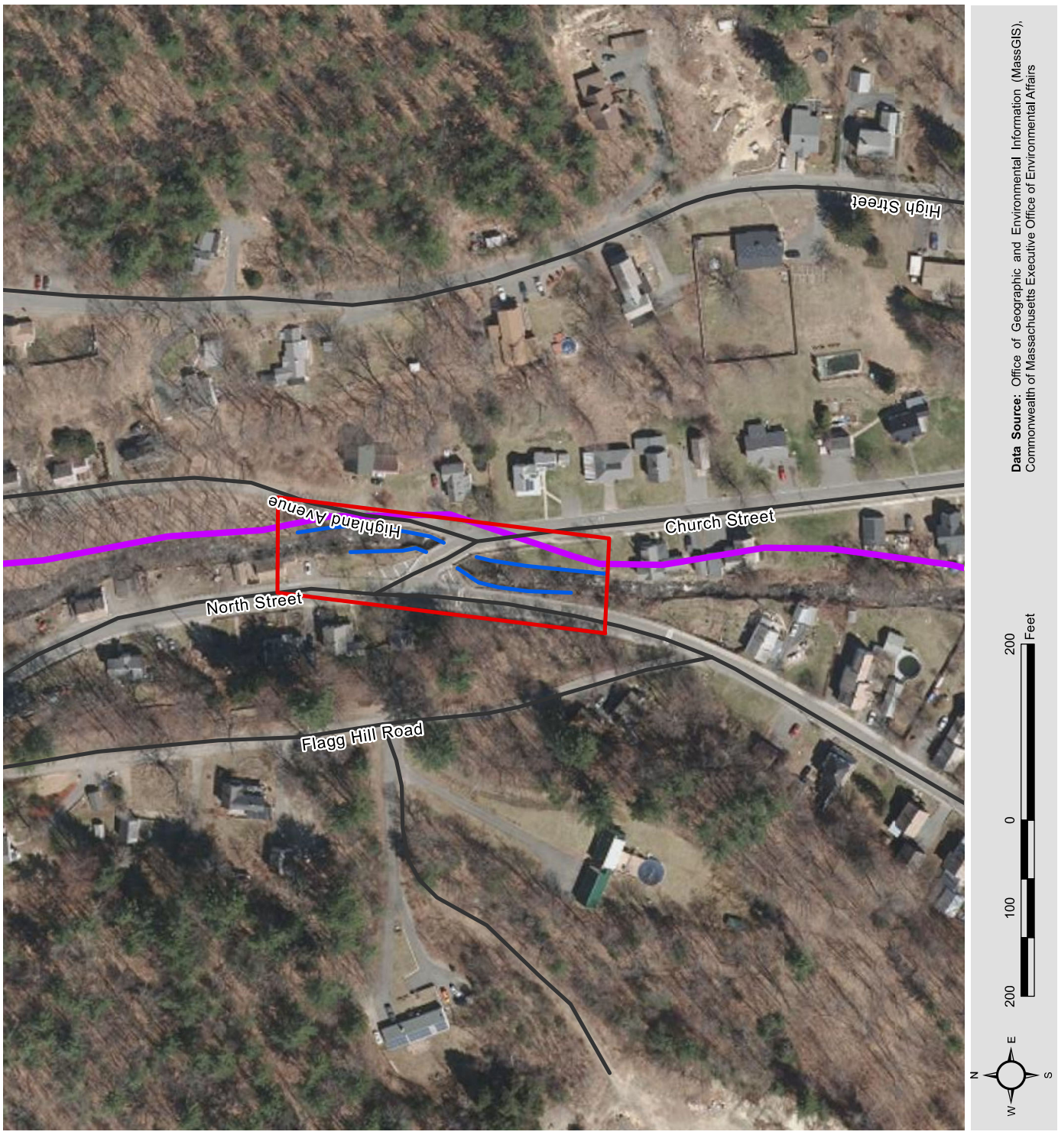
Investigation Area

FIGURE 3

North/Church Street
Erving MA
FEMA Map

Weston & Sampson

Proposal No. 612982-132268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High Street
Highland Avenue
Church Street
North Street
Flagg Hill Road
Data Source: Office of Geographic and Environmental Information (MassGIS), Commonwealth of Massachusetts Executive Office of Environmental Affairs
200 0 100 200 Feet
N E S W
Legend
Investigation Area
Bank - Perennial
MassDOT Roads
ACECs
NHESP Estimated Habitats of Rare Wildlife
NHESP Priority Habitats of Rare Species
NHESP Certified Vernal Pools
NHESP Potential Vernal Pools
Cold Water Fisheries
Public Water Supply Contributor
ORW for ACEC
ORW for both Water Supply and Other
FIGURE 4
North/Church Street
Erving MA
ENVIRON. RESOURCES MAP
Weston & Sampson

APPENDIX A

Site Photographs

Photo 1: Perennial Stream

Photo 2: Perennial Stream below Bridge

APPENDIX C

STORMWATER MEMO

To: Massachusetts Department of Environmental Protection/U.S. Army Corps of Engineers

Date: *March 27, 2024*

Project #: *612982*

From: *Weston & Sampson Engineers, Inc.*

Re: *Church Street Bridge Replacement, Erving, MA*

This Stormwater Management Memorandum has been prepared to show compliance with the Massachusetts Stormwater Management Standards in accordance with the Massachusetts Water Quality Certification Regulations (314 CMR 9.00) to support the Project's Section 401 Water Quality Certificate Application.

Project Description

The Applicant, MassDOT, is proposing Project *612982* to construct a bridge replacement of Church Street over Keyup Brook aka Jack's Brook (the Project) located in *Erving, MA.* As proposed, the Project consists of *removing and replacing the existing bridge superstructure. The existing stone abutments and concrete base slab will remain in place with the new superstructure spanning over the existing abutments. The new superstructure will be supported by new concrete walls, new footing on bedrock and new footing on micro piles.*

Existing and Proposed Drainage Conditions

The project site is currently a roadway bridge over a perennial stream (Keyup Brook aka Jack's Brook) which flows out of steep foothills near the edge of the Millers River and adjacent to the Connecticut River valley in western Massachusetts. The watershed area is steep and rocky woodlands which are traversed by rural roadways serving residential houses. The two major roads in the area of the bridge (Church Street and North Street) have traditional closed drainage systems where catch basins and pipes discharge to the brook. Adjacent streets have country drainage where roadway ditches convey drainage to cross culverts. There is some overland flow from the existing streets directly to the brook.

The nearest MassDOT highway is Route 2 which is about ¼ mile south of the Church St. Bridge. There are two MassDOT Stormwater Control Measures (SCMs) in the vicinity of the project area. One is an infiltration basin a few miles west of Keyup Brook near the Connecticut River and another is a wet basin a few miles east of Keyup Brook.

The Project will include construction of a new superstructure for the bridge including new walls and footings which will be located outside of the existing abutments. The existing abutments and the concrete slab beneath the stream under the bridge will remain in place. Weston and Sampson identified paved areas adjacent to the bridge which may be removed and still provide safe travel for vehicles and pedestrians across and around the bridge. There will be a net reduction in paved area of 1,155 square feet. Given the proximity of the existing retaining walls to the resource area it is not feasible to move existing outfalls further away from the resource area. The proposed design will retain the existing closed drainage systems and provide deep sump catch basins. The reduced impervious areas will be provided with loam and seed such that some of the paved area will sheet flow to the new vegetation. There has been scour damage to the retaining walls adjacent to the bridge. These walls will be patched, and rip rap will be added to the upstream end of the existing bridge slab as a scour countermeasure to prevent further erosion of the stream bed. The town will provide street sweeping and catch basin cleaning as non-structural SCMs to improve water quality in the resource area.

Massachusetts Department of Environmental Protection (MassDEP) – Stormwater Management Standards

As demonstrated below, the proposed Project complies with the MassDEP Stormwater Management Standards (the Standards). Under the Stormwater Management Standards, the Project is considered a redevelopment project because it involves maintenance and improvement of an existing roadway. The project will replace a deteriorated and failing superstructure. Some of the existing paved areas around the bridge will be removed and replaced with vegetation to reduce impervious areas and improve water quality. The Project has been designed to meet the Stormwater Management Standards to the maximum extent practicable and to improve upon existing conditions.

Standard 1: No New Untreated Discharges

No new stormwater conveyance (e.g. outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth.

There are no new stormwater outfalls or conveyance proposed for this project.

The Project has been designed to fully comply with Standard 1.

Standard 2: Peak Rate Attenuation

Stormwater management systems shall be designed so that post-development peak discharge rates do not exceed pre-development peak discharge rates. This Standard may be waived for discharges to land subject to coastal storm flowage as defined in 310 CMR 10.04.

The project has been designed to comply with Standard 2 by reducing the existing impervious area. A portion of the existing pavement adjacent to the bridge will be removed and replaced with vegetation. Table 1 includes a summary of impervious cover impacts, which can be used as a metric to understand impacts to peak discharge rates following development.

Table 1: Existing and proposed impervious cover

Existing Impervious Area (sq. ft)	Proposed Impervious Area (sq. ft)	Change In Impervious Area (sq. ft)	Percent Increase in Impervious Area (%)
6566	5411	-1155	-17.6

Standard 2 is fully met by the project.

Standard 3: Stormwater Recharge

Loss of annual recharge to groundwater shall be eliminated or minimized through the use of environmentally sensitive site design, low impact development techniques, stormwater management practices and good operation and maintenance. At a minimum, the annual recharge from the post-development site shall approximate the annual recharge from pre-development conditions based on soil types. This Standard is met when the stormwater management system is designed to infiltrate the required recharge volume as determined in accordance with the Massachusetts Stormwater Handbook.

The Project has been designed to comply with Standard 3 by reducing the existing impervious area and thereby increasing recharge to groundwater. The purpose of this standard is to replenish groundwater by ensuring that the infiltration volume of precipitation into the ground under post-development conditions is at least as much as the infiltration volume under pre-development conditions.

Standard 3 is met to the MEP.

Standard 4: Water Quality

Stormwater management systems shall be designed to remove 80% of the average annual post-construction load of Total Suspended Solids (TSS). This Standard is met when:

a) *Suitable practices for source control and pollution prevention are identified in a long-term pollution prevention plan, and thereafter are implemented and maintained;*
b) *Structural stormwater best management practices are sized to capture the required water quality volume determined in accordance with the Massachusetts Stormwater Handbook; and*
c) *Pretreatment is provided in accordance with the Massachusetts Stormwater Handbook.*

The Project has been designed to comply with Standard 4 to the maximum extent practicable.

- The location of existing abutments and retaining walls to remain in place along with the proximity of the new wall and footing support structures is a constraint to the addition of more infiltration systems due to the detrimental effects of adding more water to the soils around these structures.
- The proposed rip rap upstream of the existing bridge slab will serve to prevent erosion within the stream bed.
- The location and topography of the existing residential houses surrounding the bridge is a constraint to providing more infiltration around the project area.
- The surface area around the bridge has been designed to remove existing pavement where possible and replace it with vegetation which will serve to improve water quality.
- The existing slope next to the resource area is vertical retaining walls which are not conducive to vegetated slope SCMs.
- The existing closed drainage will be improved by adding deep sumps to existing catch basins which will provide 25% TSS removal. Due to the proximity of roadway and retaining walls next to the resource area it is not practicable to move the existing outfalls farther away from the resource area.
- Non-structural SCMs including street sweeping and catch basin cleaning will be provided by the Town.

A Long-Term Pollution Prevention Plan (LTPPP) has been developed for the project in compliance with Standard 4. The Standard 9 section of this document includes this LTPPP.

Standard 4 is met to the MEP.

Standard 5: Land Uses with Higher Potential Pollutant Loads (LUHPPLs)

For Land Uses with Higher Potential Pollutant Loads (LUHPPLs), source control and pollution prevention shall be implemented in accordance with the Massachusetts Stormwater Handbook to eliminate or reduce the discharge of stormwater runoff from such land uses to the maximum extent practicable. If through source control and/or pollution prevention all LUHPPLs cannot be completely protected from exposure to rain, snow, snow melt, and stormwater runoff, the proponent shall use the specific structural stormwater BMPs determined by the Department to be suitable for such uses as provided in the Massachusetts Stormwater Handbook. Stormwater discharges from LUHPPLs shall also comply with the requirements of the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26-53 and the regulations promulgated thereunder at 314 CMR 3.00, 314 CMR 4.00 and 314 CMR 5.00.

Standard 5 does not apply to the Project. There are no Land Uses with Higher Potential Pollutant Loads within the project area.

Standard 6: Critical Areas

Stormwater discharges within the Zone II or Interim Wellhead Protection Area of a public water supply and stormwater discharges near or to any other critical area require the use of the specific source control and pollution prevention measures and the specific structural stormwater best management practices determined by the Department to be suitable for managing discharges to such areas as provided in the Massachusetts Stormwater Handbook. A discharge is near a critical area if there is a strong likelihood of a significant impact occurring to said area, taking into account site-specific factors. Stormwater discharges to Outstanding Resource Waters and Special Resource Waters shall be removed and set back from the receiving water or wetland and receive the highest and best practical method of treatment. A "stormwater discharge" as defined in 314 CMR 3.04(2)(a)1 or (b), to an Outstanding Resource Water or Special Resource Water shall comply with 314 CMR 3.00 and 314 CMR 4.00. Stormwater discharges to a Zone I or Zone A are prohibited unless essential to the operation of a public water supply.

The Project has been designed to comply with Standard 6. Figure 3 shows the Critical Areas in the vicinity of the project site. Keyup Brook is designated as a Cold Water Fishery resource by the Massachusetts Division of Fisheries and Wildlife. Source control and pollution prevention measures applicable to this project are discussed under Standard 4 above. Stormwater improvement is being provided by adding a deep sump to an existing catch basin, and by removing as much pavement as is practicable from the existing project area and replacing the pavement with vegetated surface to provide filtration of surface runoff and to increase recharge to groundwater. Adding more structural SCM's is not feasible because there is not room on the site to locate infiltration away from structural foundation elements.

Standard 6 is met to the MEP.

Standard 7: Redevelopments and Other Projects Subject to the Standards only to the Maximum Extent Practicable

A redevelopment project is required to meet the following Stormwater Management Standards only to the maximum extent practicable: Standard 2, Standard 3, and the pretreatment and structural best management practice requirements of Standards 4, 5, and 6. Existing stormwater discharges shall comply with Standard 1 only to the maximum extent practicable. A redevelopment project shall also comply with all other requirements of the Stormwater Management Standards and improve existing conditions.

The Project is considered a redevelopment and has been designed to comply with the Stormwater Management Standards to the maximum extent practicable.
Standards 1,2,8,9, &10 are fully met. Standard 5 is not applicable. Standards 3.4.and 6 are met to the MEP.

Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Controls

A plan to control construction-related impacts, including erosion, sedimentation and other pollutant sources during construction and land disturbance activities (construction period erosion, sedimentation, and pollution prevention plan) shall be developed and implemented.

The implementation of erosion and sediment (E&S) controls during construction is considered a standard practice for all MassDOT projects. E&S controls will be installed before any land disturbance begins for the Project and will remain in place for the duration of the Project. The E&S controls for the Project are shown on the project plans and include sediment barriers such as silt fence and compost filter tubes to be installed along the edges of the resource area as shown on the project plans.

Standard 9: Operation and Maintenance Plan

A Long-Term Operation and Maintenance (O&M) Plan shall be developed and implemented to ensure that stormwater management systems function as designed.

The *bridge* in this project is not owned by MassDOT. The O&M Plan will be implemented by the municipality. Appendix E includes the O&M Plan for this project.

Long-term pollution prevention for the Project includes litter pick-up, inspection and maintenance of stormwater assets, maintenance of landscaped areas, snow and ice management, street sweeping, prohibition of illicit discharges, and spill prevention and response.

Standard 10: Prohibition of Illicit Discharges

All illicit discharges to the stormwater management system are prohibited.

Illicit Discharge Statement

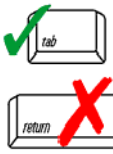
The project's stormwater management system, as shown on the plans submitted with this report, have been designed in full compliance with Standard 10. The project area does not have any known illicit connections. Any illicit connections to the stormwater management system found in the project limit of work during construction will be removed and/or resolved through MassDOT's Illicit Discharge Detection and Elimination (IDDE) Program.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands Program

Checklist for Stormwater Report

A. Introduction

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A Stormwater Report must be submitted with the Notice of Intent permit application to document compliance with the Stormwater Management Standards. The following checklist is NOT a substitute for the Stormwater Report (which should provide more substantive and detailed information) but is offered here as a tool to help the applicant organize their Stormwater Management documentation for their Report and for the reviewer to assess this information in a consistent format. As noted in the Checklist, the Stormwater Report must contain the engineering computations and supporting information set forth in Volume 3 of the Massachusetts Stormwater Handbook. The Stormwater Report must be prepared and certified by a Registered Professional Engineer (RPE) licensed in the Commonwealth.

The Stormwater Report must include:

- The Stormwater Checklist completed and stamped by a Registered Professional Engineer (see page 2) that certifies that the Stormwater Report contains all required submittals.[1] This Checklist is to be used as the cover for the completed Stormwater Report.
- Applicant/Project Name
- Project Address
- Name of Firm and Registered Professional Engineer that prepared the Report
- Long-Term Pollution Prevention Plan required by Standards 4-6
- Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan required by Standard 8[2]
- Operation and Maintenance Plan required by Standard 9

In addition to all plans and supporting information, the Stormwater Report must include a brief narrative describing stormwater management practices, including environmentally sensitive site design and LID techniques, along with a diagram depicting runoff through the proposed BMP treatment train. Plans are required to show existing and proposed conditions, identify all wetland resource areas, NRCS soil types, critical areas, Land Uses with Higher Potential Pollutant Loads (LUHPPL), and any areas on the site where infiltration rate is greater than 2.4 inches per hour. The Plans shall identify the drainage areas for both existing and proposed conditions at a scale that enables verification of supporting calculations.

As noted in the Checklist, the Stormwater Management Report shall document compliance with each of the Stormwater Management Standards as provided in the Massachusetts Stormwater Handbook. The soils evaluation and calculations shall be done using the methodologies set forth in Volume 3 of the Massachusetts Stormwater Handbook.

To ensure that the Stormwater Report is complete, applicants are required to fill in the Stormwater Report Checklist by checking the box to indicate that the specified information has been included in the Stormwater Report. If any of the information specified in the checklist has not been submitted, the applicant must provide an explanation. The completed Stormwater Report Checklist and Certification must be submitted with the Stormwater Report.

[1] The Stormwater Report may also include the Illicit Discharge Compliance Statement required by Standard 10. If not included in the Stormwater Report, the Illicit Discharge Compliance Statement must be submitted prior to the discharge of stormwater runoff to the post-construction best management practices.

[2] For some complex projects, it may not be possible to include the Construction Period Erosion and Sedimentation Control Plan in the Stormwater Report. In that event, the issuing authority has the discretion to issue an Order of Conditions that approves the project and includes a condition requiring the proponent to submit the Construction Period Erosion and Sedimentation Control Plan before commencing any land disturbance activity on the site.

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Checklist for Stormwater Report

B. Stormwater Checklist and Certification

The following checklist is intended to serve as a guide for applicants as to the elements that ordinarily need to be addressed in a complete Stormwater Report. The checklist is also intended to provide conservation commissions and other reviewing authorities with a summary of the components necessary for a comprehensive Stormwater Report that addresses the ten Stormwater Standards.

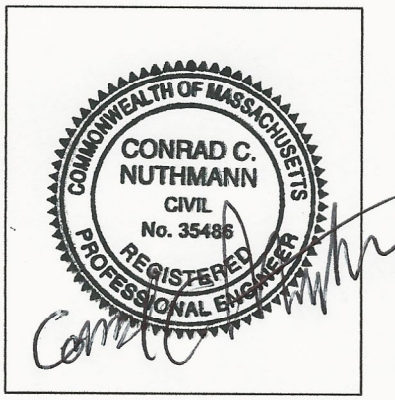
Note: Because stormwater requirements vary from project to project, it is possible that a complete Stormwater Report may not include information on some of the subjects specified in the Checklist. If it is determined that a specific item does not apply to the project under review, please note that the item is not applicable (N.A.) and provide the reasons for that determination.

A complete checklist must include the Certification set forth below signed by the Registered Professional Engineer who prepared the Stormwater Report.

Registered Professional Engineer's Certification

I have reviewed the Stormwater Report, including the soil evaluation, computations, Long-term Pollution Prevention Plan, the Construction Period Erosion and Sedimentation Control Plan (if included), the Long-term Post-Construction Operation and Maintenance Plan, the Illicit Discharge Compliance Statement (if included) and the plans showing the stormwater management system, and have determined that they have been prepared in accordance with the requirements of the Stormwater Management Standards as further elaborated by the Massachusetts Stormwater Handbook. I have also determined that the information presented in the Stormwater Checklist is accurate and that the information presented in the Stormwater Report accurately reflects conditions at the site as of the date of this permit application.

Registered Professional Engineer Block and Signature



Conrad C. Nuthmann 5-8-2024
Signature and Date

Checklist

Project Type: Is the application for new development, redevelopment, or a mix of new and redevelopment?

☐ New development

☒ Redevelopment

☐ Mix of New Development and Redevelopment

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Checklist for Stormwater Report

Checklist (continued)

LID Measures: Stormwater Standards require LID measures to be considered. Document what environmentally sensitive design and LID Techniques were considered during the planning and design of the project:

- ☐ No disturbance to any Wetland Resource Areas
- ☐ Site Design Practices (e.g. clustered development, reduced frontage setbacks)
- ☒ Reduced Impervious Area (Redevelopment Only)
- ☐ Minimizing disturbance to existing trees and shrubs
- ☐ LID Site Design Credit Requested:
  - ☐ Credit 1
  - ☐ Credit 2
  - ☐ Credit 3
- ☒ Use of "country drainage" versus curb and gutter conveyance and pipe
- ☐ Bioretention Cells (includes Rain Gardens)
- ☐ Constructed Stormwater Wetlands (includes Gravel Wetlands designs)
- ☐ Treebox Filter
- ☐ Water Quality Swale
- ☐ Grass Channel
- ☐ Green Roof
- ☐ Other (describe): _____

Standard 1: No New Untreated Discharges

- ☒ No new untreated discharges
- ☐ Outlets have been designed so there is no erosion or scour to wetlands and waters of the Commonwealth
- ☐ Supporting calculations specified in Volume 3 of the Massachusetts Stormwater Handbook included.

Massachusetts Department of Environmental Protection
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Checklist for Stormwater Report

Checklist (continued)

Standard 2: Peak Rate Attenuation

☐ Standard 2 waiver requested because the project is located in land subject to coastal storm flowage and stormwater discharge is to a wetland subject to coastal flooding.

☒ Evaluation provided to determine whether off-site flooding increases during the 100-year 24-hour storm.

☐ Calculations provided to show that post-development peak discharge rates do not exceed pre-development rates for the 2-year and 10-year 24-hour storms. If evaluation shows that off-site flooding increases during the 100-year 24-hour storm, calculations are also provided to show that post-development peak discharge rates do not exceed pre-development rates for the 100-year 24-hour storm.

Standard 3: Recharge

☒ Soil Analysis provided.

☐ Required Recharge Volume calculation provided.

☐ Required Recharge volume reduced through use of the LID site Design Credits.

☐ Sizing the infiltration, BMPs is based on the following method: Check the method used.

☐ Static ☐ Simple Dynamic ☐ Dynamic Field[1]

☐ Runoff from all impervious areas at the site discharging to the infiltration BMP.

☐ Runoff from all impervious areas at the site is *not* discharging to the infiltration BMP and calculations are provided showing that the drainage area contributing runoff to the infiltration BMPs is sufficient to generate the required recharge volume.

☐ Recharge BMPs have been sized to infiltrate the Required Recharge Volume.

☐ Recharge BMPs have been sized to infiltrate the Required Recharge Volume *only* to the maximum extent practicable for the following reason:

- ☐ Site is comprised solely of C and D soils and/or bedrock at the land surface
- ☐ M.G.L. c. 21E sites pursuant to 310 CMR 40.0000
- ☐ Solid Waste Landfill pursuant to 310 CMR 19.000
- ☐ Project is otherwise subject to Stormwater Management Standards only to the maximum extent practicable.

☐ Calculations showing that the infiltration BMPs will drain in 72 hours are provided.

☐ Property includes a M.G.L. c. 21E site or a solid waste landfill and a mounding analysis is included.

[1] 80% TSS removal is required prior to discharge to infiltration BMP if Dynamic Field method is used.

Massachusetts Department of Environmental Protection
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Checklist for Stormwater Report

Checklist (continued)

Standard 3: Recharge (continued)

☐ The infiltration BMP is used to attenuate peak flows during storms greater than or equal to the 10-year 24-hour storm and separation to seasonal high groundwater is less than 4 feet and a mounding analysis is provided.

☐ Documentation is provided showing that infiltration BMPs do not adversely impact nearby wetland resource areas.

Standard 4: Water Quality

The Long-Term Pollution Prevention Plan typically includes the following:

- Good housekeeping practices;
- Provisions for storing materials and waste products inside or under cover;
- Vehicle washing controls;
- Requirements for routine inspections and maintenance of stormwater BMPs;
- Spill prevention and response plans;
- Provisions for maintenance of lawns, gardens, and other landscaped areas;
- Requirements for storage and use of fertilizers, herbicides, and pesticides;
- Pet waste management provisions;
- Provisions for operation and management of septic systems;
- Provisions for solid waste management;
- Snow disposal and plowing plans relative to Wetland Resource Areas;
- Winter Road Salt and/or Sand Use and Storage restrictions;
- Street sweeping schedules;
- Provisions for prevention of illicit discharges to the stormwater management system;
- Documentation that Stormwater BMPs are designed to provide for shutdown and containment in the event of a spill or discharges to or near critical areas or from LUHPPL;
- Training for staff or personnel involved with implementing Long-Term Pollution Prevention Plan;
- List of Emergency contacts for implementing Long-Term Pollution Prevention Plan.

☒ A Long-Term Pollution Prevention Plan is attached to Stormwater Report and is included as an attachment to the Wetlands Notice of Intent.

☐ Treatment BMPs subject to the 44% TSS removal pretreatment requirement and the one inch rule for calculating the water quality volume are included, and discharge:

- ☐ is within the Zone II or Interim Wellhead Protection Area
- ☐ is near or to other critical areas
- ☐ is within soils with a rapid infiltration rate (greater than 2.4 inches per hour)
- ☐ involves runoff from land uses with higher potential pollutant loads.

☐ The Required Water Quality Volume is reduced through use of the LID site Design Credits.

☐ Calculations documenting that the treatment train meets the 80% TSS removal requirement and, if applicable, the 44% TSS removal pretreatment requirement, are provided.

Massachusetts Department of Environmental Protection
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Checklist for Stormwater Report

Checklist (continued)

Standard 4: Water Quality (continued)

☐ The BMP is sized (and calculations provided) based on:

- ☐ The ½" or 1" Water Quality Volume or
- ☐ The equivalent flow rate associated with the Water Quality Volume and documentation is provided showing that the BMP treats the required water quality volume.

☐ The applicant proposes to use proprietary BMPs, and documentation supporting use of proprietary BMP and proposed TSS removal rate is provided. This documentation may be in the form of the propriety BMP checklist found in Volume 2, Chapter 4 of the Massachusetts Stormwater Handbook and submitting copies of the TARP Report, STEP Report, and/or other third party studies verifying performance of the proprietary BMPs.

☐ A TMDL exists that indicates a need to reduce pollutants other than TSS and documentation showing that the BMPs selected are consistent with the TMDL is provided.

Standard 5: Land Uses With Higher Potential Pollutant Loads (LUHPPLs)

☐ The NPDES Multi-Sector General Permit covers the land use and the Stormwater Pollution Prevention Plan (SWPPP) has been included with the Stormwater Report.

☐ The NPDES Multi-Sector General Permit covers the land use and the SWPPP will be submitted ***prior to*** the discharge of stormwater to the post-construction stormwater BMPs.

☐ The NPDES Multi-Sector General Permit does ***not*** cover the land use.

☐ LUHPPLs are located at the site and industry specific source control and pollution prevention measures have been proposed to reduce or eliminate the exposure of LUHPPLs to rain, snow, snow melt and runoff, and been included in the long term Pollution Prevention Plan.

☐ All exposure has been eliminated.

☐ All exposure has ***not*** been eliminated and all BMPs selected are on MassDEP LUHPPL list.

☐ The LUHPPL has the potential to generate runoff with moderate to higher concentrations of oil and grease (e.g. all parking lots with >1000 vehicle trips per day) and the treatment train includes an oil grit separator, a filtering bioretention area, a sand filter or equivalent.

Standard 6: Critical Areas

☐ The discharge is near or to a critical area and the treatment train includes only BMPs that MassDEP has approved for stormwater discharges to or near that particular class of critical area.

☒ Critical areas and BMPs are identified in the Stormwater Report.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands Program

Checklist for Stormwater Report

Checklist (continued)

Standard 7: Redevelopments and Other Projects Subject to the Standards only to the maximum extent practicable

☐ The project is subject to the Stormwater Management Standards only to the maximum Extent Practicable as a:

- ☐ Limited Project
- ☐ Small Residential Projects: 5-9 single family houses or 5-9 units in a multi-family development provided there is no discharge that may potentially affect a critical area.
- ☐ Small Residential Projects: 2-4 single family houses or 2-4 units in a multi-family development with a discharge to a critical area
- ☐ Marina and/or boatyard provided the hull painting, service and maintenance areas are protected from exposure to rain, snow, snow melt and runoff
- ☐ Bike Path and/or Foot Path
- ☒ Redevelopment Project
- ☐ Redevelopment portion of mix of new and redevelopment.

☒ Certain standards are not fully met (Standard No. 1, 8, 9, and 10 must always be fully met) and an explanation of why these standards are not met is contained in the Stormwater Report.

☐ The project involves redevelopment and a description of all measures that have been taken to improve existing conditions is provided in the Stormwater Report. The redevelopment checklist found in Volume 2 Chapter 3 of the Massachusetts Stormwater Handbook may be used to document that the proposed stormwater management system (a) complies with Standards 2, 3 and the pretreatment and structural BMP requirements of Standards 4-6 to the maximum extent practicable and (b) improves existing conditions.

Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control

A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan must include the following information:

- Narrative;
- Construction Period Operation and Maintenance Plan;
- Names of Persons or Entity Responsible for Plan Compliance;
- Construction Period Pollution Prevention Measures;
- Erosion and Sedimentation Control Plan Drawings;
- Detail drawings and specifications for erosion control BMPs, including sizing calculations;
- Vegetation Planning;
- Site Development Plan;
- Construction Sequencing Plan;
- Sequencing of Erosion and Sedimentation Controls;
- Operation and Maintenance of Erosion and Sedimentation Controls;
- Inspection Schedule;
- Maintenance Schedule;
- Inspection and Maintenance Log Form.

☒ A Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan containing the information set forth above has been included in the Stormwater Report.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands Program

Checklist for Stormwater Report

Checklist (continued)

Standard 8: Construction Period Pollution Prevention and Erosion and Sedimentation Control (continued)

☐ The project is highly complex and information is included in the Stormwater Report that explains why it is not possible to submit the Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan with the application. A Construction Period Pollution Prevention and Erosion and Sedimentation Control has ***not*** been included in the Stormwater Report but will be submitted ***before*** land disturbance begins.

☒ The project is ***not*** covered by a NPDES Construction General Permit.

☐ The project is covered by a NPDES Construction General Permit and a copy of the SWPPP is in the Stormwater Report.

☐ The project is covered by a NPDES Construction General Permit but no SWPPP been submitted. The SWPPP will be submitted BEFORE land disturbance begins.

Standard 9: Operation and Maintenance Plan

☒ The Post Construction Operation and Maintenance Plan is included in the Stormwater Report and includes the following information:

- ☒ Name of the stormwater management system owners;
- ☒ Party responsible for operation and maintenance;
- ☒ Schedule for implementation of routine and non-routine maintenance tasks;
- ☒ Plan showing the location of all stormwater BMPs maintenance access areas;
- ☐ Description and delineation of public safety features;
- ☐ Estimated operation and maintenance budget; and
- ☒ Operation and Maintenance Log Form.

☐ The responsible party is ***not*** the owner of the parcel where the BMP is located and the Stormwater Report includes the following submissions:

- ☐ A copy of the legal instrument (deed, homeowner's association, utility trust or other legal entity) that establishes the terms of and legal responsibility for the operation and maintenance of the project site stormwater BMPs;
- ☐ A plan and easement deed that allows site access for the legal entity to operate and maintain BMP functions.

Standard 10: Prohibition of Illicit Discharges

☒ The Long-Term Pollution Prevention Plan includes measures to prevent illicit discharges;

☒ An Illicit Discharge Compliance Statement is attached;

☐ NO Illicit Discharge Compliance Statement is attached but will be submitted ***prior to*** the discharge of any stormwater to post-construction BMPs.

APPENDIX D

EROSION AND SEDIMENT CONTROL PLAN

Erosion and Sedimentation Control Plan and Pollution Prevention Plan

For Construction Activities At:

Church Street Bridge Replacement Transportation Improvement Project
Erving, MA

Prepared For:

Town of Erving
16 Public Works Boulevard
Erving, MA
(413) 423-3500 x 1400– Glenn McCrory

Prepared By:

Weston & Sampson Engineers, Inc.
712 Brook Street, Suite 103
Rocky Hill, CT 06067
(860) 513-1473

Site Contractor:

To Be Determined

1. Narrative

The purpose of this plan is to provide general guidelines and operation and maintenance procedures to the contractor during construction specifically with regards to erosion and sediment control.

The proposed project includes construction activities in, or close to, the limit of work includes mean annual high water and top of bank to perennial stream. Activities includes excavation within existing pavement limits for the installation of bridge foundations, storm drainage systems and the reconstruction of the existing paved roadways. Soils in the project area per the NRCS Web Soil Survey include:

- 245B – Hinckly loamy sand, 3 to 8 percent slopes –Hydrologic Soil Group A

Imported fill material will likely be limited to new road base and pipe bedding material unless excessive unsuitable materials are encountered within the paving limit.

2. Operation and Maintenance

A. The work covered by this plan consists of furnishing all labor, materials, tools and equipment and performing all work required for the prevention of environmental pollution during and as a result of construction operations under this contract.

B. The requirements set forth in this plan apply to all land disturbing activities required for this project

C. All work under this Contract shall be in accordance with the Department of Environmental Protection Orders of Conditions as well as all other stated requirements.

D. The proposed erosion and sediment control measures that are to be installed are located on the construction drawings.

E. A rain gauge shall be placed at the project in a workable location and monitored during rainfall periods until all disturbed areas are stabilized. In the event, there is a rainfall greater than 1/2" in a 12 hour period, all erosion control measures shall be checked and repaired as required. If no rain gauge is used, all erosion control measures shall be checked after all rainfall events. A checklist (sample provided at the end of this plan) will be filled out by the contractor each week. The contractor shall designate a party to be responsible for the maintenance of all erosion and sediment control measures for the duration of the project. Inspections shall be completed weekly or within 24 hours of a rain event as described above. When maintenance is required it shall be completed within 24 hours of being identified.

Designated Party: _____

F. All soil erosion and sediment control measures shall be installed, maintained, and implemented as shown on the construction drawings. It is the intent of this plan that soil erosion control measures are the first to be installed and the last to be removed. Surface waters on and adjacent to the site and abutting properties are to be protected from degradation and sedimentation. If other watercourses, streams, drainage-ways or abutting properties are jeopardized by construction, it shall be the contractor's responsibility to protect those waters and properties.

G. Make all necessary repairs to erosion control facilities as soon as possible. Silt fences and straw bale barriers, temporary sediment traps, and inlet protection which accumulate sediment and debris shall be cleaned and re-set as needed.

3. Notification

The Engineer will notify the Contractor in writing of any non-compliance with the foregoing provisions. The Contractor shall, after receipt of such notice, immediately take corrective action. Such notice, when delivered to the Contractor or his authorized representative at the site of the work, shall be deemed sufficient for the purpose. If the Contractor fails to act promptly, the Engineer may order stoppage of all or part of the work until satisfactory corrective action has been taken. No claim for an extension of time or for excess costs or damage incurred by the Contractor as a result of time lost due to any stop work orders shall be made unless it was later determined that the Contractor was in compliance.

4. Implementation

A. Prior to commencement of work, the Contractor shall meet with representatives of the Engineer and the Conservation Commission to develop mutual understandings relative to compliance of the environmental protection program.

B. The Contractor shall submit for approval six sets of details and literature fully describing environmental protection methods to be employed in carrying out construction activities within 100 feet of wetlands and 200 feet of watercourses.

C. Once a construction schedule has been established a person shall be named and will be responsible for implementation of sediment and erosion control measures. This responsibility includes the acquisition of materials, installation, and maintenance of erosion and sediment structures, the communication and detailed explanation to all people involved in the site work of the requirements and objective of the erosion and sediment control measures.

D. The Engineer shall be notified of any proposed alteration to the erosion and sediment control plan, prior to altering, in order to ensure the feasibility of the addition, subtraction, or change in the plan.

5. Area of Construction Activity

Insofar as possible, the Contractor shall confine his construction activities to those areas defined by the plans and specifications. All land resources within the project boundaries and outside the limits of permanent work performed under this contract shall be preserved in their present condition or be restored to a condition after completion of construction at least equal to that which existed prior to work under this contract.

6. Protection of Water Resources

A. The Contractor shall not pollute streams, lakes or reservoirs with fuels, oils, bitumens, calcium chloride, acids or other harmful materials. It is the Contractor's responsibility to comply with all applicable Federal, State, County and Municipal laws regarding pollution of rivers and streams.

B. Special measures should be taken to insure against spillage of any pollutants into public waters.

7. Location of Storage Areas

A. The location of the Contractor's storage areas for equipment and/or materials shall be as negotiated with the Owner. Plans showing storage facilities for equipment and materials shall be submitted for approval of the Engineer.

B. No excavated materials or materials used in backfill operations shall be deposited within a minimum distance of one hundred (100) feet of any watercourse or any drainage facility. Adequate measures for erosion and sediment control such as the placement of baled hay or straw around the downstream perimeter of stockpiles shall be employed to protect any downstream areas from siltation.

C. There shall be no storage of equipment or materials in areas designated as wetlands.

D. The Engineer may designate a particular area or areas where the Contractor may store materials used in his operations.

E. Storage areas in cross-country locations shall be restored to pre-construction conditions with the planting of native species of trees and shrubs.

8. Spill Prevention Measures

A. Vehicle Maintenance: Vehicles and equipment maintenance shall occur at the off-site staging area over a spill containment pallet or sufficiently impervious surface. Only minor maintenance shall be conducted. All equipment fluids generated from maintenance activities will be disposed of into designated drums stored on spill pallets inside a materials storage container. Fluids shall be removed from the site and dispose of in accordance with applicable regulations as soon as feasible. All vehicles and equipment including subcontractor vehicles shall be checked for leaking oil and fluids. Vehicles leaking fluid shall not be allowed onsite.

B. Spill Kits: Spill kits will be stored within the designated fueling area and concrete washout areas. Spill kits shall be readily available during all fueling operations. Spill kits must contain absorbent pads or other sorbent materials. Spill kits shall be inspected weekly to insure that adequate cleanup materials are on site at all times.

C. Spills: All spills will be cleaned up immediately upon discovery. Spent absorbent materials and rags will be hauled offsite immediately after the spill is cleaned up for disposal at an approved location. Spills large enough to discharge to surface water will be reported to the National Response Center at 1-800-424-8802.

D. Material safety data sheets: A material inventory and emergency contact information shall be maintained onsite.

9. Vehicle Fueling Operations

A. Several types of vehicles and equipment will be used on-site throughout the project, including graders, excavators, loaders, concrete equipment, rollers, trucks and trailers, backhoes, and forklifts. Equipment/vehicle fueling will be performed onsite. Fueling activities are to be situated so that drainage facilities or watercourses located in the area are not at risk from potential infiltration. Fueling shall take place on an impervious surface and shall be conducted at least 100 feet from a drainage structure, wetland or watercourse. Absorbent, spill-cleanup materials and spill kits will be available at the designated fueling areas. Fuel will be delivered to the site on an as needed basis by a fuel delivery service.

B. Maintenance and Inspection: Inspect equipment/vehicle storage areas and fueling area weekly. Vehicles and equipment will be inspected on each day of use. Leaks will be repaired immediately or the problem vehicle(s) or equipment will be removed from the project site. Keep ample supply of spill-cleanup materials onsite and immediately clean up spills and dispose of materials properly.

10. Washing of Equipment and Vehicles

Washing of equipment and vehicles is prohibited. Vehicle and equipment washing shall occur off-site at a permitted facility.

11. Materials Storage and Staging Area

A. Construction equipment and maintenance materials will be stored at a designated staging area and materials storage areas. A watertight shipping container will be used to store hand tools, small parts, and other construction materials. All hazardous waste materials such as oil filters, petroleum products, paint, and equipment maintenance fluids will be stored in structurally sound and sealed containers under cover within the storage container, until such time they can be properly disposed of. Very large items, such as piping, valves, and structures, will be stored in the open in the materials storage area. Such materials will be elevated on wood blocks to minimize contact with runoff.

B. The storage areas will be inspected weekly. The storage areas will be kept clean, well-organized, and equipped with ample cleanup supplies as appropriate for the materials being stored. Perimeter controls, containment structures, covers and liners will be repaired or replaced as needed to maintain proper function.

C. It is not anticipated that pesticides, herbicides, insecticides, fertilizers and landscape materials will be stored on site. These materials will be delivered as needed during the installation of the limited landscaping features. If it is determined that these materials are required to be stored on site they shall be stored in the watertight shipping container, in a spill containment pallet, with a spill cleanup kit.

D. It is not anticipated that diesel fuel, oil, hydraulic fluids, other petroleum products, and other chemicals will be stored on site. These materials will be delivered as needed over the course of construction. If it is determined that these materials are required to be stored on site, they shall be stored in the watertight shipping container, in a spill containment pallet, with a spill cleanup kit.

E. All hazardous waste materials including oil filters, petroleum products, paint, and equipment maintenance fluids will be stored in structurally sound and sealed shipping containers, within a hazardous materials storage area in a designated staging area. Hazardous waste materials will be stored in appropriate and clearly marked containers and segregated from other non-waste materials. Secondary containment will be provided for all waste materials in the hazardous materials storage area and will consist of commercially available spill pallets. Additionally, all hazardous waste materials will be disposed of in accordance with federal, state, and local

regulations. Hazardous waste materials will not be disposed of into the on-site dumpsters. The hazardous waste materials area will be inspected weekly and after storm events. The storage area will be kept clean, well-organized and equipped with ample cleanup supplies as appropriate for the materials being stored. Material safety datasheets, material inventory, and emergency contact numbers will be maintained on site.

F. All waste materials will be collected and disposed of into a dumpster in the designated staging area. Dumpsters will have a secure tight lid, be placed away from stormwater drains and structures, and will meet all federal, state, and local regulations. Only trash and construction debris will be placed in the dumpsters. Construction materials will not be buried on site. The dumpsters will be inspected weekly and immediately after storm events. The dumpsters will be emptied weekly, or more frequently if needed, and taken to the appropriate disposal facility.

12. Sanitary Waste

Portable toilets, located in the staging area, will be provided at the site throughout all the phases. The toilets will be located away from concentrated drainage flow paths. Sanitary waste will be collected a minimum of once a week and shall be inspected weekly for evidence of leaking holding tanks.

13. Concrete Truck Washout Procedures

A. A designated temporary, above-grade concrete washout area will be constructed at an approved onsite location. The washout area shall be constructed in a location approved by the engineer. The temporary concrete washout area will be constructed using staked hay bales with a recommended minimum length and minimum width of 10 feet, but with sufficient quantity and volume to contain all liquid and concrete waste generated by washout operations. The washout area will be lined with plastic sheeting at least 10 mils thick and free of holes or tears.

B. Concrete pours will not be conducted during or before an anticipated storm event. Concrete mixer trucks and chutes will be washed in the designated area or concrete wastes will be properly disposed of offsite. When the temporary washout area is no longer needed for the construction project, the hardened concrete and materials used to construct the area will be removed and disposed as described below and the area will be stabilized.

C. The washout areas will be inspected weekly and each day of use to ensure that all concrete washing is being discharged into the washout area, no leaks or tears are present and to identify when concrete wastes need to be removed. The washout areas will be cleaned out once the area is filled to 75 percent of the holding capacity. Once the area's holding capacity has been reached, the concrete wastes will be allowed to harden, the concrete will be

broken up, removed, and taken to the appropriate landfill for disposal. The plastic sheeting will be replaced if tears occur during removal of concrete wastes from the washout area.

14. Recycling Practices

Wood pallets, cardboard boxes, and other recyclable construction scraps will be disposed of in a separate designated dumpster for recycling. The dumpster will have a secure watertight lid, be placed away from stormwater conveyances and drains, and meet all local and state solid waste management regulations. Only solid recyclable construction scraps from the site will be deposited in the dumpster. The recycling dumpster will be inspected weekly. The recycling dumpster will be emptied when full and taken to an approved recycling center by the contractor. If recyclable construction wastes are exceeding the dumpster's capacity, the dumpsters will be emptied more frequently.

15. Construction in Areas Designated as Wetland Resources on the Drawings

A. Insofar as possible, the Contractor shall make every effort to minimize disturbance within areas designated as wetland resources. Total construction widths shall be limited to the widths shown.

B. The Contractor shall perform his work in such a way that these areas are left in the condition existing prior to construction.

C. The elevations of areas designated as wetland resources shall not be unduly disturbed by the Contractor's operations. If such disturbance does occur, the Contractor shall take all measures necessary to return these areas to the elevations which existed prior to construction.

16. Protecting and Minimizing Exposed Areas

A. The Contractor shall limit the area of land which is exposed and erodible during construction. In areas where the period of exposure will be greater than two (2) months, temporary stabilization or other protective measures shall be provided as specified.

B. The Contractor shall take account of the conditions of the soil where temporary cover crop will be used to ensure that materials used for temporary vegetation are adaptive to the sediment control. Materials to be used for temporary vegetation shall be approved by the Engineer.

17. Protection of Landscape

A. The Contractor shall not deface, injure, or destroy trees or shrubs nor remove or cut them without written authority from the Owner. No ropes, cables, or

guys shall be fastened to or attached to any existing nearby trees for anchorages unless specifically authorized by the Engineer. Excavating machinery and cranes shall be of suitable type and be operated with care to prevent injury to trees which are not to be removed, particularly overhanging branches and limbs. The Contractor shall, in any event, be responsible for any damage resulting from such use.

B. Branches, limbs, and roots shall not be cut except by permission of the Engineer. All cutting shall be smoothly and neatly done without splitting or crushing. When there is unavoidable injury to branches, limbs and trunks of trees, the injured portions shall be neatly trimmed and covered with an application of grafting wax or tree healing paint as required.

C. Where, in the opinion of the Engineer, trees may possibly be defaced, bruised, injured, or otherwise damaged by the Contractor's equipment or by his blasting or other operations, the Engineer may require the Contractor to adequately protect such trees by placing boards, planks, poles or fencing around them. Any trees or landscape feature scarred or damaged by the Contractor's equipment or operations shall be restored as nearly as possible to its original condition at the expense of the Contractor. The Engineer will decide what method of restoration shall be used, and whether damaged trees shall be treated and healed or removed and disposed of.

D. Cultivated hedges, shrubs, and plants which could be injured by the Contractor's operations shall be protected by suitable means or shall be dug up, balled, and temporarily replanted and maintained. After construction operations have been substantially completed, they shall be replanted in their original positions and cared for until growth is re-established. If cultivated hedges, shrubs, and plants are injured to such a degree as to affect their growth or diminish their beauty or usefulness, they shall be replaced by items of a kind and quality at least equal to that existing at the start of the work.

18. Clearing and Grubbing

A. The Contractor shall clear and grub only the area required for construction operations, as approved by the Engineer. Removal of mature trees (4 inches or greater DBH) will not be allowed on temporary easements.

B. The Contractor shall not remove trees without permission of the Engineer.

19. Discharge of Dewatering Operations

A. Any water that is pumped and discharged as part of the Contractor's water handling shall be filtered by an approved method prior to its discharge into a receiving water or drainage system.

B. Under no circumstances shall the Contractor discharge water to the areas designated as wetlands. When constructing in a wetlands area, the Contractor shall discharge water from dewatering operations directly to an approved filtration method before discharging to the nearest drainage system, stream, or waterway.

C. The pumped water shall be filtered through baled hay, a vegetative filter strip or a vegetated channel to trap sediment occurring as a result of the construction operations. The vegetated channel shall be constructed such that the discharge flow rate shall not exceed a velocity of more than 1 foot per second. Accumulated sediment shall be cleared from the channel periodically.

20. Dust Control

A. During the progress of the work, the Contractor shall conduct his operations and maintain the area of his activities, including sweeping and sprinkling of streets as necessary, to minimize creation and dispersion of dust. If the Engineer decides it is necessary to use calcium chloride for more effective dust control, the Contractor shall furnish and spread the material, as required.

B. Calcium Chloride shall not be used for dust control within a drainage basin or in the vicinity of any source of potable water.

21. Separation and Replacement of Topsoil

Topsoil shall be carefully removed from cross-country areas where excavations are to be made, and separately stored to be used again as required. The topsoil shall be stored in an area acceptable to the Engineer and adequate measures shall be employed to prevent erosion of said material.

22. Compost Filter tubes

To trap sediment and to prevent sediment from discharging downhill, compost filter tubes shall be used where shown on the drawings. The tubes should be securely staked to prevent overturning, flotation, or displacement. All deposited sediment shall be removed periodically.

23. Sediment Fence

A. Where indicated on the drawings or where required by the Engineer, the Contractor shall erect and maintain a temporary silt fence. In areas designated as wetlands, the Contractor shall line the limits of the construction easement with a silt fence. The silt fence shall be used specifically to contain sediment from runoff water and to minimize environmental damage caused by construction.

B. The silt fence shall consist of a 3-foot wide continuous length sediment control fabric, stitched to a 22-foot wide, continuous length support netting, and stapled to pre-weathered oak posts installed as shown on the drawings. The oak posts shall be 1½-inches by 1½-inches (Minimum Dimension) by 48 inches and shall be tapered. The support netting shall be industrial strength polypropylene. The bottom edge of the sediment control fabric shall be buried as shown on the drawings. The sediment control fabric shall conform to the following properties:

Property	Value	Test Method
1. Grab Strength (lbs.)	124	ASTM D-4632
2. Elongation (%)	15%	ASTM D-4632
3. Puncture Strength (lbs.)	65	ASTM D-4833
4. Burst Strength (psi)	300	ASTM D-3786
5. Trapezoid Tear (lbs.)	60	ASTM D-4533
6. Equivalent Opening Size (U.S. Sieve)	No. 30	ASTM D-4571
7. Permittivity (sec^{-1})	0.10	ASTM D-4491
8. Water Flow Rate (gal/min/sf.)	10	ASTM D-4491
9. UV Resistance (%)	70	ASTM D-4355

C. The silt fence shall be Mirafi Envirofence manufactured by Mirafi, Inc. or approved equal.

24. Inlet Protection

A. Where indicated on the drawings or where required by the Engineer, the Contractor shall install and maintain inlet protection. At a minimum inlet protection is required on all drainage structures in the project area. The inlet protection shall be SiltSack or approved equal. The inlet protection shall be cleaned or replaced as needed to insure proper operation for the duration of construction.

EROSION CONTROL MEASURES INSPECTION AND MAINTENANCE CHECKLIST

DATE/TIME:_____

INSPECTOR:_____

MEASURE	SATISFACTORY (YES OR NO)	COMMENTS	ACTION	DATE COMPLETED
Sediment Barriers				
Inlet Protection				
Discharge Points				

POLLUTION PREVENTION MEASURES INSPECTION AND MAINTENANCE CHECKLIST

DATE/TIME:_____

INSPECTOR:_____

MEASURE	SATISFACTORY (YES OR NO)	COMMENTS	ACTION	DATE COMPLETED
Trash Dumpster with Cover				
Recycling Dumpster with Cover				
Staging Area				
Bulk Material Storage Area				
Material Storage Containers				
Fueling Area				
Equipment Storage Area				
Sanitary Facilities				
Concrete Washout Area				
Spill Kits				

APPENDIX E

OPERATION AND MAINTENANCE PLAN

LONG-TERM POLLUTION PREVENTION PLAN/
OPERATION AND MAINTENANCE PLAN
Town of Erving

I. Purpose and Scope

The purpose of this plan is to provide the maintenance staff of the Town of Erving guidelines and procedures for the operation and maintenance of the drainage systems for the Church Street Bridge Replacement Transportation Improvement Project. Checklists will be utilized during the inspection and cleaning process and kept on file in the maintenance office.

The proposed site plan includes the following stormwater structures:

- Catch Basins
- Drainage Manholes
- Discharge Points

II. Ownership

The Town of Erving Highway Department operates and maintains Town-wide roadways and drainage systems.

III. Responsible Party

The following individual is the primary contact for the implementation of this plan.

Name: Glen McCrory, Highway Superintendent

Phone #: (413) 423-3500-1400

IV. Schedule for Inspection and Maintenance Activities

A. Inspection

i. Structures, and outfalls will be inspected annually for excess accumulation of sediment and debris, erosion or other problems.

B. Routine and Non-Routine Maintenance

i. Structures, and outfalls shall be cleaned at least once a year, at a minimum, after the snow and ice removal season

and before spring rainfall events or as required due to conditions noted during inspections.

ii. Street sweeping: The roadways shall be swept once a year after the snow and ice removal season has ended and prior to spring rains.

iii. Erosion repairs will be completed on an as-needed basis.

V. Access to System

The drainage system is located within the Town right-of-way.

VI. Funding

The Highway Department maintains a budget as required to complete all highway related services. Inspection and maintenance of the systems is part of this yearly budget process.

VII. Illicit Discharges

No illicit discharges to watercourses or drainage structures are permitted in the Town of Erving.

VIII. Operation and Maintenance Log Forms

See attached sheets.

STORMWATER MANAGEMENT SYSTEM INSPECTION CHECKLIST

DATE/TIME:_____

INSPECTOR:_____

STRUCTURE	*SATISFACTORY (YES OR NO)*	*COMMENTS*	*ACTION*	*DATE COMPLETED*
STRUCTURES				

STRUCTURE	SATISFACTORY (YES OR NO)	COMMENTS	ACTION	DATE COMPLETED

STRUCTURE	*SATISFACTORY (YES OR NO)*	*COMMENTS*	*ACTION*	*DATE COMPLETED*
OUTFALLS				

STRUCTURE	*SATISFACTORY (YES OR NO)*	*COMMENTS*	*ACTION*	*DATE COMPLETED*
OUTFALLS				

APPENDIX F

PUBLIC NOTICE FORM

PUBLIC NOTICE

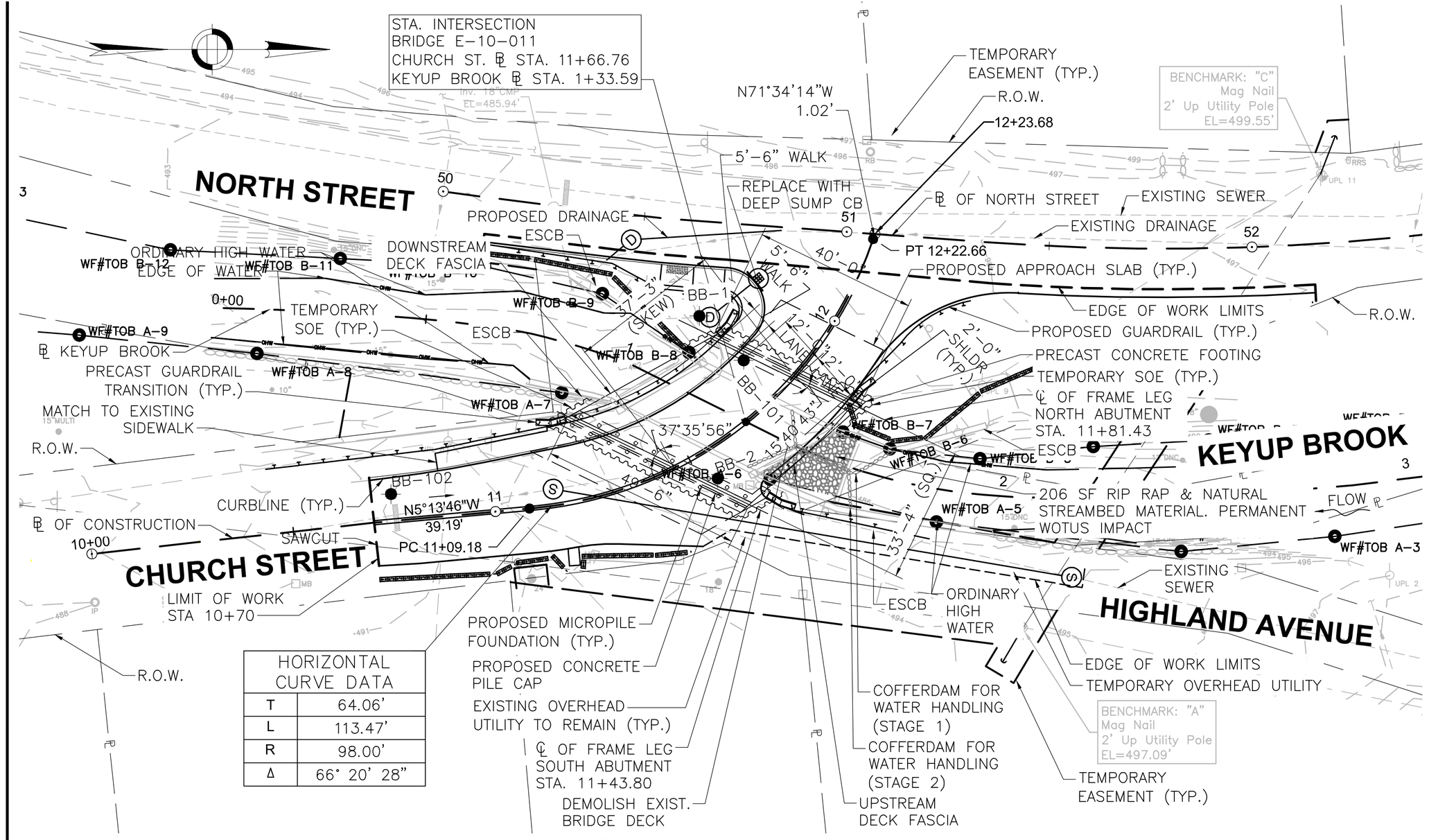
Massachusetts Department of Environmental Protection
Division of Wetlands and Waterways
MassDEP Boston Office
100 Cambridge Street Suite 900
Boston, MA 02114

Pursuant to 33 U.S.C. 1341 and M.G.L. c. 21 §§ 26 - 53, notice is given of a 401 Water Quality Certification application for the replacement of Bridge #E-10-011, Church Street over the Keyup Brook in the Town of Erving, Massachusetts by the Massachusetts Department of Transportation – Highway Division, Ten Park Plaza, Room 7360, Boston, MA 02116. The purpose of the project is to upgrade the existing bridge condition to a satisfactory state over Keyup Brook. Removal and replacement of the existing bridge superstructure, as well as a repair of existing retaining walls adjacent to the bridge is proposed. Additional information may be obtained from the Massachusetts Department of Transportation – Highway Division at the above address, attention Courtney Walker or by emailing Courtney.l.walker@dot.state.ma.us. Written comments should be sent to Heidi Davis, MassDEP Wetlands Program, 100 Cambridge Street, Suite 900, Boston, MA 02114 or heidi.davis@mass.gov within twenty-one days of this notice.

Any group of ten persons, any aggrieved person, or any governmental body or private organization with a mandate to protect the environment who submits written comments may appeal the Department's Certification. Failure to submit written comments before the end of the public comment period may result in the waiver of any right to an adjudicatory hearing.

APPENDIX G

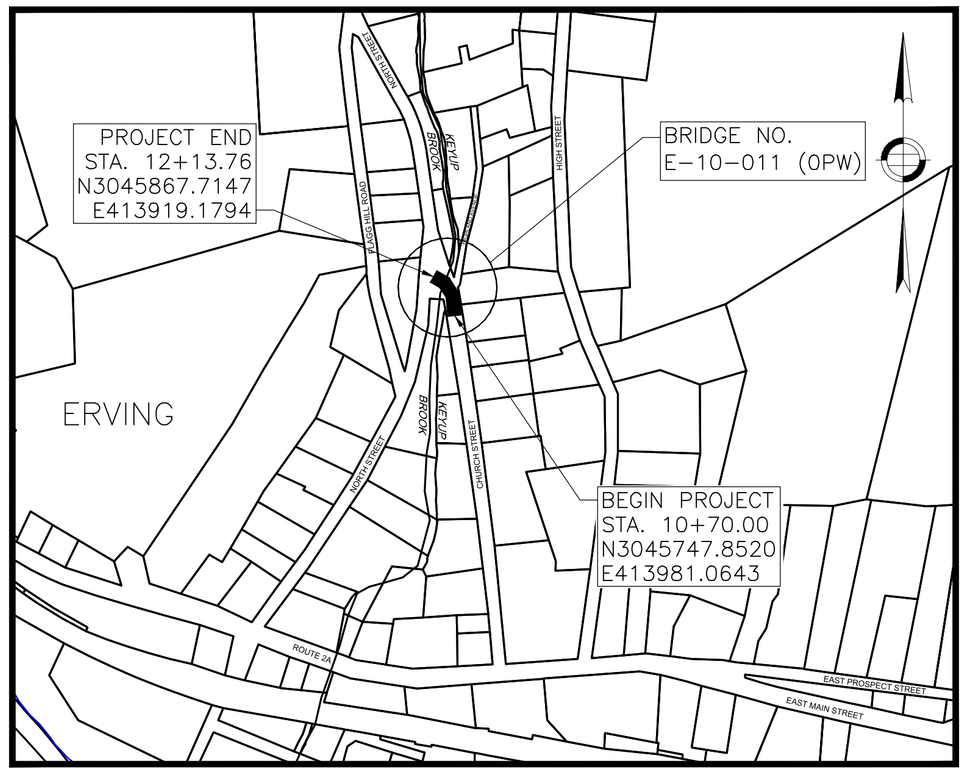
PERMIT PLANS AND SPECIFICATIONS



HORIZONTAL CURVE DATA	
T	64.06'
L	113.47'
R	98.00'
Δ	66° 20' 28"

KEY PLAN

SCALE: 1" = 20'



LOCUS

SCALE: 1" = 500'

GENERAL NOTES

DESIGN:

1. IN ACCORDANCE WITH THE 2020 AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS LRFD BRIDGE DESIGN SPECIFICATIONS FOR HL-93 LOADING.
2. USE MASSDOT SPECIFICATION M2.02.2 FOR RIP RAP.

NOTES:

1. APPROVAL DOES NOT INCLUDE STRUCTURAL ANALYSIS.
2. DIMENSIONS OF STRUCTURAL MEMBERS ARE APPROXIMATE, AND WILL BE FINALIZED DURING THE FINAL DESIGN PHASE.
3. SEE GEOTECHNICAL REPORT DATED, FEBRUARY 2024.
4. SEE HYDRAULIC REPORT DATED OCTOBER 2023.
5. NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988 IS USED THROUGHOUT.
6. SCALES NOTED ARE BASED ON FULL SIZED PLANS (24"X36")

PROJECT INFORMATION
PROJECT FILE NO.: 612982
PROJECT DESCRIPTION: PROPOSED BRIDGE
BRIDGE DESIGN LOADING: HL-93
SURVEY: ELECTRONIC SURVEY BY WESTON & SAMPSON
ELEVATION REFERENCE: NAVD OF 1988
BENCH MARK: SEE BORING NOTES (SHEET 2)

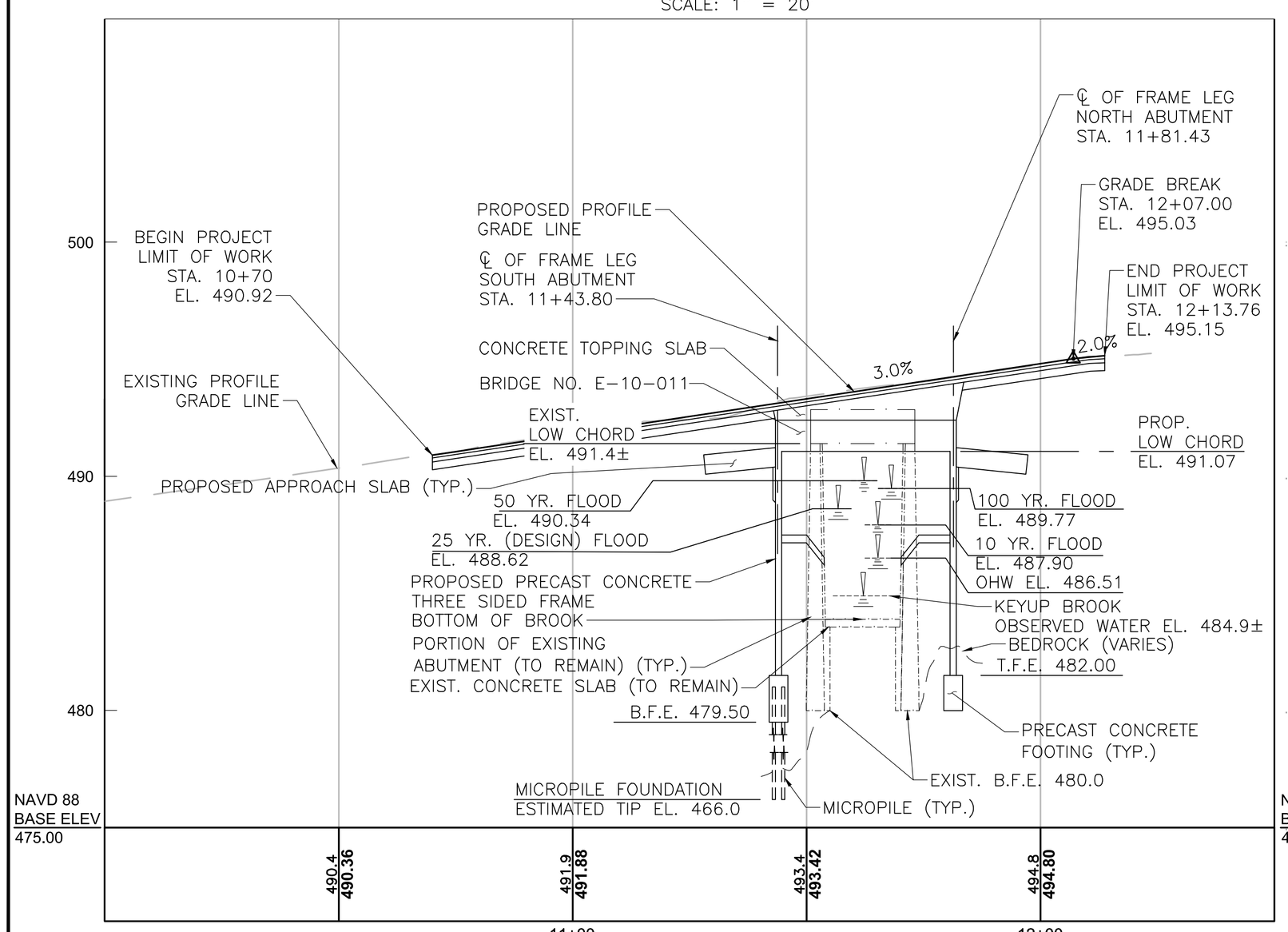
ABBREVIATIONS

ESCB.....EROSION AND SEDIMENT CONTROL BARRIER
LUW .....LAND UNDER WATER
OHW .....ORDINARY HIGH WATER
SOE .....SUPPORT OF EXCAVATION
WOTUS.....WATERS OF THE U.S.

NOTE:

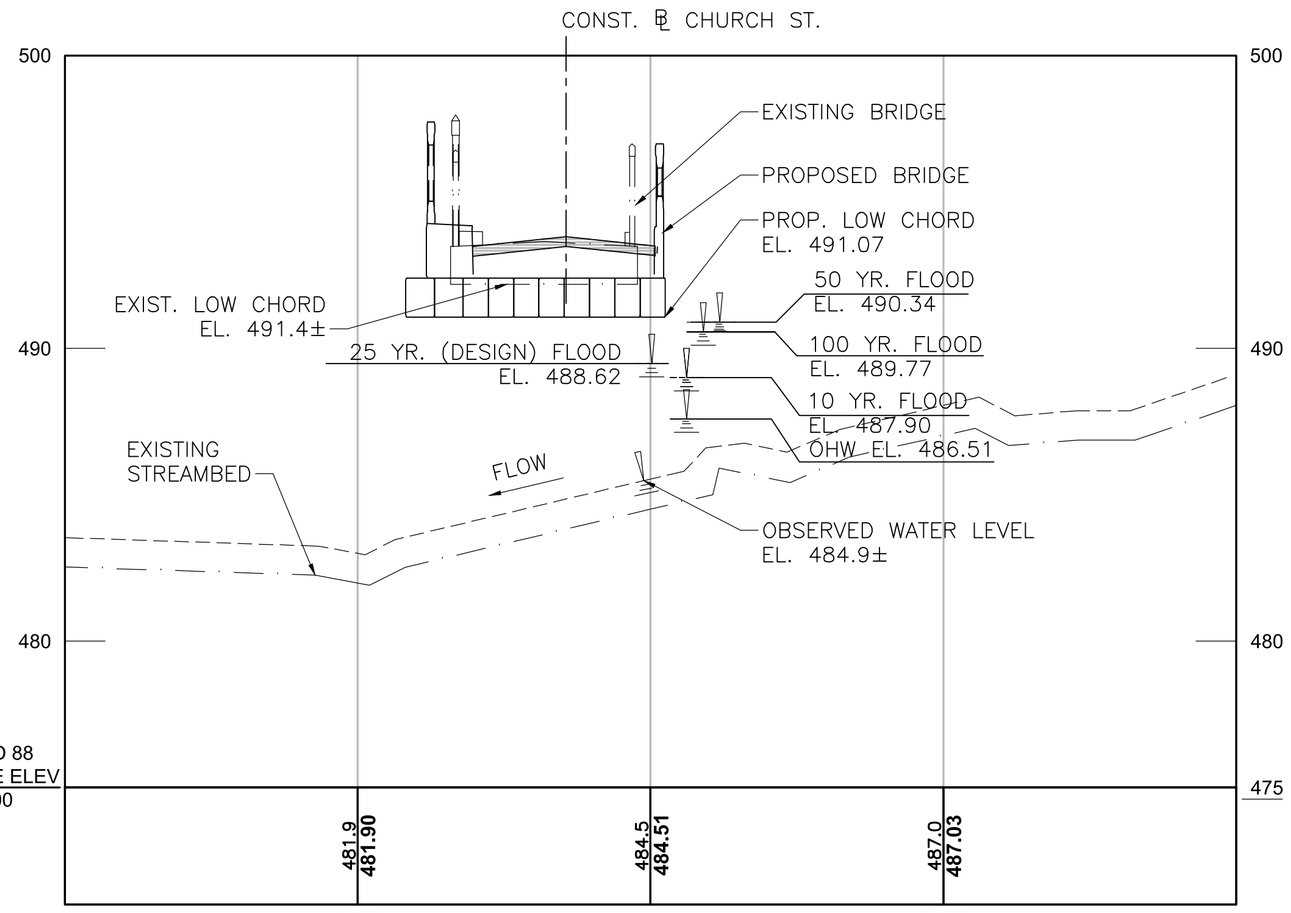
FOR HALF-SIZE (11" x 17") PLOTS, SCALES NOTED ON THIS SHEET MUST ALSO BE REDUCED BY HALF.

HYDRAULIC DESIGN DATA	
DRAINAGE AREA (SQ. MILES)	7.1
DESIGN FLOOD DISCHARGE (C.F.S.)	851
DESIGN FLOOD FREQUENCY (YEARS)	25
DESIGN FLOOD VELOCITY (F.P.S.)	11.12
DESIGN FLOOD ELEVATION (FEET, NAVD)	488.62
BASE (100-YEAR) FLOOD DATA	
BASE FLOOD DISCHARGE (C.F.S.)	1260
BASE FLOOD ELEVATION (FEET, NAVD)	489.77
DESIGN AND CHECK SCOUR DATA	
DESIGN SCOUR FLOOD EVENT RETURN FREQUENCY (YEARS)	50
DESIGN FLOOD ABUTMENT SCOUR DEPTH (FEET)	3.64
DESIGN FLOOD PIER SCOUR DEPTH (FEET)	N/A
CHECK SCOUR FLOOD EVENT RETURN FREQUENCY (YEARS)	100
CHECK FLOOD ABUTMENT SCOUR DEPTH (FEET)	4.32
CHECK FLOOD PIER SCOUR DEPTH (FEET)	N/A
FLOOD OF RECORD	
DISCHARGE (C.F.S.)	N/A
FREQUENCY (IF KNOWN, YEARS)	N/A
MAXIMUM ELEVATION (FEET, NAVD)	N/A
DATE (MM/YYYY)	N/A
HISTORY OF ICE FLOES	N/A
EVIDENCE OF SCOUR AND EROSION	N/A
SEISMIC DESIGN CRITERIA	
DESIGN RETURN PERIOD:	1000 YRS
DESIGN SPECTRA	
As	0.072g
SDs	0.162g
SD1	0.070g
SITE CLASS	C
SEISMIC DESIGN CATEGORY (SDC)	A



PROFILE - CHURCH STREET

HORIZONTAL SCALE: 1" = 20'
VERTICAL SCALE: 1" = 4'



PROFILE - KEYUP BROOK

HORIZONTAL SCALE: 1" = 20'
VERTICAL SCALE: 1" = 4'

WESTON & SAMPSON
100 FOXBOROUGH BLVD, SUITE 250
FOXBOROUGH, MA 02035

massDOT Massachusetts Department of Transportation Highway Division

PERMIT PLANS OF
PROPOSED BRIDGE
REPLACEMENT

ERVING

CHURCH STREET
OVER KEYUP BROOK

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

APPROVED BY _____ DATE _____

STRUCTURAL ELEMENTS: _____ _____

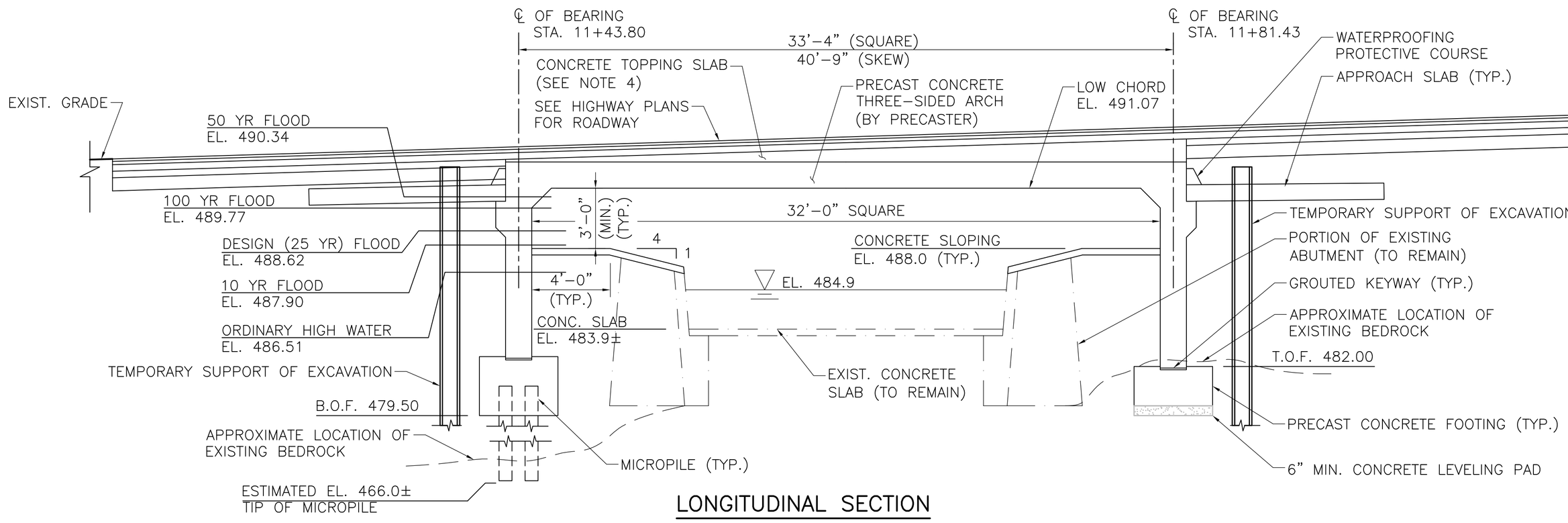
TITLE: _____

HIGHWAY ELEMENTS: _____ _____

TITLE: _____

A00830-157

Prepared by: AECOM 5/24/24

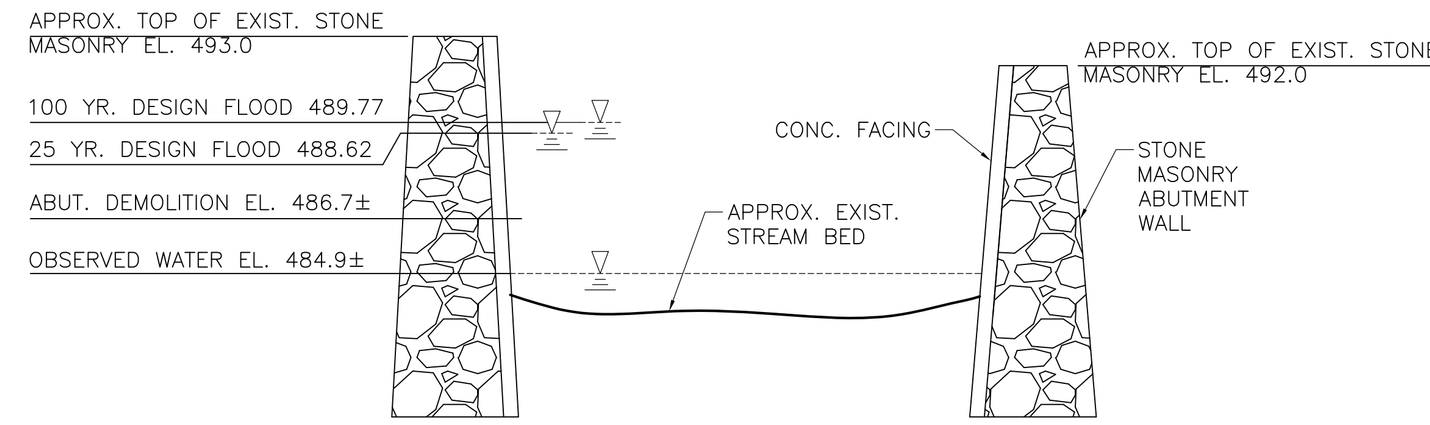


LONGITUDINAL SECTION

SCALE: ¼" = 1'-0"

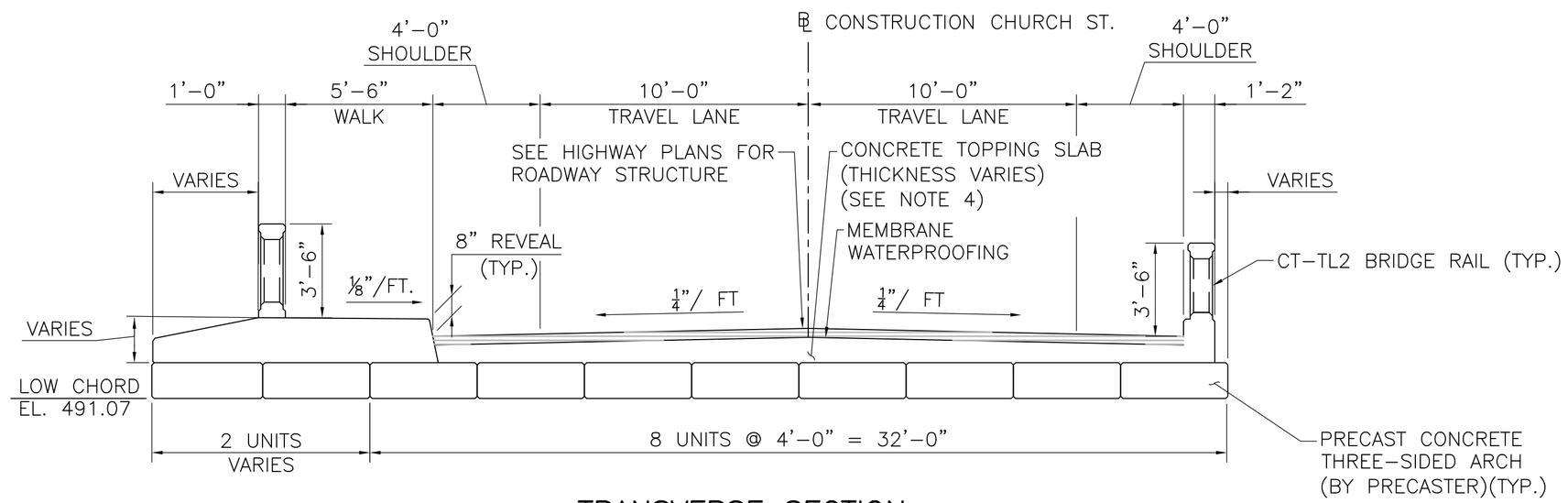
NOTE:

FOR HALF-SIZE (11" x 17") PLOTS, SCALES NOTED ON THIS SHEET MUST ALSO BE REDUCED BY HALF.



UPSTREAM CHANNEL CROSS SECTION

SCALE: ¼" = 1'-0"



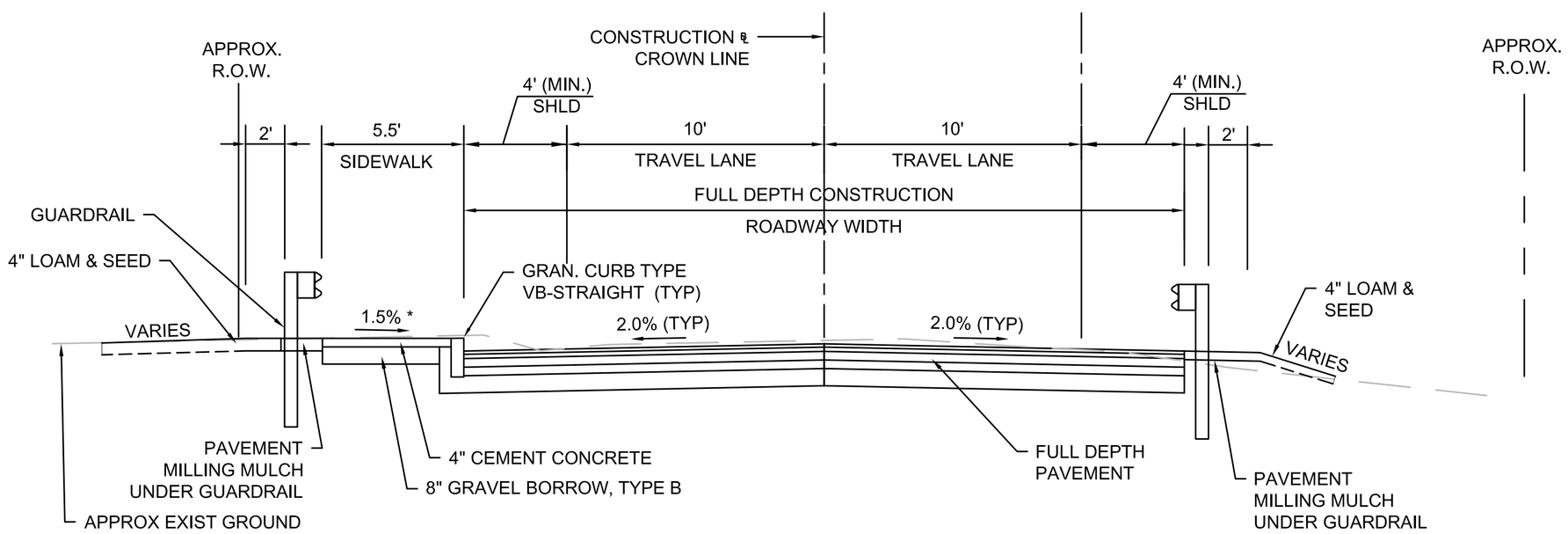
TRANSVERSE SECTION

SCALE: ¼" = 1'-0"

(SECTION CUT PERPENDICULAR TO CENTERLINE ROADWAY)

DOWNSTREAM CHANNEL CROSS SECTION

SCALE: ¼" = 1'-0"



TYPICAL SECTION – CHURCH STREET
STA. 10+70.00 TO STA. 12+13.76

SCALE: ¼" = 1'-0"

*** TOLERANCE FR CONSTRUCTION ±0.5%**

NOTES:

1. FACTORED BEARING PRESSURE = 4.7 KSF AS PER AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS STRENGTH I LOAD COMBINATION. THE FACTORED BEARING RESISTANCE = 6.5 KSF. FACTORED BEARING RESISTANCE IS THE PRODUCT OF NOMINAL BEARING RESISTANCE AND A RESISTANCE FACTOR OF 0.45.
2. FACTORED GEOTECHNICAL MICROPILE RESISTANCE IS 125 KIPS AND IS THE PRODUCT OF 227.5 KIPS AND A RESISTANCE OF 0.55. THE FACTORED DESIGN AXIAL LOAD PER MICROPILE IS 36± KIPS AS PER AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS STRENGTH I LOAD COMBINATION.
3. MICROPILE WILL HAVE A MINIMUM OF 5 FT. BOND LENGTH INTO BED ROCK.
4. CONCRETE TOPPING WILL BE PLACED DIRECTLY ON TOP OF THREE SIDED FRAME TO ACHIEVE PROPER GRADES PRIOR TO PLACING LIFTS OF HMA SUPERPAVE. DEPTH OF CONCRETE TOPPING VARIES FROM 7"± TO 20"±.

AW0830 - 158
Proposal No. 61292, 13268

ITEM 767.121 SEDIMENT CONTROL BARRIER FOOT

The work under this item shall conform to the relevant provisions of Subsections 670, 751 and 767 of the Standard Specifications and shall include the furnishing and placement of a sediment control barrier. Sediment control barrier shall be installed prior to disturbing upslope soil.

The purpose of the sediment control barrier is to slow runoff velocity and filter suspended sediments from storm water flow. Sediment barrier may be used to contain stockpile sediments, to break slope length, and to slow or prevent upgradient water or water off road surfaces from flowing into a work zone. The contractor shall be responsible for ensuring that barriers fulfill the intent of adequately controlling siltation and runoff.

Twelve-inch diameter (after installation) compost filter tubes with biodegradable natural fabric (i.e., cotton, jute, burlap) are intended to be the primary sedimentation control barrier. Photo-biodegradable fabric shall not be used.

For small areas of disturbance with minimal slope and slope length, the Engineer may approve the following sediment control methods:

- 9-inch compost filter tubes
- Straw bales which shall be trenched

No straw wattles may be used. Additional compost filter tubes (adding depth or height) shall be used at specific locations of concentrated flow such as at gully points, steep slopes, or identified failure points in the sediment capture line.

When required by permits, additional sediment barrier shall be stored on-site for emergency use and replacement for the duration of the contract.

Where shown on the plans or when required by permits, sedimentation fence shall be used in addition to compost filter tubes and straw bales and shall be compensated under that item.

Sediment control barriers shall be installed in the approximate location as shown on the plans and as required so that no excavated or disturbed soil can enter mitigation areas or adjacent wetlands or waterways. If necessary to accommodate field conditions and to maximize effectiveness, barrier locations may be shifted with approval from the Engineer. Barriers shall be in place prior to excavation work. No work shall take place outside the barriers.

MATERIALS AND CONSTRUCTION

Prior to initial placement of barriers, the Contractor and the Engineer shall review locations specified on the plans and adjust placement to ensure that the placement will provide maximum effectiveness.

ITEM 767.121 (Continued)

Barriers shall be staked, trenched, and/or wedged as specified herein and according to the Manufacturer's instructions. Barriers shall be securely in contact with existing soil such that there is no flow beneath the barrier.

Compost Filter Tube

Compost material inside the filter tube shall meet M1.06.0, except for the following: no peat, manure or bio-solids shall be used; no kiln-dried wood or construction debris shall be allowed; material shall pass through a 2-inch sieve; and the C:N ratio shall be disregarded.

Outer tube fabric shall be made of 100% biodegradable materials (i.e., cotton, hemp or jute) and shall have a knitted mesh with openings that allow for sufficient water flow and effective sediment capture.

Tubes shall be tamped, but not trenched, to ensure good contact with soil. When reinforcement is necessary, tubes shall be stacked as shown on the detail plans.

Straw Bales

Straw bales shall be used if shown on the plans or when specified by Orders of Condition or other permit requirements.

Bales should be placed in a single row, lengthwise on the contour, with ends of adjacent bales tightly abutting one another. All bales should be either wire-bound or string-tied. Straw bales should be installed so that bindings are oriented around the sides (rather than along the tops and bottoms) of the bales in order to prevent deterioration of the bindings.

The barrier should be entrenched and backfilled. A trench should be excavated the width of a bale and the length of the proposed barrier to a minimum depth of 4 inches. The trench must be deep enough to remove all grass and other material which might allow underflow. After the bales are staked and chinked (filled by wedging), the excavated soil should be backfilled against the barrier. Backfill soil should conform to the ground level on the downhill side and should be built up to 4 inches against the uphill side of the barrier.

Each bale should be securely anchored by at least 2 stakes or re-bars driven through the bale. The first stake in each bale should be driven toward the previously laid bale to force the bales together. Stakes or re-bars should be driven deep enough into the ground to securely anchor the bales. For safety reasons, stakes should not extend above the bales but should be driven in flush with the top of the bale.

The gaps between the bales should be chinked (filled by wedging) with straw to prevent water from escaping between the bales. Loose straw scattered over the area immediately uphill from a straw bale barrier tends to increase barrier efficiency. Wedging must be done carefully in order not to separate the bales.

ITEM 767.121 (Continued)

When used in a swale, the barrier should be extended to such a length that the bottoms of the end bales are higher in elevation than the top of the lowest middle bale to assure that sediment-laden runoff will flow either through or over the barrier but not around it.

Sedimentation Fence

Materials and Installation shall be per Subsection 670.40 and 670.60 of the Standard Specifications and the following:

Sedimentation fence shall only be used if shown on the plans or when specified by Orders of Condition or other permit requirements.

When used with compost filter tubes, the tube shall be placed on a minimum of 8 inches of folded fabric on the upslope side of the fence. Fabric does not need to be trenched.

When used with straw bales, an 8-inch deep and 4-inch wide trench or V-trench shall be dug on the upslope side of the fence line. One foot of fabric shall be placed in the bottom of the trench followed by backfilling with compacted earth or gravel. Stakes shall be on the down slope side of the trench and shall be spaced such that the fence remains vertical and effective.

Width of fabric shall be sufficient to provide a 36-inch high barrier after fabric is folded or trenched. Sagging fabric will require additional staking or other anchoring.

MAINTENANCE

Maintenance of the sediment control barrier shall be per Section 670.60 of the Standard Specifications or per the Stormwater Pollution Prevention Plan (SWPPP), whichever is more restrictive.

The contractor shall inspect the sediment barrier in accordance with relevant permits. At a minimum, barriers shall be inspected at least once every 7 calendar days and after a rain event resulting in 0.25 inches or more of rainfall. Contractor shall be responsible for ensuring that an effective barrier is in place and working effectively for all phases of the Contract.

Barriers that decompose such that they no longer provide the function required shall be repaired or replaced as directed. If the resulting berm of compost within the fabric tube is sufficiently intact (despite fabric decay) and continues to provide effective water and sediment control, barrier does not necessarily require replacement.

DISMANTLING & REMOVING

Barriers shall be dismantled and/or removed, as required, when construction work is complete and upslope areas have been permanently stabilized and after receiving permission to do so from the Engineer.

ITEM 767.121 (Continued)

Regardless of site context, nonbiodegradable material and components of the sediment barriers, including photo-biodegradable fabric, plastic netting, nylon twine, and sedimentation fence, shall be removed and disposed off-site by the Contractor.

For naturalized areas, biodegradable, natural fabric and material may be left in place to decompose on-site. In urban, residential, or other locations where aesthetics is a concern, the following shall apply:

- Compost filter tube fabric shall be cut and removed, and compost shall be raked to blend evenly (as would be done with a soil amendment or mulch). No more than a 2-inch depth shall be left on soil substrate.
- Straw bales shall be removed and disposed off-site by the Contractor. Areas of trenching shall be raked smooth and disturbed soils stabilized with a seed mix matching adjacent seeding or existing grasses (i.e., lawn or native grass mix).
- Sedimentation fence, stakes, and other debris shall be removed and disposed off-site. Site shall be restored to a neat and clean condition.

METHOD OF MEASUREMENT AND BASIS OF PAYMENT

Item 767.121 will be measured and paid for at the contract unit price per foot of sediment control barrier which price shall include all labor, equipment, materials, maintenance, dismantling, removal, restoration of soil, and all incidental costs required to complete the work.

Additional barrier, such as double or triple stacking of compost filter tubes, will be paid for per foot of tube installed.

Barriers that have been driven over or otherwise damaged by construction activities shall be repaired or replaced as directed by the Engineer at the Contractor’s expense.

ITEM 983.522 NATURAL STREAMBED MATERIAL CUBIC YARD

DESCRIPTION

The purpose of this item is to provide natural streambed material to naturalize the channel in the proposed culvert, and in the channel where finer sediment is encountered.

The work to be done under this item shall conform to the relevant provisions of Section 983 of the Standard Specifications and the following:

This work shall consist of furnishing and placing streambed material inside, upstream and downstream of a culvert to set the desired channel profile, establish a natural bed, and maintain aquatic organism passage.

The ultimate product will to the extent possible replicate the function and appearance of natural areas of the existing stream adjacent to the culvert.

The streambed material is an important element to comply with environmental permits issued for the project. In order to satisfy those requirements and ensure the restoration is constructed as designed, MassDOT Environmental Services will be providing a Fluvial Geomorphologist (Geomorphologist) to provide on-site oversight and assistance during streambed restoration.

At least 30 days prior to the commencement of construction, the Contractor or Resident Engineer shall coordinate with MassDOT's Geomorphologist. At this meeting, the Geomorphologist will provide an overview of the channel restoration work, and will discuss the Contractor's proposed streambed restoration material source, anticipated means, methods, and schedule.

Related Items:

Stone for Pipe Ends. Shall conform to the requirements of Item M2.02.3 Stone for Pipe Ends and shall be paid for under item 258.

The Geomorphologist will be on site periodically during construction to assist the Contractor and Resident Engineer on installation of the streambed material in accordance with the environmental permits.

MATERIAL

The streambed material is to be installed as depicted on the plans.

Any stone excavated from the existing streambed during the project shall be stockpiled and reused for streambed restoration, provided the excavated stone is characteristic of the existing stream material upstream and downstream of the work area, or meets the below criteria.

If the excavated material is not suitable or there is not enough material, the streambed material shall be locally sourced, rounded river stone, that matches the composition of the native riverbed. The following gradation may be used as a guide.

Streambed Material Gradation

Stone/Sieve Size % Finer

900 mm (36 inches) 90-100

300 mm (12 inches) 75-90

150 mm (6 inches) 30-75

4.75 mm (No. 4) 4-30

75 µm (No. 200) 0-4

The streambed material shall be well graded and shall be approved by the Resident Engineer and

Geomorphologist prior to use.

Stone placed inside of the culvert shall be placed such that the structure is not damaged. Care shall be taken to limit segregation of the materials. Add sand borrow item as needed to seal the bed and prevent subsurface flow. There shall be no subsurface flow upon final inspection.

Larger material will project up through the bed to create habitat and hydraulic roughness.

CONSTRUCTION METHODS

See the plans for construction details for the natural streambed material over the riprap in the culvert, and for the natural material in the channel, as needed.

The streambed material shall fill / choke the voids in the underlying riprap. The riprap shall be choked with finer streambed material, and shall consist of a well-graded mix of cobble, gravel, sand and silt that represents the local streambed. Fill voids by hand tamping with metal tamping rods, by shaking stone with the teeth of an excavator

bucket, and/or by spraying water to settle fines between large stones. Plate compactors shall not be used. The purpose for filling the voids is to prevent subsurface flow where water disappears into the large voids in the stone fill below the channel bed surface.

The material shall be installed during dewatered conditions in accordance with the environmental permits. Boulders that are part of the natural streambed material shall project above the bed to maintain a natural level of hydraulic roughness and to re-establish fish habitat.

Once all material has been placed in the culvert and approved by the Geomorphologist and Resident Engineer, the Contractor shall restore flow in such a way to slowly wet the stream to minimize the initial sediment pulse. Every attempt shall be made to minimize the downstream movement of sediment.

The final streambed in the culvert and approaches shall look like a natural riverbed, shall match nearby river reaches, and there shall be minimal subsurface flow upon final inspection by the Project Engineer and Geomorphologist.

The Contractor shall submit to the Resident Engineer for approval prior to the start of operations, a placement plan and method of placement.

METHOD OF MEASUREMENT

The quantity of streambed material to be measured for payment will be the number of cubic yards

streambed material imported to the site and installed in the complete and accepted work, measured within

the limits shown on the Plans or as directed by the Engineer.

BASIS OF PAYMENT

The accepted quantity streambed material will be paid for at the Contract unit price per cubic yard.

Payment will be full compensation for furnishing, transporting, and placing the material specified and for furnishing all labor, tools, equipment, and incidentals necessary to complete the work.

Measurement and Payment for streambed material will be measured for payment by the cubic yard, complete in place. Streambed material will be paid for at the Contract unit price per cubic yard, which price shall include all labor, materials, equipment, transportation and incidental costs required to complete the work.

Excavation required for the streambed material, including stockpiling of on-site materials, shall be considered as included under the work for this item.

The Geomorphologist will be provided by MassDOT at no cost to the Contractor.

ITEM 991.1 CONTROL OF WATER – LOCATION 1 LUMP SUM

The work to be performed under this Item shall include all pumping, sandbagging, earth, and other measures, inclusive of optional sheeting, necessary for sufficient water control to accomplish the removal of the existing structure and the construction of the proposed structure and its associated excavation within the channel, and for modified rockfill and riprap placement in the dry.

Dewatering shall be conducted to ensure that all structural concrete is placed and cured in the dry. For demolition purposes, dewatering shall be conducted on an as needed basis as determined by the Contractor.

It is the responsibility of the Contractor to determine the need and extent of dewatering required and to submit methods and materials the Contractor proposes to use for the Engineer's approval.

All necessary permitting, documents and fees required for all dewatering work shall be the responsibility of the contractor and shall be included in the cost of this item.

Construction Methods:

Plans and calculations for all sandbagging, dikes, optional sheeting and other water control measures shall be developed by the Contractor for this Item. These plans and calculations shall be prepared and stamped by a Professional Engineer registered in the Commonwealth of Massachusetts and shall be submitted for the approval of the Engineer prior to the start of construction.

The Contractor shall use such equipment and shall perform his/her operations in such a manner that boiling or other disturbances of the soil in the foundation area will be prevented and that turbidity is not released into the river or wetland. The Contractor shall keep the area being excavated dry by such means that water will be prevented from entering from the adjacent soils and adversely affecting the stability of the foundation material or supporting soils.

All dewatering and related earthwork shall be conducted in such a manner as to prevent siltation or contamination of the waterway.

The pumping discharge shall not be allowed to enter directly into the waterway. The water from the work areas shall be pumped to a settling tank before discharge into the bypass pipe.. The tank shall be constructed so as to allow for the pumped water to pass through the tank with sediments settling out before outletting to an area enclosed by hay bales. Storage volume shall be determined by the following formula: Cubic feet of storage required = Pump discharge rate x 16. The tank can be constructed of concrete, fiberglass or any other material that will meet the following:

1. Approximately 70 percent sedimentation trapping efficiency shall be achieved with a typical tank to ensure that the tanks are adequately sized to prevent

overtopping from dewatering and to provide the required filtering.

2. The outlet from the settling tank shall not cause erosion of the surrounding area. An approved method of controlling erosion, such as an erosion control blanket, stone, etc., shall be used at the outlet of the tank.

The settling tanks shall be maintained as follows:

1. Inspect at least twice daily during dewatering operations.
2. Repair any damage immediately.
3. Clean tank outlet daily. Remove any debris immediately.
4. Remove sediments when deposits reach 8 inches below the outlet invert.
5. Dispose sediments outside of wetland areas at a location approved by the Engineer.

The Contractor shall inspect compost filter tubes or hay bales that surround the outlet daily and shall immediately replace any that are damaged.

Pumping shall be conducted in a manner, which will not adversely affect the freshly placed concrete within the excavation.

The Contractor shall provide and maintain ample pumps, pipes and other devices to promptly and continually remove and dispose of water from the excavation areas. The size and configuration of pumps and pipes shall be selected by the Contractor. Continuous power supply (including back-up) shall be provided for operation of water control pump(s).

The Contractor shall provide the means of removing all sediment from water pumped from the excavation areas; this shall include the use of sedimentation basins, check dams, sedimentation fences or tanks as directed as directed by the Engineer. The Contractor shall provide a dewatering filter basin sized to have a minimum retention time of 24 hour.

METHOD OF MEASUREMENT AND BASIS OF PAYMENT

There will be no measurement under this item. Payment of 75% of the lump sum bid price of this item will be made upon complete installation to the satisfaction and approval of the Engineer. The remaining 25% of the lump sum bid price of this Item will be paid following proper complete removal of all temporary water control measures from the site, as determined by the Engineer.

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, NEW ENGLAND DISTRICT
NEW ENGLAND DISTRICT OFFICE
696 VIRGINIA ROAD
CONCORD MASSACHUSETTS 01742-2751

May 20, 2024

Regulatory Division
Transportation & Utility Section

Bryan Smith
Town of Erving
12 East Main Street
Erving, MA 01344
Via Email: bryan.smith@erving-ma.gov

Courtney Walker
MassDOT - Highway Division
10 Park Plaza
Boston, MA 02116
Via Email: courtney.l.walker@dot.state.ma.us

Dear Mr. Smith and Ms. Walker:

This letter is in response to the application you submitted to the New England District, Regulatory Division on May 17, 2024, for a Department of the Army permit verification. This project has been assigned the file number NAE-2024-00662. This file number should be referenced in all correspondence with this office.

The proposed work includes the replacement of the bridge conveying Church Street over Keyup Brook in Erving, Massachusetts.

We have completed our initial review of the application and have determined that it is incomplete. The information listed below is necessary to have a complete application. Please provide this information in **one consolidated response within 30 days (June 19, 2024) of the date of this correspondence.** If you do not respond within the 30-day timeframe, the request will be administratively withdrawn. Closure of your file will not preclude you from re-opening the file at a later date, upon our receipt of the requested information.

1. Please add a cross-section view of the proposed rip-rap scour protection overtopped with natural material to the plans, showing existing and proposed streambed elevations and the width of each layer. This could potentially be added to the channel cross-section on plan sheet 2.

2. Cofferdams and dewatering behind them are considered temporary impacts. The area of the cofferdams and the potential dewatered area within them should be calculated and called out as a temporary impact on the plans, with the area

hatched, shaded, or colored in such a way to differentiate it from the permanent scour protection impacts.

3. I note that IPaC now lists the tricolored bat (Proposed Endangered) as potentially present at the project site. Please state the lead federal agency's (FHWA or MassDOT on behalf of FHWA) effect determination for this species and provide documentation of any coordination that was completed with USFWS.

Please note, we cannot process your application further until the additional information requested is received. You are cautioned that commencement of the proposed work in waters of the United States subject to U.S. Army Corps of Engineers' jurisdiction prior to DA authorization would constitute a violation of Federal laws and subject you to possible enforcement action.

If you have any questions concerning this correspondence, please contact Daniel Vasconcelos, Project Manager of the Regulatory Division at 978-318-8653, or by email at daniel.b.vasconcelos@usace.army.mil. Please take a moment to complete our customer satisfaction survey located at https://regulatory.ops.usace.army.mil/customer-service-survey/.

Sincerely,

Daniel Vasconcelos

Daniel B. Vasconcelos, PWS
Project Manager/Environmental Scientist

cc:
Heidi Davis, MassDEP (via heidi.davis@mass.gov)
Tyler Lewis, MassDEP (via tyler.lewis@mass.gov)
Ryan Hale, MassDEP (via ryan.hale@mass.gov)
Michael Joa, MassDOT (via michael.a.joa@dot.state.ma.us)

Regulatory Division
Transportation & Utility Section

Bryan Smith
Town of Erving
12 East Main Street
Erving, MA 01344
Via Email: bryan.smith@erving-ma.gov

Courtney Walker
MassDOT - Highway Division
10 Park Plaza
Boston, MA 02116
Via Email: courtney.l.walker@dot.state.ma.us

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Sincerely,

Daniel Vasconcelos

Daniel B. Vasconcelos, PWS
Project Manager/Environmental Scientist

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Heidi Davis, MassDEP (via heidi.davis@mass.gov)
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Ryan Hale, MassDEP (via ryan.hale@mass.gov)
Michael Joa, MassDOT (via michael.a.joa@dot.state.ma.us)

427 Main Street, Suite 400, Worcester, MA 01608
Tel: 508.762.1676

June 14, 2024

Daniel B. Vasconcelos, PWS
Project Manager/Environmental Scientist
U.S. Army Corps of Engineers, New England District
Regulatory Division, Transportation and Utility Section
696 Virginia Road
Concord, Massachusetts 01762-2751

Re: File Number NAE-2024-00662
Church Street Bridge Replacement over Keyup Brook
Erving, Massachusetts

Dear Mr. Vasconcelos:

This letter is in response to your letter of May 20, 2024 requesting further information to complete the Preconstruction Notification (PCN) application for the above referenced project.

Your original information list is reproduced below followed by the project responses given in italics.

1. Please add a cross-section view of the proposed rip-rap scour protection overtopped with natural material to the plans, showing existing and proposed streambed elevations and the width of each layer. This could be potentially added to the channel cross-section on plan sheet 2.

   The proposed rip-rap scour protection overtopped with natural material showing existing and proposed streambed elevations and the width of each layer has been added to the attached revised channel cross section on plan sheet 2 of the permit plans.

2. Cofferdams and dewatering behind them are considered temporary impacts. The area of the cofferdams and the potential dewatered area behind them should be calculated and called out as a temporary impact on the plans, with the area hatched, shaded, or colored to differentiate it from the permanent scour protection impacts.

   The area of the cofferdams and the potential dewatered area behind them has been shown hatched to differentiate it from permanent scour impacts on an Environmental Impact Area plan view added to the attached revised plan sheet 2. The temporary impact areas have been calculated and added to the attached revised plan sheet 2 in an Environmental Impact Area table on the permit plans.

3. I note that IPaC now lists the tricolored bat (Proposed Endangered) as potentially present at the site. Please state the lead federal agency's (FHWA of MassDOT on behalf of FHWA) effect determination for this species and provide documentation of any coordination that was completed with USFWS.

   MassDOT has provided a response to your request for an effect determination for the tricolored bat in an email from Trevor Burns to Courtney Walker dated 5/21/2024 as follows :
   "This species is only proposed to be endangered, as the USFWS has not made a determination on the uplisting and is currently under review. It is expected that they will make a determination this summer. If they determine the species warrants listing under the ESA we would then consult with the USFWS for Tricolor on any project in construction with potential stressors on the species in its range, as well the ad program going forward. But at this time, no official determination can be made for a species that's not listed."

The permit plans have also been updated to reflect a change to the drainage. The original permit plans had two new catch basins replacing the original ones in the same location. The revised permit plans added a third catch basin to replace an existing catch basin that was in conflict with the new south abutment of the new rigid frame

bridge structure. This new catch basin will be relocated further south on Church Street to avoid conflicts with the new structure and the new outfall will be through the rigid frame just above the inspection shelf. The new outfall does not have scour protection since it will discharge on the new concrete inspection shelf and then into Keyup Brook.

All three catch basins will be converted to deep sump catch basins and will discharge to drainage manholes prior to discharging into Keyup Brook.

Sincerely,

WESTON & SAMPSON ENGINEERS, INC.

Conrad C. Nuthmann, P.E.
Project Manager

Enc.
cc:
Bryan Smith, Town of Erving (via bryan.smith@erving-ma.gov)
Courtney Walker, MassDOT (via courtney.l.walker@dot.state.ma.us)
Michael Joa, MassDOT (via michael.a.joa@dot.state.ma.us)
Heidi Davis, MassDEP (via heidi.davis@mass.gov)
Ryan Hale, MassDEP (via ryan.hale@mass.gov)
Tyler Lewis, MassDEP (via tyler.lewis@mass.gov)
Louis Bacho, Weston & Sampson Engineers Inc. (via Bacho.Louis@wseinc.com)

- The precast frame structure provides a sleek finished product that requires less maintenance and limits joints/susceptible areas that are typically present on a conventional bridge.
- The precast frame can be placed over the existing abutments, limiting the substructure demolition and reducing impacts to the MEP.
- Precast units also allow for an expedited construction duration during the road closure period.
- The precast frame allows for all three bridge rails discussed in this report to be installed on it so it provides versatility and allows for the town to decide what the finished product will look like.

Alternatives analysis of stormwater control measures and low impact development (LID) techniques were evaluated based on the existing physical constraints of the project area, and the measures of deep sump catch basins and impervious area reduction were implemented for the project area. Use of vegetated filtration and infiltration BMPs beyond the impervious area reduction provided are not practicable due to the limited land area available within the right of way and the necessity of maintaining existing structures for safe vehicular and pedestrian traffic.

Section 9. MA Stream Crossing Standards

Standard 1 TYPE OF CROSSING

The general span type proposed is a bridge which is the optimum type listed in the Standard. The project MEETS Standard 1.

Standard 2 EMBEDMENT

The embedment standard is not applicable since this standard applies to culverts and the proposed replacement is a bridge.

Standard 3 CROSSING SPAN

The design bankfull width of Keyup Brook has been determined by MassDOT contractor (SLR) field measurement on March 19, 2024 to be 25 to 35 feet which is greater than the 21-foot existing opening of the bridge such that this project DOES NOT MEET Standard 3 for the 1.2 times bankfull width requirement of the Massachusetts Stream Crossing Standards. Providing increased channel width through the bridge would require removing existing abutments and retaining walls upstream and downstream of the bridge that support existing roadways and adjacent property that is not considered practical.

The project will maintain the existing continuity of the stream which is contained within retaining walls and abutments.

Standard 4 OPENNESS

The openness ratio of the proposed structure is approximately 4.24 feet which exceeds the optimum 1.64 feet given under Standard 4, so the project MEETS Standard 4.

Standard 5 SUBSTRATE

The natural streambed material used for this project will match the existing upstream and downstream substrates, so the project MEETS Standard 5.

Standard 6 WATER DEPTH AND VELOCITY

The water depths and velocities through the bridge are not comparable to those found in the natural channel so the project DOES NOT MEET Standard 6. Providing increased channel width through the bridge would require removing existing abutments and retaining walls that support existing roadways and adjacent property that is not considered practical.

Section 10. Fisheries and Wildlife

The Project does not lie within mapped Estimated or Priority habitat or in the vicinity of any certified or potential vernal pools.

The state and federal listed species or habitat was investigated through the NHESP mapping and the IPAC planning tool as shown in Attachment 5 of this document. Listed species consist of the Northern Long Eared Bat, the Monarch Butterfly, and Migratory Birds such as Bald and Golden Eagles. The project will not impact habitat of these listed species as there are no trees in the project area and the project is reducing impervious cover.

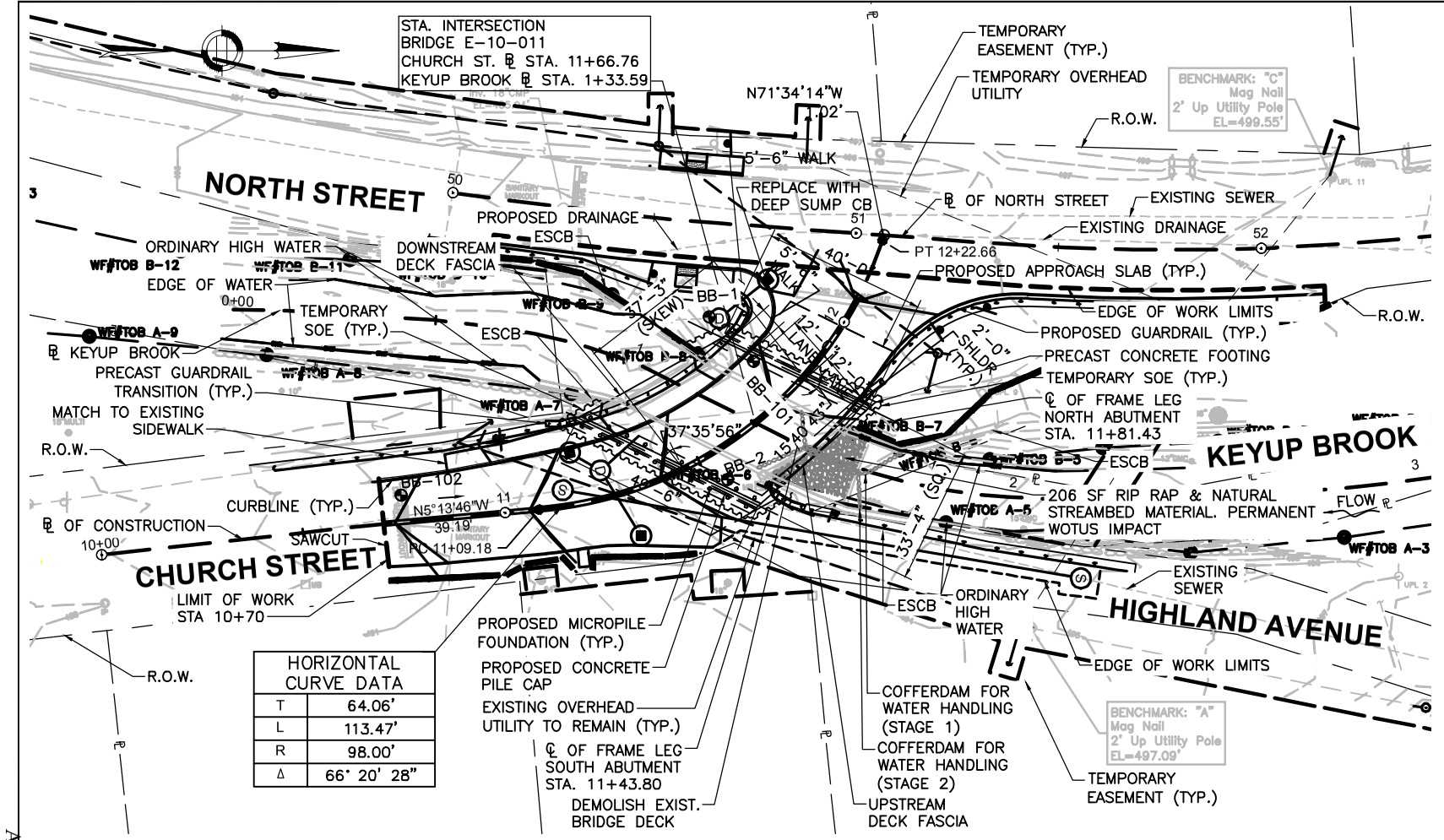
The project is not located in an Area of Critical Environmental Concern or Outstanding Resource Waters.

Keyup Brook is identified as a cold water fishery by the Massachusetts Division of Fisheries and Wildlife.

Conclusion

This project will replace an existing structurally deficient bridge by building a new structure that spans over existing stone masonry abutments essentially within the footprint of the existing structure. Existing stormwater management will be enhanced by removing some of the existing pavement adjacent to the bridge and replacing the pavement with a vegetated surface which will provide some increased infiltration of stormwater into the project area. An existing catch basin will be replaced with a 4-foot sump to meet the current standards for water quality. Some natural streambed material will be placed in the stream immediately upstream of the structure to act as a bridge scour countermeasure. The current MassDEP Stormwater Standards and Stream Crossing Standards will be met to the Maximum Extent Practicable (MEP).

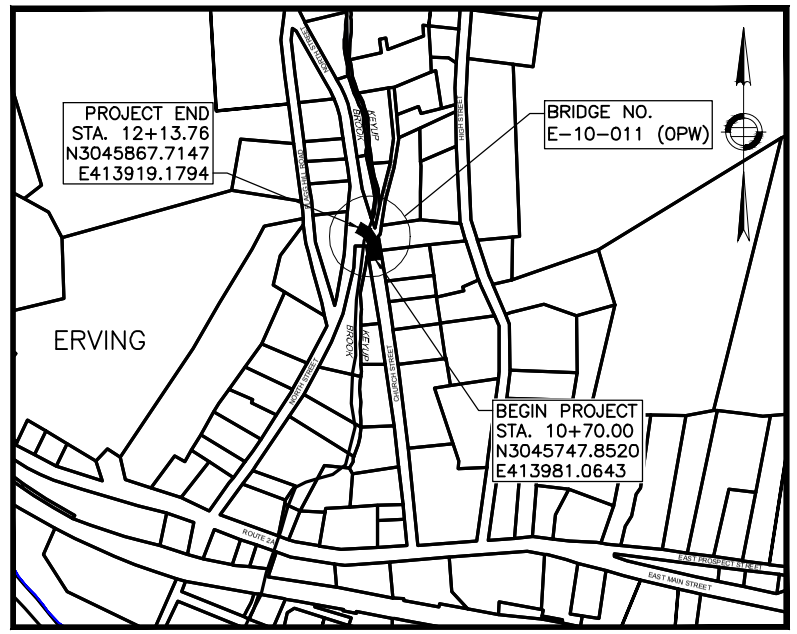
The applicant respectfully requests that MassDEP and the United States Army Corps of Engineers find these measures adequately protective of the interests identified in the 401 Water Quality Regulations and 404 Massachusetts General Permits and issue a Water Quality Certificate and 404 Authorization approving the work shown on the accompanying plan set.



HORIZONTAL CURVE DATA	
T	64.06'
L	113.47'
R	98.00'
Δ	66° 20' 28"

KEY PLAN

SCALE: 1" = 40'



LOCUS

SCALE: 1" = 1000'

GENERAL NOTES

DESIGN:

1. IN ACCORDANCE WITH THE 2020 AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS LRFD BRIDGE DESIGN SPECIFICATIONS FOR HL-93 LOADING.
2. USE MASSDOT SPECIFICATION M2.02.2 FOR RIP RAP.

NOTES:

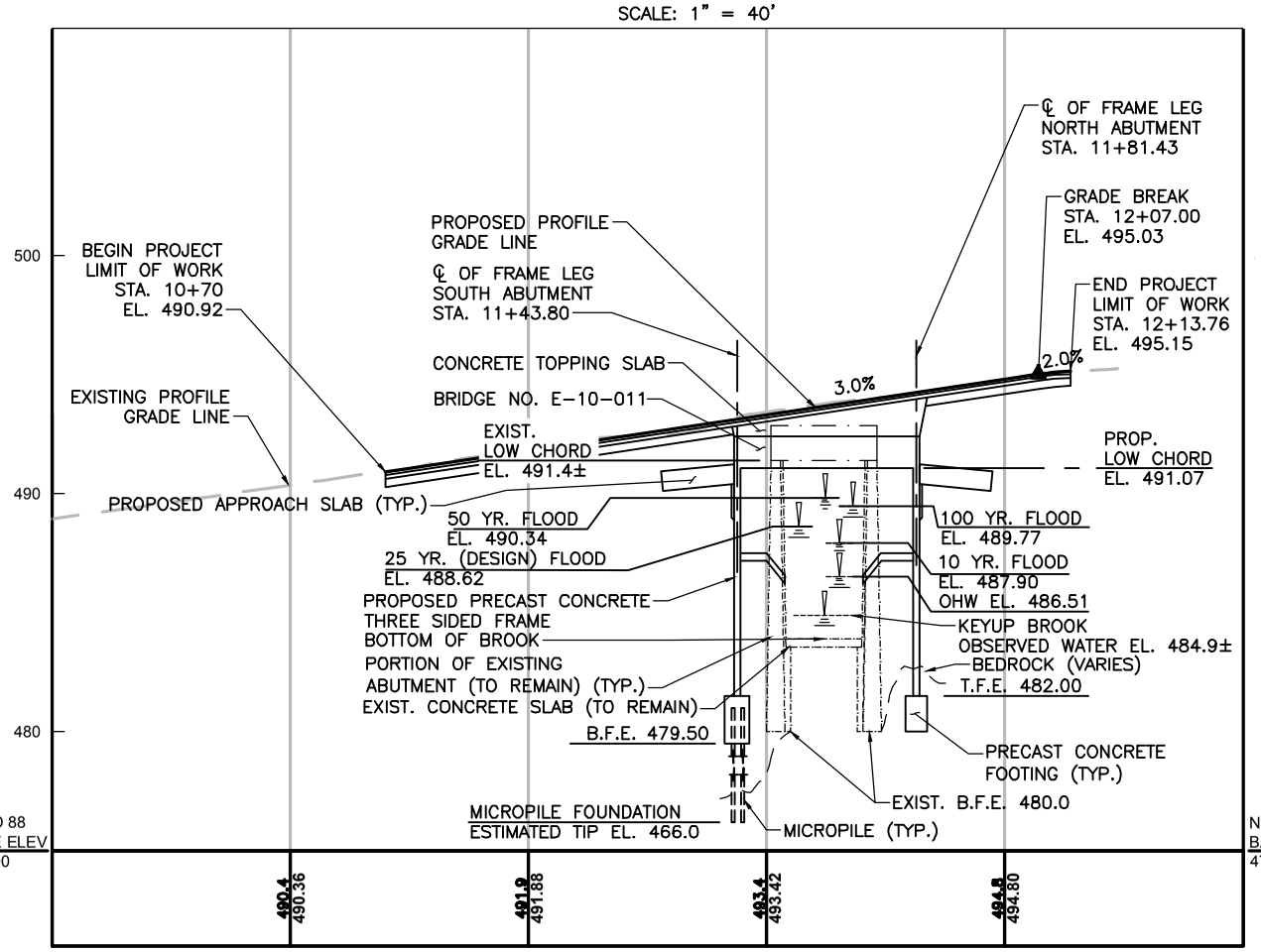
1. APPROVAL DOES NOT INCLUDE STRUCTURAL ANALYSIS.
2. DIMENSIONS OF STRUCTURAL MEMBERS ARE APPROXIMATE, AND WILL BE FINALIZED DURING THE FINAL DESIGN PHASE.
3. SEE GEOTECHNICAL REPORT DATED, FEBRUARY 2024.
4. SEE HYDRAULIC REPORT DATED OCTOBER 2023.
5. NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988 IS USED THROUGHOUT.
6. SCALES NOTED ARE BASED ON FULL SIZED PLANS (24"X36")

PROJECT INFORMATION
PROJECT FILE NO.: 612982
PROJECT DESCRIPTION: PROPOSED BRIDGE
BRIDGE DESIGN LOADING: HL-93
SURVEY: ELECTRONIC SURVEY BY WESTON & SAMPSON
ELEVATION REFERENCE: NAVD OF 1988
BENCH MARK: SEE BORING NOTES (SHEET 2)

ABBREVIATIONS

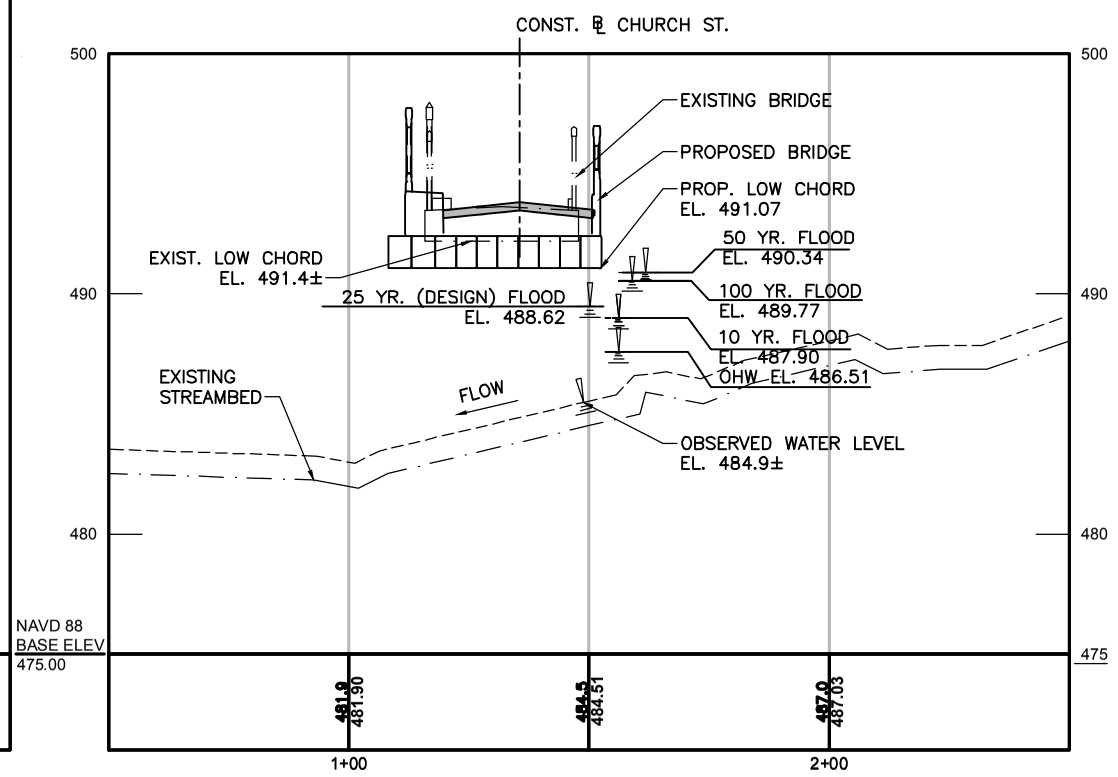
ESCB.....EROSION AND SEDIMENT CONTROL BARRIER
LUW .....LAND UNDER WATER
OHW .....ORDINARY HIGH WATER
SOE .....SUPPORT OF EXCAVATION
WOTUS.....WATERS OF THE U.S.

HYDRAULIC DESIGN DATA	
DRAINAGE AREA (SQ. MILES)	7.1
DESIGN FLOOD DISCHARGE (C.F.S.)	851
DESIGN FLOOD FREQUENCY (YEARS)	25
DESIGN FLOOD VELOCITY (F.P.S.)	11.12
DESIGN FLOOD ELEVATION (FEET, NAVD)	488.62
BASE (100-YEAR) FLOOD DATA	
BASE FLOOD DISCHARGE (C.F.S.)	1260
BASE FLOOD ELEVATION (FEET, NAVD)	489.77
DESIGN AND CHECK SCOUR DATA	
DESIGN SCOUR FLOOD EVENT RETURN FREQUENCY (YEARS)	50
DESIGN FLOOD ABUTMENT SCOUR DEPTH (FEET)	3.64
DESIGN FLOOD PIER SCOUR DEPTH (FEET)	N/A
CHECK SCOUR FLOOD EVENT RETURN FREQUENCY (YEARS)	100
CHECK FLOOD ABUTMENT SCOUR DEPTH (FEET)	4.32
CHECK FLOOD PIER SCOUR DEPTH (FEET)	N/A
FLOOD OF RECORD	
DISCHARGE (C.F.S.)	N/A
FREQUENCY (IF KNOWN, YEARS)	N/A
MAXIMUM ELEVATION (FEET, NAVD)	N/A
DATE (MM/YYYY)	N/A
HISTORY OF ICE FLOES	N/A
EVIDENCE OF SCOUR AND EROSION	N/A
SEISMIC DESIGN CRITERIA	
DESIGN RETURN PERIOD:	1000 YRS
DESIGN SPECTRA	
As	0.072g
SDs	0.162g
SD1	0.070g
SITE CLASS	C
SEISMIC DESIGN CATEGORY (SDC)	A



PROFILE – CHURCH STREET

HORIZONTAL SCALE: 1" = 40'
VERTICAL SCALE: 1" = 8'



PROFILE – KEYUP BROOK

HORIZONTAL SCALE: 1" = 40'
VERTICAL SCALE: 1" = 8'

WESTON & SAMPSON
100 FOXBOROUGH BLVD, SUITE 250
FOXBOROUGH, MA 02035

MassDOT Highway Division

PERMIT PLANS OF PROPOSED BRIDGE REPLACEMENT

ERVING

CHURCH STREET
OVER KEYUP BROOK

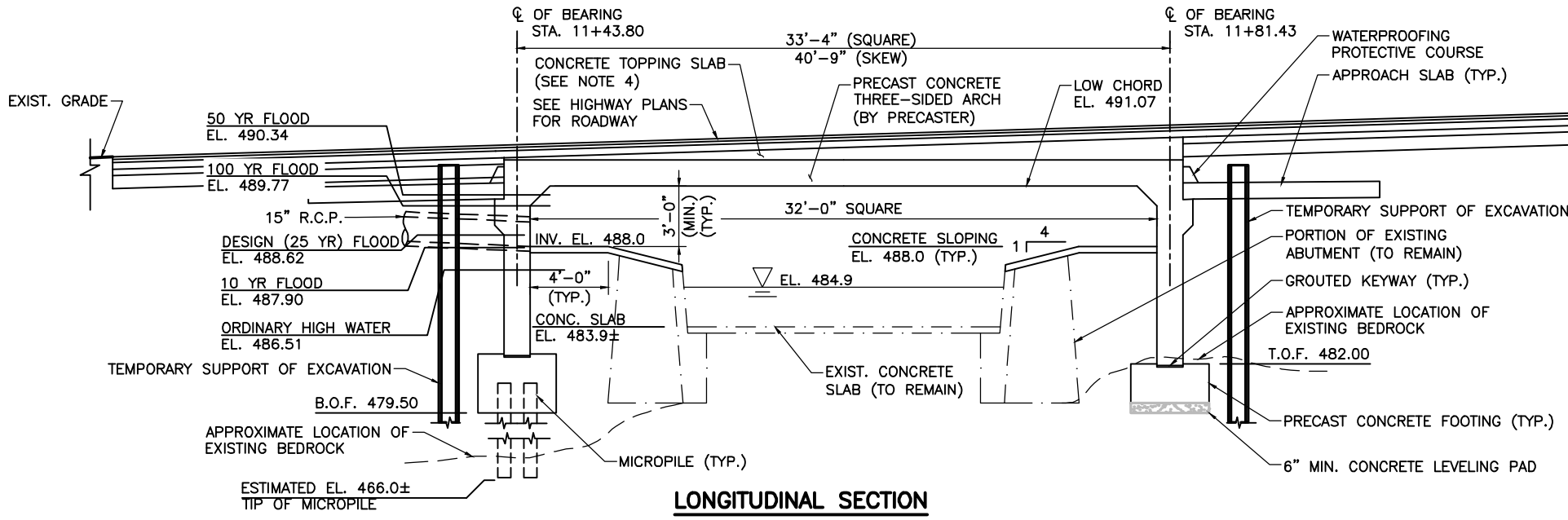
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

APPROVED BY _____ DATE _____

STRUCTURAL ELEMENTS: _____ _____
TITLE:

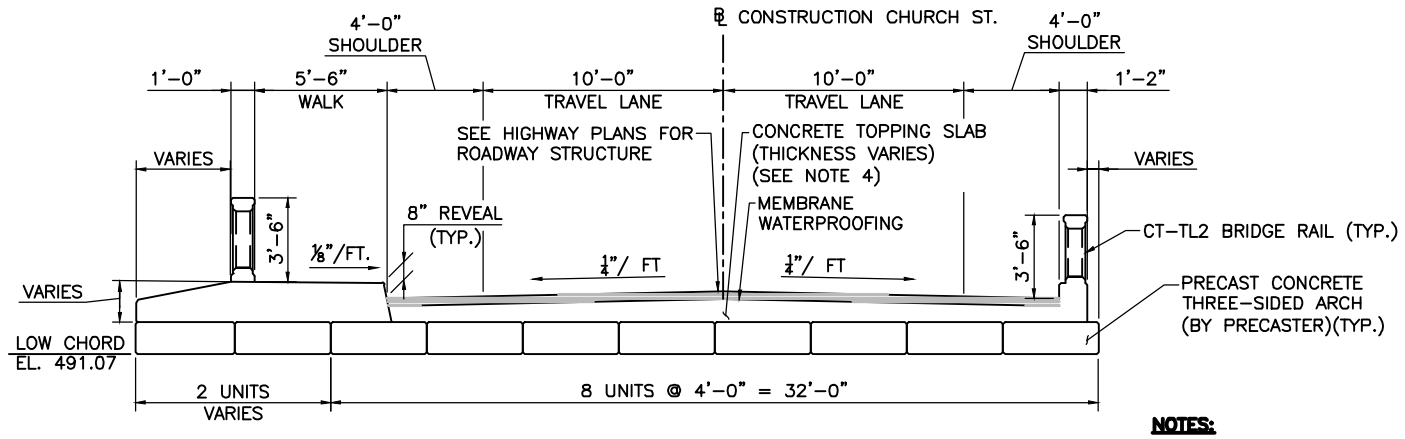
HIGHWAY ELEMENTS: _____ _____
TITLE:

A00830 - 178
Proposal No. 612982-132268



LONGITUDINAL SECTION

SCALE: 1/8" = 1'-0"



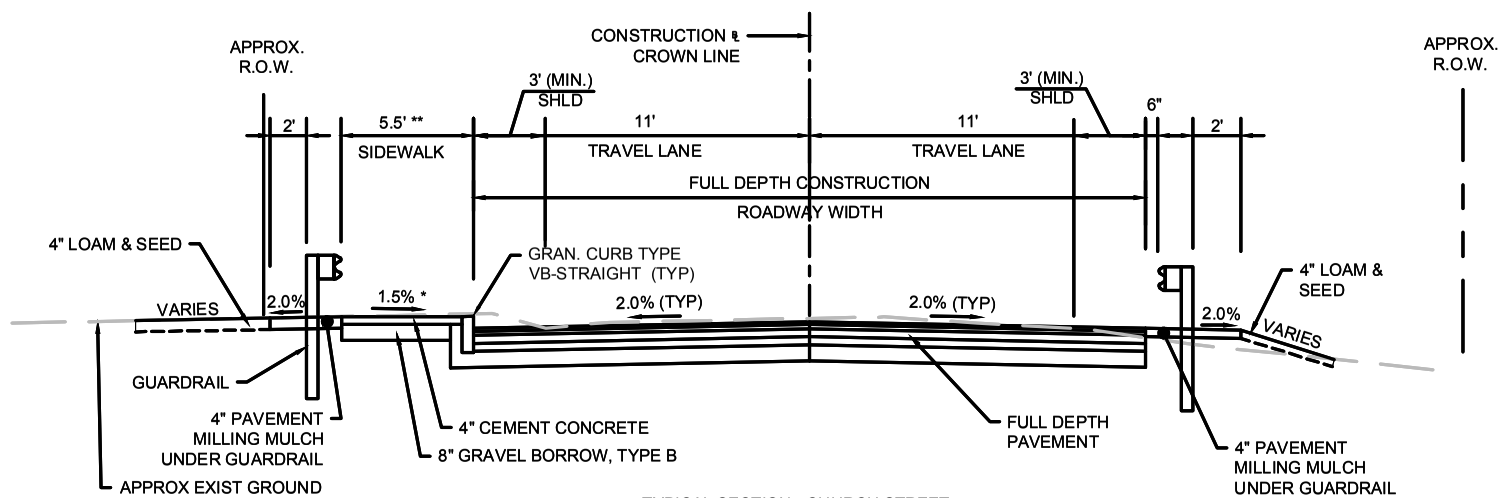
TRANSVERSE SECTION

SCALE: 1/8" = 1'-0"

(SECTION CUT PERPENDICULAR TO CENTERLINE ROADWAY)

NOTES:

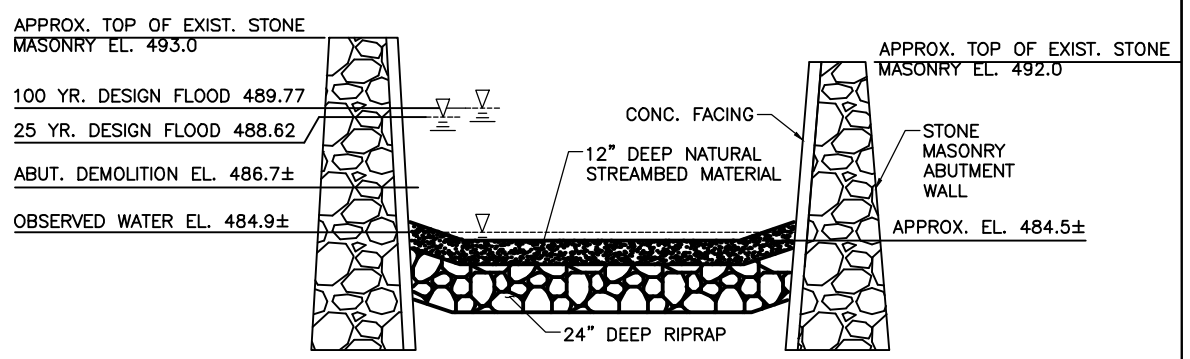
1. **FACTORED BEARING PRESSURE = 6.14 KSF AS PER AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS STRENGTH I LOAD COMBINATION. THE FACTORED BEARING RESISTANCE = 8.75 KSF. FACTORED BEARING RESISTANCE IS THE PRODUCT OF NOMINAL BEARING RESISTANCE AND A RESISTANCE FACTOR OF 0.45.**
2. **FACTORED GEOTECHNICAL MICROPILE RESISTANCE IS 125 KIPS AND IS THE PRODUCT OF 227.5 KIPS AND A RESISTANCE OF 0.55. THE FACTORED DESIGN AXIAL LOAD PER MICROPILE IS 36± KIPS AS PER AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS STRENGTH I LOAD COMBINATION.**
3. **MICROPILE WILL HAVE A MINIMUM OF 5 FT. BOND LENGTH INTO BED ROCK.**
4. **CONCRETE TOPPING WILL BE PLACED DIRECTLY ON TOP OF THREE SIDED FRAME TO ACHIEVE PROPER GRADES PRIOR TO PLACING LIFTS OF HMA SUPERPAVE. DEPTH OF CONCRETE TOPPING VARIES FROM 7"± TO 20"±.**



TYPICAL SECTION – CHURCH STREET
STA. 10+70.00 TO STA. 12+13.76

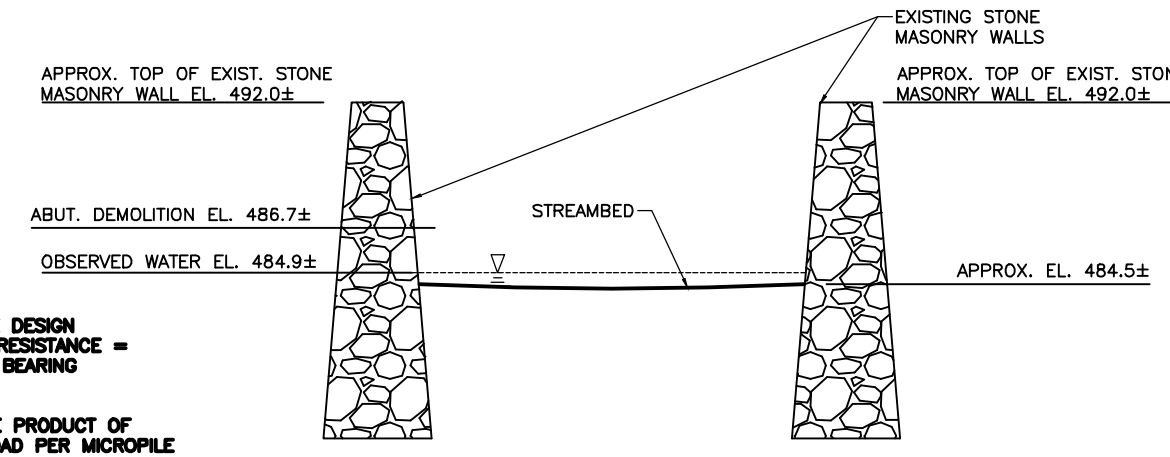
SCALE: 1/8" = 1'-0"

*** TOLERANCE FR CONSTRUCTION ±0.5%**



UPSTREAM CHANNEL CROSS SECTION

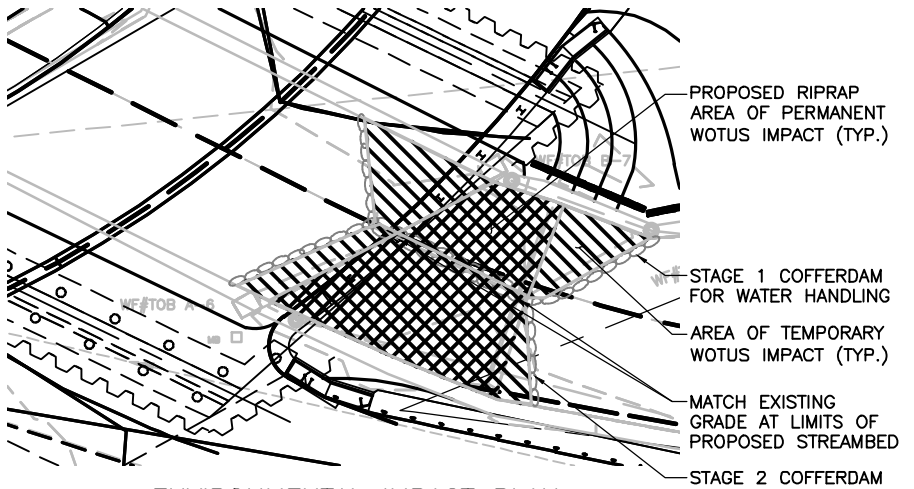
SCALE: 1/8" = 1'-0"



DOWNSTREAM CHANNEL CROSS SECTION

SCALE: 1/8" = 1'-0"

ENVIRONMENTAL IMPACT AREA	
TEMPORARY 125 SF	PERMANENT 220 SF



ENVIRONMENTAL IMPACT PLAN

SCALE: 1/8" = 1'-0"

A00830-179
Proposal No. 612982-132268

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Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

June 4, 2024

Massachusetts Department of Transportation Highway Division
Ten Park Plaza, Suite 4160
Boston, MA 02116
ATTN: Courtney Walker

RE: 401 WATER QUALITY CERTIFICATION
Administrative Completeness and Technical Deficiency Review
401 WQC Application No: 24-WW11-0044-APP

AT: Church Street Bridge (Bridge No. E-10-011) over Jack's Brook (Keyup Brook)
Erving, MA

Dear Ms. Walker:

MassDEP has completed its Administrative Review of the application for the above-referenced Water Quality Certification (WQC) application and notes that the application is administratively complete.

MassDEP has completed its Technical Review of the application and is requesting submittal of the following additional information:

1. The proposed project will restore traffic across the Church Street bridge; the application states that this is needed for access to existing houses. Please provide more information regarding the feasibility of an alternative that removes the bridge altogether and provides access through nearby streets.

2. Please provide a project plan that clearly shows the existing catch basin and outfall locations, proposed catch basin locations, and all areas of temporary and permanent Land Under Water impact (note that the call out for the impact does not point to the impact).

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

Printed on Recycled Paper

3. How many existing catch basins are within the project limits? How many of those catch basins will be converted to deep sump catch basins? Will all of the proposed deep sump catch basins be in the same location as the existing catch basins?

4. Section 1 of the application indicates that, during construction, temporary water handling will be done using sandbag cofferdams as shown on the plans. Any temporary impacts to Land Under Water should be quantified and shown on the project plans.

5. Section 2 states that, "the only wetland resource area noted in the investigated area is perennial stream bank". As Section 4 describes wetlands impacts, this statement is incorrect.

6. As the proposed project will leave the existing concrete stream slab in place, the statement in the Stream Crossing Standards that the project will match existing upstream and downstream substrates is incorrect. Further evaluation should be given to removing the concrete stream slab and replacing it with natural streambed material. MassDEP does not agree with application statement that this alternative would result in more impact to resource areas as impacts would be temporary and the result would be improvement to the resource area.

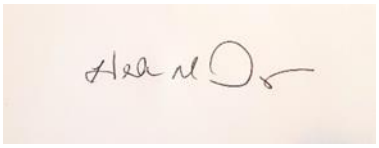
7. Existing abutments are proposed to be cut down approximately 2'-0" to span the frames over and behind the existing abutments. Similar to the comment above, further evaluation should be given to removing the abutments in their entirety.

8. Please provide a construction sequencing plan.

Upon receipt of all requested supplemental information, MassDEP has 30 calendar days in which to issue or deny a certification.

Should you have any questions relative to this letter, please contact me at heidi.davis@mass.gov or Tyler Lewis at tyler.lewis@mass.gov.

Sincerely,



Heidi M. Davis
Highway Unit Supervisor

Ecc: DEP-WERO – Michael McHugh
USACE - Dan Vasconcelos

MassDOT – Michael Joa
Erving Conservation Commission – Mark Blatchley - conservation@erving-ma.gov
Weston & Sampson – Louis Bacho - bacho.louis@wseinc.com

427 Main Street, Suite 400, Worcester, MA 01608
Tel: 508.762.1676

June 27, 2024

Heidi M. Davis
Highway Unit Supervisor
Department of Environmental Protection
100 Cambridge Street Suite 900
Boston, Massachusetts 02114

Re: **401 WATER QUALITY CERTIFICATION**
Administrative Completeness and Technical Deficiency Review
401 WQC Application No: 24-WW11-0044-APP

Dear Ms. Davis:

This letter is in response to your letter of June 4, 2024, requesting further information pursuant to the MassDEP Technical Review of the above referenced application.

Your original information list is reproduced below followed by the project responses given in italics.

1. The proposed project will restore traffic across the Church Street bridge; the application states that this is needed for access to existing houses. Please provide more information regarding the feasibility of an alternative that removes the bridge altogether and provides access through nearby streets.

   Removing the bridge altogether would require both northbound and southbound traffic on both Church Street and Highland Ave. to use the existing unsignalized intersection of Church Street with Route 2/Route 2A which currently processes more than 10,000 vehicles per day which is not desirable. In addition, commercial vehicles have difficulty making the turns at the North Steet and Route 2/Route 2A intersection because of an insufficient turning radius and use the Church Street bridge to avoid the intersection.

2. Please provide a project plan that clearly shows the existing catch basin and outfall locations, proposed catch basin locations, and all areas of temporary and permanent Land Under Water impact (note that the call out for the impact does not point to the impact).

   Updated permit plans that clearly show the existing catch basin and outfall locations, proposed catch basin locations, and all areas of temporary and permanent Land Under Water impact are attached herewith. The new outfall through the proposed rigid frame is shown in the longitudinal section of page 2 of the permit plans. The outfall from the new drainage manhole at the corner of North and Church Streets will tie into the existing outfall pipe.

3. How many existing catch basins are within the project limits? How many of those catch basins will be converted to deep sump catch basins? Will all of the proposed deep sump catch basins be in the same location as the existing catch basins?

   There are three existing catch basins within the project limits. All three catch basins will be converted to deep sump catch basins. Two of the proposed deep sump catch basins will be in the same location as the existing catch basins. The third proposed catch basin, which is a recent change and not proposed on the permit plans previously, will be moved a few feet away from the bridge due to a conflict with the proposed bridge abutment location. The permit plans have been updated to reflect this change.

4. Section 1 of the application indicates that, during construction, temporary water handling will be done using sandbag cofferdams as shown on the plans. Any temporary impacts to Land Under Water should be quantified and shown on the project plans.

Temporary impact areas have been shown with a separate hatch and the quantities have been shown in an impact area table on the updated permit plans attached herewith.

5. Section 2 states that, "the only wetland resource area noted in the investigated area is perennial stream bank". As Section 4 describes wetlands impacts, this statement is incorrect.

   Section 2 refers to the wetland delineation report which did not discuss LUW/WOTUS as reported in Section 4 and shown on the plans. The impact areas shown in Section 4 and further broken down into temporary and permanent areas shown on the updated plans attached herewith are correct.

6. As the proposed project will leave the existing concrete stream slab in place, the statement in the Stream Crossing Standards that the project will match existing upstream and downstream substrates is incorrect. Further evaluation should be given to removing the concrete stream slab and replacing it with natural streambed material. MassDEP does not agree with application statement that this alternative would result in more impact to resource areas as impacts would be temporary and the result would be improvement to the resource area.

   The decision to leave the existing concrete slab in place was influenced by three factors:

   - *The existing slab acts as a more effective scour countermeasure for the overall bridge structure than removing and replacing with riprap and natural streambed material. The existing 4" concrete slab constructed as part of the original bridge in 1940 is integral with the 6" concrete abutment facing and ground below with steel rods. Rip-rap could be washed away, partially or fully, in an extreme storm event.*

   - *Removing the existing slab would trigger a requirement to design and construct further scour countermeasures to protect the bridge which would involve more work in the waterway. Since the slab is integral with the existing abutments removing the slab would likely necessitate removing the existing abutments entirely. Removing the existing abutments would also require removing the walls on both sides of the bridge which are in-line with and integral to the existing abutments.*

   - *Design and construction of additional scour countermeasures required to compensate for removing the existing slab will increase the project cost. The entire channel below the bridge would require scour countermeasures needed to replace the existing slab.*

7. Existing abutments are proposed to be cut down approximately 2'-0" to span the frames over and behind the existing abutments. Similar to the comment above, further evaluation should be given to removing the abutments in their entirety.

   The decision to leave the existing abutments in place was influenced by three factors:

   - *The existing abutments act as an effective scour countermeasure for the overall bridge structure.*

   - *Removing the existing abutments would trigger a requirement to design and construct further scour countermeasures to protect the bridge and would also require further construction both upstream and downstream of the bridge to tie the new and wider abutments into the existing channel banks with new retaining walls. At the least, additional scour countermeasures would need to replace the square footage of the existing concrete slab, which is approximately 800 square feet of additional resource area impacts. The new retaining walls would impact the existing roadway alignment and adjacent properties.*

- *The impacts to the existing roadway and adjacent properties required by removing the existing abutments would increase project cost.*

We discussed this in detail at the site meeting a couple of months ago attended by MADEP (you folks), ACOE, MassDOT and the Town along with Weston & Sampson. Based on that meeting we presumed that all parties involved agreed with the current design proposed as is. A wider bridge and channel will be a separate larger project in the future with the town receives additional funds.

8. Please provide a construction sequencing plan.

The following is a suggested construction sequence, the means and methods are ultimately up to the contractor:

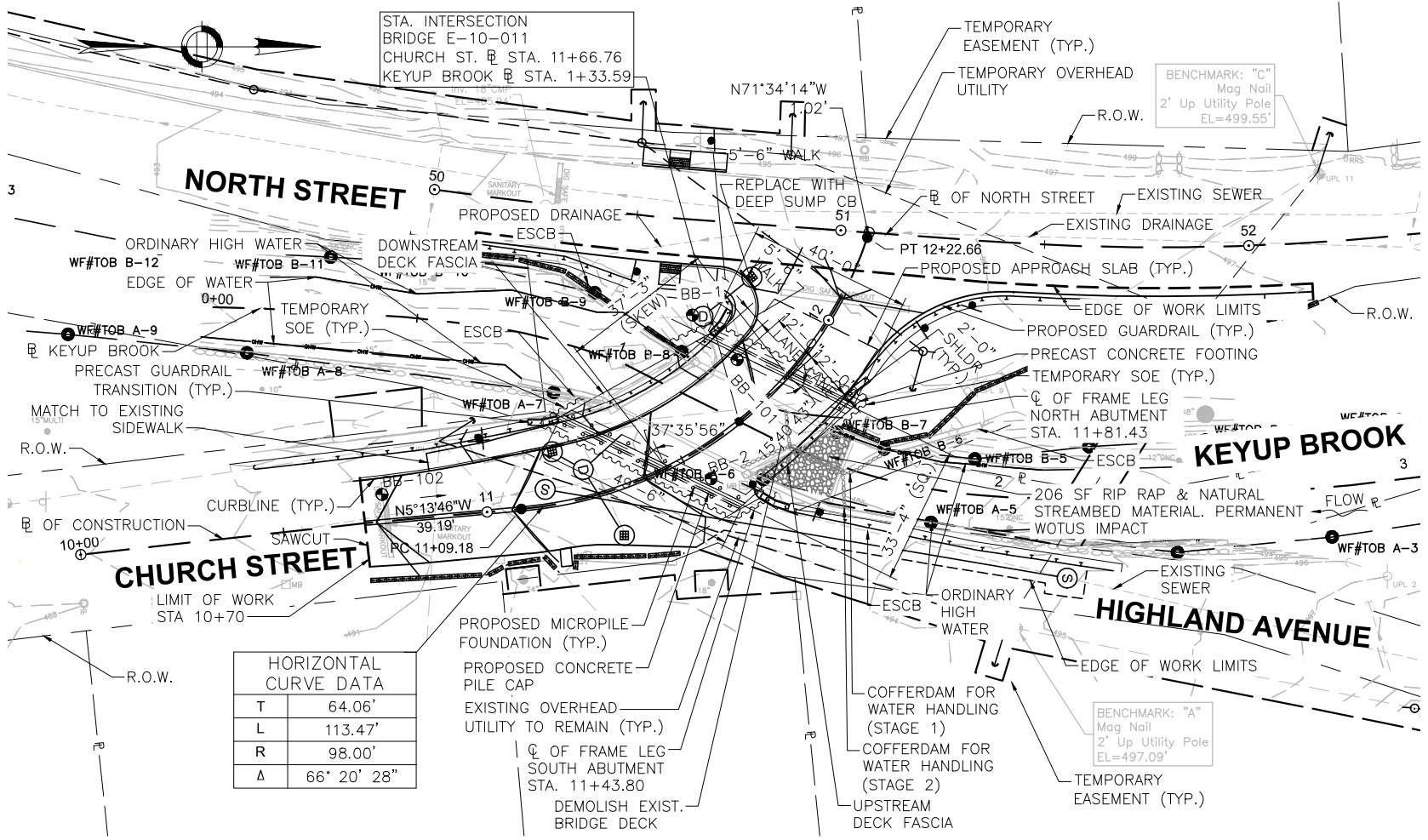
- *Install erosion controls, the detour signage, and close the road and bridge.*
- *Clear and grub and install tree protection as needed*
- *Relocate overhead utilities and install temporary protective shielding for bridge demolition*
- *Demolish and remove existing bridge superstructure*
- *Install support of excavation on the south and north sides of the bridge*
- *Excavate as required around abutments and wingwalls*
- *Demolish and remove limits of existing concrete abutments and wingwalls*
- *Prepare subgrade and install drilled micropiles and install precast concrete pile cap on south side of bridge*
- *Prepare subgrade and install precast concrete footing on north side of bridge*
- *Place precast concrete three-sided frame on precast substructures*
- *Backfill and remove support of excavation*
- *Install reinforcing and construct cast-in-place concrete topping slab, curb, and sidewalk*
- *Install precast highway guardrail transitions and bridge railing*
- *Install precast approach slabs*
- *Install membrane waterproofing and pave protective course on bridge deck*
- *Perform full-depth roadway reconstruction, grading, and establish vegetation on both sides of bridge*
- *Place bituminous concrete overlay, install guardrail, and complete line striping*
- *Remove erosion controls and detour signage and open roadway and bridge to traffic*

Sincerely,

WESTON & SAMPSON ENGINEERS, INC.

Conrad C. Nuthmann, P.E.
Project Manager

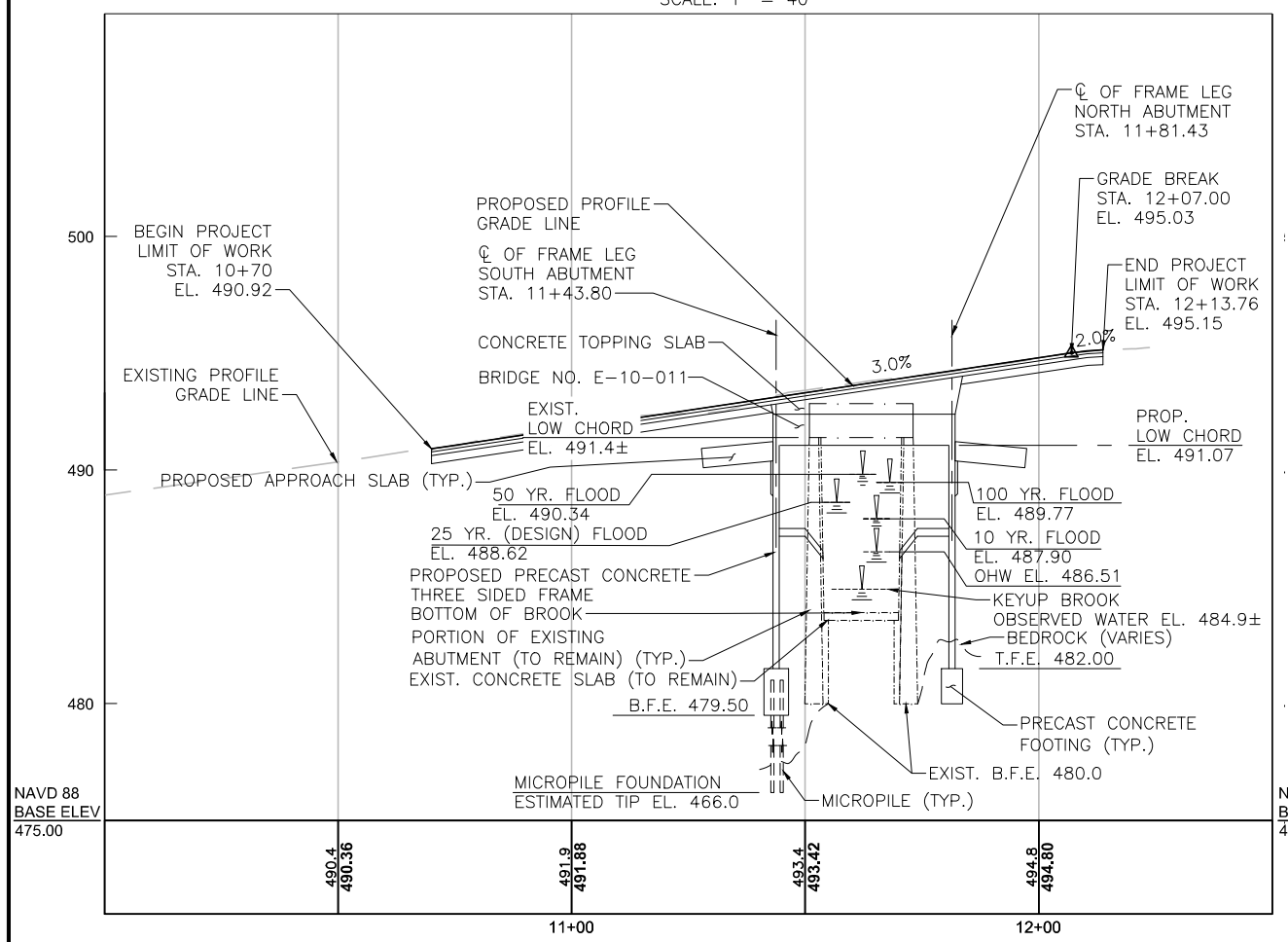
Enc.
cc:
Bryan Smith, Town of Erving (via bryan.smith@erving-ma.gov)
Courtney Walker, MassDOT (via courtney.l.walker@dot.state.ma.us)
Michael Joa, MassDOT (via michael.a.joa@dot.state.ma.us)
Ryan Hale, MassDEP (via ryan.hale@mass.gov)
Tyler Lewis, MassDEP (via tyler.lewis@mass.gov)
Stephen Soma, MassDOT (via stephen.soma@dot.state.ma.us)
Louis Bacho, Weston & Sampson Engineers Inc. (via Bacho.Louis@wseinc.com)



HORIZONTAL CURVE DATA	
T	64.06'
L	113.47'
R	98.00'
Δ	66° 20' 28"

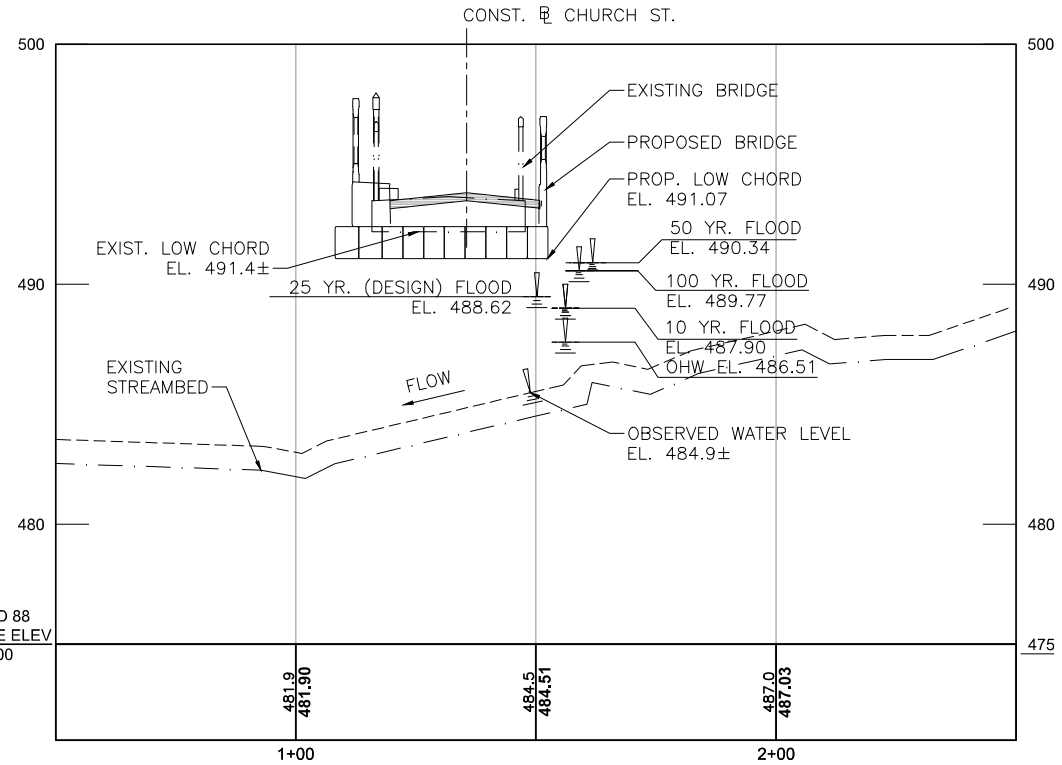
KEY PLAN

SCALE: 1" = 40'



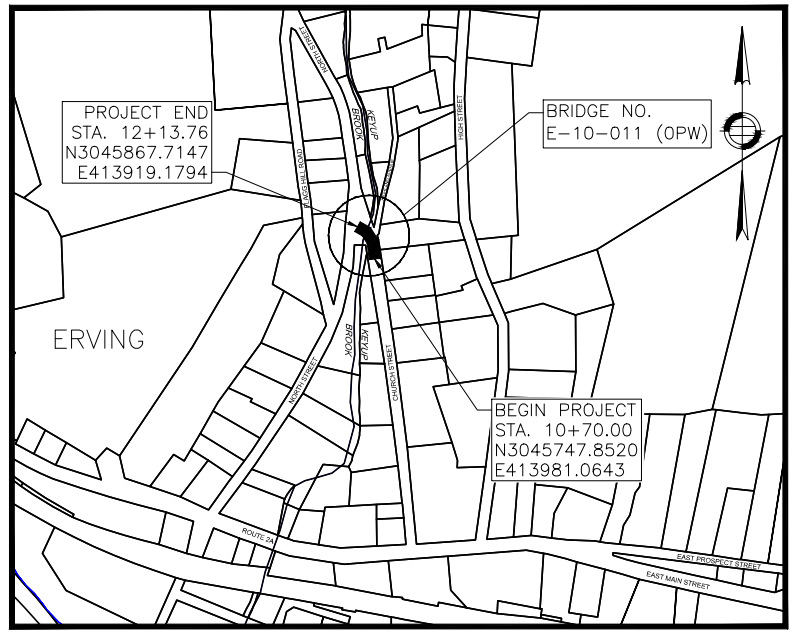
PROFILE – CHURCH STREET

HORIZONTAL SCALE: 1" = 40'
VERTICAL SCALE: 1" = 8'



PROFILE – KEYUP BROOK

HORIZONTAL SCALE: 1" = 40'
VERTICAL SCALE: 1" = 8'



LOCUS

SCALE: 1" = 1000'

GENERAL NOTES

DESIGN:

1. IN ACCORDANCE WITH THE 2020 AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS LRFD BRIDGE DESIGN SPECIFICATIONS FOR HL-93 LOADING.
2. USE MASSDOT SPECIFICATION M2.02.2 FOR RIP RAP.

NOTES:

1. APPROVAL DOES NOT INCLUDE STRUCTURAL ANALYSIS.
2. DIMENSIONS OF STRUCTURAL MEMBERS ARE APPROXIMATE, AND WILL BE FINALIZED DURING THE FINAL DESIGN PHASE.
3. SEE GEOTECHNICAL REPORT DATED, FEBRUARY 2024.
4. SEE HYDRAULIC REPORT DATED OCTOBER 2023.
5. NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988 IS USED THROUGHOUT.
6. SCALES NOTED ARE BASED ON HALF SIZED PLANS (11"X17").

PROJECT INFORMATION
PROJECT FILE NO.: 612982
PROJECT DESCRIPTION: PROPOSED BRIDGE
BRIDGE DESIGN LOADING: HL-93
SURVEY: ELECTRONIC SURVEY BY WESTON & SAMPSON
ELEVATION REFERENCE: NAVD OF 1988
BENCH MARK: SEE BORING NOTES (SHEET 2)

ABBREVIATIONS

ESCB.....EROSION AND SEDIMENT CONTROL BARRIER
LUW.....LAND UNDER WATER
OHW.....ORDINARY HIGH WATER
SOE.....SUPPORT OF EXCAVATION
WOTUS.....WATERS OF THE U.S.

HYDRAULIC DESIGN DATA	
DRAINAGE AREA (SQ. MILES)	7.1
DESIGN FLOOD DISCHARGE (C.F.S.)	851
DESIGN FLOOD FREQUENCY (YEARS)	25
DESIGN FLOOD VELOCITY (F.P.S.)	11.12
DESIGN FLOOD ELEVATION (FEET, NAVD)	488.62
BASE (100-YEAR) FLOOD DATA	
BASE FLOOD DISCHARGE (C.F.S.)	1260
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CHECK FLOOD PIER SCOUR DEPTH (FEET)	N/A
FLOOD OF RECORD	
DISCHARGE (C.F.S.)	N/A
FREQUENCY (IF KNOWN, YEARS)	N/A
MAXIMUM ELEVATION (FEET, NAVD)	N/A
DATE (MM/YYYY)	N/A
HISTORY OF ICE FLOES	N/A
EVIDENCE OF SCOUR AND EROSION	N/A
SEISMIC DESIGN CRITERIA	
DESIGN RETURN PERIOD:	1000 YRS
DESIGN SPECTRA	
As	0.072g
SDs	0.162g
SD1	0.070g
SITE CLASS	C
SEISMIC DESIGN CATEGORY (SDC)	A

WESTON & SAMPSON
100 FOXBOROUGH BLVD, SUITE 250
FOXBOROUGH, MA 02035

massDOT Massachusetts Department of Transportation Highway Division

PERMIT PLANS OF
PROPOSED BRIDGE
REPLACEMENT
ERVING
CHURCH STREET
OVER KEYUP BROOK
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

APPROVED BY _____ DATE _____

STRUCTURAL ELEMENTS:
_____ _____
TITLE:

HIGHWAY ELEMENTS:
_____ _____
TITLE:

Project No 612982-132268

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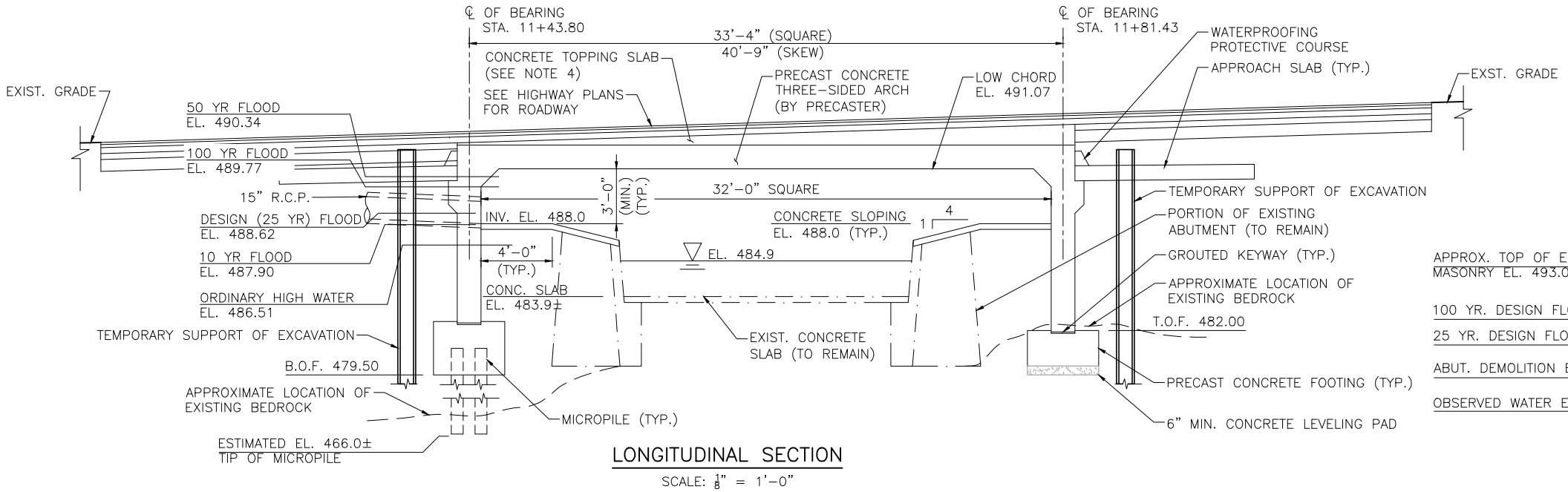
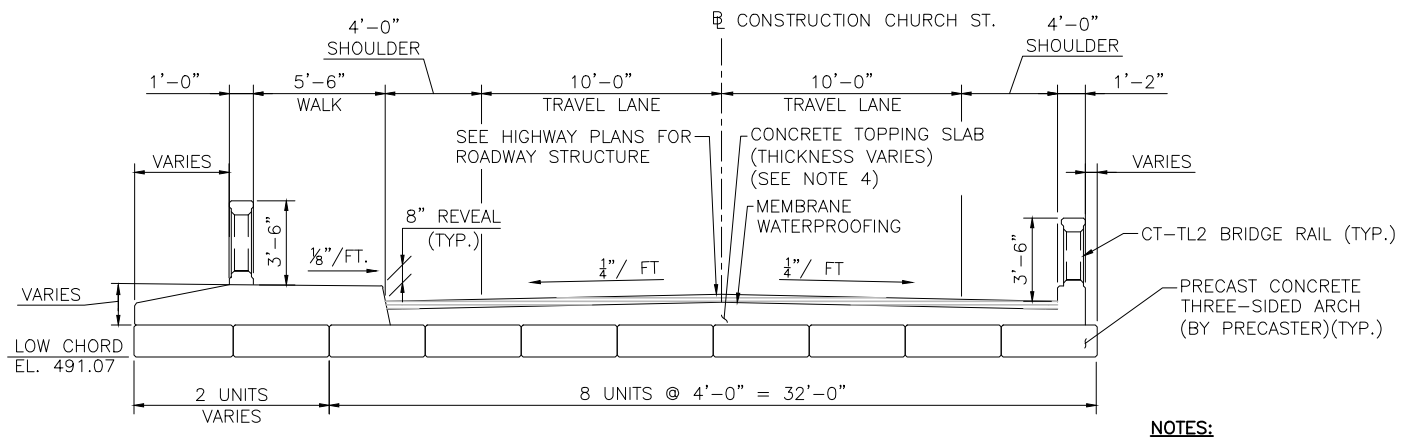


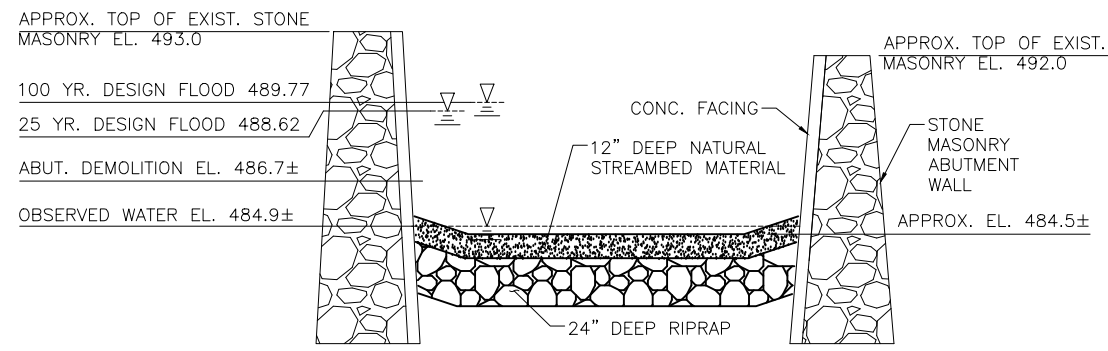
LONGITUDINAL SECTION

SCALE: 1/8" = 1'-0"



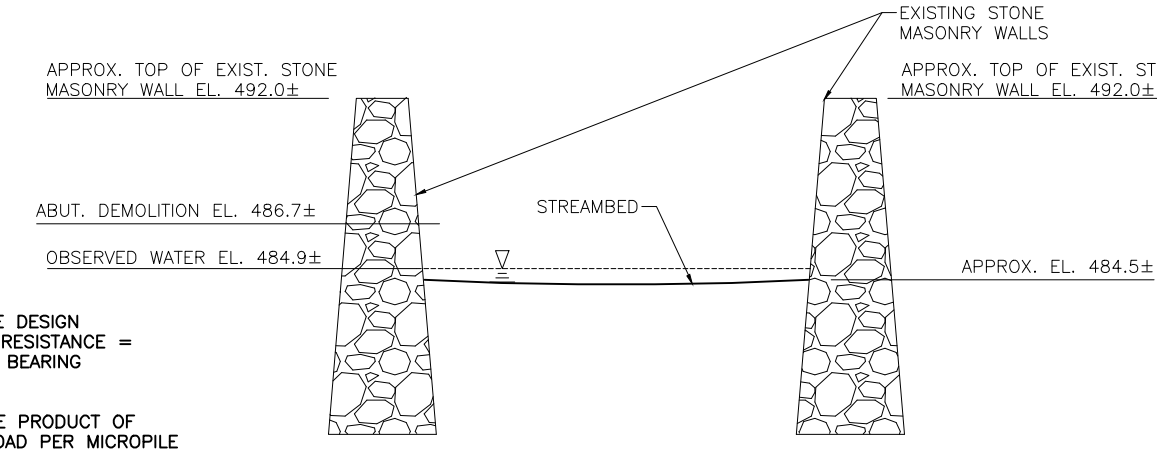
TRANSVERSE SECTION

SCALE: 1/8" = 1'-0"
(SECTION CUT PERPENDICULAR TO CENTERLINE ROADWAY)



UPSTREAM CHANNEL CROSS SECTION

SCALE: 1/8" = 1'-0"

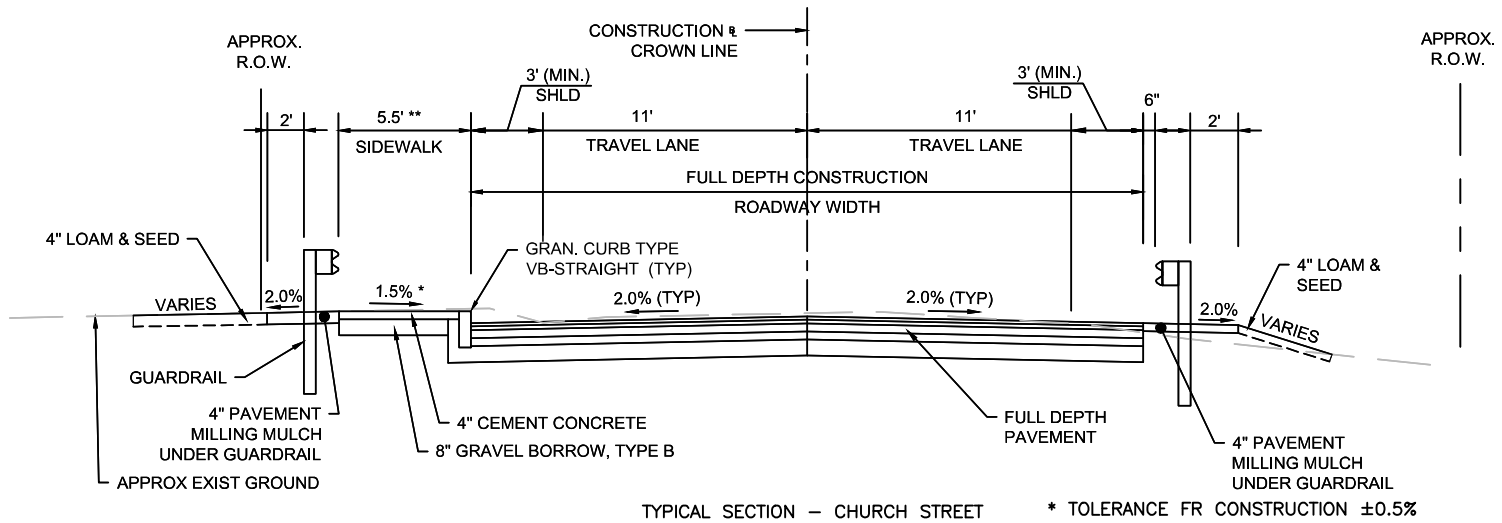


DOWNSTREAM CHANNEL CROSS SECTION

SCALE: 1/8" = 1'-0"

NOTES:

1. FACTORED BEARING PRESSURE = 6.14 KSF AS PER AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS STRENGTH I LOAD COMBINATION. THE FACTORED BEARING RESISTANCE = 8.75 KSF. FACTORED BEARING RESISTANCE IS THE PRODUCT OF NOMINAL BEARING RESISTANCE AND A RESISTANCE FACTOR OF 0.45.
2. FACTORED GEOTECHNICAL MICROPILE RESISTANCE IS 125 KIPS AND IS THE PRODUCT OF 227.5 KIPS AND A RESISTANCE OF 0.55. THE FACTORED DESIGN AXIAL LOAD PER MICROPILE IS 36± KIPS AS PER AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS STRENGTH I LOAD COMBINATION.
3. MICROPILE WILL HAVE A MINIMUM OF 5 FT. BOND LENGTH INTO BED ROCK.
4. CONCRETE TOPPING WILL BE PLACED DIRECTLY ON TOP OF THREE SIDED FRAME TO ACHIEVE PROPER GRADES PRIOR TO PLACING LIFTS OF HMA SUPERPAVE. DEPTH OF CONCRETE TOPPING VARIES FROM 7"± TO 20"±.

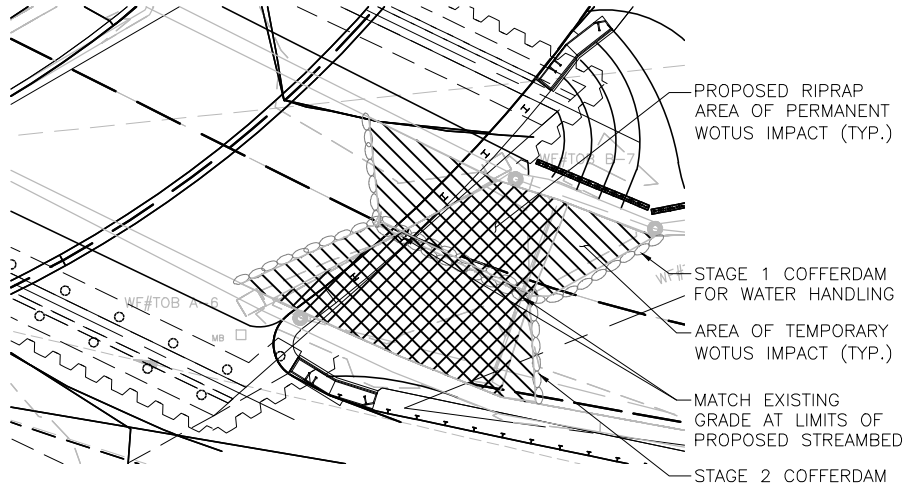


TYPICAL SECTION – CHURCH STREET
STA. 10+70.00 TO STA. 12+13.76

SCALE: 1/8" = 1'-0"

* TOLERANCE FR CONSTRUCTION ±0.5%

ENVIRONMENTAL IMPACT AREA			
	TEMPORARY 125 SF		PERMANENT 206 SF



ENVIRONMENTAL IMPACT PLAN

SCALE: 1/8" = 1'-0"

A00830 - 188

Proposal No. 612982-132268

From:	Davis, Heidi (DEP)
To:	Joa, Michael A. (DOT)
Cc:	Walker, Courtney L. (DOT); Nuthman.Conrad@wseinc.com; Lewis, Tyler (DEP)
Subject:	401 WATER QUALITY CERTIFICATION Administrative Completeness and Technical Deficiency Review/Church Street Bridge over Jack's Brook (Keyup Brook), Erving
Date:	Sunday, June 30, 2024 10:18:28 AM
Attachments:	image001.png

Good morning, Michael -

Thank you for sending the responses to our June 4, 2024 technical deficiency letter for Erving (Church Street Bridge). We have a few follow up questions/comments below. The numbers correlate with the question/response number in the response letter.

1)

- Both Church Street and North Street feed traffic to Route 2/Route 2A. Why would diverting some traffic from the 17 propertied on Church St. and Highland Ave. be "not desirable". Please explain this further.
- It appears that Church Street has been shut down to truck traffic for a few years now and is currently a one-way road. This would require trucks to use the North Street/Route 2 intersection. Trucks will also be required to use this intersection while the bridge is being replaced. In your response it is stated that this intersection is insufficient for trucks to turn. Because trucks have used this intersection in the past and will have to use it during construction, this reasoning for not removing or abandoning the bridge is illogical.

6)

- If the purpose of leaving the slab in place is to avoid placed riprap being washed away in extreme storm events, then why is riprap proposed in the adjacent section of the stream? Will the proposed riprap also be washed away in an extreme storm event?
- It is stated in the response "..removing the slab would likely necessitate removing the existing abutments entirely." Why couldn't the slab be cut and pulled from its location while leaving the abutments in place?

7.)

- Pre-Application site visits are to aid in the understanding of the project. They are NOT an approval for design.
- If a separate project is planned for widening the bridge and channel, this should be explained in the narrative. The potential timeline for when this project would start, should also be included.

Please contact Tyler Lewis at tyler.lewis@mass.gov or myself with any questions.

Best regards,

Heidi

Heidi M. Davis
Senior Wetland Analyst
Highway Unit Supervisor
Wetlands Program, Boston Office
MassDEP
339-225-2332

MassDEP
Commonwealth of Massachusetts
Department of Environmental Protection

From: Joa, Michael A. (DOT) <Michael.A.Joa@dot.state.ma.us>
Sent: Thursday, June 27, 2024 11:47 AM
To: Davis, Heidi (DEP) <heidi.davis@mass.gov>; Walker, Courtney L. (DOT) <Courtney.L.Walker@dot.state.ma.us>
Cc: McHugh, Michael (DEP) <michael.mchugh@mass.gov>; Daniel.B.Vasconcelos@usace.army.mil; conservation@erving-ma.gov; bacho.louis@wseinc.com; Lewis, Tyler (DEP) <Tyler.Lewis@mass.gov>
Subject: RE: 401 WATER QUALITY CERTIFICATION Administrative Completeness and Technical Deficiency Review/Church Street Bridge over Jack's Brook (Keyup Brook), Erving

Hi Heidi,

Here are the responses to DEP's comments on the Church Street bridge replacement project.

Please reach out if you have any further questions.

Thank you,
Michael

Michael Joa
Massachusetts Department of Transportation – Highway Division
Environmental Analyst I
10 Park Plaza, Boston, MA 02116
Mobile (201) 674-6989

From: Davis, Heidi (DEP) <heidi.davis@mass.gov>
Sent: Tuesday, June 4, 2024 6:11 PM
To: Walker, Courtney L. (DOT) <Courtney.L.Walker@dot.state.ma.us>
Cc: McHugh, Michael (DEP) <michael.mchugh@mass.gov>; Daniel.B.Vasconcelos@usace.army.mil;

Joa, Michael A. (DOT) <Michael.A.Joa@dot.state.ma.us>; conservation@erving-ma.gov; bacho.louis@wseinc.com; Lewis, Tyler (DEP) <Tyler.Lewis@mass.gov>
Subject: 401 WATER QUALITY CERTIFICATION Administrative Completeness and Technical Deficiency Review/Church Street Bridge over Jack's Brook (Keyup Brook), Erving

Good afternoon, Courtney –

Attached please find the Supplemental Technical Deficiency letter for the replacement of Church Street Bridge (Bridge No. E-10-011) over Jack's Brook (Keyup Brook) in Erving.

Please contact me at heidi.davis@mass.gov or tyler.lewis@mass.gov if you have any questions concerning this document.

Best regards,
Heidi

Heidi M. Davis
Senior Wetland Analyst
Highway Unit Supervisor
Wetlands Program, Boston Office
MassDEP
339-225-2332

427 Main Street, Suite 400, Worcester, MA 01608
Tel: 508.762.1676

July 31, 2024

Heidi M. Davis
Highway Unit Supervisor
Commonwealth of Massachusetts Executive Office of Environmental Affairs
Department of Environmental Protection
100 Cambridge Street Suite 900
Boston, Massachusetts 02114

Re: **401 WATER QUALITY CERTIFICATION**
Administrative Completeness and Technical Deficiency Review
401 WQC Application No: 24-WW11-0044-APP

Dear Ms. Davis:

This letter is in response to our meeting on July 23, 2024 held with representatives from DEP, MassDOT, the Town of Erving, and Weston & Sampson. The intent of the meeting was to discuss responses to your original letter of June 4, 2024 and follow-up email on July 1, 2024, requesting further information pursuant to the MassDEP Technical Review of the above referenced application.

Your email of July 1, 2024 with follow-up questions and our original responses is enclosed for your convenience. The meeting on July 23, 2024 was to discuss our follow-up responses and respond to any other questions the group may have. The meeting discussed each question in order and additional responses are documented below:

Question 1: Both Church Street and North Street feed traffic to Route 2/Route 2A. Why would diverting some traffic from the 17 propertied on Church St. and Highland Ave. be "not desirable". Please explain this further.

It was discussed further why removing the bridge altogether and having the residents on Church Street and Highland Avenue use Route 2 to access North Street is not a desirable situation. Although the inconvenience is less than a half mile the residents would now be forced to maneuver through two unsignalized intersections on Route 2 to access North Street which will be difficult given the volume of traffic on Route 2.

It appears that Church Street has been shut down to truck traffic for a few years now and is currently a one-way road. This would require trucks to use the North Street/Route 2 intersection. Trucks will also be required to use this intersection while the bridge is being replaced. In your response it is stated that this intersection is insufficient for trucks to turn. Because trucks have used this intersection in the past and will have to use it during construction, this reasoning for not removing or abandoning the bridge is illogical.

Our original response may have been misleading that trucks and commercial vehicles have not used the North Street/Route 2 intersection while the current bridge has been closed for one-way traffic and will not use the intersection during construction when the bridge is completely closed. The detour has been in place since the bridge was restricted to one-way traffic to allow those vehicles that would normally use Church Street to access North Street to now use the detour. The same detour will be used while the bridge is completely closed during construction. Although trucks and commercial vehicles that have difficulty making the turn from Route 2 to North Street ***should*** *be using the detour route it likely that some of those vehicles will avoid the detour because of it's length and continue to make the Route 2 to North Street maneuver even though it will be risky as they will likely cross the center line to make the turn. Removing the bridge will allow this risky maneuver to continue to occur.*

Question 6: If the purpose of leaving the slab in place is to avoid placed riprap being washed away in extreme storm events, then why is riprap proposed in the adjacent section of the stream? Will the proposed riprap also be washed away in an extreme storm event?

It is stated in the response "..removing the slab would likely necessitate removing the existing abutments entirely." Why couldn't the slab be cut and pulled from its location while leaving the abutments in place?

Weston & Sampson clarified that leaving the slab in place was not done to prevent rip-rap from being washed away in extreme storm events but because of the uncertainty of the existing abutments stability that are to remain if the slab were to be removed. The slab does provide some resistance from the rip-rap to be washed away but that was not a factor in keeping the slab.

DEP explained that the reason to ask if the slab could be removed was to reduce stream velocities by introducing riprap in place of the slab. It was eventually decided to leave the slab as removing it may pose stability issues with the abutments that are remaining. Although the velocities won't be reduced, leaving the slab continues to provide equal scour protection as compared to rip-rap. Removing the slab and widening the stream channel can be evaluated for feasibility following a study of Keyup Brook.

Question 7: Pre-Application site visits are to aid in the understanding of the project. They are NOT an approval for design.

Weston & Sampson agreed and acknowledged our original response should not have mentioned that the conversations during the field visit we interpreted to be an approval.

If a separate project is planned for widening the bridge and channel, this should be explained in the narrative. The potential timeline for when this project would start, should also be included.

Weston & Sampson and the Town discussed in more detail a future channel study and improvement plan for Keyup Brook and why this project only includes the bridge replacement. The bridge is already posted for a 3-Ton load restriction and is currently open for one-way traffic only due to the current condition of the concrete superstructure. The channel study and widening would delay the bridge replacement design and likely lead to the bridge being completely closed while the study is occurring. The replacement bridge, being built behind the existing bridge abutments, will allow a future study of the channel and if needed, widening to take place without having to remove or damage the new bridge. The Town explained that they are working with the Franklin Regional Council of Governments (FRCOG) to study Keyup Brook in May 2024 FRCOG applied to MassDEP's 604b program to work on a study for improving the health and water quality of Keyup Brook that will result in identified action items. The Town is still waiting to hear back on the status of the grant application and the existing retaining walls and channel widening will be addressed in that scope of work.

Sincerely,

WESTON & SAMPSON ENGINEERS, INC.

Louis D. Bacho

Louis D. Bacho, P.E.
Senior Team Leader

Enclosure

cc:
Bryan Smith, Town of Erving (via bryan.smith@erving-ma.gov)
Glenn McCrory (via glenn.mccrory@erving-ma.gov)
Courtney Walker, MassDOT (via courtney.l.walker@dot.state.ma.us)
Michael Joa, MassDOT (via michael.a.joa@dot.state.ma.us)
Tyler Lewis, MassDEP (via tyler.lewis@mass.gov)
Raju Vasamsetti (via VasamsettiR@wseinc.com)
Conrad Nuthmann (via nuthmann.conrad@wseinc.com)
Scott Bruso (via brusos@wseinc.com)

DOCUMENT A00831

ARMY CORPS OF ENGINEERS

GENERAL PERMIT

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Regulatory Division
Transportation & Utility Section
File Number: NAE-2024-00662

Bryan Smith
Town of Erving
12 East Main Street
Erving, Massachusetts 01344
Via Email: bryan.smith@erving-ma.gov

Courtney Walker
MassDOT - Highway Division
10 Park Plaza
Boston, Massachusetts 02116
Via Email: courtney.l.walker@dot.state.ma.us

Dear Mr. Smith and Ms. Walker:

This letter is in response to the application you submitted to the U.S. Army Corps of Engineers, New England District, on May 17, 2024 for a Department of the Army general permit verification. This project has been assigned the file number NAE-2024-00662. This file number should be referenced in all correspondence with this office. This letter follows a provisional notification letter from this office, dated July 25, 2024.

A review of the information provided indicates the proposed work includes the permanent discharge of fill material within 206 square feet below the Ordinary High Water (OHW) mark of Keyup Brook associated with the replacement of the bridge conveying Church Street over Keyup Brook, at Latitude 42.602430º and Longitude -72.399630º; in Erving, Franklin County, Massachusetts. The existing single span bridge superstructure will be replaced, leaving the existing abutments, base slab, and retaining walls in place. Rip-rap overtopped with 12 inches of natural streambed material will be installed just upstream of the existing base slab to address scour. The project also includes temporary impacts within 125 square feet below OHW due to the installation of cofferdams and associated dewatering. The work is shown on the enclosed plans titled "PERMIT PLANS OF PROPOSED BRIDGE REPLACEMENT ERVING CHURCH STREET OVER KEYUP BROOK," on two sheets, and dated 7/24/2024.

Based on the information you have provided, we verify that the activity is authorized under General Permit 23 of the June 2, 2023, Federal Permit known as the Massachusetts General Permits (GPs). If the extent of the project area and/or nature of the authorized impacts to waters are modified, a revised application must be submitted

to this office for written approval before work is initiated. A copy of these permits can be found at: https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/.

Any deviation from the terms and conditions of the permit, or your submitted plans, may subject the permittee to the enforcement provisions of our regulations. Therefore, in the event changes to this project are contemplated, it is recommended you coordinate with this office prior to proceeding with the work. This office must approve any changes before you undertake them. You must perform this work in compliance with the terms and conditions of the GPs listed above, and also in compliance with the following special conditions:

Project Specific Special Conditions:

1. The permittee shall complete and return the enclosed Work-Start Notification Form to this office at least two weeks prior to the anticipated construction start date.

2. The permittee shall complete and return the enclosed Completion Certification Form to this office at least one month following the completion of the authorized work.

3. A conditioned Water Quality Certification (WQC) has been issued by the Massachusetts Department of Environmental Protection for your project and is attached. You must comply with the conditions specified in the WQC.

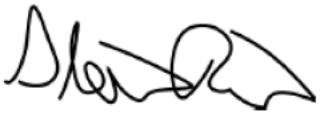
This verification is valid until June 1, 2028. You must commence or be under contract to commence the work authorized herein by June 1, 2028 and complete the work by June 1, 2029. If not, you must contact this office to determine the need for further authorization before beginning or continuing the activity. It is recommended that you contact this office before this authorization expires to discuss if permit reissuance is a possibility.

This general permit verification and any associated authorizations does not preclude the necessity to obtain any other Federal, State, or local permits, licenses, and/or certifications, which may be required.

If you have any questions related to this verification or have issues accessing documents referenced in this letter, please contact Daniel Vasconcelos, Project Manager at 978-318-8653, or by email at daniel.b.vasconcelos@usace.army.mil.

This agency continually strives to improve our customer service. In order to better serve you, please complete the Customer Service Survey located at: https://regulatory.ops.usace.army.mil/customer-service-survey/.

Sincerely,



Stephen Rochette
Chief, Technical Support Branch
Regulatory Division

Enclosures

cc (w/enclosures):
Ed Reiner, U.S. EPA, Region 1 (via reiner.ed@epa.gov)
Rachel Croy, U.S. EPA, Region 1 (via croy.rachel@epa.gov)
Heidi Davis, MassDEP (via heidi.davis@mass.gov)
Tyler Lewis, MassDEP (via tyler.lewis@mass.gov)
Erving Conservation Commission (via conservation@erving-ma.gov)
Michael Joa, MassDOT – Highway Division (via michael.a.joa@dot.state.ma.us)
Conrad Nuthmann, Weston and Sampson (via nuthmann.conrad@wseinc.com)

Work-Start Notification Form

File Number: NAE-2024-00662 State: Massachusetts County: Franklin

Permittee: Town of Erving, Bryan Smith and MassDOT - Highway Division, Courtney Walker
Date Verification Issued: 10/28/2024
Project Manager: Daniel Vasconcelos

At least two weeks prior to commencing the activity authorized by this permit, sign this certification and return it to the following address:

US ARMY CORPS OF ENGINEERS
New England District
Attn: Daniel Vasconcelos
696 Virginia Road
Concord, MA 01742
or
daniel.b.vasconcelos@usace.army.mil and cenae-r-ma@usace.army.mil
978-318-8653

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers (USACE) representative. Failure to comply with any terms or conditions of this authorization may result in the USACE suspending, modifying or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

The people (e.g. contractor) listed below will do the work, and they understand the permit's conditions and limitations.

Contractor Name/Contractor Firm: _____
Business Address: _____
_____
Contractor Phone and Email: _____

Proposed Construction Dates: Start: _____ Finish: _____

_____ _____
Signature of Permittee Date

Compliance Certification Form

File Number: NAE-2024-00662 State: Massachusetts County: Franklin

Permittee: Town of Erving, Bryan Smith and MassDOT - Highway Division, Courtney Walker
Date Verification Issued: 10/28/2024
Project Manager: Daniel Vasconcelos

Within one month of completion of the activity authorized by this permit and any mitigation required by the permit (you must submit this form after mitigation is complete, but not the mitigation monitoring, which requires separate submittals), sign this certification and return it to the following address:

US ARMY CORPS OF ENGINEERS
New England District
Attn: Daniel Vasconcelos
696 Virginia Road
Concord, MA 01742
or
daniel.b.vasconcelos@usace.army.mil and cenae-r-ma@usace.army.mil

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers (USACE) representative. Failure to comply with any terms or conditions of this authorization may result in the USACE suspending, modifying, or revoking the authorization and/or issuing a Class I administrative penalty, or initiating other appropriate legal action.

I hereby certify that the work, and mitigation (if applicable), authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit including any general or specific conditions.

Date Authorized Work Started: _____ Completed: _____

Describe any deviations from permit (attach drawing(s) depicting the deviations):

_____

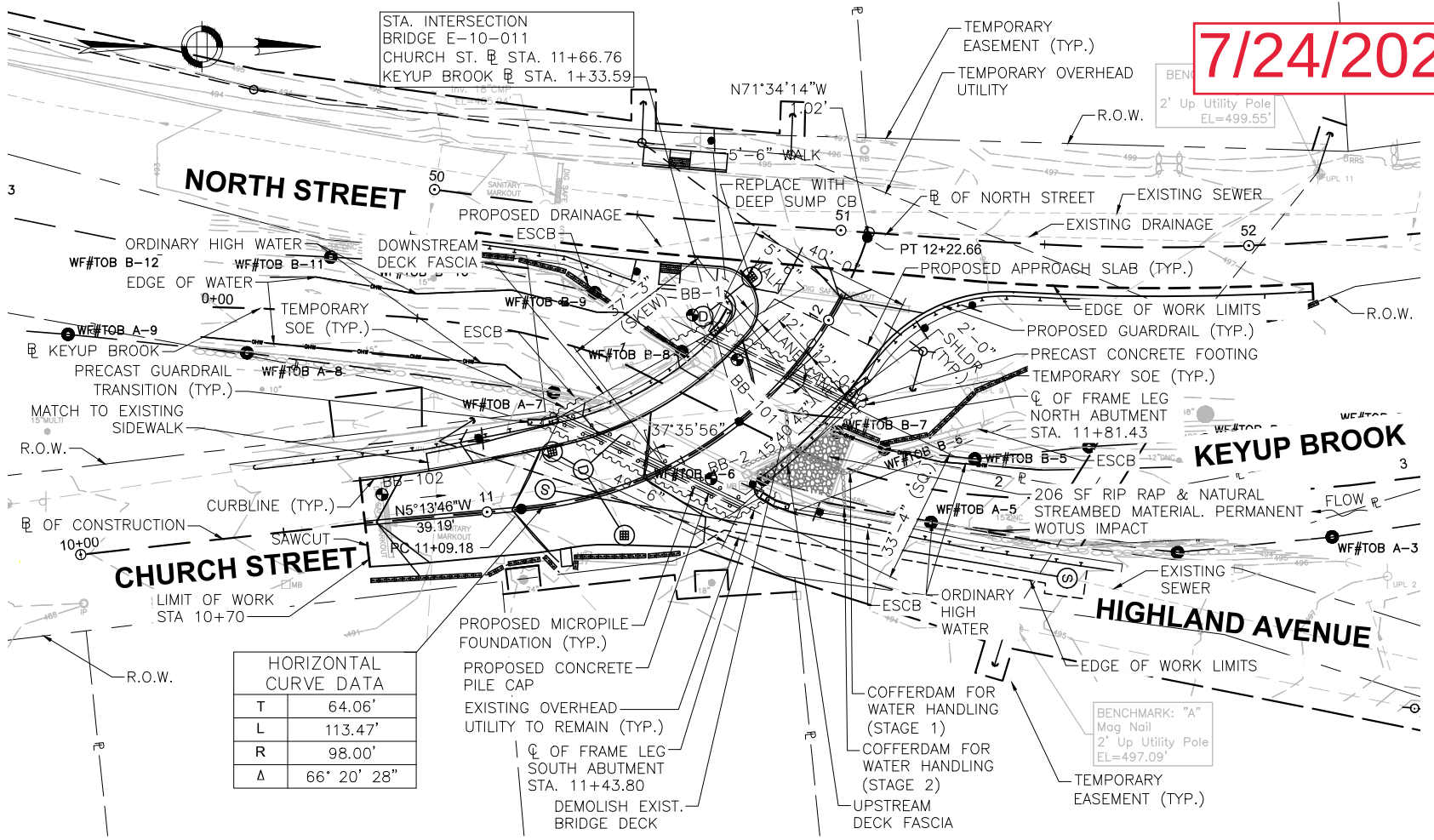
_____

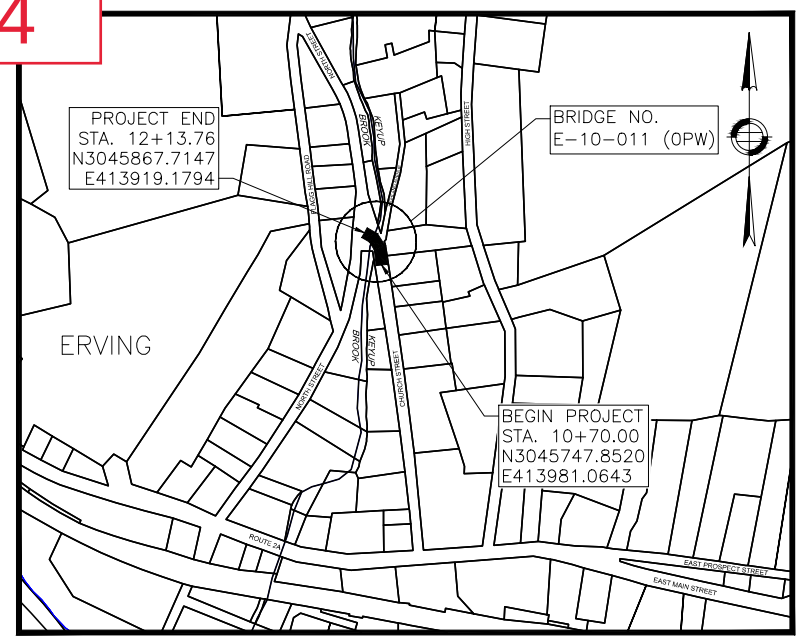
***Note: The description of any deviations on this form does not constitute approval by the USACE.**

_____ _____

Signature of Permittee **Date**

7/24/2024





LOCUS

SCALE: 1" = 1000'

GENERAL NOTES

DESIGN:

1. IN ACCORDANCE WITH THE 2020 AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS LRFD BRIDGE DESIGN SPECIFICATIONS FOR HL-93 LOADING.
2. USE MASSDOT SPECIFICATION M2.02.2 FOR RIP RAP.

NOTES:

1. APPROVAL DOES NOT INCLUDE STRUCTURAL ANALYSIS.
2. DIMENSIONS OF STRUCTURAL MEMBERS ARE APPROXIMATE, AND WILL BE FINALIZED DURING THE FINAL DESIGN PHASE.
3. SEE GEOTECHNICAL REPORT DATED, FEBRUARY 2024.
4. SEE HYDRAULIC REPORT DATED OCTOBER 2023.
5. NORTH AMERICAN VERTICAL DATUM (NAVD) OF 1988 IS USED THROUGHOUT.
6. SCALES NOTED ARE BASED ON HALF SIZED PLANS (11"X17").

PROJECT INFORMATION
PROJECT FILE NO.: 612982
PROJECT DESCRIPTION: PROPOSED BRIDGE
BRIDGE DESIGN LOADING: HL-93
SURVEY: ELECTRONIC SURVEY BY WESTON & SAMPSON
ELEVATION REFERENCE: NAVD OF 1988
BENCH MARK: SEE BORING NOTES (SHEET 2)

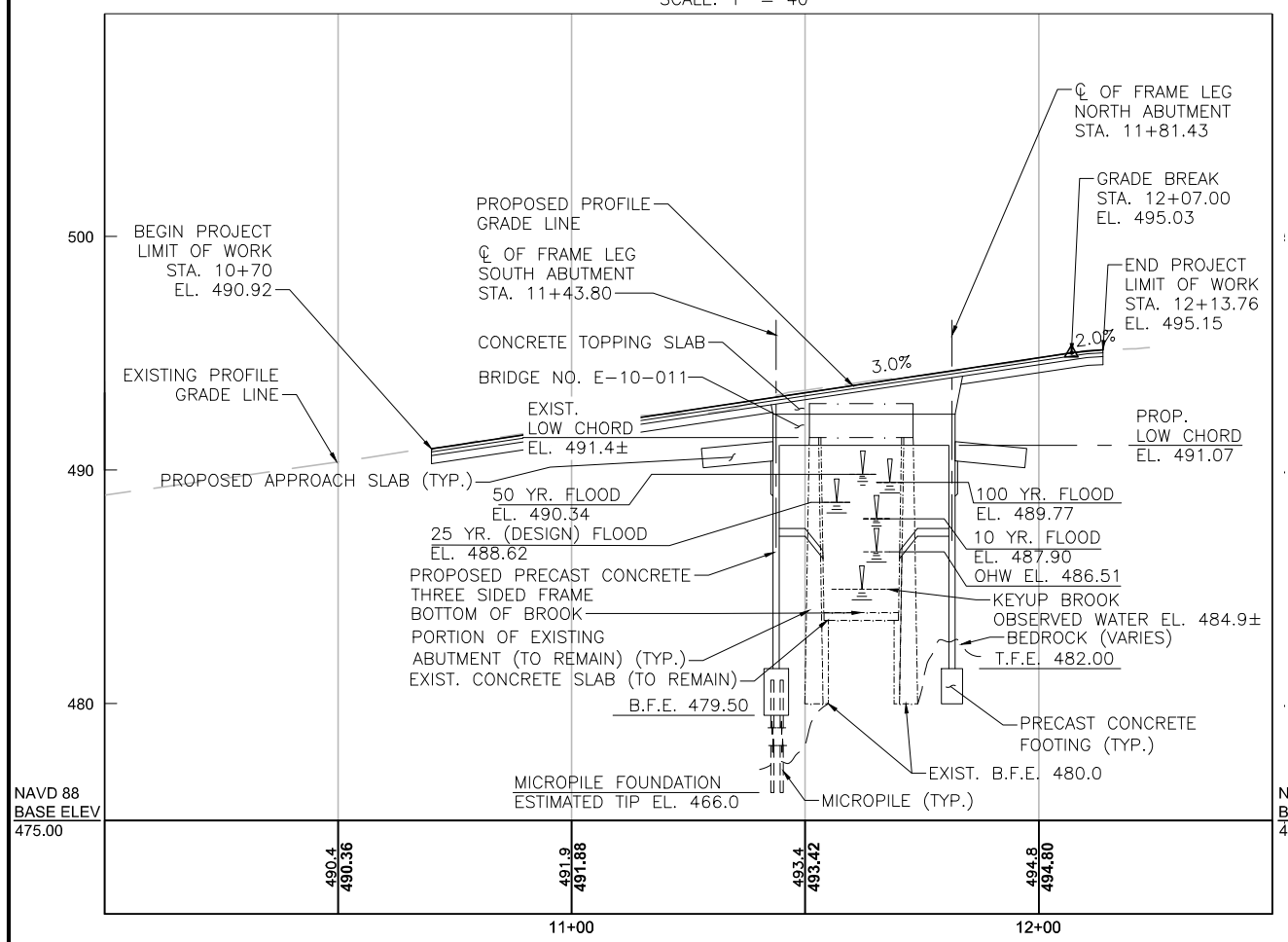
ABBREVIATIONS

ESCB.....EROSION AND SEDIMENT CONTROL BARRIER
LUW.....LAND UNDER WATER
OHW.....ORDINARY HIGH WATER
SOE.....SUPPORT OF EXCAVATION
WOTUS.....WATERS OF THE U.S.

HYDRAULIC DESIGN DATA	
DRAINAGE AREA (SQ. MILES)	7.1
DESIGN FLOOD DISCHARGE (C.F.S.)	851
DESIGN FLOOD FREQUENCY (YEARS)	25
DESIGN FLOOD VELOCITY (F.P.S.)	11.12
DESIGN FLOOD ELEVATION (FEET, NAVD)	488.62
BASE (100-YEAR) FLOOD DATA	
BASE FLOOD DISCHARGE (C.F.S.)	1260
BASE FLOOD ELEVATION (FEET, NAVD)	489.77
DESIGN AND CHECK SCOUR DATA	
DESIGN SCOUR FLOOD EVENT RETURN FREQUENCY (YEARS)	50
DESIGN FLOOD ABUTMENT SCOUR DEPTH (FEET)	3.64
DESIGN FLOOD PIER SCOUR DEPTH (FEET)	N/A
CHECK SCOUR FLOOD EVENT RETURN FREQUENCY (YEARS)	100
CHECK FLOOD ABUTMENT SCOUR DEPTH (FEET)	4.32
CHECK FLOOD PIER SCOUR DEPTH (FEET)	N/A
FLOOD OF RECORD	
DISCHARGE (C.F.S.)	N/A
FREQUENCY (IF KNOWN, YEARS)	N/A
MAXIMUM ELEVATION (FEET, NAVD)	N/A
DATE (MM/YYYY)	N/A
HISTORY OF ICE FLOES	N/A
EVIDENCE OF SCOUR AND EROSION	N/A
SEISMIC DESIGN CRITERIA	
DESIGN RETURN PERIOD:	1000 YRS
DESIGN SPECTRA	
As	0.072g
SDs	0.162g
SD1	0.070g
SITE CLASS	C
SEISMIC DESIGN CATEGORY (SDC)	A

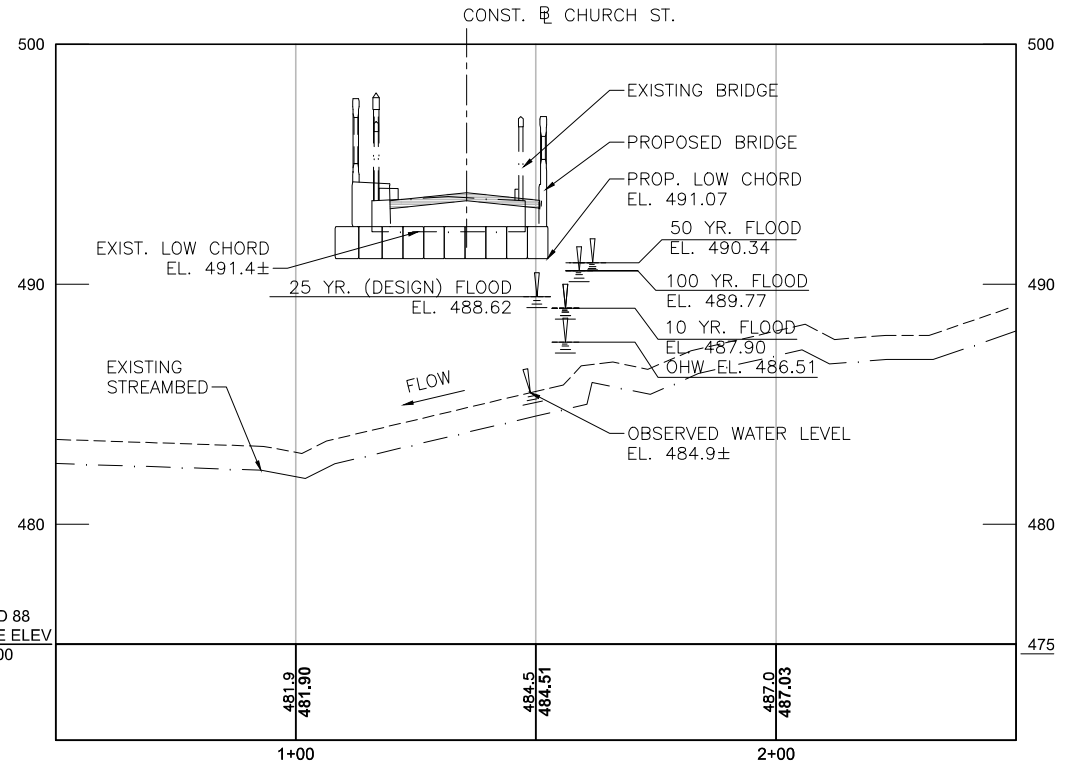
KEY PLAN

SCALE: 1" = 40'



PROFILE – CHURCH STREET

HORIZONTAL SCALE: 1" = 40'
VERTICAL SCALE: 1" = 8'



PROFILE – KEYUP BROOK

HORIZONTAL SCALE: 1" = 40'
VERTICAL SCALE: 1" = 8'

WESTON & SAMPSON
100 FOXBOROUGH BLVD, SUITE 250
FOXBOROUGH, MA 02035

massDOT Highway Division

PERMIT PLANS OF PROPOSED BRIDGE REPLACEMENT

ERVING

CHURCH STREET
OVER KEYUP BROOK

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

APPROVED BY DATE

STRUCTURAL ELEMENTS:

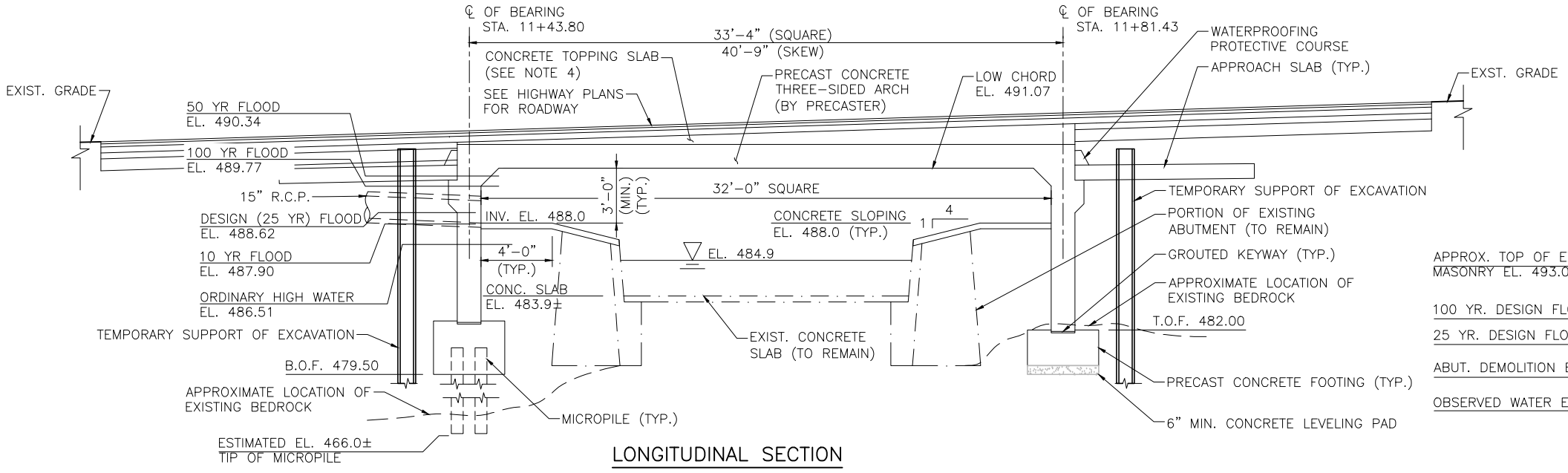
TITLE:

HIGHWAY ELEMENTS:

TITLE:

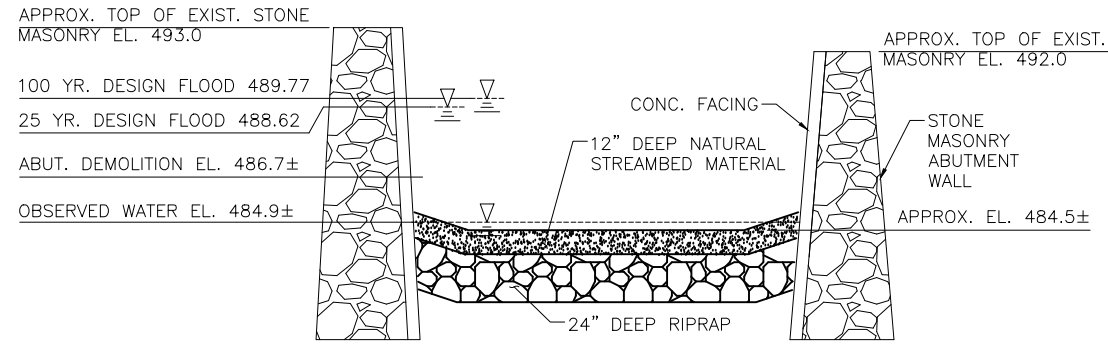
Proposal No. 612982-132268

A00831 - 8



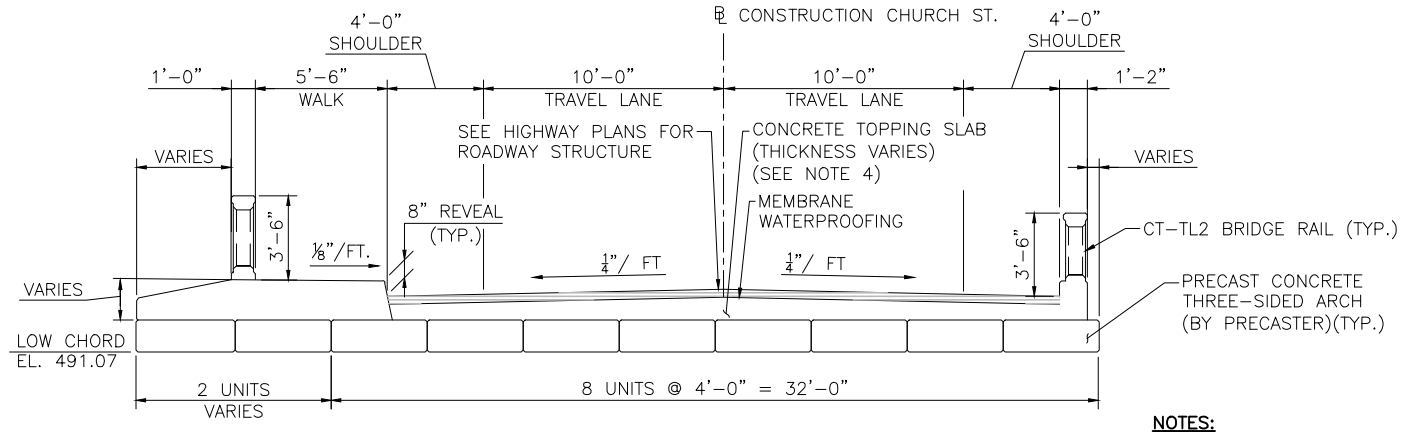
LONGITUDINAL SECTION

SCALE: 1/8" = 1'-0"



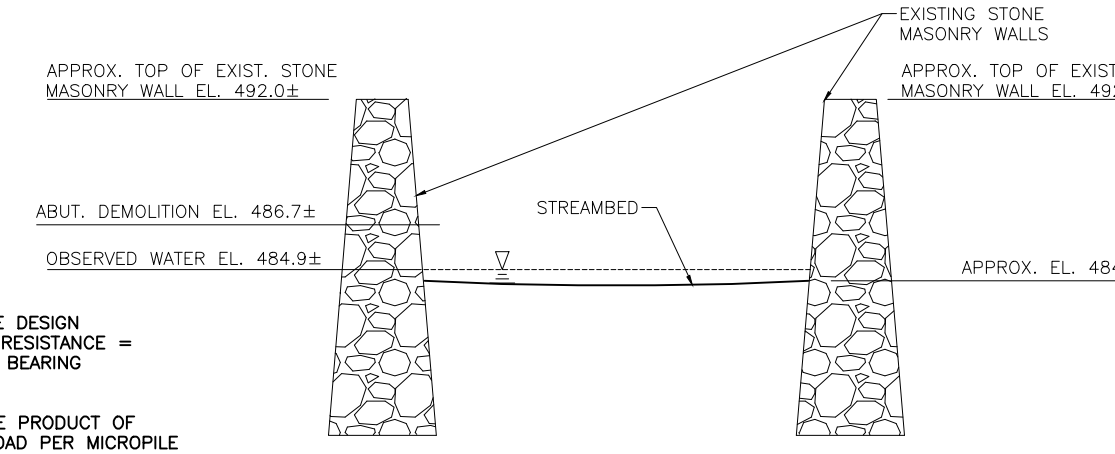
UPSTREAM CHANNEL CROSS SECTION

SCALE: 1/8" = 1'-0"



TRANSVERSE SECTION

SCALE: 1/8" = 1'-0"
(SECTION CUT PERPENDICULAR TO CENTERLINE ROADWAY)

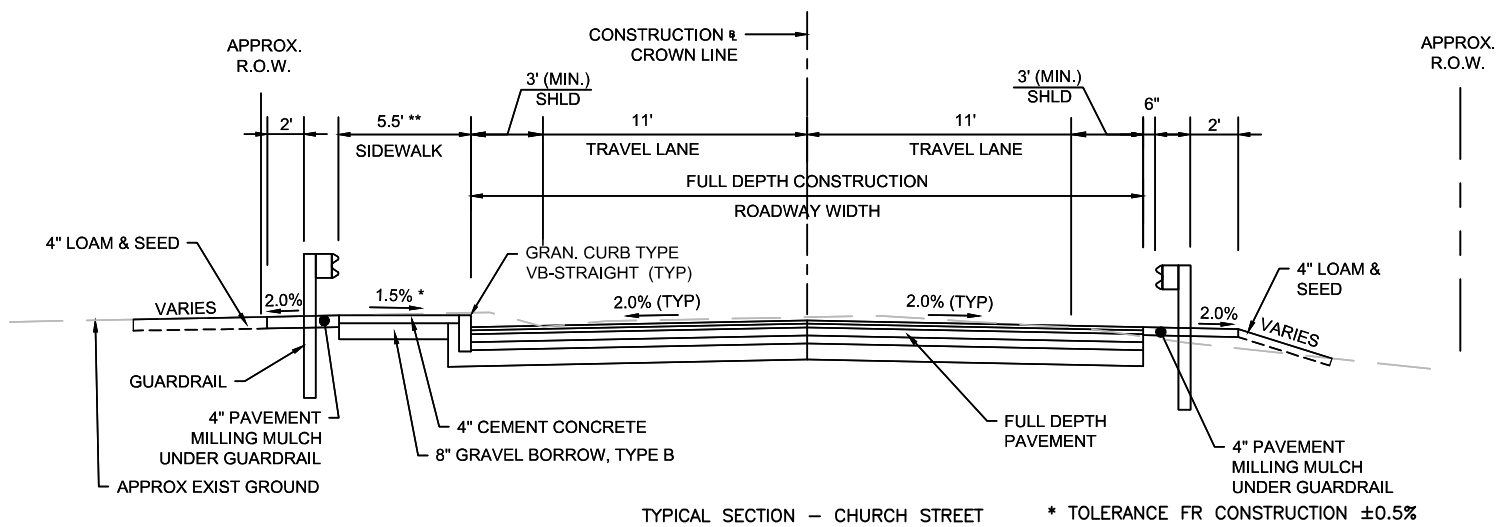


DOWNSTREAM CHANNEL CROSS SECTION

SCALE: 1/8" = 1'-0"

NOTES:

1. FACTORED BEARING PRESSURE = 6.14 KSF AS PER AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS STRENGTH I LOAD COMBINATION. THE FACTORED BEARING RESISTANCE = 8.75 KSF. FACTORED BEARING RESISTANCE IS THE PRODUCT OF NOMINAL BEARING RESISTANCE AND A RESISTANCE FACTOR OF 0.45.
2. FACTORED GEOTECHNICAL MICROPILE RESISTANCE IS 125 KIPS AND IS THE PRODUCT OF 227.5 KIPS AND A RESISTANCE OF 0.55. THE FACTORED DESIGN AXIAL LOAD PER MICROPILE IS 36± KIPS AS PER AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS STRENGTH I LOAD COMBINATION.
3. MICROPILE WILL HAVE A MINIMUM OF 5 FT. BOND LENGTH INTO BED ROCK.
4. CONCRETE TOPPING WILL BE PLACED DIRECTLY ON TOP OF THREE SIDED FRAME TO ACHIEVE PROPER GRADES PRIOR TO PLACING LIFTS OF HMA SUPERPAVE. DEPTH OF CONCRETE TOPPING VARIES FROM 7"± TO 20"±.

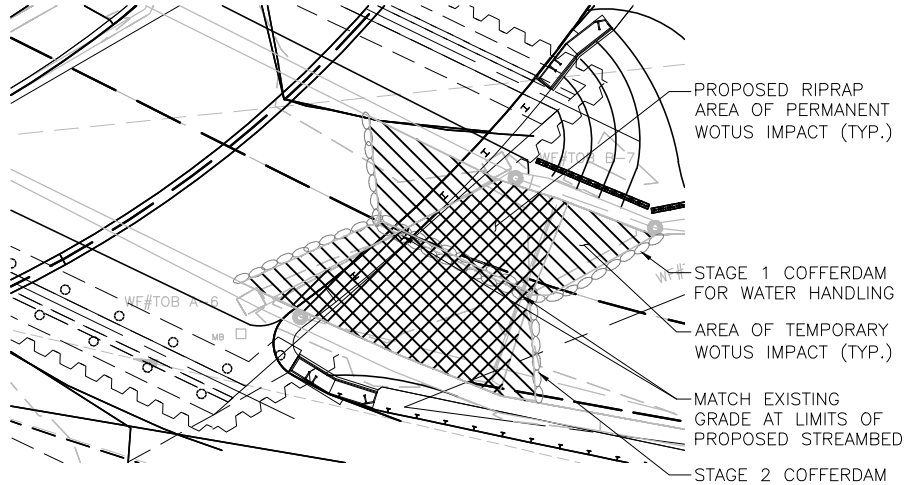


TYPICAL SECTION – CHURCH STREET
STA. 10+70.00 TO STA. 12+13.76

SCALE: 1/8" = 1'-0"

* TOLERANCE FR CONSTRUCTION ±0.5%

ENVIRONMENTAL IMPACT AREA			
	TEMPORARY 125 SF		PERMANENT 206 SF



ENVIRONMENTAL IMPACT PLAN

SCALE: 1/8" = 1'-0"

Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

October 7, 2024

Massachusetts Department of Transportation
Highway Division
10 Park Plaza
Boston, MA 02116
ATTN: Courtney Walker

RE: 401 WATER QUALITY CERTIFICATION
BRP WW 11, Minor Fill Project
Church Street Bridge (E-10-011) Replacement over Keyup Brook
Erving, Massachusetts

401 WQC Application Number: 24-WW11-0044-APP
USACE Application No. NAE-2024-00662
MassDOT Project Number: 612982

Dear Ms. Walker:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed your application for a Water Quality Certification (WQC), as referenced above; this application was deemed complete on July 31, 2024. In accordance with the provisions of MGL Ch. 21, §§26-53 and Section 401 of the Federal Clean Water Act as amended (33 U.S.C. §1251 et seq.), it has been determined there is reasonable assurance the proposed project will be conducted in a manner which will not violate applicable water quality standards (314 CMR 4.00) and other applicable requirements of state law.

The proposed project consists of removing and replacing the existing bridge (E-10-011) superstructure that carries Church Street over Keyup Brook and repairing existing retaining walls adjacent to the bridge. The project will also include minor stormwater drainage improvements and streambed restoration. The bridge structure is stated as needing replacement due to its poor condition and various structural deficiencies.

The existing bridge is a single-span structure with a cast in place concrete deck and stone masonry abutments. The bridge was originally built to provide two travel lanes but currently only has one lane open to limit loading on the structure. The bridge spans Keyup Brook with a length of 16 feet and a width of 33 feet. The layout of the bridge consists of two 12-foot lanes, a 2.5-foot shoulder, and a 4-foot sidewalk on the west side of the bridge. Beneath the bridge, the stream is lined with a 4-inch-thick

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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reinforced concrete slab that is integral with the abutments. Keyup Brook is a mapped Coldwater Fishery Resource and is a tributary to Millers River which in turn is tributary to the Connecticut River. The project is within the Federal Emergency Management Agency 1% annual chance of flooding zone.

The project will remove the existing bridge superstructure while leaving the existing abutments, stream slab, and retaining walls in place. The new superstructure span will 32 feet and total average width will be 44 feet, 7 inches. The new layout of the bridge will consist of two 10-foot travel lanes, two 4-foot shoulders, a 5.5-foot sidewalk, two 1-foot-wide bridge rails, and a varying width deck facia. This structure will be constructed entirely outside the stream and existing abutments. Riprap and natural streambed material will be placed upstream of the concrete slab to avoid scour. Sandbag cofferdams may be used for water handling or dewatering during placement of rip rap and natural streambed material and during patching of retaining walls so that the work to create dry working conditions.

The required dewatering for riprap placement and retaining wall repairs will result in impacts to Land Under Water (LUW). In total, 331 square feet (sf) (125 sf temporary and 206 sf permanent) LUW impacts are required for the project. Temporary impacts are primarily due to work associated with dewatering while the permanent impacts are a result of the installation of riprap for scour protection. The project will not result in any impacts to Bordering Vegetated Wetland (BVW). The streambed and the areas of riprap installation will be restored with 12 inches of natural streambed material under the supervision of a Fluvial Geomorphologist (FGM). Installation of riprap along the streambed is necessary to prevent future scour.

The Project will result in a 1,155-sf decrease in impervious surface and qualifies as a redevelopment project as defined at 314 CMR 9.02. The decrease is due to the minor realignment of the adjacent intersection and removal of areas where pavement is not required. The bridge width will increase but the overall impervious area will still decrease. Through a complete evaluation, it was determined that the only feasible structural Stormwater Control Measures (SCMs) are deep sump catch basins. The deep sump catch basins will replace the existing catch basins in the closed stormwater system on site. Due to adjacent private property and the proximity of the retaining wall along the riverbank, additional SCMs were not considered practicable. Existing conditions will be improved by installing the deep sump catch basins. These improvements and the reduction in impervious area will allow the project to fully comply with MA Stormwater Management Standards 1 and 2, and Standards 3, 4, and 6 to the Maximum Extent Practicable (MEP).

The proposed span will fully comply with all of the Massachusetts Stream Crossing Standards except for Standard 3. The proposed 16-foot span cannot be increased due to the existing retaining walls up and down stream of the crossing. The crossing will be 0.43 times the 37.2-foot bankfull width of Keyup Brook.

Based on a review of information provided by the applicant, MassDEP finds that this project complies with the standards described under 314 CMR 9.06. Public notice was provided in the Greenfield Recorder on May 20, 2024. No comment letters were received during the public comment period.

Therefore, based on information currently in the record, MassDEP grants a WQC for this project subject to the following conditions to maintain water quality, to minimize impact on waters and wetlands, and to ensure compliance with appropriate state law. The Department further certifies in accordance with

314 CMR 9.00 that there is reasonable assurance the project or activity will be conducted in a manner which will not violate applicable water quality standards (314 CMR 4.00) and other applicable requirements of state law. Finally, the Department has determined that upon satisfying the conditions and mitigation requirements of this approval, the project provides a level of water quality necessary to protect existing uses and accordingly finds that the project to be implemented satisfies the Surface Water Quality Standards at 314 CMR 4.00.

Pursuant to 314 CMR 9.09(1)(d); 314 CMR 9.06(6)(a); 310 CMR 9.06(2); 314 CMR 9.07; 314 CMR 9.07(1); 314 CMR 9.09(7)(5)(c); 314 CMR 9.11; and 314 CMR 9.09(1)(e), the following Special Conditions are necessary to ensure that construction practices and stormwater controls are implemented in such a manner as to prevent degradation to wetlands and waters; ensure that practicable steps have been taken which will avoid and minimize impacts to wetlands and waters; minimize turbidity and sediment caused by construction activities; ensure that water quality is not degraded, and that biology of the waters are not negatively impacted by potential discharges; and/or maintain a record of the dredged material for reference and to ensure accountability in its transportation.

Those Special Conditions that require direct submittals to MassDEP for either review, or review and approval, are denoted by the following notation (Submittal) at the end of the condition and are summarized in Attachment A. In addition, those conditions with the (Submittal) designation shall be included in the Special Provisions and, as applicable, reviewed at the Pre-Construction Meeting.

1. All work shall be performed in accordance with the following documents and plans:

    - 401 WQC Minor Project Certification (BRP WW 11) Application Church Street over Keyup Brook Bridge Replacement Project. Prepared by Weston & Sampson on behalf of MassDOT, dated May 2024, with cover letter and attachments. 401 WQC Application Number: 24-WW11-0044-APP.
    - MassDOT Response to MassDEP Administrative Completeness Technical Review. Prepared by Weston & Sampson on behalf of MassDOT. Dated June 27, 2024.
    - MassDOT Response to MassDEP Second Administrative Completeness Technical Review. Prepared by Weston & Sampson on behalf of MassDOT. Dated July 31, 2024.

Pre-Construction

2. A qualified **Fluvial Geomorphologist** (FGM) with a minimum of five years of relevant professional experience in stream replacement and restoration projects shall be employed to oversee all LUW replacement and restoration activities as proposed in the application. The name, contact information, and qualifications of the FGM shall be provided to MassDEP for approval with a copy to the Erving Conservation Commission prior to the Pre-Construction Meeting required in Condition 4. **(Submittal)**

3. Prior to the Pre-Construction Meeting required in Condition 4, the applicant shall provide MassDEP with the name and contact information of the Resident Engineer (RE) responsible for ensuring that all work complies with the conditions of this WQC. **(Submittal)**

4. A minimum of 21 days prior to the start of work, MassDOT shall contact MassDEP to schedule an onsite Pre-Construction Meeting to review the approved plans and terms and conditions of this WQC. The RE, the construction contractor, a representative from the MassDOT Environmental Section and/or the District Environmental Engineer shall attend the Pre-Construction Meeting.

5. A minimum of 14 days prior to installation of the streambed materials, the FGM shall meet with the contractor to determine the suitability of stockpiled streambed material for reuse.

6. MassDEP shall be copied on applicable submittals to the U.S. Army Corps of Engineers (USACE). These include but are not limited to: Self-Verification Notification Form (SVNF); Pre-Construction Notification (PCN); Work-Start Notification Form; Mitigation Work-Start Notification Form; and Compliance Certification Form. The Work-Start Notification Form shall be submitted at least 14 days before the anticipated start of work and the Compliance Certification Form shall be submitted within 30 days following the completion of the authorized work. **(Submittal)**

7. A construction period erosion, sedimentation, and pollution prevention plan (CP/PP) shall be developed and implemented as required by 314 CMR 9.06(6)(a)8. A minimum of 14 days prior to the start of work, MassDOT shall submit the CP/PP for review and approval. If the U.S. Environmental Protection Agency (EPA) Construction General Permit (CGP) applies, the Stormwater Pollution Prevention Plan (SWPPP) may serve as the CP/PP, providing it includes the measures required to be in the CP/PP per these Special Conditions, in addition to the measures specifically required by the CGP. Any subsequent changes to the approved CP/PP (defined herein as including the construction period SWPPP) must be approved by MassDEP. **(Submittal)**

8. Training regarding erosion and sedimentation controls is required. The RE, CP/PP Inspector, and any other relevant personnel responsible for erosion and sedimentation controls shall complete the EPA CGP Inspector Training, or other training that meets the CGP requirements, as well as complete a comprehensive review of the approved CP/PP. Verification of proof of completion training of the shall be submitted to MassDEP prior to the start of work. **(Submittal)**

9. The CP/PP shall identify, but shall not be limited to, staging and laydown areas in relation to LUW, proposed dewatering locations, proposed stockpile locations and their proximity to catch basins or other drainage conveyances that discharge to wetland resource areas, and the location of construction-period erosion and sedimentation controls.

10. A minimum of 21 days prior to the start of work, MassDOT shall submit a Control of Water Plan for review and approval. The Plan shall include proposed methods to manage construction-period water including but not limited to dewatering methods and locations, specifications for any water bypass systems, and dredge and debris material dewatering prior to shipment off site, as applicable. The plan shall meet requirements of the CP/PP and be specific to the Project. Dewatering and water bypasses shall be conducted under the supervision of the RE and comply with the applicable conditions identified herein. **(Submittal)**

11. Prior to the start of work, approved erosion and sedimentation control measures shall be installed per the approved CP/PP and as applicable, the manufacturer specifications. Erosion

and sedimentation control measures may consist of, but are not limited to, silt fence, staked straw bales, silt/turbidity curtains, compost filter tubes, etc.

12. Prior to the Pre-Construction Meeting, the boundaries of LUW shall be re-flagged where they are within 50 feet of the limits of work. All boundary markers, once in place, shall remain in place throughout construction until all disturbed surfaces have been permanently stabilized. Boundary markers shall be fully evaluated annually and refreshed where needed. Implementation of and compliance with this requirement shall be documented by the RE. All construction personnel shall be made aware of these markers.

13. A Flood Contingency Plan shall be submitted to MassDEP for review and approval that addresses areas that fall within the 1% annual chance of flooding zone within project limits. The Plan shall address the potential need for temporary relocation of construction and auxiliary equipment during flood events to designated upland locations above the Base Flood Elevation. The Plan shall be approved by MassDEP prior to any work within the 1% annual chance of flooding zone, including mobilization or storage of equipment and materials. **(Submittal)**

14. A minimum of 21 days prior to the start of work, a Demolition Plan shall be submitted for review and approval describing how the existing bridge will be demolished and what measures will be taken to assure that demo material is properly contained and does not enter Keyup Brook. **(Submittal)**

Construction Period

15. No more than **206 sf of permanent impacts to LUW** shall occur. All work shall avoid unapproved impacts to BVW and LUW.

16. CP/PP inspections shall occur at least once every seven calendar days and within 24 hours of a storm event that produces 0.5 inches or more of rain within a 24-hour period, or at a more stringent frequency if the CP/PP requires.

17. Copies of CP/PP Inspection and Maintenance Log Forms shall be submitted to MassDEP within 14 days upon request.

18. The Project shall identify one individual with at least three years of experience with construction period erosion and sedimentation control to be responsible for erosion and sedimentation control inspections. Under the direction of this individual, inspection and maintenance of erosion and sediment controls in active work areas may be performed by both the Contractor and RE or MassDOT project staff. Maintenance is the responsibility of the Contractor; however, the permittee is ultimately responsible for erosion and sedimentation control failure. The RE, and/or contractor shall immediately notify MassDEP and the Erving Conservation Commission if any unauthorized discharges to BVWs or LUW occur.

19. Disturbed areas shall be stabilized immediately after activities have permanently ceased or will be temporarily inactive for 14 or more calendar days. The installation of stabilization measures shall be implemented as soon as practicable, but no later than 14 calendar days after stabilization has been initiated.

20. Work within LUW shall be conducted in low or no-flow conditions to the extent practicable. Notice shall be provided to MassDEP and the Erving Conservation Commission within 24 hours prior to the commencement of dewatering. Dewatering methods and location(s) shall be approved by the RE prior to use, and shall be documented in the CP/PP. There shall be no discharge of untreated dewatered stormwater or groundwater to LUW. Any discharges shall be visibly free of sediment.

21. Additional erosion and sedimentation control materials shall be stored on-site at all times for emergency and routine replacement. Materials shall be kept covered, dry, and accessible at all times. The individual identified in Condition 18 shall be responsible for anticipating the need for and installation of additional erosion and sedimentation controls and shall have the authority to require additional erosion control measures to protect wetland resource areas beyond what is shown on the plans if field conditions, or professional judgment dictate that additional protection is necessary.

22. The RE shall monitor the National Weather Service forecast for updates, and upon issuance of a flood watch for the 1% annual chance of flooding zone, shall implement the flood contingency plan referenced in Condition 13.

23. Any storm drains with potential to receive discharge from stockpiled materials or construction operations shall be managed to inhibit the inflow of sediment while not increasing the likelihood of roadway flooding during periods of precipitation. Stockpiles shall be located no less than 50 feet from LUW, catch basins, or other drainage conveyances that discharge to BVWs or LUW. The CP/PP shall specify measures to implement this. Filter fabric stretched under storm drain inlet grates are not acceptable for this purpose.

24. The contractor shall have designated washout areas for concrete equipment that will be comprised of impermeable material and sized to contain project concrete wastes and wash water. Concrete wash out areas shall be located no less than 50 feet from LUW and catch basins or other drainage conveyances that discharge directly or indirectly to BVWs or LUW.

25. Refueling, washing, and cleaning of vehicles and other construction equipment shall not take place within 50 feet of LUW and any wash water shall be contained such that it does not drain toward LUW. MassDEP shall explicitly approve in writing any deviation to this condition for oversized stationary vehicles.

26. The contractor shall have spill containment kits on site. In the event of a release of fuels and/or oils, the local fire department and MassDEP shall be notified.

27. A temporary shielding system shall be in place beneath the bridge structure prior to removal to prevent debris from falling into the water below. If any debris accidentally enters Keyup Brook, it shall be immediately retrieved. Notice shall be provided to MassDEP if debris enters the river and photo documentation (if practicable) provided that it has been removed submitted by email.

Stream Mitigation

28. The FGM shall oversee all LUW replication and restoration. Placement of streambed materials shall take place in no- or low-flow conditions. The Control of Water Plan required in Condition 10 shall include measures to create no-flow conditions for this work such as a pump bypass system or other dewatering method, if needed. Placement of streambed materials during greater than low-flow conditions shall require a placement plan, with a narrative describing turbidity control measures, submitted to MassDEP for review and approval.

29. Upon completion, the FGM shall provide photographs of the finished stream restoration along with a brief summary describing the finished work to MassDEP and the Erving Conservation Commission. **(Submittal)**

30. Water shall be slowly introduced back into the restored and dewatered LUW work areas as to not cause erosion and sedimentation. This work shall be overseen by the FGM.

31. MassDEP reserves the right to determine the success or failure of the LUW replication and restoration areas and reserves the right to require additional measures deemed necessary to promote success.

Post-Construction

32. All temporary erosion controls shall be removed at the conclusion of work once the surrounding area has achieved final stabilization.

General Conditions

33. Any proposed alterations, minor plan changes, or amendment requests, as well as any required submittals shall be sent by email for review and approval to heidi.davis@mass.gov and tyler.lewis@mass.gov. **(Submittal)**

34. This WQC remains in effect for the same duration as the Section 404 permit that requires it.

35. No Special Condition set forth herein shall be construed or operate to prohibit MassDEP from taking enforcement against the MassDOT or its contractors for any failure to comply with the terms and requirements of this WQC.

36. No activity authorized by this WQC may begin prior to expiration of the 21-day appeal period, or until a final decision is issued by MassDEP in the event of an appeal.

Failure to comply with this Certification is grounds for enforcement, including civil and criminal penalties, under MGL Ch. 21 §42, MGL Ch. 21A §16, or other possible actions/penalties as authorized by the General Laws of the Commonwealth.

This Certification does not relieve the applicant of the obligation to comply with other appropriate state or federal statutes or regulations.

NOTICE OF APPEAL RIGHTS

a.) Appeal Rights and Time Limits

Certain persons shall have a right to request an adjudicatory hearing concerning certifications by MassDEP when an application is required: (a) the applicant or property owner; (b) any person aggrieved by the decision who has submitted written comments during the public comment period; (c) any ten (10) persons of the Commonwealth pursuant to M.G.L. c.30A where a group member has submitted written comments during the public comment period; or (d) any governmental body or private organization with a mandate to protect the environment which has submitted written comments during the public comment period. Any person aggrieved, any ten (10) persons of the Commonwealth, or a governmental body or private organization with a mandate to protect the environment may appeal without having submitted written comments during the public comment period only when the claim is based on new substantive issues arising from material changes to the scope or impact of the activity and not apparent at the time of public notice. To request an adjudicatory hearing pursuant to M.G.L. c.30A, § 10, a Notice of Claim must be made in writing, provided that the request is made by certified mail or hand delivery to MassDEP, with the appropriate filing fee specified within 310 CMR 4.10 along with a DEP Fee Transmittal Form within twenty-one (21) days from the date of issuance of this Certificate, and addressed to:

Case Administrator
Department of Environmental Protection
100 Cambridge Street, 9th Floor
Boston, MA 02114

A copy of the request shall at the same time be sent by certified mail or hand delivery to the Department of Environmental Protection at:

Department of Environmental Protection
Commissioner's Office
100 Cambridge Street, Suite 900
Boston, MA 02114

b.) Contents of Hearing Request

A Notice of Claim for Adjudicatory Hearing shall comply with MassDEP's Rules for Adjudicatory Proceedings, 310 CMR 1.01(6), and shall contain the following information pursuant to 314 CMR 9.10(3):

1. the 401 Certification Transmittal Number;
2. the complete name of the applicant and address of the project;
3. the complete name, address, and fax and telephone numbers of the party filing the request, and, if represented by counsel or other representative, the name, fax and telephone numbers, and address of the attorney;
4. if claiming to be a party aggrieved, the specific facts that demonstrate that the party satisfies the definition of "aggrieved person" found at 314 CMR 9.02;
5. a clear and concise statement that an adjudicatory hearing is being requested;
6. a clear and concise statement of (1) the facts which are grounds for the proceedings, (2) the objections to this Certificate, including specifically the manner in which it is alleged to be inconsistent with the MassDEP's Water Quality Regulations, 314 CMR 9.00, and (3) the relief

sought through the adjudicatory hearing, including specifically the changes desired in the final written Certification; and

7. a statement that a copy of the request has been sent by certified mail or hand delivery to the applicant, the owner (if different from the applicant), the conservation commission of the city or town where the activity will occur, the Department of Conservation and Recreation (when the certificate concerns projects in Areas of Critical Environmental Concern), the public or private water supplier where the project is located (when the certificate concerns projects in Outstanding Resource Waters), and any other entity with responsibility for the resource where the project is located.

c.) Filing Fee and Address

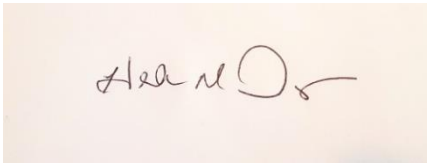
The hearing request along with a DEP Fee Transmittal Form and a valid check or money order payable to the Commonwealth of Massachusetts in the amount of one hundred dollars ($100) must be mailed to:

Commonwealth of Massachusetts
Department of Environmental Protection
Commonwealth Master Lockbox
PO Box 4062
Boston, MA 02211

The request will be dismissed if the filing fee is not paid unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority. MassDEP may waive the adjudicatory hearing filing fee pursuant to 310 CMR 4.06(2) for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file an affidavit setting forth the facts believed to support the claim of undue financial hardship together with the hearing request as provided above.

Should you have any questions relative to this permit, please contact myself or Tyler Lewis at tyler.lewis@mass.gov.

Very truly yours,



Heidi M. Davis
Highway Unit Supervisor

Ecc: DEP-WERO – Michael McHugh
USACE - Dan Vasconcelos
MassDOT – Melissa Lenker
MassDOT – Michael Joa
MassDOT District 2 – Billie Li
Erving Conservation Commission – Mark Blatchley - conservation@erving-ma.gov
Weston & Sampson – Louis Bacho - bacho.louis@wseinc.com

ATTACHMENT A
Bridge (E-10-011) Replacement over Keyup Brook
Erving, MA

PRE-CONSTRUCTION SUBMITTAL CHECKLIST

THIS CHECKLIST MUST BE COMPLETED PRIOR TO THE START OF WORK; NOTE THAT SOME CONDITIONS REQUIRE THAT INFORMATION BE SUBMITTED A SPECIFIC NUMBER OF DAYS PRIOR TO THE START OF WORK OR THE PRE-CONSTRUCTION MEETING.

Condition	Required Submittal	Due Date	Date Submitted	Date Approved
PRE-CONSTRUCTION SUBMITTAL REQUIREMENTS				
2	Name, contact information, and qualifications of the FGM, including specific experience and years to meet requirements	Prior to Pre-Construction Meeting		
3	Name and contact information of the RE	Prior to Pre-Construction Meeting		
6	USACE Work-Start Notification Form	14 days prior to work start		
7	CP/PP	14 days prior to work start		
8	Verification of Erosion and Sedimentation Controls Training	Prior to work start		
10	Control of Water Plan	21 days prior to work start		
13	Flood Contingency Plan	Prior to in water work		
14	Demolition Plan	21 days prior to work start		

MassDEP 重要 महत्वपूर्ण σημαντικός Important կարեւոր quan trọng مهم

Communication for Non-English-Speaking Parties

This document is important and should be translated immediately.

If you need this document translated, please contact MassDEP's Director of Environmental Justice at the telephone number listed below.

Español Spanish

Este documento es importante y debe ser traducido inmediatamente. Si necesita traducir este documento, póngase en contacto con el Director de Justicia Ambiental de MassDEP (*MassDEP's Director of Environmental Justice*) en el número de teléfono que figura más abajo.

Português Portuguese

Este documento é importante e deve ser traduzido imediatamente. Se você precisar traduzir este documento, entre em contato com o Diretor de Justiça Ambiental do MassDEP no número de telefone listado abaixo.

繁體中文 Chinese Traditional

本文檔很重要，需要即刻進行翻譯。
如需對本文檔進行翻譯，請透過如下列示電話號碼與 MassDEP 的環境司法總監聯絡。

简体中文 Chinese Simplified

这份文件非常重要，需要立即翻译。
如果您需要翻译这份文件，请通过下方电话与 MassDEP 环境司法主任联系。

Ayisyen Kreyòl Haitian Creole

Dokiman sa a enpòtan epi yo ta dwe tradui l imedyatman. Si w bezwen tradui dokiman sa a, tanpri kontakte Direktè. Jistis Anviwònmantal MassDEP a nan nimewo telefòn ki endike anba a.

Việt Vietnamese

Tài liệu này và quan trọng và phải được dịch ngay. Nếu quý vị cần bản dịch của tài liệu này, vui lòng liên hệ với Giám Đốc Phòng Công Lý Môi Trường của MassDEP theo số điện thoại được liệt kê bên dưới.

ប្រទេសកម្ពុជា Khmer/Cambodian

ឯកសារនេះមានសារៈសំខាន់
ហើយគប្បីត្រូវបានបកប្រែភ្លាមៗ។
ប្រសិនបើអ្នកត្រូវការអោយឯកសារនេះបកប្រែ
សូមទាក់ទងនាយកផ្នែកយុត្តិធម៌បរិស្ថានរបស់
MassDEPតាមរយៈលេខទូរស័ព្ទដែលបានរាយដូចខាងក្រោម។

Kriolu Kabuverdianu Cape Verdean

Es dokumentu sta important i tenki ser tradusidu immediatamenti. Se nho ta presisa ke es dokumentu sta tradisidu, por favor kontata O Diretor di Justisia di Environman di DEP ku es numero di telifoni menxionadu di baixo.

Contact Deneen Simpson 857-406-0738
Massachusetts Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114
TTY# MassRelay Service 1-800-439-2370 • https://www.mass.gov/environmental-justice
(Version revised 8.2.2023) 310 CMR 1.03(5)(a)

Русский Russian

Это чрезвычайно важный документ, и он должен быть немедленно переведен. Если вам нужен перевод этого документа, обратитесь к директору Департамента экологического правосудия MassDEP (MassDEP's Director of Environmental Justice) по телефону, указанному ниже.

العربية Arabic

هذه الوثيقة مهمة وتجب ترجمتها على الفور.

إذا كنت بحاجة إلى ترجمة هذه الوثيقة، فيرجى الاتصال بمدير العدالة البيئية في MassDEP على رقم الهاتف المذكور أدناه.

한국어 Korean

이 문서는 중대하므로 즉시 번역되어야 합니다.
본 문서 번역이 필요하신 경우, 매사추세츠 환경보호부의 "환경정의" 담당자 분께 문의하십시오. 전화번호는 아래와 같습니다.

հայերեն Armenian

Այս փաստաթուղթը կարևոր է, և պետք է անհապաղ թարգմանել այն:
Եթե Ձեզ անհրաժեշտ է թարգմանել այս փաստաթուղթը, դիմեք Մասաչուսեթսի շրջակա միջավայրի պահպանության նախարարության (MassDEP) Բնապահպանական հարցերով արդարադատության ղեկավարին (Director of Environmental Justice)՝ ստորև նշված հեռախոսահամարով

فارسی Farsi Persian

این نوشتار بسیار مهمی است و باید فوراً ترجمه شود.
اگر نیاز به ترجمه این نوشتار دارید لطفاً با مدیر عدالت محیط زیستی MassDEP در شماره تلفن ذکر شده زیر تماس بگیرید.

Français French

Ce document est important et doit être traduit immédiatement. Si vous avez besoin d'une traduction de ce document, veuillez contacter le directeur de la justice environnementale du MassDEP au numéro de téléphone indiqué ci-dessous.

Deutsch German

Dieses Dokument ist wichtig und muss sofort übersetzt werden. Wenn Sie eine Übersetzung dieses Dokuments benötigen, wenden Sie sich bitte an MassDEP's Director of Environmental Justice *(Direktor für Umweltgerechtigkeit in Massachusetts)* unter der unten angegebenen Telefonnummer.

Ελληνική Greek

Το έγγραφο αυτό είναι πολύ σημαντικό και πρέπει να μεταφραστεί αμέσως. Αν χρειάζεστε μετάφραση του εγγράφου αυτού, παρακαλώ επικοινωνήστε με τον Διευθυντή του Τμήματος Περιβαλλοντικής Δικαιοσύνης της Μασαχουσέτης στον αριθμό τηλεφώνου που αναγράφεται παρακάτω

Italiano Italian

Questo documento è importante e deve essere tradotto immediatamente. Se hai bisogno di tradurre questo documento, contatta il Direttore della Giustizia Ambientale di MassDEP al numero di telefono sotto indicato.

Język Polski Polish

Ten dokument jest ważny i powinien zostać niezwłocznie przetłumaczony. Jeśli potrzebne jest tłumaczenie tego dokumentu, należy skontaktować się z dyrektorem ds. sprawiedliwości środowiskowej MassDEP pod numerem telefonu podanym poniżej.

हिन्दी Hindi

यह दस्तावेज महत्वपूर्ण है और इसका अनुवाद तुरंत किया जाना चाहिए। यदि आपको इस दस्तावेज का अनुवाद कराने की जरूरत है, तो कृपया नीचे दिए गए टेलीफोन नंबर पर MassDEP के पर्यावरणीय न्याय निदेशक से संपर्क करें।

Contact Deneen Simpson 857-406-0738
Massachusetts Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114
TTY# MassRelay Service 1-800-439-2370 • https://www.mass.gov/environmental-justice
(Version revised 8.2.2023) 310 CMR 1.03(5)(a)

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General Permit No.: NAE-2022-02649 Final Effective Date: June 2, 2023
Applicant: General Public, Commonwealth of Massachusetts Expiration Date: June 1, 2028

Department of the Army
General Permits for the Commonwealth of Massachusetts

The New England District of the U.S. Army Corps of Engineers (USACE) hereby issues twenty-five (25) regional general permits (GPs) for activities subject to USACE jurisdiction in waters of the U.S., including wetlands, navigable waters within the Commonwealth of Massachusetts and adjacent ocean waters to the seaward limit of the outer continental shelf. The Massachusetts GPs (hereafter referred to as the MA GP or GP) are issued in accordance with USACE regulations at 33 CFR 320 – 332 [see 33 CFR 325.5(c)(1)]. These GPs establish criteria and contain permit conditions to ensure that the authorized activities have no more than minimal individual and cumulative adverse impacts to the environment.

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In issuing these GPs, 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 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 any of the GPs; (d) design or construction deficiencies associated with the permitted work; or (e) damage claims associated with any future modification, suspension or revocation of these permits.

Tammy R. Turley 02 June 2023

Tammy R. Turley Date
Chief, Regulatory Division

SECTION I. STATUTORY AUTHORITES & REGULATED ACTIVITIES

1. Work Requiring USACE Authorization

a. Section 10: Work and structures that are located in, over, under or that affect navigable waters of the United States (U.S.) (see 33 CFR 329). The USACE regulates these activities under section 10 of the Rivers and Harbors Act of 1899 (see 33 CFR 322).

b. Section 404: The discharge of dredged or fill material into waters of the U.S (see 33 CFR 328). The USACE regulates these activities under Section 404 of the Clean Water Act (CWA). The term "discharge of dredged or fill material" also includes certain discharges resulting from excavation. Applicants should contact USACE to determine if a particular excavation discharge occurring within waters of the U.S., is a regulated activity. See 33 CFR 323.4 of the CWA for exempted activities.

For additional information on the limits of USACE jurisdiction, please see: https://www.nae.usace.army.mil/Portals/74/docs/regulatory/JurisdictionalLimits/Jurisdictional_Limits_Brochure.pdf

2. Authority to Issue General Permits

a. In accordance with 33 CFR 322.2(f), 325.2(e)(2), and 325.5(c), USACE may issue regional general permits authorizing activities under Section 10 of the RHA.

b. In accordance with Section 404(e) of the CWA, 33 USC 1344(e), and 33 CFR 323.2(h), 325.2(e)(2), and 325.5(c), after notice and opportunity for public hearing, USACE may issue regional general permits for any category of activities involving discharges of dredged or fill material if the activities in such category are similar in nature, will cause only minimal adverse environmental effects when performed separately, and will only have minimal cumulative adverse effect on the environment.

3. Related Laws

33 CFR 320.3 includes a list of related laws including, but not limited to, Section 408 of the Rivers and Harbors Act of 1899, Section 401 of the Clean Water Act, Section 402 of the Clean Water Act, Section 307(c) of the Coastal Zone Management Act of 1972, Section 106 of the National Historic Preservation Act of 1966, Section 7 of the Endangered Species Act, the Fish and Wildlife Coordination Act of 1956, the Magnuson-Stevens Fishery Conservation and Management Act, the Fish and Wildlife Coordination Act, Section 302 of the Marine Protection, Research and Sanctuaries Act of 1972, Section 7(a) of the Wild and Scenic Rivers Act, the Golden Eagle Protection Act, and the Migratory Bird Treaty Act.

SECTION II. REVIEW CATEGORIES & APPLICATION PROCEDURES

To qualify under these GPs, the design, construction, and maintenance associated with each proposed activity must meet the terms and eligibility criteria listed in Section III, all applicable general conditions (GCs) in Section IV, and any specific mitigation requirements in Section V. Applicants should first review the GPs to see if a project is eligible for authorization under one or more of the GPs within this document. Any activity not specifically listed may still be eligible for authorization under these GPs; applicants are advised to contact USACE for specific eligibility determination.

Please note that these GPs allow for Self-Verification (SV) contingent upon meeting all criteria and with full adherence to all GCs. Projects that do not qualify for SV, may meet criteria for Pre-Constriction Notification (PCN). Tables are provided under each activity, which outline criteria for SV and PCN. Activities that do not meet criteria for SV or PCN may require review as an Individual Permit (IP). Activities may require a PCN or IP as noted in Sections III and/or IV of this GP. Notwithstanding compliance with the terms of these GPs, USACE retains discretionary authority to require either PCN review or IP review on a case-by-case basis for any project based on concerns for the environment or for any of the other public interest factors found in 33 CFR 320.4(a). These GPs also do not replace or change those activities identified as exempt from USACE regulation (33 CFR 323.4).

1. Pre-Application Assistance

Prospective applicants may request a pre-application meeting to address any questions they may have. USACE may also request a pre-application meeting or additional information to facilitate review of the request. Pre-application meetings and/or site visits help streamline the authorization process by alerting the prospective applicant to potentially time-consuming factors that may arise during the evaluation of their project (e.g., avoidance, minimization and compensatory mitigation requirements, historic properties, endangered species, essential fish habitat, impacts to federal projects, and/or dredging of contaminated sediments).

To schedule a pre-application meeting, present questions, or if you need further assistance, please contact USACE at:

Email: cenae-r-ma@usace.army.mil (strongly preferred) Phone: (978) 318-8338

Mail: U.S. Army Corps of Engineers
New England District
Regulatory Division, Massachusetts Section
696 Virginia Road
Concord, MA 01742

2. Submitting a Request

Please follow the procedures outlined in Sections II.2-5 when requesting an SV or applying for PCN authorization for activities covered by these GPs. The GPs are provided in Section III below. For SV-eligible projects, the Self-Verification Notification (SVN) must be submitted within 30 days of commencing work. Otherwise, a Pre-Construction Notification (PCN) must be submitted for work that is not SV-eligible. Please include appropriate drawings and attachments and submit your request using the mailbox identified in Section II.4 or II.5 below. USACE will promptly confirm receipt of your request and notify you in the event additional information is required. Guidance on

how to submit electronic correspondence is located on the NAE Regulatory website here: https://www.nae.usace.army.mil/Missions/Regulatory/Submitting-Electronic-Correspondence.

3. Local, State & Federal Approvals

Applicants are responsible for applying for and obtaining any required local, state, and federal permits or approvals. These must be obtained prior to the commencement of work in waters. Such authorizations may include a Water Quality Certification, a Coastal Zone Management Act consistency determination, and other approvals as noted below. Authorization under these GPs does not obviate the need for the permittee to obtain other Federal, State, or local permits, approvals, or authorizations required by law.

I. Water Quality Certification under Section 401 of the Federal Clean Water Act (33 USC 1341).
Applicants are responsible for determining the appropriate 401 Water quality Certification (WQC) requirements and submitting this information to the USACE at the time of their PCN application or when completing their SVN. Applicants that are unsure of whether their activity has been certified should contact MassDEP, or EPA Region 1 when the activity is located on tribal lands, for a determination. The 401 WQC requirement must be satisfied by acquiring one of the following WQCs from MassDEP (see GC 8):

General 401 WQC: The MassDEP issued a WQC on April 21, 2023 conditionally certifies all activities in GPs 1 – 24 eligible for SV and PCN so long as the activity is described in 314 CMR 9.03, and is not an activity described in 314 CMR 9.04, and so long as the activity meets all other requirements, terms and conditions of this WQC. The MassDEP WQC also conditionally certifies activities described in GP 25 so long as the activity meets all other conditions of the WQC. Emergency projects described in GP 25 must obtain an emergency certification or otherwise be authorized pursuant to 310 CMR 10.06, qualify under a Severe Weather Emergency Declaration pursuant to 310 CMR 10.06(8) issued by the MassDEP, or meet the requirements of 9.12(2) or (3) in order to be certified under the WQC

Applicants should refer to the following link to determine if their activity is eligible: *https://www.nae.usace.army.mil/Missions/Regulatory/ State-General-Permits/ Massachusetts-General-Permit/*. If eligible, you must comply with all applicable WQC conditions. Activities listed in 314 CMR 9.03 that are not exempt from the Wetland Protection Act must have a valid Final Order of Conditions (OOC) or Final Restoration Order of Conditions pursuant to 310 CMR 10.00 to be eligible under the General 401 WQC.

Individual 401 WQC: In the event the proposed activity is not covered by the general WQC, applicants shall contact MassDEP and apply for an individual 401 WQC if their activity does not qualify for a General 401 WQC as outlined above. MassDEP may issue, waive, or deny the individual 401 WQC on a case-by-case basis. All activities listed in 314 CMR 9.04 must obtain an individual 401 WQC from MassDEP to be eligible under these GPs. When an Individual 401 WQC is required for *PCN activities*, the applicant shall submit their Individual 401 WQC application concurrently to MassDEP and the USACE to comply with 40 CFR 121.

Activities Proposed on Tribal Lands: When an activity is proposed on Tribal lands, the applicant shall refer to the general 401 WQCs granted by the Environmental Protection Agency (EPA), Region 1 on May 15, 2023. These 401 WQCs are located on the USACE Regulatory website: https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Massachusetts-General-Permit/.

II. Coastal Zone Management Act Federal Consistency Concurrence pursuant to Section 307 of the CZMA of 1972, as amended. Federal consistency concurrence is required for all activities located within the coastal zone, unless determined otherwise by the Massachusetts Office of Coastal Zone Management (MA CZM) (see GC 9). As applicable, this requirement must be satisfied by acquiring one of the following from the MA CZM:

General CZM Federal Consistency Concurrence (General Concurrence): MA CZM has granted General Concurrence for all SV and PCN activities for GPs 1-25 and this can be found at: https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Massachusetts-General-Permit/. The applicant must obtain all applicable permits and approvals prior to the commencement of work in USACE jurisdiction (i.e., construction begins on site). For SVs, General Concurrence is automatically granted and no further action is required from the applicant. For PCNs, the USACE will coordinate with MA CZM to acquire General Concurrence as part of the PCN application review. During review of the PCN application, USACE may request additional information from the applicant to support CZM's evaluation of the activity.

Individual CZM Federal Consistency Concurrence (Individual Concurrence): In certain cases, MA CZM may elevate any GP activity 1-25 to require Individual Concurrence. The applicant must contact MA CZM and follow the procedures to obtain Individual Concurrence as determined appropriate by MA CZM.

The MA CZM program includes five regional offices that serve 78 coastal municipalities. The following map provides more information about these offices: https://www.mass.gov/service-details/czm-regions-coastal-communities-and-coastal-zone-boundary

III. Other Approvals: Approvals typically required in Massachusetts include, but are not limited to, a Chapter 91 Permit/License, Massachusetts Environmental Protection Act (MEPA) review, Wetlands Protection Act Order of Conditions, and/or Aquaculture Certification. *Applicants should also be aware that USACE may not be able to render a permit decision in the event the proposed activity is denied by another local, state and/or federal agency.*

4. Procedures for Self-Verification (SV) Eligible Projects

If the activity is eligible for an SV, the Self-Verification Notification (SVN) must be completed prior to the start of project construction and submitted to USACE within 30 days of commencing work. The purpose of the SVN is to provide applicants with a tool to assist them when determining if the activity as proposed is SV-eligible. The following GPs do not require submission of the SVN: GP 1 (SV #1), GP 3 (SV #2-3), GP 4 (SV #2), GP 11, GP 12 (note #2), GP 14 (see note), GP 15 (see note), and GP 24 (SV #3). **For the activities not listed above, the SVN must be completed prior to the start of work and be kept on site at all times during project construction.** The applicant shall not begin work for SV-eligible activities until they have completely verified the bulleted items below.

Digital submittals by email are **strongly encouraged** to facilitate the most efficient processing of the SVN submittal. Please communicate with USACE staff if you are unable to provide a digital copy. Addresses are cenae-r-ma-sv@usace.army.mil (email) or Regulatory Division, U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, MA 01742-2751 (mail).

Eligible SV Activities:

- Are subject to USACE jurisdiction (see GC 2); and
- Qualify for one or more of the GPs within this document (Section III); and
- Meet the GCs within this document (Section IV); and

- When required, are supported by a complete SVN (Appendix C); and
- Receive all other required local, State, and/or Federal approvals.

5. Procedures for Pre-Construction Notification (PCN) Eligible Projects

For activities that require a PCN, an application to and written authorization from USACE is required. *No work requiring a PCN may proceed until the applicant receives written authorization from USACE verifying that the activity is authorized.* The verification letter may include special conditions that the applicant must comply with. When possible, it is *highly* recommended that PCN application materials are submitted at least 90 days before the target start date to allow for USACE evaluation and any necessary agency consultations. PCN applications shall demonstrate in writing how the proposed activity complies with all GCs, as applicable to their activity.

Digital submittals by email are **strongly encouraged** to facilitate the most efficient processing of the PCN application. Please communicate with USACE staff if you are unable to provide a digital copy. Addresses are cenae-r-ma@usace.army.mil or Regulatory Division, U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, MA 01742-2751 (mail).

Eligible PCN Activities:

- Are subject to USACE jurisdiction (see GC 2); and
- Qualify for one or more of the GPs within this document (Section III); and
- Meet the GCs within this document (Section IV); and
- Comply with the Mitigation Standards within this document (Section V); and
- Are supported by a complete PCN document (Appendix B); and
- When required, are supported by the submittal of project information to the appropriate parties identified in Appendix A; and
- Receive all other required local, State, and/or Federal approvals.

6. Interagency Review Procedures

The USACE reserves the opportunity to coordinate PCN activities with Federal and State agencies to ensure that the proposed activity results in no more than a minimal impact to the aquatic environment. In some cases, USACE may require project modifications involving avoidance, minimization, and/or compensatory mitigation for unavoidable impacts to ensure the net effects of a project are minimal. The USACE determines, after review and coordination with the agencies and/or the applicant, if PCN applications:

a. Meet the terms and conditions of the GP as proposed;
b. Require additional information;
c. Require avoidance, minimization, compensatory mitigation, construction sequencing, project modification, or other special conditions to avoid or minimize adverse impacts to the aquatic environment;
d. Require individual permit review regardless of whether the terms and GCs of these GPs are met, based on concerns for the aquatic environment or any other factor of the public interest (see Section 9 below).

For activities requiring a PCN, the applicant must wait for written authorization from USACE before commencing activities in waters of the U.S. Beginning work for PCN required activities without a USACE written authorization is a violation of these GPs, and the terms and conditions of this document. The applicant may be subjected to an enforcement action by USACE and/or the Environmental Protection Agency (EPA).

7. Construction of Solid Fill Structures and Fills Along the Coastline or Baseline from Which the Territorial Sea is Measured.

Projects involving the 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) will require a PCN. The USACE will submit a description of the proposed work and a copy of the plans to the Solicitor, Department of the Interior, Washington, DC 20240, and request comments concerning the effects of the proposed work on the outer continental rights of the United States. These comments will be included in the administrative record of the application. After completion of permit review, the record will be forwarded to the Chief of Engineers. The decision on the application will be made by the Secretary of the Army after coordination with the Attorney General.

8. Emergency Activities

Per 33 CFR 325.2(e)(4), an emergency is limited to a situation that would 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. Emergency work shall be limited to that which is necessary to stabilize and secure the situation. Additional work needed for final repairs shall not be completed until approval is obtained through the appropriate, non-emergency process. Emergency work is subject to the same terms and conditions of these GPs as non-emergency work, and similarly, must qualify for authorization under these GPs; otherwise, an IP is required. *See GP 25 Emergency Situations for additional information.*

9. Individual Permit

Projects that do not meet the terms and conditions of this GP may require review as an IP (33 CFR 325.5 (b)). Proposed work in this category will require a separate Federal application for an individual permit from USACE (33 CFR 325.1). In addition, USACE retains discretionary authority on a case-by-case basis to elevate GP-eligible activities to an IP based on concerns for the environment or any other factor of the public interest (33 CFR 320.4 (a)). Applicants are required to submit the appropriate application materials directly to USACE as early as possible to expedite the permit review process. General information and application forms can be obtained at our website or by contacting our office at cenae-r-ma@usace.army.mil or (978) 318-8338. Individual 401 WQC and/or CZMA Federal consistency concurrence from the appropriate MA agencies are required before USACE can issue an individual permit. Applying for an IP does not relieve the applicant from their obligation to obtain all required Federal, State and/or local approvals.

10. Compliance

Applicants shall ensure compliance with all applicable GPs in Section III, GCs in Section IV, and any special conditions included in USACE verification letters. Noncompliance with these GPs, GCs, and special conditions may subject the applicant to criminal, civil, or administrative penalties, and/or an ordered restoration, and/or the permit may be modified, suspended or revoked by USACE. The USACE will consider any activity requiring USACE authorization to be noncompliant if that activity does not comply with all GP terms and conditions at all times, including while the project is under construction and when work is completed.

SECTION III. MASSACHUSETTS GENERAL PERMITS

Applicants are encouraged to review Sections I & II prior to submitting an application to confirm that the activity as proposed complies with all terms and conditions of the 2023 MA GPs. Applicants are also encouraged to review the definitions in Section VII, Definitions & Acronyms, of this document. Several terms are frequently used throughout the GPs, and it is important for the reader to understand these terms. If seeking verification for an activity previously verified under the 2018 MA GPs, please contact the USACE to discuss permitting needs in advance of submitting an application.

General Permits

1. Aids to Navigation and Temporary Recreational Structures
2. Maintenance
3. Moorings
4. Structures in Navigable Waters of the U.S.
5. Boat Ramps and Marine Railways
6. Utility Lines, Oil or Natural Gas Pipelines, Outfall Or Intake Structures, and Appurtenant Features
7. Dredging, Disposal of Dredged Material, Beach Nourishment, Rock Removal and Rock Relocation
8. U.S. Coast Guard Approved Bridges
9. Bank and Shoreline Stabilization
10. Aquatic Habitat Restoration, Enhancement, and Establishment Activities
11. Fish and Wildlife Harvesting and Attraction Devices and Activities
12. Response Operations, Oil and Hazardous Substances
13. Cleanup of Hazardous and Toxic Waste
14. Scientific Measurement Devices
15. Survey Activities
16. Land and Water-Based Renewable Energy Generation Facilities and Hydropower Projects
17. Residential, Commercial and Institutional Developments, and Recreational Facilities
18. Aquaculture
19. Mining Activities
20. Living Shorelines
21. Agricultural Activities
22. Reshaping Existing Drainage Ditches, Construction of New Ditches, and Mosquito Management
23. Linear Transportation Projects and Wetland/Stream Crossings
24. Temporary Construction, Access, and Dewatering
25. Emergency Situations

GP 1. AIDS TO NAVIGATION AND TEMPORARY RECREATIONAL STRUCTURES (Authority: §10)	
(a) The placement of aids to navigation and regulatory markers that are approved by and installed in accordance with the requirements of the U.S. Coast Guard (USCG). See 33 CFR, Part 66; and (b) Temporary buoys, markers, and similar structures placed for recreational use during specific events such as water skiing competitions and boat races or seasonal use. See GC 16.	
Self-Verification Eligible	**Pre-Construction Notification Required**
1. Aids to navigation and regulatory markers approved by and installed in accordance with the requirements of the USCG. 2. Temporary buoys, markers and similar structures that are: (a) placed for recreational use during specific events and removed within 30 days after event; or (b) placed during winter events on ice and removed before spring thaw. These structures must be authorized by the local harbormaster, not located within an FNP or its buffer zone, and not located in saltmarsh or tidal vegetated shallows.	1. Impacts in saltmarsh or tidal vegetated shallows. 2. Activities that are not SV eligible.
Note: An SVN submittal to USACE is not required for work authorized under SV #1 above.	

GP 2. MAINTENANCE (Authorities: §10 and §404)

Repair, rehabilitation, or replacement of any previously authorized[1], currently serviceable structure, or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3 (activities occurring before certain dates), provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction technique requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized. This GP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the activities above. Maintenance dredging and beach nourishment are not eligible under GP 2 (see GP 7). Stream crossing modifications (including sliplining), replacements or extensions are not eligible under GP 2 (see GPs 6, 17, 23). *See GP 25 Emergency Situations for expedited review of emergency activities.*

Not authorized under GP 2 (IP required): (a) Permanent impacts in >1 acre in non-tidal waters and/or wetlands; or (b) Permanent impacts >1/2 acre in tidal waters; >1000 SF in saltmarsh, mud flats, riffle and pool complexes, or non-tidal vegetated shallows; or >100 SF in tidal vegetated shallows; or (c) Temporary impacts >1 acre in tidal waters; >5000 SF in saltmarsh, mud flats, riffle and pool complexes, or non-tidal vegetated shallows; or >1000 SF in vegetated shallows; (d) New stream channelization or stream relocation projects (e.g., those in response to storm or flood events).

Self-Verification Eligible

Maintenance activities that meet all of the following terms:

1. In non-tidal waters, the combined permanent and temporary impacts extending beyond the original footprint are ≤5,000 SF[2] and not located in vegetated shallows or riffle and pool complexes.

2. In tidal waters, the combined permanent and temporary impacts extending beyond the original footprint are ≤5,000 SF, ≤1,000 SF in mudflats and/or natural rocky habitat, and not located in saltmarsh and tidal vegetated shallows.

3. Minor deviations in the repair, rehabilitation, or replacement of previously authorized, currently serviceable structures or fills.

4. Bulkhead replacement in tidal and non-tidal waters via installation of new bulkhead within 18 inches of the existing bulkhead and associated backfill.

5. Drawdown of an impoundment for dam/levee repair provided it does not exceed 18 months and one growing season (April through September).

Pre-Construction Notification Required

1. Discharges associated with removal of accumulated sediments and debris in the vicinity of existing structures, including intake and outfall structures and associated canals.

2. The removal of sediment outside the immediate vicinity of existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.) that is ≥200 linear feet. This activity is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions existing when the structure was built.

3. Dam and flood control or levee repair, rehabilitation, or replacement involves:
   a. A change in the flood elevation or permanent water surface elevation of the impoundment; or
   b. Drawdown of impoundment for construction exceeding one growing season (see SV eligible #5);
   c. Any modification that changes the character, scope, or size of the original fill design; or
   d. Does not meet SV eligible 1-7.

4. Installation of steel piles, including steel sheet piles, that cannot be done in the dry and where NOAA-ESA listed species are mapped as present.

[1] Some maintenance activities may not be subject to regulation under Section 404 of the CWA in accordance with 33 CFR 323.4(a)(2). Per 33 CFR 330.3, Vested dates are: a) Work performed and structures installed before December 18, 1968 (Section 10); and b) Fill placed before July 25, 1975 (Section 404).
[2] This excludes dam projects that may require a temporary drawdown with impacts >5,000 SF in non-tidal waters. Instead, the drawdown shall comply with SV #5 to be eligible under Self-Verification.

6. Any stream channel modification is limited to the minimum necessary for the repair, rehabilitation, or replacement of the structure or fill; such modifications, including the removal of material from the stream channel, must be immediately adjacent to the project or within the boundaries of the structure or fill. 7. Work to previously approved tide gates not affecting upstream tidal resource areas.	5. Activities located in the Connecticut River or Merrimack River, unless they are completed in the dry or when the tide is waterward of the work area. 6. Activities on USACE properties & USACE-controlled easements. 7. Activities that do not require an IP. Activities that do not require a PCN or an IP may be SV eligible.
Notes: 1. This authorizes the repair, rehabilitation, or replacement of any previously authorized structure or fill that does not qualify for the CWA §404(f) exemption for maintenance. See 33 CFR 323.4(a)(2). Prior USACE permits may have included authorization to maintain the activity, in which case authorization under this GP is not necessary. 2. See GC 22 for information on temporary construction mats.	

GP 3. MOORINGS (Authority: §10)

New moorings and mooring fields; the relocation of previously authorized moorings; expansions, boundary reconfigurations or modifications of previously authorized mooring fields; and maintenance and replacement of moorings.

Not authorized under GP 3 (IP required): (a) Moorings or mooring fields converted to or associated with a new boating facility[1]; or (b) Moorings in a USACE Federal Navigation Anchorage or USACE Federal Navigation Channel, except municipal-operated mooring fields.

Self-Verification Eligible	Pre-Construction Notification Required
1. New or relocated moorings that meet all the following terms: a. Authorized by a local harbormaster/ municipality under MGL Chapter 91 §10A; and b. No interference with navigation; and c. Single boat, single-point and non-commercial; and d. Not associated with a boating facility, and e. Neither placed within nor impact tidal vegetated shallows (e.g., eelgrass); and f. Not located within a USACE Federal navigation project (FNP) or the FNP buffer zone. 2. Existing, authorized moorings are converted from traditional moorings to low impact mooring technology (see note below) and/or helical anchors. 3. Maintenance and replacement of moorings authorized by the USACE.	1. New mooring fields; or expansions, boundary reconfigurations or modifications of existing, authorized mooring fields. 2. Moorings located such that they, and/or vessels docked or moored at them, are within the buffer zone of the horizontal limits of a Federal Anchorage. The buffer zone is equal to 3 times the authorized depth of that channel (see GC 15). 3. New individual moorings located in saltmarsh, mudflats, natural rocky habitat, and tidal vegetated shallows. Locating moorings these areas should be avoided to the maximum extent practicable. If these areas cannot be avoided, plans should show conservation mooring or low-impact mooring systems that prevent mooring chains from resting or dragging on the bottom substrate at all tides, where practicable. USACE may require a survey in areas previously mapped as containing eelgrass or within 100 ft. of existing eelgrass beds to document presence or absence of eelgrass and to determine the appropriate type and amount of compensatory mitigation for impacts to eelgrass. 4. Replacement moorings located in tidal vegetated shallows. 5. Moorings that are not SV eligible and do not require an IP.

Notes:

1. Low impact mooring systems, including conservation moorings, are encouraged to minimize impacts of chain scouring from conventional moorings during the tidal cycle.
2. An SVN submittal to USACE is not required for work authorized under SV #2-3 above.

[1] Boating facilities are marinas, yacht clubs, boat clubs, boat yards, dockominiums, town facilities, land/homeowner's associations, etc. that provide for a fee, rent or sell mooring or docking space. Not classified as boating facilities are municipal moorings or municipal mooring fields that charge an equitable user fee based only on the actual costs incurred.

GP 4. STRUCTURES IN NAVIGABLE WATERS OF THE U.S. (Authority: §10 & §404)

New, expansions, reconfigurations or modifications of structures for navigational access in waters of the U.S. including but not limited to temporary/seasonal or permanent pile and pole-supported piers, floats, stairs, shore outhauls, and boat and float lifts.

Not authorized under GP 4 (IP required): (a) Structures associated with a new boating facility; (b) Structures in a USACE Federal anchorage or channel; or (c) Artificial reefs.

Self-Verification Eligible

1. Private, non-commercial piers, floats and lifts that meet all the following terms:

a. Piers and floats in: (i) Tidal waters total ≤600 SF combined; and (ii) Non-tidal navigable waters of the U.S. total ≤600 SF combined; and

b. Piers are ≤4 feet wide and ≥6 feet above the marsh substrate (the height is measured from the marsh substrate to the bottom of the lowest longitudinal support); and

c. Floats and lifts in tidal waters and non-tidal navigable waters of the U.S. are ≥24 inches above the substrate during all tidal cycles. Float stops are preferred when site conditions warrant them (i.e., low tide exposes substrate), and skids can only be used in areas where piles are not feasible and on sandy or hard bottom substrates; and

d. Piers, floats and lifts: (i) Are ≥25 feet from previously mapped or existing vegetated shallows, or riparian property line extensions; (ii) Extend ≤25% of the waterway width in non-tidal navigable waters of the U.S. or MHW in tidal navigable waters of the U.S.

e. Installation of ≤12-inch diameter timber piles. Installation of ≥12-inch diameter piles of any material type when installed in the dry.

2. Fenders and similar structures.

Pre-Construction Notification Required

1. Shore outhauls.
2. Expansions, modifications, or new reconfiguration zones at any authorized boating facility.
3. New, expansions, reconfigurations, reconfiguration zones, or modifications of structures that provide public, community or government recreational uses such as boating, fishing, swimming, access, etc.
4. Installation of steel piles, including steel sheet piles, that cannot be done in the dry and where NOAA-ESA listed species are mapped as present.
5. Located within the buffer zone of the horizontal limits of an FNP (GC 15).
6. Miscellaneous structures.
7. Impacts in tidal vegetated shallows.
8. Structures that are not SV eligible and do not require an IP.

Notes:

1. See GC 19 regarding pile driving and pile removal in navigable waters and
2. See GC 20 regarding time of year restrictions in tidal waters.
3. Boating facilities are facilities that provide for a fee, rent, or sell mooring space, such as marinas, yacht clubs, boat clubs, boat yards, town facilities, dockominiums, etc. Pile supported structures with no discharges of dredged or fill material are not regulated by USACE in non-navigable waters.
4. A SVN submittal to USACE is not required for SV #2 above.

GP 5. BOAT RAMPS AND MARINE RAILWAYS (Authorities: §10 and §404)

Activities required for the construction of boat ramps and marine railways, including excavation and fill.

Not authorized under GP 5 (IP required): (a) Permanent impacts that are >1 acre in non-tidal waters of the U.S., >½ acre in tidal waters; >1000 SF in saltmarsh, mud flats, riffle and pool complexes, or non-tidal vegetated shallows; or >100 SF in tidal vegetated shallows; (b) Temporary impacts in tidal waters that are >1 acre; >5000 SF in saltmarsh, mud flats, or riffle and pool complexes; or >1000 SF in vegetated shallows[1]; or (c) dredging in navigable waters of the U.S. (see GP 7).

Self-Verification Eligible	Pre-Construction Notification Required
1. In non-tidal waters, the combined permanent and temporary impacts are (a) ≤5,000 SF, and (b) not located in riffle and pool complexes and non-tidal vegetated shallows.	1. Boat ramps are located within 25 feet of property line extensions unless the properties are owned by the same owner. The USACE may require a letter of no objection from the abutter(s).
2. In tidal waters, the combined permanent and temporary impacts are (a) ≤5,000 SF, (b) ≤1,000 SF in mudflats and/or natural rocky habitat, and (c), not located in saltmarsh and tidal vegetated shallows.	2. Activities that are not eligible for SV and do not require an IP.

GP 6. UTILITY LINES, OIL OR NATURAL GAS PIPELINES, OUTFALL OR INTAKE STRUCTURES, AND APPURTENANT FEATURES (Authorities: §10 & §404)

Activities required for: (a) The construction, maintenance, repair or removal of utility lines, oil or natural gas pipelines[1], outfall or intake structures[2], and appurtenant features including the associated excavation, backfill, or bedding for these structures. (b) The construction, maintenance, or expansion of substations and other appurtenant facilities associated with a utility line, oil or natural gas pipeline, and outfall or intake structure in non-tidal waters of the U.S.; and (c) The construction and maintenance of foundations for overhead utility line towers, poles, and anchors in tidal and non-tidal waters of the U.S., provided the foundations are the minimum size necessary and separate footings for each tower leg (rather than a larger single pad) are used where feasible. This GP authorizes the construction of access roads to facilitate construction of the above activities provided the activity, in combination with all other activities included in one single and complete project, does not exceed the thresholds identified below (IP required). Access roads used solely for construction of the utility line must be removed upon completion of the work. This GP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the activities above.[3]

Not authorized under GP 6 (IP required): (a) Permanent impacts for any single and complete project that are >1 acre in non-tidal waters of the U.S.; >½ acre in tidal waters; >1000 SF in saltmarsh, mud flats, riffle and pool complexes, or non-tidal vegetated shallows; or >100 SF in tidal vegetated shallows; (b) Temporary impacts in tidal waters that are >1 acre; >5000 SF in saltmarsh, mud flats, or riffle and pool complexes; or >1000 SF in vegetated shallows; (c) Stormwater treatment or detention systems, or subsurface sewage disposal systems in waters of the U.S.; or (d) New tide gates that do not meet SV criteria below.

Self-Verification Eligible	Pre-Construction Notification Required
1. In non-tidal waters, the combined permanent and temporary impacts are (a) ≤5,000 SF, and (b) not located in riffle and pool complexes and non-tidal vegetated shallows. 2. In tidal waters, the combined permanent and temporary impacts are (a) ≤5,000 SF, (b) ≤1,000 SF in mudflats and/or natural rocky habitat, and (c), not located in saltmarsh and tidal vegetated shallows. 3. Intake structures that are dry hydrants used exclusively for firefighting activities with no stream impoundments. 4. New tide gates on outfall structures for pipes conveying stormwater and/or industrial NPDES-permitted discharges from waters that are not waters of the U.S.	1. New outfall and/or intake structures. 2. Unconfined work or silt producing activities in streams with diadromous fish. 3. Submarine cables, conduits, or pipelines that occur in, over or under navigable waters of the U.S. 4. Stream channelization, relocation, impoundment, or loss of streambed occurs. 5. The activity is placed within and runs parallel to or along a streambed within waters of the U.S. 6. There is a permanent change in preconstruction contours in waters of the U.S. 7. Installation of utility lines or gas/oil pipelines using trench excavation where material is temporarily sidecast into waters of the U.S. for >3 months. Applicants must demonstrate how the material would not be dispersed by currents or other forces. 8. Activities that are not SV eligible and do not require an IP.

[1] See the definitions of a “utility line” and “oil or natural gas pipeline” in Section VII.
[2] Outfall structures must be in compliance with regulations issued under the National Pollutant Discharge Elimination System Program (Section 402 of the Clean Water Act).
[3] Temporary impacts shall comply with all GCs, including GC 32 Utility Line Installation and Removal.

GP 7. DREDGING (Authority: §10), DISPOSAL OF DREDGED MATERIAL (Authorities: §10, §404), BEACH NOURISHMENT (Authorities: §10 & §404), ROCK REMOVAL (Authority: §10) AND ROCK RELOCATION (Authorities: §10 & §404)

New, improvement and maintenance dredging (see notes below) including: (a) Disposal of dredged material at a confined aquatic disposal cell, beach nourishment location, near shore site, or ocean disposal site selected under Section 404 of the Clean Water Act pursuant to the 404(b)(1) Guidelines, provided the dredged material meets the requirements for such disposal; (b) Beach nourishment not associated with dredging; and (c) Rock removal and relocation for navigation.

Not authorized under GP 7 (IP required): (a) Dredging where ocean disposal is required for the disposal of dredged material (Section 103); New dredging >½ acre; ≥10,000 CY; >1000 SF permanent impacts to intertidal areas, saltmarsh, mud flats, riffle and pool complexes, or non-tidal vegetated shallows; or >100 SF permanent impacts to tidal vegetated shallows; (b) Maintenance or improvement dredging and/or disposal with >1 acre of impacts to intertidal areas, saltmarsh, mudflats, riffle and pool complexes, or non-tidal vegetated shallows; (c) New dredging where the primary purpose is sand mining for beach nourishment; (d) Beach scraping; (e) Boulder removal and relocation for navigation >½ acre; or (f) Blasting.

Self-Verification Eligible

1. Maintenance dredging of previously dredged areas, with upland disposal, that meet all of the following terms:
   a. Dredged area ≤1/2 acre; and
   b. Activities comply with GC 20, TOY Restrictions. The time-of-year restriction(s) stated in Appendix B of the MA Division of Marine Fisheries (DMF) Technical Report TR-47[1] can apply instead if the general TOY restriction if a TOY is provided for a specific waterbody and is less restrictive. This is to protect endangered species, EFH, and other species; and
   c. The dredge footprint is located >25' from salt marsh or >100' from vegetated shallows; and
   d. Combined permanent and temporary impacts that are (i) ≤1,000 SF in mudflats or natural rocky habitat, or (ii) ≤5,000 SF within intertidal habitat and areas containing shellfish (an area contains shellfish unless: it is verified that minimal shellfish are present per the local shellfish constable or a shellfish survey; or it is not mapped as a MassGIS shellfish suitability area).
   e. No return water from upland disposal areas.

2. Boulder relocation with ≤1,000 SF of impacts, relocated to a similar depth and substrate.

Pre-Construction Notification Required

1. Maintenance dredging where the primary purpose is sand mining for beach nourishment.

2. New dredging and associated disposal ≤1/2 acre or <10,000 cubic yards.

3. Improvement dredging.

4. Beach nourishment in waters of the U.S. not associated with dredging.

5. Activities that are located in saltmarsh and tidal vegetated shallows.

6. Dredging in a Federal Navigation Project or within the buffer zone (see GC 15).

7. Activities that are not eligible for SV and do not require an IP.

Notes:

1. See Section VII for definitions of improvement and maintenance dredging.
2. For PCN activities, the USACE may waive or adjust the time of year requirement on a case-by-case basis after consultation with resource agencies.
3. Disposal site of any dredged material must be identified prior to obtaining USACE authorization.
4. Contact the USACE if a ten-year authorization to maintain an area is desired.

[1] The MA DMF Technical Report TR-47: https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Massachusetts-General-Permit/

GP 8. U.S. COAST GUARD APPROVED BRIDGES (Authorities: §404)

Discharges of dredged or fill material incidental to the construction and modification of bridges across navigable waters of the U.S., including cofferdams, abutments, foundation seals, piers, and temporary construction and access fills provided that the USCG authorizes the construction of the bridge structure under Section 9 of the Rivers and Harbors Act of 1899 or other applicable laws. A USCG Authorization Act Exemption or a Surface Transportation and Uniform Relocation Assistance Act (STURRA) (144h) exemption do not constitute USCG authorization.

Not authorized under GP 8 (IP Required): Causeways and approach fills (see GP 23).

Self-Verification Eligible	**Pre-Construction Notification Required**
1. Discharges of dredged or fill material that are incidental to the construction of bridges across navigable waters and meet all of the following: a. Combined permanent and temporary impacts that are ≤5,000 SF. b. Combined permanent and temporary impacts that are ≤1,000 SF in mudflats and natural rocky habitat. c. Not located in saltmarsh and tidal vegetated shallows.	1. Activities on USACE properties & USACE controlled easements.2. Installation of steel piles, including steel sheet piles, that cannot be done in the dry and where NOAA-ESA listed species are mapped as present. 3. Activities that are not eligible for SV and do not require an IP.

Notes:

1. GP 8 is not applicable to bridges over inland waters or wetlands that are not tidally influenced or regulated as navigable under Section 10.
2. See eligibility criteria for GPs 2 & 23 for projects that are not subject to USCG regulations.

GP 9. BANK AND SHORELINE STABILIZATION (Authorities: §10 & §404)

Bank stabilization activities necessary for erosion protection along the banks of lakes, ponds, streams, estuarine and ocean waters, and any other open waters. Includes bulkheads, seawalls, riprap, revetments, living seawalls, or slope protection & similar structures, specifically for the purpose of shoreline protection. This GP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to conduct the activities above.

Activities must meet the following criteria: (a) No material is placed in excess of the minimum needed for erosion protection; (b) No material is of a type, or is placed in any location, or in any manner, that will impair surface water flow into or out of any waters of the U.S.; (c) No material is placed in a manner that will be eroded by normal or expected high flows (properly anchored native trees and treetops may be used in low energy areas); (d) Native plants appropriate for current site conditions, including salinity, must be used for bioengineering or vegetative bank stabilization; (e) The activity is not a stream channelization activity; and (f) The activity must be properly maintained, which may require repairing it after severe storms or erosion events. This GP authorizes those maintenance and repair activities if they require authorization. This GP also authorizes temporary structures, fills, and work, including the use of temporary mats, necessary to construct the bank stabilization activity. See GP 20 for living shoreline stabilization structures or fills.

Not authorized under GP 9 (IP required): (a) New bank stabilization >500 feet in total length (>1,000 linear feet in total length when necessary to protect transportation infrastructure) or permanent loss of saltmarsh >1,000 SF, unless the District Engineer waives this criterion by making a written determination concluding that the discharge of dredged or fill material will result in no more than minimal adverse environmental effects (an exception is for bulkheads – the district engineer cannot issue a waiver for a new bulkhead that is >1,000 feet in length along the bank); (b) Stream channelization or relocation activities; or (c) Breakwaters, groins or jetties.

Self-Verification Eligible

1. Activities in tidal and non-tidal waters that are:
   a. <200 feet in length.
   b. <400 feet in length when necessary to protect transportation infrastructure.
   c. ≤1 cubic yard of fill per linear foot average along the bank waterward of the plane of OHW or HTL.
   d. Not located in non-tidal wetlands, saltmarsh, vegetated shallows.

Pre-Construction Notification Required

1. Activities in tidal and non-tidal waters that are:
   a. ≥200 feet to ≤500 feet in total length. Activities >500 feet in total length must have a written waiver from USACE.
   b. ≥400 feet to ≤1,000 feet in total length when necessary to protect transportation infrastructure. Activities >1,000 feet in total length must have a written waiver from USACE.
   c. >1 cubic yard of fill per linear foot average along the bank waterward of the plane of OHW or HTL.
   d. Located in non-tidal wetlands, saltmarsh, vegetated shallows.
2. Activities with permanent loss of tidal or non-tidal waters that is (a) ≥5,000 SF or (b) ≥1,000 SF in mudflats and natural rocky habitat.
3. Activities that are (a) located in the Connecticut River or Merrimack River and/or (b) require installation of steel piles/steel sheet piles that cannot be done in the dry where NOAA ESA-listed species are mapped as present.
4. Activities on USACE properties & USACE-controlled easements.
5. Activities that require grouted riprap and/or poured/unformed concrete.
6. Activities that are not eligible for SV and do not require an IP.

Note: The applicant shall comply with GC 24. This includes utilization of bioengineering techniques in lieu of hard armoring to the maximum extent practicable as site conditions allow.

GP 10. AQUATIC HABITAT RESTORATION, ENHANCEMENT, AND ESTABLISHMENT ACTIVITIES (Authorities: §10 and §404)

Activities for the restoration, enhancement and establishment of non-tidal and tidal wetlands and riparian areas, including invasive, non-native or nuisance species control; the restoration and enhancement of non-tidal streams and other non-tidal open waters; the relocation of non-tidal waters, including non-tidal streams & associated wetlands for reestablishment of a natural stream morphology and reconnection of the floodplain; the restoration and enhancement of shellfish, finfish and wildlife; and the rehabilitation or enhancement of tidal streams, tidal wetlands and tidal open waters; provided those activities result in net increases in aquatic resource functions and services. See GP 9 for bank and shoreline stabilization. See GP 20 for living shorelines.

Not authorized under GP 10 (IP required): Stream channelization activities and artificial reefs.

Self-Verification Eligible	**Pre-Construction Notification Required**
1. In tidal and non-tidal waters excluding tidal vegetated shallows, the combined permanent and temporary impacts are ≤5,000 SF. 2. Eelgrass (vegetated shallows) planting and transplanting ≤100 SF in tidal waters.	1. In tidal and non-tidal waters excluding tidal vegetated shallows, the combined permanent and temporary impacts are >5,000 SF. 2. Eelgrass (vegetated shallows) planting and transplanting >100 SF in tidal waters. 3. Permanent water impoundments, dam removal, fish ladders, or tide gates. 4. Stream relocation, impoundment, or loss of streambed occurs. 5. Runneling projects with the purpose of restoring saltmarsh by removing excess water that ponds on the saltmarsh surface. 6. The conversion of: (a) a stream or natural wetlands to another aquatic habitat type (e.g., stream to wetland or vice versa, wetland to pond, etc.) or uplands, (b) one wetland type to another (e.g., forested wetland to an emergent wetland). 7. Activities in the Connecticut River from the Turners Falls Dam to the MA/CT border, or Merrimack River from the Essex Dam to the mouth, involving permanent or temporary impacts unless they are performed <5 feet waterward from OHW or HTL and in the dry. This is to protect endangered species. 8. Activities on USACE properties & USACE-controlled easements. 9. Activities that are not eligible for SV and do not require an IP.

Notes:

1. Changes in wetland plant communities that occur when wetland hydrology is more fully restored during wetland rehabilitation activities are not considered a conversion to another aquatic habitat type.
2. See RGL 18-01 for guidance on removal of obsolete dams and other structures from rivers and streams. https://www.usace.army.mil/missions/civil-works/regulatory-program-and-permits/guidance-letters/
3. An ecological reference site may be used for a design basis of the restoration activity. The reference site should possess characteristics of an intact aquatic habitat or riparian area that exists in the region. The reference site shall represent the target habitat type of the proposed activity. A reference site may be required at the discretion of USACE.

GP 11. FISH AND WILDLIFE HARVESTING AND ATTRACTION DEVICES AND ACTIVITIES (Authorities: §10 and §404)

Fish and wildlife harvesting and attraction devices and activities in waters of the U.S. such as pound nets, crab traps, crab and shellfish dredging, eel pots, lobster traps, duck blinds, clam and oyster digging, fish aggregating devices, and small fish attraction devices such as open-water fish concentrators (sea kites, etc.).

Not authorized under GP 11 (IP required): Artificial reefs; or new, or expansions of, impoundments and semi-impoundments of waters of the U.S. for the culture or holding of motile species such as lobster with an impounded area >½ acre.

Self-Verification Eligible	**Pre-Construction Notification Required**
1. In non-tidal waters, the combined permanent and temporary impacts are (a) ≤1/2 acre, and (b) not located in riffle and pool complexes and non-tidal vegetated shallows. 2. Fish and wildlife harvesting and attraction devices and activities that do not require a PCN or IP.	1. Pound nets, impoundments or semi-impoundments of waters of the U.S. for the culture or holding of motile species such as lobster with an impounded area ≤½ acre, fish aggregating devices, or small fish attraction devices. 2. Devices and activities that are located in tidal vegetated shallows, mud flats, or saltmarsh. 3. Devices and activities that do not require an IP.

Note: An SVN submittal to USACE is not required for work authorized under GP 11.

GP 12. RESPONSE OPERATIONS, OIL AND HAZARDOUS SUBSTANCES (Authorities: §10 & §404)

(a) Activities conducted in response to a discharge or release of oil and hazardous substances that are subject to the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 300) including containment, cleanup, and mitigation efforts, provided that the activities are done under either: (i) The Spill Prevention, Control and Countermeasure Plan required by 40 CFR 112.3; (ii) The direction or oversight of the Federal on-scene coordinator designated by 40 CFR 300; or (iii) Any approved existing State, regional or local contingency plan provided that the Regional Response Team concurs with the proposed response efforts or does not object to the response effort; (b) Activities required for the cleanup of oil releases in waters of the U.S. from electrical equipment that are governed by EPA's polychlorinated biphenyl (PCB) spill response regulations at 40 CFR 761; (c) Booms placed in navigable waters of the U.S. for oil and hazardous substance containment, absorption and prevention; and (d) The use of structures and fills for spill response training exercises. Wetlands, vegetated shallows, mudflats, and riffle and pool complexes should be restored in place at the same elevation.

Self-Verification Eligible	**Pre-Construction Notification Required**
1. Activities are conducted in accordance with (a) or (b) above that are not planned or scheduled, but an emergency response (see Note 1). 2. Booms placed in navigable waters of the U.S. for oil and hazardous substance containment, absorption and prevention. 3. Temporary impacts for spill response training exercises ≤5000 SF in non-tidal waters and ≤1000 SF in tidal waters with no impacts to wetlands, saltmarsh, mudflats, or vegetated shallows. 4. Temporary structures in tidal waters with no impacts to wetlands, saltmarsh, mudflats, vegetated shallows, or riffle and pool complexes and in place ≤30 days.	1. Activities (a) or (b) above are planned or scheduled, not an emergency response; or 2. Activities that are not eligible for SV and do not require an IP.

Notes:

1. For emergency response activities in the Connecticut River from the Turners Falls Dam to the MA/CT border, Merrimack River from the Essex Dam to the mouth, and remaining tidal waters that are not rivers, the permittee must contact the USACE at (978) 318-8338 before or as soon as possible after the work authorized under GP 12(a) - (c) commences for the USACE to address effects under the Endangered Species Act.
2. An SVN submittal to USACE is not required for booms used for spill prevention, or properly contained and cleaned de minimus oil or hazardous substance discharges into navigable waters of the U.S.

GP 13. CLEANUP OF HAZARDOUS AND TOXIC WASTE (Authorities: §10 and §404)

Specific activities required to affect the containment, stabilization, or removal of hazardous or toxic waste materials, including court ordered remedial action plans or related settlements, which are performed, ordered or sponsored by a government agency with established legal or regulatory authority.

Not authorized under GP 13: (a) Establishment of new disposal sites; or (b) Expansion of existing sites used for the disposal of hazardous or toxic waste.

Self-Verification Eligible	Pre-Construction Notification Required
1. In non-tidal waters, the combined permanent and temporary impacts are (a) ≤5,000 SF, and (b) not located in vegetated shallows and riffle and pool complexes.	1. In non-tidal waters, the combined permanent and temporary impacts are (a) >5,000 SF, and (b) located in vegetated shallows and riffle and pool complexes. 2. Permanent and temporary impacts in tidal waters or navigable waters of the U.S. 3. Stream channelization, relocation, impoundment, or loss of streambed occurs. 4. Activities that are not eligible for SV and do not require an IP.

Notes:

1. Wetlands, vegetated shallows, mudflats, and riffle and pool complexes should be restored in place at the same elevation to the maximum extent practicable.
2. Activities undertaken entirely on a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) site by authority of CERCLA, are not required to obtain permits under Section 404 of the CWA or Section 10 of the Rivers and Harbors Act.

GP 14. SCIENTIFIC MEASUREMENT DEVICES (Authorities: §10 and §404)

Scientific measurement devices for measuring and recording scientific data, such as staff gauges, tide and current gauges, meteorological stations, water recording and biological observation devices, water quality testing and improvement devices, and similar structures. Also eligible are small weirs and flumes constructed primarily to record water elevation, flow and/or velocity. Upon completion of the use of the device to measure and record scientific data, the measuring device and any other structures or fills associated with that device (e.g., foundations, anchors, buoys, lines, etc.) must be removed to the maximum extent practicable and the site restored to preconstruction elevations.

Not authorized under GP 14 (IP required): (a) Permanent impacts that are >5,000 SF in tidal and non-tidal waters of the U.S.; >1000 SF in tidal saltmarsh, mud flats, riffle and pool complexes; or >100 SF in tidal vegetated shallows; or (b) Temporary impacts in tidal waters that are >1 acre, unless the District Engineer waives this criterion by making a written determination concluding that the discharge of dredged or fill material will result in no more than minimal adverse environmental effects; >5000 SF in saltmarsh, mud flats, or riffle and pool complexes; or >1000 SF in vegetated shallows.

Self-Verification Eligible

1. In non-tidal waters, the combined permanent and temporary impacts are (a) ≤5,000 SF, (b) not located in riffle and pool complexes and non-tidal vegetated shallows.

2. In tidal waters, the combined permanent and temporary impacts are (a) ≤5,000 SF, (b) ≤1,000 SF in mudflats and/or natural rocky habitat, (c) not located in saltmarsh and tidal vegetated shallows.

3. Temporary, non-biological sampling devices in waters that do not restrict or concentrate movement of aquatic organisms and will not adversely affect the course, condition, or capacity of a waterway for navigation.

4. Scientific measurement devices, and small weirs and flumes constructed primarily to record water quantity and velocity provided the discharge of fill is limited to 25 cubic yards. These cannot obstruct or restrict the waterway course, condition, capacity, and location.

5. Temporary measuring devices and associated structures (e.g., anchors, buoys, etc.) in tidal and non-tidal waters that do not require a PCN or IP.

Pre-Construction Notification Required

1. Biological sampling devices, weirs or flumes, or the activity restricts or concentrates movement of aquatic organisms.

2. Permanent towers located in navigable waters that record and measure scientific data.

3. Devices that are not eligible for SV and do not require an IP.

Note: An SVN submittal to USACE is not required for temporary measuring devices with a footprint of <10 SF, with a profile of <3 feet high measured from the substrate and located in water deeper than -10 feet MLW.

GP 15. SURVEY ACTIVITIES (Authorities: §10 and §404)

Survey activities such as soil borings, core sampling, seismic exploratory operations, plugging of seismic shot holes and other exploratory-type bore holes, exploratory trenching, soil surveys, sampling, sample plots or transects for wetland delineations, and historic resources surveys.

Not authorized under GP 15 (IP required): (a) Permanent impacts that are >1 acre in tidal and non-tidal waters; >1000 SF in tidal saltmarsh, mud flats, or riffle and pool complexes; or >100 SF in tidal vegetated shallows; or (b) Temporary impacts in tidal waters that are >1 acre, unless the District Engineer waives this criterion by making a written determination concluding that the discharge of dredged or fill material will result in no more than minimal adverse environmental effects; >5000 SF in saltmarsh, mud flats, or riffle and pool complexes; or >1000 SF in vegetated shallows.

Self-Verification Eligible	**Pre-Construction Notification Required**
1. In non-tidal waters, the combined permanent and temporary impacts are (a) ≤5,000 SF, (b) not located in riffle and pool complexes and non-tidal vegetated shallows. 2. In tidal waters, the combined permanent and temporary impacts are (a) ≤5,000 SF, (b) ≤1,000 SF in mudflats and/or natural rocky habitat, (c) not located in saltmarsh and tidal vegetated shallows.	1. Exploratory trenching (see Note 2) occurs in waterways (e.g., streams, tidal waters). 2. Activities associated with the recovery of historic resources, and the drilling and discharge of excavated material from test wells for oil and gas exploration. 3. Seismic exploratory operations occur in tidal waters, the Connecticut River from the Turners Falls Dam to the MA/CT border, or the Merrimack River from the Essex Dam to the mouth. This is to protect endangered species. 4. Activities that are not eligible for SV and do not require an IP.

Notes:

1. An SVN submittal is not required for wetland delineations, and core sampling conducted for preliminary evaluation of dredge project analysis.
2. For the purposes of GP 15, the term “exploratory trenching” means mechanical land or underwater clearing of the upper soil profile to expose bedrock or substrate for the purpose of mapping or sampling the exposed material.
3. The discharge of drilling mud and cuttings may require a permit under §402 of the CWA.

GP 16. LAND AND WATER-BASED RENEWABLE ENERGY GENERATION FACILITIES (Authorities: §10 and §404), AND HYDROPOWER PROJECTS (Authority: §10 and §404)

Structures and work in tidal waters and discharges of dredged or fill material into tidal and non-tidal waters for the construction, expansion, modification or removal of: (a) Land-based renewable energy production facilities (e.g., solar, wind, biomass, geothermal) and their attendant features; (b) Water-based wind or hydrokinetic renewable energy generation projects and their attendant features; and (c) Discharges of dredged or fill material associated with hydropower projects. Attendant features may include, but are not limited to, land-based collection and distribution facilities, control facilities, and parking lots. For each single and complete project in (b) above, no more than 10 generation units (e.g., wind turbines or hydrokinetic devices) are authorized in navigable waters of the U.S. Upon completion of the pilot project (see note 2), the generation units, transmission lines, and other structures or fills associated with the pilot project must be removed to the maximum extent practicable.

Not authorized under GP 16 (IP required): (a) Permanent impacts that are >1 acre in non-tidal waters, >½ acre in tidal waters; >1000 SF in saltmarsh, mud flats, riffle and pool complexes, or non-tidal vegetated shallows; or >100 SF in vegetated shallows; or (b) Temporary impacts in tidal waters that are >1 acre; >5000 SF in saltmarsh, mud flats, or riffle and pool complexes; or >1000 SF in vegetated shallows.

Self-Verification Eligible	**Pre-Construction Notification Required**
In non-tidal waters, the combined permanent and temporary impacts for land-based activities are (a) ≤5,000 SF, (b) not located in riffle and pool complexes and non-tidal vegetated shallows.	1. In non-tidal waters, the combined permanent and temporary impacts for land-based activities are (a) >5000 SF, or (b) located in vegetated shallows or riffle and pool complexes. 2. Permanent and temporary impacts in tidal waters. 3. Water-based wind or hydrokinetic renewable energy generation projects, and hydropower projects. 4. For all activities eligible for authorization under GP 16: a. The activity occurs in tidal waters or in, over or under navigable waters. b. Stream channelization, relocation, impoundment, or loss of streambed occurs. 5. Activities that are not eligible for SV and do not require an IP.

Notes:

1. Utility lines constructed to transfer the energy from the land-based renewable generation or collection facility to a distribution system, regional grid, or other facility may be authorized by GP 6.
2. For the purposes of this GP, the term “pilot project” means an experimental project where the renewable energy generation units will be monitored to collect information on their performance and environmental effects at the project site.

GP 17. RESIDENTIAL, COMMERCIAL AND INSTITUTIONAL DEVELOPMENTS AND RECREATIONAL FACILITIES (AUTHORITIES: §404)

Discharges of dredged or fill material into non-tidal waters for the construction or expansion of: (a) Residences and residential subdivisions; (b) Residential, commercial and institutional building foundations and building pads; and (c) Recreational facilities such as playgrounds, playing fields, bikeways, trails, etc. This GP also authorizes attendant features that include, but are not limited to, roads, parking lots, garages, yards, and utility lines, and stormwater management facilities. This GP authorizes attendant features if they are necessary for the use of the project purpose.

Not authorized under GP 17 (IP required): (a) Permanent impacts that result in loss of non-tidal waters >1/2 acre; >1000 SF in riffle and pool complexes or vegetated shallows; or (b) Subsurface sewerage disposal systems in non-tidal waters.

Self-Verification Eligible	**Pre-Construction Notification Required**
1. In non-tidal waters, the combined permanent and temporary impacts are (a) <5,000 SF, and (b) not located in riffle and pool complexes and non-tidal vegetated shallows.	1. In non-tidal waters, the combined permanent and temporary impacts are (a) ≥5,000 SF, or (b) located in riffle and pool complexes or non-tidal vegetated shallows.
2. Stream channelization or relocation resulting in loss of streambed that is <200 LF.	2. Stream and wetland crossings that require a PCN per GCs 20 TOY Restrictions and GC 31 Stream Work and Crossings & Wetland Crossings.
	3. Stream channelization or relocation resulting in loss of streambed that is ≥200 LF. Stream impoundment activities of any kind.
	4. Activities on USACE properties & USACE-controlled easements.
	5. Activities that are not SV eligible and do not require an IP.

Notes:

1. Stream and wetland crossings (permanent and temporary), including those built with construction mats; and modifications (including sliplining), replacements or extensions to existing crossings.
2. See GC 22 for information on temporary construction mats.
3. Subdivisions: For residential subdivisions, the aggregate total loss of waters of United States authorized by this GP cannot exceed 1/2-acre. This includes any loss of waters of the United States associated with development of individual subdivision lots.

GP 18. AQUACULTURE (Authorities: §10 and §404)

(a) The installation of buoys, floats, racks, trays, nets, lines, tubes, containers, and other structures into navigable waters of the U.S.; (b) Discharges of dredged or fill material into tidal and non-tidal waters necessary for shellfish seeding, rearing, cultivating, transplanting, and harvesting activities; and (c) Shellfish seeding or brushing the flats projects. Any fill material imported to the project from offsite (this is limited to mineral growth medium used in culture trays) shall be clean and of comparable grain size to the native substrate. Activities authorized under this GP must have (a) their MA DMF Aquaculture Certificate letter for licensed shellfish aquaculture sites, (b) documentation that the applicant has coordinated with the U.S. Coast Guard regarding USCG Private Aids to Navigation standards, (c) their MEPA Certificate (if required), and (d) documentation that the applicant has contacted their local authorities (ex. harbormaster, select board, shellfish constable) for authorization of their facility.

Not authorized under GP 18 (IP required): (a) New, or expansions of, impoundments and semi-impoundments of tidal and non-tidal waters for the culture or holding of motile species such as lobster with an impounded area >½ acre; (b) Cultivation of a nonindigenous species (see Note 1) unless that species has been previously cultivated in the waterbody; (c) Cultivation of an aquatic nuisance species (see Note 1); (d) Attendant features such as docks, piers, boat ramps (see GP 4); (e) stockpiles, staging areas, or the deposition of shell material back into tidal and non-tidal waters as waste.

Self-Verification Eligible

1. In tidal waters, a new lease site area is (a) ≤2-acre, (b) not located in salt marsh, natural rocky habitat, or tidal vegetated shallows.

2. In tidal waters, *expansions* of existing lease sites not to exceed 2 acres for the entire site (e.g. 1 acre lease site increasing to a 2 acre lease site may qualify as SV). A PCN is required for expansions in salt marsh, natural rocky habitat, and tidal vegetated shallows.

3. Cages, racks that are elevated ≥2 feet above the ocean floor with legs within a lease site with ≤4 buoys marking the corners.

4. Floating cage strings with a single connecting line, ≤2 anchors and ≤2 end marker buoys per string within a lease site with ≤4 buoys marking the corners.

5. No activities located within 25 feet of tidal vegetated shallows.

6. Culture only indigenous species.

7. Not located in FNP or within a distance of three times the authorized depth of an FNP (see GC 15).

8. Not located in or impinge upon the value of any National Lands or Federal Properties.

9. Floating upweller docks that total ≤600 SF in area.

Pre-Construction Notification Required

1. Discharges of fill material associated with aquaculture >5,000 SF.

2. Research, educational, commercial-viability or experimental aquaculture gear activities >1,000 SF.

3. Kelp or finfish aquaculture.

4. Land-based hatchery intakes >3 inches in diameter.

5. Activities in water depths >10 feet mean low lower water (MLLW).

6. Activities with in-water lines, ropes or chains that are not SV eligible (see #3-4).

7. Activities occur in the Connecticut River from the Turners Falls Dam to the MA/CT border or the Merrimack River from the Essex Dam to the mouth. This is to protect endangered species.

8. New, or expansions of, impoundments and semi-impoundments for the culture or holding of motile species such as lobster with an impounded area ≤1/2 acre.

9. Activities that do not require an IP. Activities that do not require a PCN or an IP may be SV eligible.

Note: The Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 defines: (a) nonindigenous species as “any species or other viable biological material that enters an ecosystem beyond its historic range, including any such organism transferred from one country into another”; and (b) aquatic nuisance species as “a nonindigenous species that threatens the diversity or abundance of native species or the ecological stability of infested waters, or commercial, agricultural, aquacultural, or recreational activities dependent on such waters.”

GP 19. MINING ACTIVITIES (Authorities: §10 and §404)

Discharges of dredged or fill material into non-tidal waters for mining activities, except for coal mining and metallic mineral mining activities.

Not authorized under GP 19 (IP required): (a) Permanent impacts >1 acre in non-tidal waters; or (b) Activities in tidal waters.

Self-Verification Eligible	Pre-Construction Notification Required
In non-tidal waters, the combined permanent and temporary impacts are (a) ≤5,000 SF, and (b) not located in riffle and pool complexes, non-tidal vegetated shallows, and streams.	1. In non-tidal waters, the combined permanent and temporary impacts are (a) >5,000 SF, or (b) located in riffle and pool complexes, non-tidal vegetated shallows, and streams. 2. The activity occurs in non-tidal navigable waters of the U.S. 3. Stream channelization, relocation, impoundment, loss of streambed, or discharge of tailings into streams occurs. 4. Work on USACE properties & USACE-controlled easements. 5. Activities that are not eligible for SV and do not require an IP.

GP 20. LIVING SHORELINES[1] (Authorities: §10 and §404)

Construction and maintenance of living shorelines to stabilize banks and shores in tidal waters. In non-tidal waters that are not subject to the ebb and flow of the tide, nature-based bank stabilization techniques such as bioengineering and vegetative stabilization may be authorized by GP 9. This GP authorizes those maintenance and repair activities in-kind that are necessary to address changing environmental conditions.

The following terms must be met for both SVs and PCNs as applicable: (a) Coir logs, coir mats, stone, native oyster shell, native wood debris, and other structural materials must be adequately anchored, of sufficient weight, or installed in a manner that prevents relocation in most wave action or water flow conditions, except for extremely severe storms; (b) For living shorelines consisting of tidal fringe wetlands, native plants appropriate for current site conditions, including salinity and elevation, must be used if the site is planted by the permittee; (c) Discharges of dredged or fill material into waters of the U.S., and oyster or mussel reef structures in navigable waters, must be the minimum necessary for the establishment and maintenance of the living shoreline; (d) If sills or other structural materials per PCN #4 must be constructed to protect fringe wetlands for the living shoreline, those structures must be the minimum size necessary to protect those fringe wetlands; (e) The activity must be designed, constructed, and maintained so that it has no more than minimal adverse effects on water and sediment movement between the waterbody and the shore and the movement of aquatic organisms between the waterbody and the shore; and (f) The living shoreline must be properly maintained and monitored, which may require periodic repair of sills, bioengineered components, or replacing sand fills after severe storms or erosion events. Vegetation may be replanted to maintain the living shoreline.

Not authorized under GP 20 (IP required): (a) The activity is ≥1000 feet in length along the bank (≥2000 LF both banks) unless waived by the District Engineer; or (b) The activity is >30 feet channel ward of mean low water in tidal waters; or (c) Upland reclamation activities; or (d) Stream channelization or relocation activities; or (e) Breakwaters, groins, jetties, or artificial reefs; or (f) Permanent impacts >1,000 SF in existing saltmarsh; >100 SF in existing tidal vegetated shallows.

Self-Verification Eligible	**Pre-Construction Notification Required**
1. Tidal and non-tidal living shorelines ≤100 LF for each bank (≤200 LF for both banks). 2. Combined permanent and temporary impacts ≤5,000 SF in tidal waters, excluding existing salt marsh, tidal vegetated shallows, natural rocky habitat, and mudflats.	1. Tidal and non-tidal living shorelines >100 LF to <1000 LF (>200 LF to <2000 LF for both banks). 2. Permanent and temporary impacts in existing salt marsh, tidal vegetated shallows, or mudflats. 3. Work on USACE properties & USACE-controlled easements. 4. Use of stone sills, native oyster shell, native wood debris, or other structural materials.

Notes:

1. PCNs require monitoring for a minimum of 5 years in accordance with an approved restoration plan, unless otherwise determined by the USACE. The first year of monitoring will be the first year that the site has been through a full growing period after completion of construction and planting.
2. Applicants are encouraged to obtain a MEPA certificate prior to submitting a USACE permit application.

[1] A living shoreline has a footprint that is made up mostly of native material. It incorporates vegetation or other living, natural “soft” elements alone or in combination with some type of harder shoreline structure (e.g., oyster or mussel reefs or rock sills) for added protection and stability. Living shorelines should maintain the natural continuity of the land-water interface and retain or enhance shoreline ecological processes. Living shorelines must have a substantial biological component, either tidal or lacustrine fringe wetlands or oyster or mussel reef structures.

GP 21. AGRICULTURAL ACTIVITIES (Authority: §404)

Discharges of dredged or fill material in non-tidal waters for agricultural activities, including the construction of building pads for farm buildings. Authorized activities include: (a) installation, placement, or construction of drainage tiles, ditches, or levees; mechanized land clearing; land leveling; the relocation of existing serviceable drainage ditches; and similar activities; (b) construction of farm ponds, excluding perennial streams, provided the farm pond is used solely for agricultural purposes; and (c) discharges of dredged or fill material to relocate existing serviceable drainage ditches constructed in non-tidal streams.

Not authorized under GP 21 (IP required): (a) Permanent impacts that are >1 acre in non-tidal waters; or >1000 SF in riffle and pool complexes, or non-tidal vegetated shallows; (b) Work in tidal waters; or (c) Construction of farm ponds in perennial streams.

Self-Verification Eligible	**Pre-Construction Notification Required**
In non-tidal waters, the combined permanent and temporary impacts are (a) ≤5,000 SF, and (b) not located in riffle and pool complexes and non-tidal vegetated shallows.	1. In non-tidal waters, the combined permanent and temporary impacts are (a) >5,000 SF, or (b) located in riffle and pool complexes and non-tidal vegetated shallows. 2. Activities occur in non-tidal navigable waters of the U.S. 3. Stream channelization, relocation, impoundment, loss of streambed, or farm ponds in non-perennial streams occurs. 4. Activities that are not eligible for SV and do not require an IP.

Note: Some discharges for agricultural activities may qualify for an exemption under Section 404(f) of the CWA (see 33 CFR 323.4). This GP authorizes the construction of farm ponds that do not qualify for the CWA §404(f)(1)(C) exemption because of the recapture provision at §404(f)(2).

GP 22. RESHAPING EXISTING DRAINAGE DITCHES, CONSTRUCTION OF NEW DITCHES, AND MOSQUITO MANAGEMENT (Authorities: §10 and §404)

Discharges to modify the cross-sectional configuration of currently serviceable drainage ditches constructed in tidal and non-tidal waters, for the purpose of improving water quality by regrading the drainage ditch with gentler slopes, which can reduce erosion, increase growth of vegetation, and increase uptake of nutrients and other substances by vegetation. Also authorized are mosquito reduction activities.

Not authorized under GP 22 (IP required): Stream channelization, relocation, impoundments, or loss of streambed.

Self-Verification Eligible	**Pre-Construction Notification Required**
≤500 linear feet of drainage ditch will be reshaped provided excavated material is deposited in an upland area.	1. >500 linear feet of drainage ditch will be reshaped, excavated material is deposited in a water of the U.S., or the reshaping of the ditch increases the drainage capacity beyond the original as-built capacity or expands the area drained by the ditch as originally constructed (i.e., the capacity of the ditch is not the same as originally constructed or drains additional wetlands or other waters of the U.S.). 2. Permanent and temporary impacts in tidal vegetated shallows. 3. New ditches or relocation of drainage ditches constructed in waters of the U.S. (i.e., the location of the centerline of the reshaped drainage ditch is not approximately the same as the location of the centerline of the original drainage ditch). 4. Activities that are not eligible for SV and do not require an IP.

Note: Some ditch activities are exempt under Section 404(f) of the CWA (see 33 CFR 323.4).

GP 23. LINEAR TRANSPORTATION PROJECTS AND WETLAND/STREAM CROSSINGS (Authorities: §10 & §404)

Activities[1] required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., driveways, roads, highways, railways, trails, airport runways, and taxiways) and attendant features. This GP also authorizes temporary structures, fills, and work, including the use of temporary mats (see Note 1), necessary to construct the linear transportation project.

Not authorized under GP 23 (IP required): (a) Permanent impacts for any single and complete project that are >1 acre in non-tidal waters; >½ acre in tidal waters; >1000 SF in saltmarsh, mud flats, riffle and pool complexes, or non-tidal vegetated shallows; or >100 SF in tidal vegetated shallows; (b) Temporary impacts in tidal waters that are >1 acre; >5000 SF in saltmarsh, mud flats, or riffle and pool complexes; or >1000 SF in vegetated shallows; (c) Non-linear features commonly associated with transportation projects, such as vehicle maintenance or storage buildings, parking lots, train stations, or aircraft hangars (see GP 17); or (d) New tide gates.

Self-Verification Eligible

1. In non-tidal waters, the combined permanent and temporary impacts are a) ≤5,000 SF; b) not located in riffle and pool complexes and non-tidal vegetated shallows; and c) meet the Massachusetts River and Stream Crossing Standards

2. Existing crossings (e.g., culverts, elliptical or arch pipes, etc.) are not modified by (a) decreasing the diameter of the crossing or (b) changing the friction coefficient, such as through slip lining (retrofitting an existing culvert by inserting a smaller diameter pipe), culvert relining or invert lining.

3. Stream channelization or relocation resulting in loss of streambed that is <200 LF.

Pre-Construction Notification Required

1. In non-tidal waters, the combined permanent and temporary impacts are a) >5,000 SF; b) located in vegetated shallows or riffle and pool complexes; or c) do not meet the Massachusetts River and Stream Crossing Standards (see note 4).

2. The activity occurs in tidal waters, salt marsh, or in, over or under navigable waters of the U.S.

3. Stream and wetland crossings that require a PCN per GC 20 TOY Restrictions and GC 31 Stream Work and Crossings & Wetland Crossings.

4. Stream channelization or relocation resulting in loss of streambed that is ≥200 LF. Stream impoundment activities of any kind.

5. Work on USACE properties & USACE-controlled easements.

6. Activities that are not eligible for SV and do not require an IP.

Notes:

1. See GC 22 for information on temporary construction mats.
2. Discharges of dredged or fill material incidental to the construction of bridges across navigable waters of the U.S. may be authorized under GP 8.
3. Loss of streambed does not require a PCN when bridge piers or similar supports are used.
4. In their PCN application submission to the USACE, applicants must explain why they are unable to meet the Massachusetts River and Stream Crossing Standards.
5. For tidal crossings, modeling is encouraged as a method to verify the proposed crossing would not be undersized and resilient to the effects of sea level rise.

[1] Stream crossings must conform with the MA Stream Crossing Guidelines when practicable and comply with all applicable GCs of this document (Section IV).

GP 24. TEMPORARY CONSTRUCTION, ACCESS, AND DEWATERING (Authorities: §10 and §404)

Temporary structures, work, and discharges, including cofferdams, necessary for construction activities or access fills or dewatering of construction sites that are not authorized under another GP activity.

Not authorized under GP 24 (IP required): (a) Permanent structures or impacts; (b) Temporary impacts in tidal waters that are >1 acre; >5000 SF in saltmarsh, mud flats, or riffle and pool complexes; or >1000 SF in vegetated shallows; (c) Use of cofferdams to dewater wetlands or other aquatic areas to change their use; (d) Temporary stream crossings (see GPs 6, 17, 23); (e) Structures or fill left in place after construction is completed.

Self-Verification Eligible	**Pre-Construction Notification Required**
1. In non-tidal waters, temporary impacts are a) ≤5,000 SF; b) not located in riffle and pool complexes and non-tidal vegetated shallows. 2. In tidal waters, temporary impacts are a) ≤5,000 SF, b) ≤1,000 SF in mudflats and/or natural rocky habitat, and c) not located in saltmarsh and tidal vegetated shallows. 3. Structures in navigable waters of the U.S. provided impacts do not require a PCN and they are left in place ≤30 days.	1. In non-tidal waters, temporary impacts are a) >5,000 SF; b) located in riffle and pool complexes or non-tidal vegetated shallows. 2. In tidal waters, temporary impacts are a) >5,000 SF; b) >1,000 SF in mudflats and/or natural rocky habitat, or (c) located in saltmarsh and tidal vegetated shallows. 3. Activities in the Connecticut River from the Turners Falls Dam to the MA/CT border, or Merrimack River from the Essex Dam to the mouth, involving temporary impacts unless they are performed <5 feet waterward from OHW or HTL and in the dry. This is to protect endangered species; or 4. Activities not eligible for SV and do not require an IP.

Notes:

1. Turbidity or sediment resuspension is generally not considered to occur when properly using management techniques to work in dry conditions. See GC 25.
2. Total impact areas under SV Eligible 1-2 exclude use of temporary construction mats. See GC 22 for information on temporary construction mats.
3. An SVN submittal to USACE is not required for SV #3 above.

GP 25. EMERGENCY SITUATIONS (Authorities: §10 and §404)

Structures or work in or affecting navigable waters of the U.S. and the discharge of dredged or fill material into waters of the U.S., including wetlands, necessary for repair or protection measures associated with an emergency situation[1], MassDEP Emergency Declaration/Certification, or FEMA Declared Disaster. The activity shall be the minimum necessary to alleviate the immediate emergency unless that additional work would result in no more than minimal effects to aquatic environment and is necessary to reduce the potential for future failure or loss of the structure or site. Typical activities authorized under this GP include, but are not limited to, restoration of damaged areas; bank stabilization; temporary fills for staging, access, and dewatering; and, repair, replacement, or rehabilitation of existing structures and/or fills (i.e., roads, bridges, utility pipelines and flood control structures, including attendant features, and other existing structures located in waters of the U.S.).

For the restoration of areas damaged by storms floods, or other discrete events: (a) The restored area must not extend waterward of the ordinary high-water mark or high tide line that existed prior to the damage. (b) The slope of the restored area below the ordinary high-water mark or high tide line must not exceed the slope that existed prior to the damage. (c) The bottom elevation of the restored area must not exceed the bottom elevation that existed prior to the damage (i.e., the restored area must not result in a reduction in the depth of the waterbody that existed prior to the damage). (d) Except in cases of FEMA reimbursement, the activity must be initiated, under contract to commence, or funds shall be allocated for the activity within 30 days of authorization under GP 25.

Not authorized under GP 25 (IP required): (a) Permanent impacts for a single and complete project >1/2 acre in tidal waters, unless the district engineer waives this criterion by making a written determination concluding that the activity will result in no more than minimal adverse environmental effects; >1,000 SF in saltmarsh, mud flats, riffle and pool complexes, or non-tidal vegetated shallows; or >100 SF in tidal vegetated shallows; (b) Temporary impacts in tidal waters that are >5,000 SF in saltmarsh, mud flats, or riffle and pool complexes; or >1,000 SF in vegetated shallows; (c) New structures or fills that did not previously exist before the storm event or other discrete event (see other GPs).

Self-Verification Eligible	**Pre-Construction Notification Required**
1. Activities that qualify under a Severe Weather Emergency Declaration pursuant to 310 CMR 10.06(8) and/or receive an Emergency Certification pursuant to 310 CMR 10.06 and/or meet the requirements of 314 CMR 9.12(2) or (3); and 2. Activities eligible under a FEMA Declared Disaster that also comply with #1 above.	1. Activities that are eligible under a FEMA Declared Disaster and do not qualify under SV #1. 2. Minor deviations in the structure or fill area, including those to existing structures or fills are authorized due to changes in materials, construction techniques, requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to alleviate the emergency. 3. Activities that are not eligible for SV and do not require an IP.

Notes:

1. Review the GCs (Section IV) to confirm if a PCN is not required elsewhere in this document.
2. If the activity is not a MassDEP Emergency Declaration/Certification, does not meet the requirements of 314 CMR 9.12(2) or (3), or is not a FEMA Declared Disaster, applicants must explain in writing why their activity qualifies as an emergency (see footnote) to be eligible under GP 25.
3. SV eligible activities qualify under the general 401 WQC MassDEP issued for the 2023 MA GPs (GC 9).

[1] An emergency, as determined by this office and 33 CFR 325.2(e)(4), is one which would 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 Department of the Army permit is not undertaken within a time period less than the normal time to process the request under standard processing procedures.

SECTION IV. GENERAL CONDITIONS:

To qualify for GP authorization, the applicant must comply with the following general conditions, as applicable, in addition to authorization-specific conditions imposed by the division or district engineer.

1. Other Permits
2. Federal Jurisdictional Boundaries
3. Single and Complete Projects
4. Use of Multiple General Permits
5. Suitable Material
6. Tribal Rights & Burial Sites
7. Avoidance, Minimization, and Compensatory Mitigation
8. Water Quality & Stormwater Management
9. Coastal Zone Management
10. Federal Threatened and Endangered Species
11. Essential Fish Habitat
12. National Lands
13. Wild and Scenic Rivers
14. Historic Properties
15. USACE Property and Federal Projects (§408)
16. Navigation
17. Permit/Authorization Letter On-Site
18. Storage of Seasonal Structures
19. Pile Driving and Pile Removal in Navigable Waters
20. Time of Year Restrictions
21. Heavy Equipment in Wetlands
22. Temporary Fill & Construction Mats
23. Restoration of Wetland Areas
24. Bank Stabilization
25. Soil Erosion and Sediment Controls
26. Aquatic Life Movements and Management of Water Flows
27. Spawning, Breeding, and Migratory Areas
28. Vernal Pools
29. Invasive Species
30. Fills Within 100-Year Floodplains
31. Stream Work and Crossings & Wetland Crossings
32. Utility Line Installation and Removal
33. Water Supply Intakes
34. Coral Reefs
35. Blasting
36. Inspections
37. Maintenance
38. Property Rights
39. Transfer of GP Verifications
40. Modification, Suspension, and Revocation
41. Special Conditions
42. False or Incomplete Information
43. Abandonment
44. Enforcement Cases
45. Previously Authorized Activities
46. Duration of Authorization

1. Other Permits. Authorization under these GPs does not obviate the need for the permittee to obtain other Federal, State, or local permits, approvals, or authorizations required by law. Permittees are responsible for obtaining all required permits, approvals, or authorizations. Activities that are not regulated by the State, but subject to USACE jurisdiction, may still be eligible for these GPs.

2. Federal Jurisdictional Boundaries.
a. Applicability of these GPs shall be evaluated with reference to Federal jurisdictional boundaries. Activities shall be evaluated with reference to "waters of the U.S." under the CWA (33 CFR 328) and "navigable waters of the U.S." under §10 of the Rivers and Harbors Act of 1899 (33 CFR 329). Permittees 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 the USACE jurisdiction. Note: Waters of the U.S. includes all waters pursuant to 33 CFR 328.3(a), and adjacent wetlands as the term is defined in 33 CFR 328.3(c).
b. Wetlands shall be delineated in accordance with the USACE Wetlands Delineation Manual and the most recent Northcentral/Northeast Regional Supplement. Wetland delineation and jurisdiction information is located at: www.nae.usace.army.mil/missions/regulatory/jurisdiction-and-wetlands and maps are located at www.nae.usace.army.mil/missions/regulatory/state-general-permits/massachusetts-general-permit.
c. Vegetated shallows shall be delineated when present on the project site. Vegetated shallow survey guidance and maps are located at: www.nae.usace.army.mil/missions/regulatory/state-general-permits/massachusetts-general-permit.
d. Natural rocky habitats shall be delineated when present on the project site. The definition of natural rocky habitats is in Section VII of the MA GP. Natural rocky habitat survey guidance and maps are located at: www.nae.usace.army.mil/ missions/regulatory/state-general-permits/massachusetts-general-permit.

3. Single and Complete Projects. The MA GP shall not be used for piecemeal work and shall be applied to single and complete projects. The term "single and complete project" is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers.
a. For non-linear projects, a single and complete project must have independent utility. 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.
b. Unless USACE determines the activity has independent utility, all components of a single 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) shall be evaluated as one single and complete project.
c. For linear projects such as power lines or pipelines with multiple crossings, a "single and complete project" is all crossings of a single water of the U.S. (i.e., single waterbody) at a specific location. For linear projects crossing a single waterbody several times at separate and distant locations, each crossing is considered a single and complete project. 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, and crossings of such features cannot be considered separately. If any crossing requires a PCN review or an individual permit review, then the entire linear project shall be reviewed as one project under PCN or the individual permit procedures.

4. Use of Multiple General Permits. The use of more than one GP for a single and complete project is prohibited, except when the acreage loss of waters of the U.S. authorized by the GPs does not exceed the acreage limit of the GPs with the highest specified acreage limit. For example, if a road crossing over waters is constructed under GP 23, with an associated utility line

crossing authorized by GP 6, if the maximum acreage loss of waters of the U.S. for the total project is ≥1 acre it shall be evaluated as an IP.

5. Suitable Material & Discharge of Pollutants. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). All activities involving any discharge into waters of the U.S. authorized under these GPs 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 U.S.C. 1251), and applicable state and local laws. If applicable water quality standards, limitations, etc., are revised or modified during the term of this GP, the authorized work shall be modified to conform with these standards within six months from 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. Unless monitoring data indicates otherwise, applicants may presume that their activity complies with state water quality standards provided they are in compliance with the Section 401 WQC (Applicable only to the Section 404 activity).

6. Tribal Rights & Burial Sites

a. For all SV and PCN applications, prospective permittees shall follow the guidance set forth in Appendix A, Guidance for NHPA Section 106 Compliance in Massachusetts.

b. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

c. Many tribal resources are not listed on the National Register of Historic Places (NRHP) and may require identification and evaluation in collaboration with the identifying tribe and by qualified professionals. The Tribal Historic Preservation Officer (THPO) and State Historic Preservation Officer (SHPO) may be able to assist with locating information on:

i. Previously identified tribal resources; and
ii. Areas with potential for the presence of tribal resources.

d. Discovery of Previously Unknown Remains and Artifacts: If any previously unidentified human remains, cultural deposits, or artifacts are discovered while accomplishing the activity authorized by this permit, you must immediately notify the USACE of what you have found, and to the maximum extent practicable, cease work and avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The USACE will initiate the appropriate the Federal, Tribal, and state coordination required to determine if the items or remains are eligible for listing in the NRHP and warrant a recovery effort or can be avoided.

e. Burial Sites: Burial sites, marked or unmarked, are subject to state law (Massachusetts Unmarked Burial Law). Native American burial sites on federal or tribal land are subject to the provisions of Native American Graves Protection and Repatriation Act (NAGPRA). Regulated activities may not result in disturbance or removal of human remains until disposition of the remains has been determined by the appropriate authority under these laws, and the work is authorized by the USACE. Regulated activities which result in an inadvertent discovery of human remains must stop immediately, and the USACE, as well as the appropriate state and tribal authority, must be notified. Regulated work at inadvertent discovery sites requires compliance with state law or NAGPRA, as appropriate, prior to re-starting work.

7. Avoidance, Minimization, and Compensatory Mitigation. To qualify under the MA GP, activities must comply with Section V Mitigation Standards and the following as applicable:

a. Avoid and Minimize: Activities must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the U.S. to the maximum extent practicable at the project site. Avoidance and minimization are required to the extent necessary to ensure that the adverse effects to the aquatic environment (both area and function) are no more than minimal.

b. Compensatory mitigation for unavoidable impacts to waters of the U.S., including direct, indirect, secondary, and temporal loss, will generally be required for permanent impacts that exceed the thresholds identified in Section V, and may be required for temporary impacts, to offset unavoidable impacts which remain after all appropriate and practicable avoidance and minimization has been achieved and to ensure that the adverse effects to the aquatic environment are no more than minimal. Proactive restoration projects or temporary impact work with no secondary effects may generally be excluded from this requirement.
c. Mitigation proposals shall follow the guidelines found in the Compensatory Mitigation for Losses of Aquatic Resources; Final Rule April 10, 2008; 33 CFR 332. Prospective permittees may purchase mitigation credits in-lieu of permittee-responsible mitigation as compensation for unavoidable impacts to waters of the U.S. in the Commonwealth of Massachusetts.

8. Water Quality & Stormwater Management. The 401 WQC requirement applies to all activities listed under GPs 1-25, unless determined otherwise by MassDEP. Permittees shall also satisfy stormwater management requirements in Massachusetts.

a. General 401 WQC: MassDEP issued a WQC on April 21, 2023 which conditionally certifies all activities in GPs 1 – 24 eligible for SV and PCN so long as the activity is described in 314 CMR 9.03, and is not an activity described in 314 CMR 9.04, and so long as the activity meets all other requirements, terms and conditions of the WQC. The MassDEP WQC also conditionally certifies activities described in GP 25 so long as the activity meets all other conditions of the WQC. Emergency projects described in GP 25 must obtain an emergency certification or otherwise be authorized pursuant to 310 CMR 10.06, qualify under a Severe Weather Emergency Declaration pursuant to 310 CMR 10.06(8) issued by the MassDEP, or meet the requirements of 9.12(2) or (3) in order to be certified under the WQC. Prospective permittees may refer to the following link to determine if their activity is eligible: https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/ Massachusetts-General-Permit/. The General 401 WQC is located here, and it provides detailed information regarding what activities are certified and the conditions for certification. Activities listed in 314 CMR 9.03 that are not exempt from the Wetland Protection Act must have a valid Final Order of Conditions (OOC) or Final Restoration Order of Conditions pursuant to 310 CMR 10.00 to be eligible under the General 401 WQC.
b. Individual 401 WQC: Prospective permittees shall contact MassDEP and apply for an individual 401 WQC if their activity does not qualify for a General 401 WQC as outlined above. MassDEP may issue, waive, or deny the individual 401 WQC on a case-by-case basis. All activities listed in 314 CMR 9.04 must obtain an individual 401 WQC from MassDEP to be eligible under these GPs. When an Individual 401 WQC is required for *PCN activities*, the prospective permittee shall submit their Individual 401 WQC application concurrently to MassDEP and USACE to comply with 40 CFR 121.
c. The prospective permittee is responsible for determining the appropriate 401 WQC requirement and submitting this information to the USACE at the time of their PCN application or when completing their SVN. Prospective permittees that are unsure of whether their activity has been certified should contact MassDEP for a determination.
d. As applicable, all activities shall be compliant with the Massachusetts Stormwater Handbook. The Stormwater Handbook can be accessed on the NAE Regulatory website here: https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Massachusetts-General-Permit/.
e. No work requiring authorization under Section 404 of the CWA may be performed unless (1) the prospective permittee qualifies for coverage under the April 21, 2023 General 401 WQC, (2) the prospective permittee receives an individual Section 401 WQC from the MassDEP, or (3) the MassDEP waives individual Section 401 WQC.

9. Coastal Zone Management. The permittee must obtain CZM consistency concurrence when an activity is located in the coastal zone in order to be eligible under the MA GP. This requirement

shall be satisfied by acquiring one of the following from the Massachusetts Office of Coastal Zone Management (MA CZM):

a. General CZM Federal Consistency Concurrence (General Concurrence): MA CZM has granted General Concurrence for all SV and PCN activities for GPs 1-25. The prospective permittee must obtain all applicable permits and approvals before construction of the authorized activity begins (e.g., before work begins on site). For SVs, General Concurrence is automatically granted and no further action is required from the prospective permittee. For PCNs, the USACE will coordinate with MA CZM to acquire General Concurrence as part of the PCN application review.
b. Individual CZM Federal Consistency Concurrence (Individual Concurrence): In certain cases, MA CZM may elevate any GP activity 1-25 and require Individual Concurrence. The prospective permittee must contact MA CZM and follow the procedures to obtain Individual Concurrence as determined appropriate by MA CZM.
c. Permittees must obtain CZM consistency concurrence as outlined above before commencing work authorized under these GPs.

10. Federal Threatened and Endangered Species

a. No activity is authorized under any GP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify designated critical habitat or critical habitat proposed for such designation. No activity is authorized under any GP which “may affect” a listed species or critical habitat, unless ESA section 7 consultation addressing the consequences of the proposed activity on listed species or critical habitat has been completed. See 50 CFR 402.02 for the definition of “effects of the action” for the purposes of ESA section 7 consultation, as well as 50 CFR 402.17, which provides further explanation under ESA section 7 regarding “activities that are reasonably certain to occur” and “consequences caused by the proposed action.”
b. Other Federal agencies should follow their own procedures for complying with the requirements of the ESA (see 33 CFR 330.4(f)(1)). If a PCN is required for the proposed activity, the Federal permittee must provide USACE with the appropriate documentation to demonstrate compliance with those requirements. The USACE will verify that the appropriate documentation has been submitted. If the appropriate documentation has not been submitted, additional ESA section 7 consultation may be necessary for the activity and the respective federal agency would be responsible for fulfilling its obligation under section 7 of the ESA.
c. USFWS ESA-Listed Species: Non-federal applicants shall use the USFWS website, Information for Planning and Consultation (IPAC), to determine if their activity is located within the ESA-listed species range. The IPAC website can be accessed on the NAE Regulatory website: https://www. nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Massachusetts-General-Permit/. Applicants shall ensure they have an updated, valid species list before construction begins. This may require applicants to update their species list in IPAC before the start of construction. Note: Applicants should refer to the NAE Regulatory Website at the link above to determine if they have been designated as a non-federal representative. Applicants shall complete Section 7 consultation according to the guidance document located on the NAE Regulatory Website. After completing the Rangewide Determination Key and reaching the outcome “may affect, not likely to adversely affect”, you may be required to wait up to 15 days before that outcome is final and compliance under Section 7 of the ESA is fulfilled.

i. *Self-Verification Criteria*: The activity is SV-eligible if:
   1) The activity is not located within the ESA-listed species range;
   2) Another (lead) Federal agency has completed Section 7 consultation; or
   3) The activity is located within the ESA-listed species range ***and*** USACE has designated the applicant as a non-federal representative under 50 CFR 402.08 of the ESA for all

species within the project's action area. As the non-federal representative, the applicant shall complete consultation through IPAC and reach the outcome of "no effect" or "not likely to adversely affect".

ii. *Pre-Construction Notification Criteria*: The activity requires a PCN if:

1) The activity is located within the ESA-listed species range ***and*** USACE has NOT designated the applicant as a non-federal representative under 50 CFR 402.08 of the ESA for all species within the project's action area;

2) The activity is located in designated or proposed critical habitat; or

3) The activity is located within the ESA-listed species range and completion of the IPAC determination key has resulted in the outcome of "may affect" or "may affect, likely to adversely affect"; or

4) A PCN is required elsewhere in this document.

d. NOAA-Listed Species: Non-federal applicants shall refer to the Section 7 Mapper for federally listed species to determine if any species are mapped as present. When NOAA-listed species are present, the applicant shall generate a species report through the mapper and submit this document as part of their PCN or SVN submission. The NOAA Fisheries' Section 7 Mapper can be accessed here on the NAE Regulatory website here: https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Massachusetts-General-Permit/.

e. Authorization of an activity by an GP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

11. Essential Fish Habitat (EFH).

a. SV eligible activities have been determined to result in no more than minimal adverse effects, provided the permittee complies with all terms and conditions of the MA GP as appliable to the activity. NMFS has granted General Concurrence [50 CFR 600.920(g)] for all SV eligible activities. These activities do not require project specific EFH consultation.

b. For PCN required activities, the applicant is required to describe and identify potential adverse effects to EFH and should refer to NOAA Fisheries' EFH Mapper (http://www.fisheries.noaa.gov/resource/map/essential-fish-habitat-mapper) and Omnibus Essential Fish Habitat Amendment 2 Volume 2: EFH and HAPC Designation Alternatives and Environmental Impacts (https://www.habitat.noaa.gov/application/efhmapper/oa2_efh_hapc.pdf). If an activity is located within EFH, the PCN application must contain:

1. A description of the action located in EFH.
2. An analysis of the potential adverse effects of the action on EFH and the managed Species.
3. Conclusions regarding the effects of the action on EFH.
4. Proposed mitigation, if applicable (refer to the mitigation thresholds located in Section V).

c. Federal agencies shall follow their own procedures for complying with the EFH requirements of the Magnuson-Stevens Fishery Conservation and Management Act. For activities requiring a PCN, the applicant is responsible for furnishing documentation that demonstrates consultation for EFH has been completed.

d. For PCN activities, no work may commence until EFH consultation as required by the Magnuson-Stevens Act has been completed.

12. National Lands. Activities that impinge upon the value of any National Wildlife Refuge, National Forest, National Marine Sanctuary, National Historic Landmarks or any other area administered by the National Park Service, U. S. Fish and Wildlife Service (USFWS) or U.S. Forest Service (USFS) require a PCN or Individual Permit. Federal land managers seeking authorization for activities located in the above listed National Lands may proceed under SV, unless a PCN is required elsewhere in this document.

13. Wild and Scenic Rivers. The following activities in designated river or study river segments in the National Wild and Scenic River (WSR) System require a PCN unless the Federal agency with direct management responsibility for such river, in Massachusetts this is generally the National Park Service, has determined in writing to the proponent that the proposed work will not adversely affect the WSR designation or study status:

a. Activities that occur in WSR segments, in and 0.25 miles up or downstream of WSR segments, or in tributaries within 0.25 miles of WSR segments;
b. Activities that occur in wetlands within 0.25 miles of WSR segments;
c. Activities that have the potential to alter free-flowing characteristics in WSR segments.

No GP activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a “study river” for possible inclusion in the system while the river is in an official study status, unless the appropriate Federal agency with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation or study status.

As of May 10, 2023, affected rivers in Massachusetts include: the Taunton River (40 miles), Sudbury River (16.6 miles), Assabet River (4.4 miles), Concord River (8 miles), Nashua River (27 miles), Squannacook River (16.3 miles), Nissitissit River (4.7 miles), and the Westfield River, including West Branch, Middle Branch, Gendale Brook, East Branch, Drowned Land Brook, Center Brook, Windsor Jambs Brook, Shaker Mill Brook, Depot Brook, Savery Brook, Watson Brook, Center Pond Brook (78.1 miles). The most up to date list of designated and study rivers and their descriptions may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service). Information on these rivers is also available at: http://www.rivers.gov/.

14. Historic Properties

a. For all SV and PCN applications, permittees shall follow the guidance set forth in Appendix A, Guidance for NHPA Section 106 Compliance in Massachusetts.

b. No undertaking authorized by these GPs shall cause effects[1] (defined in 36 CFR Part 800 and 33 CFR Part 325, Appendix C, and its Interim Guidance) on properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places (NRHP)[2], including previously unknown historic properties within the permit area, unless the USACE or another Federal action agency has satisfied the consultation requirements of Section 106 of the National Historic Preservation Act (Section 106). If another Federal agency is determined the lead federal agency for compliance with Section 106, applicant must obtain the appropriate documentation and provide this information to the USACE to demonstrate compliance with Section 106. The applicant shall not begin the activity until the USACE notifies them in writing that the documentation provided satisfies Section 106 requirements.

[1] Effect means the alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register of Historic Properties.
[2] See the NAE Regulatory website, National Register of Historic Places link here: https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Massachusetts-General-Permit/.

c. Many historic properties are not listed on the NRHP and may require identification and evaluation by qualified historic preservation and/or archaeological consultants. The State Historic Preservation Officer (SHPO), Massachusetts Board of Underwater Archaeological Resources (BUAR), local historical societies, certified local governments, general public, and NRHP may also be able to assist with locating information on:

i. Previously identified historic properties; and
ii. Areas with potential for the presence of historic properties.

d. Discovery of Previously Unknown Remains and Artifacts: If any previously unidentified human remains, cultural deposits, or artifacts are discovered while accomplishing the activity authorized by this permit, you must immediately notify the USACE of what you have found, and to the maximum extent practicable, cease work and avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The USACE will initiate the Federal, State and tribal coordination required to determine if the items or remains warrant a recovery effort and/or if the site is eligible for listing in the National Register of Historic Places.

e. Section 110k: Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. § 306113) prevents the USACE from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106, has intentionally significantly adversely effected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the USACE, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the USACE is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties effected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate Indian tribes if the undertaking occurs on or effects historic properties on tribal lands or effects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

f. Underwater Archaeological Resources: Under Massachusetts General Law Ch. 6, s.'s 179-180, and Ch. 91, s. 63, the BUAR has statutory jurisdiction within state waters and is the sole trustee of the Commonwealth's underwater heritage, charged with the responsibility of encouraging the discovery and reporting, as well as the preservation and protection, of underwater archaeological resources. Underwater archaeological resources located within the waters of the Commonwealth of Massachusetts are property of the Commonwealth, which holds title to these resources and retains regulatory authority over their use. Under Massachusetts General Law, no person, organization or corporation may "remove, displace, damage, or destroy" any underwater archaeological resources located within the Commonwealth's submerged lands except through consultation with the BUAR and in conformity with the permits it issues. https://www.mass.gov/orgs/board-of-underwater-archaeological-resources.

15. USACE Property and Federal Projects. (33 USC §408)

a. USACE projects and property can be found at: https://www.nae.usace.army.mil/Missions/Civil-Works/.

b. In addition to any authorization under these GPs, prospective permittee shall contact the USACE Real Estate Division (https://www.nae.usace.army.mil/Missions/Real-Estate-Division/) at (978) 318-8585 for work occurring on or potentially affecting USACE properties and/or USACE-controlled easements. Work may not commence on USACE properties and/or USACE-controlled easements until they have received any required USACE real estate documents evidencing site-specific permission to work.

c. Any proposed temporary or permanent occupation or alteration of a Federal project (including, but not limited to, a levee, dike, floodwall, channel, anchorage, breakwater, seawall, bulkhead, jetty, wharf, pier, or other work built or maintained but not necessarily owned by the United States),

is not eligible for SV and requires a PCN. This includes all proposed structures and work in, over, or under a USACE federal navigation project (FNP) or in the FNP's buffer zone. The buffer zone is an area that extends from the horizontal limits of the FNP to a distance of three times the FNP's authorized depth. The activity also requires review and approval by the USACE pursuant to 33 USC 408 (Section 408 Permission). The prospective permittee may reach out to the POCs located here: https://www.nae.usace.army.mil/ Missions/Section-408/.
d. Any structure or work constructed in a FNP or its buffer zone shall be subject to removal at the owner's expense prior to any future USACE dredging or the performance of periodic hydrographic surveys.
e. Where a Section 408 permission is required, written verification for the PCN will not be issued prior to the decision on the Section 408 permission request.

16. Navigation
a. No activity may cause more than a minimal adverse effect on navigation.
b. Any safety lights and signals prescribed by the U.S. Coast Guard, must be installed, and maintained at the permittee's expense on authorized facilities in navigable waters of the U.S.
c. 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.
d. The permittee understands and agrees that if future U.S. operations 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 USACE, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.

17. Permit/Authorization Letter On-Site. For PCNs, the permittee shall ensure that a copy of these GPs and the accompanying authorization letter are at the work site (and the project office) whenever work is being performed, and that all personnel with operational 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 USACE jurisdiction at the site of the work authorized by these GPs. This shall be achieved by including the entire permit authorization in the specifications for work. The term "entire permit authorization" means these GPs, including GCs and the authorization letter (including its drawings, plans, appendices, special conditions, and other attachments), and any 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 authorization letter, and no contract or sub-contract shall require or allow unauthorized work in areas of USACE jurisdiction. For SVs, the permittee shall ensure that a complete and signed copy of the SVN is present on site during construction and is made available for review at any time by USACE and other Federal, State, & Local regulatory agencies. A complete and signed copy of the SVN must be submitted to USACE Regulatory within 30 days of initiating construction of the authorized activity, unless stated otherwise in the applicable GP.

18. Storage of Seasonal Structures. Coastal structures such as pier sections, floats, etc., 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 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.

19. Pile Driving and Pile Removal in Navigable Waters.
a. Derelict, degraded or abandoned piles and sheet piles in navigable waters of the U.S., except for those inside existing work footprints for piers, must be completely removed, cut and/or driven to 3 feet below the substrate to prevent interference with navigation, and existing creosote piles that are affected by project activities shall be completely removed if practicable. In areas of fine-grained substrates, piles must be removed by the direct, vibratory or clamshell pull method[1] to minimize sedimentation and turbidity impacts and prevent interference with navigation from cut piles. Removed piles shall be disposed of in an upland location landward of MHW or OHW and not in wetlands, tidal wetlands or mudflats.
b. A PCN is required for the installation or removal of structures with jetting techniques.
c. A PCN is required for the installation of >12 inch-diameter piles of any material type or steel piles of any size in tidal waters, unless they are installed in the dry. If piles are not installed in the dry:
i. Impact pile driving shall commence with an initial set of three strikes by the hammer at 40% energy, followed by a one-minute wait period, then two subsequent 3-strike sets at 40% energy, with one minute waiting periods, before initiating continuous impact driving.
ii. Vibratory pile driving shall be initiated for 15 seconds at reduced energy followed by a one-minute waiting period. This sequence of 15 seconds of reduced energy driving, one-minute waiting period shall be repeated two more times, followed immediately by pile-driving at full rate and energy.
iii. In addition to using a soft start at the beginning of the workday for pile driving as described in 19c(i-ii), a soft start must also be used at any time following a cessation of pile driving for a period of 30 minutes or longer.
d. Bubble curtains may be used to reduce sound pressure levels during vibratory or impact hammer pile driving.

20. Time-of-Year (TOY) Restrictions. Activities that include in-water work must comply with the TOY Restrictions below to be SV eligible, otherwise a PCN is required. PCN submittals shall contain written justification for deviation from the TOY Restrictions. The term “in-water work” does not include conditions where the work site is “in-the-dry” (e.g., intertidal areas exposed at low tide). The term “in-the-dry” includes work contained within a cofferdam so long as the cofferdam is installed and subsequently removed outside the TOY Restriction. The TOY restrictions stated in Appendix B of the MA DMF Technical Report TR-47[2] can apply instead for activities in tidal waters if (1) TOYs are provided for a specific waterbody where the activity is proposed and (2) the TOYs are less restrictive than below. The activity must also not require a PCN elsewhere in this document to be SV eligible.

[1] Direct Pull: Each piling is wrapped with a choker cable or chain that is attached at the top to a crane. The crane then pulls the piling directly upward, removing the piling from the sediment. Vibratory Pull: The vibratory hammer is a large mechanical device (5-16 tons) that is suspended from a crane by a cable. The vibrating hammer loosens the piling while the crane pulls up. Clamshell Pull: This can remove intact, broken or damaged pilings. The clamshell bucket is a hinged steel apparatus that operates like a set of steel jaws. The bucket is lowered from a crane and the jaws grasp the piling stub as the crane pulls up. The size of the clamshell bucket is minimized to reduce turbidity during piling removal.
[2] The MA DMF Technical Report TR-47: https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Massachusetts-General-Permit/

	TOY Restriction (No work)
Non-tidal Waters	Defer to TR-47
Tidal Waters	January 15 – November 15

Alternate work windows proposed under a PCN will generally be coordinated with the USFWS and NMFS. Resulting written verifications may include species-specific work allowed windows.

21. Heavy Equipment in Wetlands. Operating heavy equipment (drill rigs, fixed cranes, etc.) within wetlands shall be minimized, and such equipment shall not be stored, maintained, or repaired in wetlands, to the maximum extent practicable. Where construction requires heavy equipment operation in wetlands, the equipment shall:

i. Have low ground pressure (typically ≤3 psi);

ii. Be placed on swamp/construction/timber mats (herein referred to as "construction mats" or "mats") that are adequate to support the equipment in such a way as to minimize disturbance of wetland soil and vegetation. See GC 22 for information on the placement of construction mats; or

iii. Be operated on adequately dry or frozen wetlands such that shear pressure does not cause subsidence of the wetlands immediately beneath the equipment and upheaval of adjacent wetlands. Construction mats are to be placed in the wetland from the upland or from equipment positioned on mats if working within a wetland. Dragging construction mats into position is prohibited. Other support structures that are capable of safely supporting equipment may be used with written USACE authorization.

22. Temporary Fill, Work & Construction Mats.

a. *Construction mats in non-tidal waters*: Temporary construction mats shall be in place ≤1 year *and* for one growing season or less to be SV eligible. A PCN is required if construction mats are in place >1 year *or* for more than one growing season. Construction mats can be placed in an area of any size in non-tidal waters. The activity may occur in segments to ensure the requirements for SV above are met, otherwise a PCN is required.

b. *Construction mats in tidal waters*: Temporary construction mats placed in an area <5,000 SF in tidal waters are SV eligible, provided those mats are in place ≤6 months. Temporary construction mats placed in an area ≥5,000 SF or in place >6 months in tidal waters require a PCN.

c. *Management of construction mats:* At a minimum, construction mats shall be managed in accordance with the following construction mat best management practices (BMPs):

1. Mats shall be in good condition to ensure proper installation, use, and removal.
2. As feasible, mats shall be placed in a location that will minimize the amount of mats needed for the wetland crossing(s).
3. Inspect mats prior to their re-use and remove any plant debris. Mats are to be thoroughly cleaned before re-use to prevent the spread of invasive plant species.
4. Impacts to wetland areas shall be minimized during installation, use, and removal of the mats.
5. Adequate erosion & sediment controls shall be installed at approaches to mats to promote a smooth transition to, and minimize sediment tracking onto, the mats.
6. In most cases, mats should be placed along the travel area so that the individual boards are resting perpendicular to the direction of traffic. No gaps should exist between mats. Place mats far enough on either side of the resource area to rest on firm ground.

d. A PCN is required for temporary fills in place >2 years. All temporary fills and disturbed soils shall be stabilized to prevent the material from eroding into waters of the U.S. where it is not authorized. Work shall include phased or staged development to ensure only areas under active development are exposed and to allow for stabilization practices as soon as practicable. Temporary fill must be placed in a manner that will prevent it from being eroded by expected high flows.

e. Activities that require unconfined temporary fill and are authorized for discharge into waters of the U.S. shall consist of material that minimizes effects to water quality.
f. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Materials shall be placed in a location and manner that does not adversely impact surface or subsurface water flow into or out of the wetland. Temporary fill authorized for discharge into wetlands shall be placed on geotextile fabric or other appropriate material laid on the pre-construction wetland grade where practicable to minimize impacts and to facilitate restoration to the original grade. Construction mats are excluded from this requirement.
g. Construction debris and deteriorated materials shall not be located in waters of the U.S.
h. Temporary fills, construction mats, and corduroy roads shall be entirely removed as soon as they are no longer needed to construct the authorized activity and the disturbed areas be restored to pre-construction contours and conditions.
i. Construction equipment, such as temporary barges in tidal waters, shall provide clearance above the substrate to avoid grounding onto the substrate during all tides.

23. Restoration of Wetland Areas.
a. Upon completion of construction, all disturbed wetland areas shall be stabilized with a wetland seed mix or plant plugs containing only plant species native to New England, and be appropriate for site conditions, including salinity and frequency of inundation, and shall not contain any species listed in the “Invasive and Other Unacceptable Plant Species” Appendix K of the New England District “Compensatory Mitigation Standard Operating Procedures” found at https://www.nae.usace.army.mil/Missions/Regulatory/Mitigation.aspx.
b. The introduction or spread of invasive plant species in disturbed areas shall be prevented and controlled. Equipment shall be thoroughly cleaned before and after project construction to prevent the spread of invasive species. This includes, but is not limited to, tire treads and construction mats.
c. In areas of authorized temporary disturbance, if trees are cut in USACE jurisdiction, they shall be cut at or above ground level and not uprooted in order to prevent disruption of any kind to the wetland soil structure and to allow stump sprouts to revegetate the work area, unless otherwise authorized.
d. 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.

24. Bank Stabilization.
a. Projects involving construction or reconstruction/maintenance of bank stabilization within USACE jurisdiction shall be designed to minimize environmental effects, effects to neighboring properties, scour, conversion of natural shoreline to hard armoring, etc. to the maximum extent practicable.
b. Projects involving the construction of new bank stabilization within USACE jurisdiction shall use bioengineering techniques and natural materials in the project design to the maximum extent practicable. Use of hard structures shall be eliminated or minimized unless the prospective permittee can demonstrate that use of bioengineering techniques is not practicable due to site conditions.
c. Where possible, bank stabilization projects shall optimize the natural function of the shoreline, including self-sustaining stability to attenuate flood flows, fishery, wildlife habitat and water quality protection, while protecting upland infrastructure from storm events that can cause erosion as well as impacts to public and private property.
d. No material shall be placed in excess of the minimum needed for erosion protection.
e. No material shall be placed in a manner that will be eroded by normal or expected high flows (properly anchored native trees and treetops may be used in low energy areas).

f. Native plants appropriate for current site conditions, including salinity, must be used for bioengineering or vegetative bank stabilization.
g. The activity must be properly maintained, which may require repairing it after severe storms or erosion events.

25. Soil Erosion and Sediment Controls.
a. Appropriate soil erosion and sediment controls[1] (hereinafter referred to as "controls") must installed prior to earth disturbance and maintained in effective operating condition during construction. Biodegradable wildlife friendly erosion controls should be used whenever practicable to minimize effects to water quality.
b. Activities in streams (rivers, streams, brooks, etc.) and tidal waters that are capable of producing sedimentation or turbidity should be done during periods of low-flow or no-flow, when the stream or tide is waterward of the work area. Controls may also be used to obtain dry work conditions (e.g., coffer dam, turbidity curtain). The prospective permittee must demonstrate in the project plans where the controls are proposed and how these controls would avoid and/or minimize turbidity or sedimentation.
c. A PCN is required for controls that encroach: i) >25% of the stream width measured from OHW in non-tidal diadromous streams from March 15 to June 30; or ii) >25% of the waterway width measured from MHW in tidal waters from Feb. 1 to June 30, or >50% of the waterway width measured from MHW in tidal waters from July 1 to Jan. 14. This is to protect upstream fish passage. Proponents must also maintain downstream fish passage throughout the project.
d. No dewatering shall occur with direct discharge to waters or wetlands. Excess water in isolated work areas shall be pumped or directed to a sedimentation basin, tank or other dewatering structures in an upland area adequately separated from waters or wetlands. Suspended solids shall be removed prior to discharge back into waters or wetlands from these dewatering structures. All discharge points back into waters and wetlands shall use appropriate energy dissipaters and erosion and sedimentation control BMPs.
e. Temporary controls shall be removed upon completion of work, but not until all exposed soil and other fills, as well as any work waterward of OHW or the HTL, are permanently stabilized at the earliest practicable date. Sediment and debris 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. Controls may be left in place if they are biodegradable and flows and aquatic life movements are not disrupted.

26. Aquatic Life Movements and Management of Water Flows.
a. 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. All permanent and temporary crossings of waterbodies and wetlands shall be:
   i. Suitably spanned, bridged, culverted, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species; and
   ii. Properly aligned and constructed to prevent bank erosion or streambed scour both adjacent to and inside the crossing.

[1] Appropriate soil erosion, sediment and turbidity controls include cofferdams, bypass pumping around barriers immediately up and downstream of the work footprint (i.e., dam and pump), installation of sediment control barriers (i.e., silt fence, vegetated filter strips, geotextile silt fences, filter tubes, erosion control mixes, hay bales or other devices) downhill of all exposed areas, stream fords, retention of existing vegetated buffers, application of temporary mulching during construction, phased construction, and permanent seeding and stabilization, etc.

b. To avoid adverse impacts on aquatic organisms, the low flow channel/thalweg shall remain unobstructed during periods of low flow, except when necessary to perform the authorized work.
c. For work in tidal waters, in-stream controls (e.g., cofferdams) should be installed in such a way as to not obstruct fish passage.
d. Riprap and other stream bed materials shall be installed in a manner that avoids organism entrapment in rock voids or water displaced to subterranean flow with crushed stone and riprap.
e. To the maximum extent practicable, the preconstruction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity shall not restrict or impede the passage of normal or high flows unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

27. Spawning, Breeding, and Migratory Areas.
a. Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., through excavation, fill, or downstream smothering by substantial turbidity) of an important spawning area are not authorized under these GPs.
b. Activities in waters of the U.S. that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.
c. The applicant is responsible for obtaining any “take” permits required under the USFWS’s regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The applicant should contact the appropriate local office of the USFWS to determine if such “take” permits are required for a particular activity.
d. Information on spawning habitat for species managed under the Magnuson-Stevens Fishery Conservation and Management Act (i.e., EFH for spawning adults) can be obtained from NAE Regulatory website, Essential Fish Habitat section, at: https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Massachusetts-General-Permit/.
e. Information regarding diadromous fish habitat can be obtained from the following DMF website at: https://www.mass.gov/info-details/massgis-data-diadromous-fish.

28. Vernal Pools.
a. A PCN is required if a discharge of dredged or fill material is proposed within a vernal pool depression that is also a water of the U.S.
b. Vernal pools must be identified on the plans that show aquatic resource delineations.
c. Adverse impacts to vernal pools shall be avoided & minimized to the maximum extent practicable.

29. Invasive Species.
a. The introduction, spread or the increased risk of invasion of invasive plant or animal species on the project site, into new or disturbed areas, or areas adjacent to the project site caused by the site work shall be avoided. Construction mats shall be thoroughly cleaned before reuse to avoid spread of invasive species.
b. Unless otherwise directed by USACE, all applications for PCN non-tidal projects proposing fill in USACE jurisdiction shall include an Invasive Species Control Plan. Additional information can be found at: https://www.nae.usace.army.mil/Missions/Regulatory/Invasive-Species/, https://www.nae.usace.army.mil/Missions/Regulatory/Mitigation/.

30. Fills Within 100-Year Floodplains. The activity shall comply with applicable Federal Emergency Management Agency (FEMA) approved, Massachusetts Emergency Management

Agency (MEMA) approved and/or local floodplain management requirements. Applicants should contact FEMA and/or MEMA regarding floodplain management requirements.

31. Stream Work and Crossings & Wetland Crossings.
a. When feasible, all temporary and permanent crossings of waterbodies and wetlands (hereinafter referred to as "crossings") shall conform to the "Massachusetts River and Stream Crossing Standards" located at: https://www.mass.gov/doc/massachusetts-river-and-stream-crossing-standards/download or https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Massachusetts-General-Permit/. Projects that do not conform to these guidelines shall be reviewed under PCN or IP procedures.
b. Crossings shall be suitably culverted, bridged, or otherwise designed to withstand and to prevent the restriction of high flows, to maintain existing low flows, maintain water quality, and not obstruct the movement of aquatic life indigenous to the waterbody beyond the duration of construction.
c. Crossings shall be installed in such a manner as to preserve hydraulic capacity and flow, sediment transport, and organism passage at its present level, between the wetlands on either side of the road. The applicant shall take necessary measures to correct any wetland damage resulting from deficiencies in hydraulic capacity, sediment transport and organism passage.
d. Stream crossings shall utilize a natural mixed grain-size streambed material composition that matches upstream and downstream substrates to create a stable streambed. Substrate should function appropriately during normal and high flows without washing out. If natural streambed material is not utilized, a PCN is required.
e. Activities involving open trench excavation in flowing waters require a PCN. Work should not occur in flowing waters (requires using management techniques such as temporary flume pipes, culverts, cofferdams, etc.). Normal flows should be maintained within the stream boundary's confines when practicable. Projects utilizing these management techniques must meet all applicable terms and conditions of the GP, including the GCs in Section IV.

32. Utility Line Installation and Removal
a. Subsurface utility lines must be installed at a sufficient depth to avoid damage from anchors, dredging, etc., and to prevent exposure from erosion and stream adjustment.
b. When utility lines are installed via horizontal directional drilling, a frac-out contingency plan shall be present on site for the duration of construction. As necessary, the applicant shall immediately contain, control, recover, and remove drilling fluids released into the environment.
c. Abandoned or inactive utility lines must be removed and faulty lines (e.g., leaking hazardous substances, petroleum products, etc.) must be removed or repaired. A written verification from the USACE is required if they are to remain in place, e.g., to protect sensitive areas or ensure safety.
d. Utility lines shall not adversely alter existing hydrology, and trenches cannot be constructed or backfilled in such a manner as to drain waters of the U.S. (e.g., backfilling with extensive gravel layers, creating a French drain effect). In wetland areas, structures such as ditch plugs, cut-off walls, clay blocks, bentonite, or other suitable material shall be used within utility trenches to ensure that the trench through which the utility line is installed does not drain waters of the U.S. including wetlands.
e. Stockpiling of tree debris, to the extent where it has the effect of fill material, shall not occur in waters of the U.S. Tree debris shall be removed from waters of the U.S. and placed in uplands without causing additional disturbance to aquatic resources. Failure to meet this condition could change the bottom elevation of the wetland and be considered a discharge of fill material, and depending on the area of alteration, may require a PCN or IP.

33. Water Supply Intakes. No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.

34. Coral Reefs. Impacts to coral reefs are not authorized under these GPs. Coral reefs consist of the skeletal deposit, usually of calcareous or silicaceous materials, produced by the vital activities of anthozoan polyps or other invertebrate organisms present in growing portions of the reef.

35. Blasting. Blasting in waters of the U.S. associated with work such as dredging, trenching, pile installation, etc. is not authorized under these GPs.

36. Inspections. The permittee shall allow USACE to make periodic inspections at any time deemed necessary to ensure that the work is being or has been performed in accordance with the terms and conditions of this permit. To facilitate these inspections, for activities requiring a PCN, the permittee shall complete and return the Certificate of Compliance when it is provided with a PCN verification letter. For SV-eligible activities, the permittee shall complete and submit the SVN to USACE within 30 days of initiating project construction, at which point, USACE may opt to inspect the activity to verify compliance with the terms and conditions of the GP. Post-construction engineering drawings may be required by USACE for completed work. This includes post-dredging survey drawings for any dredging work.

37. Maintenance. The permittee shall maintain the activity authorized by these GPs in good condition and in conformance with the terms and conditions of this permit. Some maintenance activities may not be subject to federal regulation under Section 404 in accordance with 33 CFR 323.4(a)(2). This condition is not applicable to maintenance of dredging projects. Prospective permittees should contact USACE to inquire about maintenance of dredging projects, and its eligibility under these GPs. Maintenance dredging is subject to the review thresholds in GP #7 as well as any conditions included in a written USACE authorization. Maintenance dredging includes only those areas and depths previously authorized and dredged.

38. Property Rights. Per 33 CFR 320.4(g)(6), these GPs do not convey any property rights, either in real estate or material, or any exclusive privileges, nor do they authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations.

39. Transfer of GP Verifications. When the work authorized by these GPs is still in existence at the time the property is transferred, the terms and conditions of these GPs, including any special conditions, will continue to be binding on the entity or individual who received the GP authorizations, as well as the new owner(s) of the property. If the permittee sells the property associated with a GP authorization, the applicant may transfer the GP authorization to the new owner by submitting a letter to USACE to validate the transfer. A copy of the GP authorization letter must be attached to the letter, and the letter must include the following statement: “The terms and conditions of these general permits, including any special conditions, will continue to be binding on the new owner(s) of the property.” This letter shall be signed by both the seller and new property owner(s).

40. Modification, Suspension, and Revocation. These GPs and any individual authorization issued thereof may be either modified, suspended, or revoked in whole or in part pursuant to the policies and procedures of 33 CFR 325.7; and any such action shall not be the basis for any claim for damages against the U.S.

41. Special Conditions. The USACE may impose other special conditions on a project authorized pursuant to these GPs that are determined necessary to minimize adverse navigational and/or environmental effects or based on any other factor of the public interest. Failure to comply with all conditions of the authorization, including special conditions, constitutes a permit violation and may subject the applicant to criminal, civil, or administrative penalties or restoration.

42. False or Incomplete Information. If USACE makes a determination regarding the eligibility of a project under these GPs, and subsequently discovers that it has relied on false, incomplete, or inaccurate information provided by the applicant, the authorization will not be valid, and the U.S. Government may institute appropriate legal proceedings.

43. Abandonment. If the permittee decides to abandon the activity authorized under these GPs, unless such abandonment is merely the transfer of property to a third party, he/she/they may be required to restore the area to the satisfaction of USACE.

44. Enforcement cases. These GPs do not apply to any existing or proposed activity in USACE jurisdiction associated with an on-going USACE or EPA enforcement action, until such time as the enforcement action is resolved or USACE or EPA determines that the activity may proceed independently without compromising the enforcement action.

45. Previously Authorized Activities.

a. Completed projects that received prior authorization from USACE (SV or PCN), shall remain authorized in accordance with the original terms and conditions of those authorizations, including their terms, GCs, and any special conditions provided in a written verification.

b. Activities authorized pursuant to 33 CFR 330.3 (activities occurring before certain dates) are not affected by these GPs.

46. Duration of Authorization.

These GPs expire on June 1, 2028. Activities authorized under these GPs will remain authorized until the GPs expire, unless 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). Activities authorized under GPs 1-25 that have either commenced (i.e., are under construction) or are under contract to commence in reliance upon this authorization will have until June 1, 2029 to complete the work. If requested by USACE, the permittee shall furnish documentation that demonstrates the project was under construction or under contract to commence by June 1, 2028. If work is not completed before June 1, 2029, the permittee must contact USACE. The USACE may issue a new authorization provided the project meets the terms and conditions of the MA GPs in effect at the time. Activities completed under the SV or PCN authorizations of these GPs will continue to be authorized after their expiration date.

SECTION V: MITIGATION STANDARDS

1. Mitigation Types

For all activities, applicants must (a) demonstrate how the project has been designed to avoid or minimize impacts to aquatic resources; and (b) describe measures taken to avoid or minimize impacts to aquatic resources through construction techniques and/or site access. Please see https://www.nae.usace.army.mil/Missions/Regulatory/Mitigation/ for assistance with preparing mitigation in accordance with the 2008 Compensatory Mitigation for Losses of Aquatic Resources; Final Rule (33 CFR 332.3), hereafter referred to as "2008 Mitigation Rule."

Avoidance - Avoidance of impacts (direct and indirect) to aquatic resources means that project activities would not result in the placement of fill material or installation of a structure that could impact the resource area. Avoidance can include, but is not limited to, designing the project to avoid impacts to all or a portion of the aquatic resource areas.

Minimization - Minimization of impacts (direct and indirect) to aquatic resources means that measures are taken to ensure the amount and duration of impacts are limited to the maximum extent practicable. There are many minimization measures that could be implemented, prior to, during, or after the proposed activity, to ensure impacts are minimized. Examples include, but are not limited to:

- Permanent preservation of avoided aquatic features and buffer zone, in perpetuity. In these cases, the preserved area would be under a conservation easement and managed by conservation oriented third-party manager.
- Utilization of best management practices (BMPs) to ensure impacts are limited, and do not result in adverse impacts to the integrity and long-term functions of preserved/avoided features.

Compensatory Mitigation - Compensatory mitigation is generally required for PCN activities in which the impacts to the aquatic resources have been avoided and minimized to the maximum extent practicable but would still result in unavoidable adverse effects to the environment that are considered more than minimal or are contrary to the public interest. *Whatever the case may be, compensatory mitigation is no substitute for avoidance and minimization.*

2. Thresholds for Compensatory Mitigation

The basic objective of compensatory mitigation in the USACE Regulatory Program is to offset environmental losses resulting from unavoidable impacts to waters of the U.S. authorized by Department of the Army permits. **The following compensatory mitigation thresholds apply to all PCN activities that result in loss[1] of the resource area types listed below. Activities[2] in waters of the U.S. associated with the restoration, enhancement, and establishment of tidal and non-tidal aquatic resources are not considered loss and are not subject to the thresholds below.** Thresholds for different resource areas may not be combined to exceed 5,000 SF of total loss of all waters. The USACE will continue to evaluate projects on a case-by-case basis, and may in some cases require compensatory mitigation below these thresholds (e.g. minor impacts that add to a cumulative loss).

[1] See definition of loss in Section VII.
[2] These activities must result in net increases in aquatic resource functions and services to be exempted from the thresholds above.

Compensatory Mitigation Thresholds in Massachusetts		
Resource Area	**Non-Tidal Threshold**	**Tidal Threshold**
Stream	200 LF	200 LF
Bank Stabilization	500 LF	500 LF
Open Water	Project Dependent	Project Dependent
Wetland	5,000 SF	500 SF
Vernal Pool	All	N/A
SAV	Project dependent	25 SF
Mudflat	N/A	1,000 SF
Intertidal	N/A	1,000 SF

These thresholds can be utilized to determine at what point compensatory mitigation is required but are not used to determine how much mitigation may be needed to offset impacts to resources. Per the 2008 Mitigation Rule (33 CFR 332.3(f)(1)) "the amount of required compensatory mitigation must be, to the extent practicable, sufficient to replace lost aquatic resource functions. In cases where appropriate functional or condition assessment methods or other suitable metrics are available, these methods should be used where practicable to determine how much compensatory mitigation is required. If a functional or condition assessment or other suitable metric is not used, a minimum one-to-one acreage or linear foot compensation ratios must be used."

3. Compensatory Mitigation Hierarchy

Compensatory mitigation should follow the hierarchy as outlined in 33 CFR 332.3(b)(2-6) or current regulation. This hierarchy in order of preference includes: (1) Mitigation Bank credits, (2) In-Lieu Fee program credits, (3) permittee-responsible mitigation under a watershed approach, (4) permittee-responsible mitigation through on-site and in-kind mitigation, and (5) permittee-responsible mitigation through off-site and/or out-of-kind mitigation. If the proposed mitigation deviates from this mitigation hierarchy, the applicant **must** justify in writing why the proposed mitigation is environmentally preferable to the preferred method of compensatory mitigation (See 2008 Mitigation Rule). **In order for your application to be considered complete, you must provide a statement that discusses how your project will compensate for the loss or impact to aquatic resources.** If you are proposing permittee responsible mitigation, the 12 components of a mitigation plan (33 CFR 332.4(c)(2-14) must be addressed for your application to be considered complete. Prospective applicants are encouraged to contact USACE with questions at any time. Addressing the 12 components of a mitigation plan is commensurate with the amount of compensatory mitigation required, and USACE can assist prospective applicants with the level of information needed to satisfy each component.

For activities resulting in the loss of marine or estuarine resources, permittee-responsible mitigation may be environmentally preferable if there are no mitigation banks or in-lieu fee programs in the area that have marine or estuarine credits available for sale or transfer to the permittee.

4. In-Lieu Fee (ILF)

The purchase of credits from the Massachusetts In-Lieu Fee Program (MA ILFP) is the ***preferred*** method of compensatory mitigation in Massachusetts since, as of the issuance date of this GP, there are no mitigation banks available in Massachusetts. The applicant shall develop a mitigation plan that addresses the baseline conditions at the impact site and the number of credits to be provided (see 33 CFR 332.4(c)(1)(ii)).

The MA ILFP is administered by the Massachusetts Department of Fish & Game (DFG) in accordance with the 2008 Mitigation Rule at 33 CFR 332. The Mitigation Rule governs in-lieu fee compensatory mitigation associated with USACE permits under §404 of the Clean Water Act and/or §9 or §10 of the Rivers and Harbors Act of 1899.

MA ILFP Website: https://www.mass.gov/in-lieu-fee-program

Acceptance of an ILF payment into the ILFP established by the 2014 MA ILFP Instrument (link below) is an acknowledgement by DFG that it assumes all legal responsibility for satisfying the mitigation requirements of the USACE (i.e., the implementation, performance, and long-term management and monitoring of the compensatory mitigation project(s) approved under this Instrument and subsequent Compensatory Mitigation Plans). This transfer of legal responsibility is established by: 1) the approval of this In-Lieu Fee Instrument; 2) receipt by the district engineer of a Notice of Credit Sale and Transfer of Legal Responsibility to DFG that is signed by the DFG and the permittee and dated; and 3) the transfer of fees from the permittee to DFG.

MA ILFP Fact Sheet: https://www.mass.gov/files/documents/2017/01/sj/ilfp-fact-sheet-ma-ilfp-fees.pdf

MA ILFP Instrument: https://www.mass.gov/files/documents/2016/08/nd/ilfp-final-instrument-dfg.pdf

5. Permittee-Responsible

The USACE may determine that the proposed permittee-responsible compensatory mitigation is appropriate on a case-by-case basis. As described in the Compensatory Mitigation Hierarchy section above, applicants must justify in writing why the proposed mitigation is environmentally preferable to the purchase of ILF credits. Applicants are encouraged to contact the USACE prior to submission of a permit application to seek further guidance regarding USACE mitigation requirements.

Applicants will demonstrate their proposed compensatory mitigation in writing by addressing the 12 components of a mitigation plan (33 CFR 332.4(c)(2-14). *Please note that all elements must be addressed, or the permit application will be deemed incomplete.* In certain circumstances, the district engineer may determine that prior approval of the final mitigation plan is not practicable or not necessary to ensure timely completion of the required compensatory mitigation (see 33 CFR 332.3(k)(3)). Guidance on how to address these components can be found on the New England District Mitigation webpage: https://www.nae.usace.army.mil/Missions/Regulatory/Mitigation/

Performance standards will be used to measure the successfulness of the mitigation project. A successful mitigation project is one that is self-sustaining. For a mitigation project that will restore, enhance, or create wetlands, proper performance standards must address hydrology, hydric soils, and hydrophytic vegetation. The mitigation proposal must include an explanation of quantitative methods used to measure the success of performance standards (i.e., percent cover may be measured using vegetation plots, hydrology may be measured using data loggers, soil cores may be taken and evaluated for hydric soil indicators).

Monitoring methods should include quantitative sampling methods following established, scientific protocols. Sampling documentation, as part of monitoring reports, should include maps and coordinates (also shapefiles, if available) showing locations of sampling points, transects, quadrats, etc. In addition, permanent photo stations should be established coincident with sampling locations.

SECTION VI: FEDERAL & STATE AGENCY CONTACT INFORMATION & ORGANIZATIONAL WEBSITES

Federal Agencies

U.S. Army Corps of Engineers
Regulatory Division
696 Virginia Road
Concord, Massachusetts 01742-2751
(978) 318-8338 (phone); (978) 318-8303 (fax)
www.nae.usace.army.mil/missions/regulatory

U.S. Army Corps of Engineers
Navigation Division – Section 408
696 Virginia Road
Concord, Massachusetts 01742-2751
See link below for contact information:
https://www.nae.usace.army.mil/Missions/Section-408/

National Marine Fisheries Service
55 Great Republic Drive
Gloucester, Massachusetts 01930
(978) 281-9300 (phone)
(*Federal endangered species & EFH)*

U.S. Fish & Wildlife Service
70 Commercial Street, Suite 300
Concord, New Hampshire 03301
(603) 223-2541 (phone)
(Federal endangered species)

National Park Service
15 State Street
Boston, Massachusetts 02109
(617) 223-5191 (phone)
(*Wild and Scenic Rivers*)

Bureau of Ocean and Energy Management
1849 C Street, NW
Washington D.C. 20240
202-208-6474 (phone)
(*Offshore Wind Facilities)*

Chief, Risk Analysis Branch
FEMA Region 1
99 High Street, 6th Floor
U.S. Department of Homeland Security
Boston, Massachusetts 02110
(617) 956-7576 (phone)

Commander (dpb)
First Coast Guard District
Battery Building
One South Street
New York, New York 10004-1466
(212) 514-4331 (phone); (212) 514-4337 (fax)
(*Bridge permits*)

U.S. Environmental Protection Agency
5 Post Office Square
Suite 100 (OEP06–3)
Boston, Massachusetts 02109-3912
(617) 918-1692 (phone)

State Agencies in Massachusetts

Massachusetts Department of Environmental Protection (MassDEP)	
DEP Division of Wetlands & Waterways	100 Cambridge Street, Suite 900 Boston, Massachusetts 02114 (617) 292-5695
Northeast Region	150 Presidential Way, Suite 300 Woburn, Massachusetts 01801 (978) 694-3200
Southeast Region	20 Riverside Drive, Route 105 Lakeville, Massachusetts 02347 (508) 946-2800
Central Region	8 New Bond Street Worcester, Massachusetts 01606 (508) 792-7650
Western Region	436 Dwight Street Springfield, Massachusetts 01103 (413) 784-1100

Massachusetts Office of Coastal Zone Management (CZM) Emails may be sent to: czm@mass.gov	
MA Office of Coastal Zone Management	100 Cambridge Street, Suite 900 Boston, Massachusetts 02114 (617) 626-1200
North Shore Region	2 State Fish Pier Gloucester, Massachusetts 01930 (978) 281-3972
South Shore Region	175 Edward Foster Road Scituate, Massachusetts 02066
Cape Cod and Islands Region	3195 Main Street, P.O. Box 220 Barnstable, MA 02630
South Coastal Region	81-B County Road, Suite E Mattapoisett, MA 02739

Massachusetts Historical Commission (MHC)	
Office Location:	220 Morrisey Boulevard Boston, Massachusetts 02125 (617) 727-8470

Massachusetts Board of Underwater Archaeological Resources (BUAR) Emails may be sent to: david.s.robinson@mass.gov	
Office Location:	100 Cambridge Street, Suite 900 Boston, Massachusetts 02114 (617) 626-1014

SECTION VII: Definitions & Acronyms

Artificial or Living Reef: A structure which is constructed or placed in waters for the purpose of enhancing fishery resources and commercial and recreational fishing opportunities.
Attendant Features: Occurring with or as a result of; accompanying.
Biodegradable: A material that decomposes into elements found in nature within a reasonably short period of time and will not leave a residue of plastic or a petroleum derivative in the environment after degradation. In contrast, degradable plastics break down into plastic fragments that remain in the environment after degradation. Examples of biodegradable materials include jute, sisal, cotton, straw, burlap, coconut husk fiber (coir) or excelsior. In contrast, degradable plastics break down into plastic fragments that remain in the environment after degradation. Photodegradable, UV degradable or Oxo-(bio)degradable plastics are not considered biodegradable under this GP.
Boating facilities: These provide, rent or sell mooring space, such as marinas, yacht clubs, boat yards, dockominiums, municipal facilities, land/home owners, etc. Not classified as boating facilities are piers shared between two abutting properties or municipal mooring fields that charge an equitable user fee based on the actual costs incurred.
Compensatory mitigation: The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved. Must comply with the applicable provisions of 33 CFR 332. See also the New England District Compensatory Mitigation Guidance at http://www.nae.usace.army.mil/Missions/Regulatory/Mitigation.aspx.
Construction mats: Constructions, swamp and timber mats (herein referred to as “construction mats”) are generic terms 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. A timber mat consists of large timbers bolted or cabled together. Corduroy roads, which are not considered to be construction mats, are cut trees and/or saplings with the crowns and branches removed, and the trunks lined up next to one another. Corduroy roads are typically installed as permanent structures. Like construction mats, they are considered as fill whether they are installed temporarily or permanently.
Cumulative Impacts: The impact on the environment, which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.1). Although the impact of a particular discharge may constitute a minor change in itself, the cumulative effect of numerous such piecemeal changes can result in a major impairment of the water resources and interfere with the productivity and water quality of existing aquatic ecosystems. See 40 CFR 230.11(g).
Currently serviceable: Useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.
Dredging:
Improvement Dredging: For the purposes of these GPs, this is dredging deeper than previously authorized by the USACE and dredged under that authorization.
Maintenance Dredging: For the purposes of these GPs, this is dredging from an area previously authorized by the USACE and dredged under that authorization. The USACE may require proof of authorization and dredging. Maintenance dredging typically refers to the routine removal of accumulated sediment to maintain the design depths of serviceable navigation channels, harbors, marinas, boat launches and port facilities. Maintenance dredging is conducted for navigational purposes and does not include any expansion of the previously dredged area. The USACE may

review a maintenance dredging activity as new dredging if sufficient time has elapsed to allow for the colonization of SAS, shellfish, etc.
New Dredging: For the purposes of these GPs, this is a) first time the USACE authorizes dredging of a particular location or b) dredging has not occurred for an extended period of time, and this has allowed for aquatic resources (i.e., eelgrass, shellfish, etc.) to redevelop in the area.
Dredged material & discharge of dredged material: These are defined at 33 CFR 323.2(c) and (d). The term dredged material means material that is excavated or dredged from waters of the U.S.
Enhancement: The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s) but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.
Ephemeral stream: A stream with flowing water only during, and for a short duration, after precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.
Erosion Controls: Appropriate soil erosion, sediment and turbidity controls include cofferdams, bypass pumping around barriers immediately up and downstream of the work footprint (i.e., dam and pump), installation of sediment control barriers (i.e., silt fence, vegetated filter strips, geotextile silt fences, filter tubes, erosion control mixes, hay bales or other devices) downhill of all exposed areas, stream fords, retention of existing vegetated buffers, application of temporary mulching during construction, phased construction, and permanent seeding and stabilization, etc.
Establishment (creation): The manipulation of the physical, chemical, or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area (33 CFR 332.2).
Expansions: Work that increases the footprint of fill, structures, depth of basin or drainage features, or floats, or slip capacity.
Essential Fish Habitat (EFH): The Federal Magnuson-Stevens Fishery Management and Conservation Act broadly defines EFH to include those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity. See www.greateratlantic.fisheries.noaa.gov/habitat for more information.
Fill material & discharge of fill material: Material placed in waters of the U.S. where the material has the effect of either replacing any portion of a water of the U.S. with dry land or changing the bottom elevation of any portion of a water of the U.S. Fill material does not include any pollutant discharged into the water primarily to dispose of waste. These are defined at 33 CFR 323.2 (e) & (f).
Federal navigation projects (FNPs): These areas are maintained by the USACE; authorized, constructed and maintained on the premise that they will be accessible and available to all on equal terms; and comprised of USACE Federal anchorages, Federal channels and Federal turning basins. The buffer zone is equal to three times the authorized depth of a FNP. The following are FNPs in MA and more information, including the limits, is provided at www.nae.usace.army.mil/missions/navigation >> Navigation Projects:

- Andrews River, Harwich, MA
- Aunt Lydia's Cove
- Beverly Harbor
- Boston Harbor
- Buttermilk Bay Channel
- Canapitsit Channel
- Cape Cod Canal
- Chatham Harbor
- Cohasset Harbor
- Cross Rip Shoals, Nantucket Sound
- Cuttyhunk Harbor
- Dorchester Bay and Neponset River
- Duxbury Harbor
- Edgartown Harbor
- Essex River
- Fall River Harbor
- Falmouth Harbor
- Gloucester Harbor and Annisquam River
- Green Harbor
- Hingham Harbor
- Hyannis Harbor
- Ipswich River
- Island End River (Chelsea, MA)
- Kingston Harbor
- Lagoon Pond
- Little Harbor Woods Hole

Lynn Harbor
Malden River
Menemsha Creek
Merrimack River
Mystic River
Nantucket Harbor of Refuge
New Bedford and Fairhaven Harbor
Newburyport Harbor
Oak Bluffs Harbor
Pigeon Cove Harbor
Plymouth Harbor
Pollock Rip Shoals, Nantucket Sound
Provincetown Harbor
Red Brook Harbor
Rockport Harbor
Salem Harbor
Sandy Bay Harbor of Refuge
Saugus River
Scituate Harbor
Sesuit Harbor
Taunton River
Vineyard Haven Harbor
Wareham Harbor
Wellfleet Harbor
Westport River and Harbor
Weymouth Back River
Weymouth Fore and Town Rivers
Winthrop Harbor
Woods Hole Channel

Flume: An open artificial water channel, in the form of a gravity chute, which leads water from a diversion dam or weir alongside a natural flow. A flume can be used to measure the rate of flow.
FNP buffer zone: The buffer zone of a USACE Federal Navigation Project (FNP) is equal to three times the authorized depth of the FNP.
Frac out: During horizontal directional drilling (HDD) operations, drilling fluid travels up the borehole into a pit. When the borehole becomes obstructed or the pressure becomes too great inside the borehole, the ground fractures and fluid escapes to the surface and may affect surface waters.
Ground disturbance: Any activity that compacts, relocates, overturns, removes, mixes, or otherwise disturbs the ground, including under water. Ground disturbance can be caused by the use of hand tools (shovels, pick axe, posthole digger, etc.), heavy equipment (excavators, backhoes, bulldozers, dredgers, trenching and earthmoving equipment, etc.), and heavy trucks (large four wheel drive trucks, dump trucks and tractor trailers, etc.). Trenching, bulldozing, dredging, excavating, scraping, and plowing are typical examples of ground disturbance activities.
Height:width ratio: 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.
High Tide Line (HTL): The line of intersection of the land with the water's surface at the maximum height reached by a rising tide. The high tide line may be determined, in the absence of actual data, by a line of oil or scum along shore objects, a more or less continuous deposit of fine shell or debris on the foreshore or berm, other physical markings or characteristics, vegetation lines, tidal gages, or other suitable means that delineate the general height reached by a rising tide. The line encompasses spring high tides and other high tides 58 that occur with periodic frequency but does not include storm surges in which there is a departure from the normal or predicted reach of the tide due to the piling up of water against a coast by strong winds. (33 CFR 328). Refer to the highest predicted tide for the current year at the nearest NOAA tide gage. https://tidesandcurrents.noaa.gov/map/index.html
Historic Property: Any prehistoric or historic site (including archaeological sites), district, building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).
Impacts:
Direct Impacts: Effects that are caused by the activity and occur at the same time and place (40 CFR 1508.7).
Indirect impacts: Effects that are caused by the activity and are later in time or farther removed in distance, but are still reasonably foreseeable.
Secondary impacts: Effects on an aquatic ecosystem that are associated with a discharge of dredged or fill materials, but do not result from the actual placement of the dredged or fill material.

Information about secondary effects on aquatic ecosystems shall be considered prior to the time final section 404 action is taken by permitting authorities. Some examples of secondary effects on an aquatic ecosystem are: aquatic areas drained, flooded, fragmented; fluctuating water levels in an impoundment and downstream associated with the operation of a dam; septic tank leaching and surface runoff from residential or commercial developments on fill; and leachate and runoff from a sanitary landfill located in waters of the U.S. See 40 CFR 230.11(h).

Incidental Fallback: Incidental fallback is the redeposit of small volumes of dredged material that is incidental to excavation activity in waters of the U.S. when such material falls back to substantially the same place as the initial removal (33 CFR 323.2(d)(2)(iii)).

In the dry: Work that is done under dry conditions, e.g., work behind cofferdams or when the stream or tide is waterward of the work.

Independent utility: A test to determine what constitutes a single and complete non-linear project in the USACE 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.

Individual permit: A Department of the Army authorization that is issued following a case-by-case evaluation of a specific structure or work in accordance with the procedures of 33 CFR 322, or a specific project involving the proposed discharge(s) in accordance with the procedures of 33 CFR 323, and in accordance with the procedures of 33 CFR 325 and a determination that the proposed discharge is in the public interest pursuant to 33 CFR 320.

Intermittent stream: An intermittent stream has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

Intertidal: The area in between mean low water and the high tide line.

Living reef: See the definition of “artificial or living reef.”

Living shoreline: A term used to describe a low-impact approach with a substantial biological component to shoreline protection and restoration along coastal shores, riparian zones, lacustrine fringe wetlands, or oyster or mussel reef structures. This approach integrates natural features to restore, enhance, maintain, or create habitat, functions, and processes while also functioning to mitigate flooding or shoreline erosion. Living shorelines may stabilize banks and shores with small fetch and gentle slopes that are subject to low-to mid-energy waves. A living shoreline has a footprint that is made up mostly of native material. It incorporates vegetation or other living, natural “soft” elements alone or in combination with some type of harder shoreline structure (e.g., oyster or mussel reefs or rock sills) for added protection and stability. Living shorelines should maintain the natural continuity of the land-water interface and retain or enhance shoreline ecological processes.

Loss of waters of the United States: Waters of the U.S. that are permanently adversely affected by filling, flooding, excavation, or drainage because of the regulated activity. The loss of stream bed includes the acres of stream bed that are permanently adversely affected by filling or excavation because of the regulated activity. Permanent adverse effects include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody. The acreage of loss of waters of the U.S. is a threshold measurement of the impact to jurisdictional waters or wetlands for determining whether a project may qualify for a GP; it is not a net threshold that is calculated after considering compensatory mitigation that maybe used to offset losses of aquatic functions and services. Waters of the U.S. temporarily filled, flooded, excavated, or drained, but restored to pre-construction contours and elevations after construction, are not included in the measurement of loss of waters of the U.S. Impacts resulting from activities that do not require Department of the Army authorization, such as activities eligible for exemptions under section 404(f) of the Clean Water Act, are not considered when calculating the loss of waters of the U.S.

Maintenance: The repair, rehabilitation, or in-kind replacement of any previously authorized, currently serviceable structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3 – "Activities occurring before certain dates," provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Maintenance includes 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 that are necessary to make repair, rehabilitation, or replacement are authorized. Currently serviceable means useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.
Maintenance Exemption: In accordance with 33 CFR 323.4(a)(2), any discharge of dredged or fill material that may result from any of the following activities is not prohibited by or otherwise subject to regulation under Section 404 of the CWA: "Maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, bridge abutments or approaches, and transportation structures. Maintenance does not include any modification that changes the character, scope, or size of the original fill design."
Mean high water: Line on the shore reached by the plane of the average high water. Where precise determination of the actual location of the line becomes necessary, it must be established by survey with reference to the available tidal datum, preferably averaged over a period of 18.6 years. Less precise methods, such as observation of the "apparent shoreline" which is determined by reference to physical markings, lines of vegetation, or changes in type of vegetation, may be used only where an estimate is needed of the line reached by the mean high water.
Mechanized land clearing: Land clearing activities using mechanized equipment such as backhoes or bulldozers with sheer blades, rakes or discs constitute point source discharges and are subject to section 404 jurisdiction when they take place in wetlands or waters of the U.S (Regulatory Guidance Letter 90-05).
Metallic mineral: Any ore or material to be excavated from the natural deposits on or in the earth for its metallic mineral content to be used for commercial or industrial purposes. "Metallic mineral" does not include thorium or uranium.
Minor deviations: 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.
Natural Rocky Habitats: Intertidal and subtidal substrates of pebble-gravel, cobble, boulder, or rock ledge and outcrops. Manufactured stone (e.g., cur or engineered riprap) is not considered a natural rocky habitat. Natural rocky habitats are either found as pavement (consolidated pebble-gravel, cobble, or boulder areas) or as a mixture with fines (i.e., clay and sand) and other substrates. Rocky habitats as EFH are defined as follows: (1) All pebble-gravel, cobble, or boulder pavements; (2) Pebble-gravel mixed with fines: mixed substrate of pebble-gravel and fines where pebble-gravel is an evident component of the substrate (either through visual observation or within sediment samples). Sediment samples with a content of 10% or more of pebble-gravel in the top layer (6-12 inches) should be delineated; (3) Scattered cobble, scattered boulder, scattered cobble/boulder: mixed substate of cobble and/or boulder and other substrates. The aerial extent of cobbles and/or boulders should be delineated; and (4) All rock ledge outcrops: area should be delineated along the edge of the ledge/outcrop (as defined by NMFS Habitat and Ecosystems Services Branch, Gloucester, MA).
Navigable waters or Navigable waters of the U.S.: These waters are subject to section 10 of the Rivers and Harbors Act of 1899 and are defined as those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce (33 CFR Part 329). Work or structures in navigable

waters require permits pursuant to §9 and §10 of the Rivers and Harbors Act of 1899. Also see the definition of “waters of the U.S.” below.
Note: Currently the following non-tidal waters have been determined to be navigable waters of the U.S. subject to permit jurisdiction in Massachusetts: Merrimack River, Connecticut River, and Charles River to the Watertown Dam.
Nearshore disposal: This is defined in the USACE Coastal Engineering Manual as “(1) In beach terminology an indefinite zone extending seaward from the shoreline well beyond the breaker zone. (2) The zone which extends from the swash zone to the position marking the start of the offshore zone, typically at water depths of the order of 20m.” A nearshore berm is an artificial berm built in shallow water using dredged material. Often, the berm is intended to renourish the adjacent and downdrift shore over time under the influence of waves and currents.
Non-regulated activity: Only structures or fills that were previously authorized and are in compliance with the terms and condition of the original authorization can be maintained as a non-regulated activity under 33 CFR 323.4(a)(2). Minor deviations from the previously authorized footprint do not qualify as a non-regulated activity and require new authorization from the USACE. The state’s maintenance provisions may differ from the USACE and a project may require reporting and written authorization from the state.
Non-tidal wetlands: A non-tidal wetland is a wetland that is not subject to the ebb and flow of tidal waters. Non-tidal wetlands contiguous to tidal waters are located landward of the HTL (*i.e.,* spring HTL). Also see the definition of “Waters of the U.S.” below.
Oil or natural gas pipeline: Any pipe or pipeline for the transportation of any form of oil or natural gas, including products derived from oil or natural gas, such as gasoline, jet fuel, diesel fuel. heating oil, petrochemical feedstocks, waxes, lubricating oils, and asphalt.
Ordinary High Water Mark (OHWM): A line on the shore established by the fluctuations of water and indicated by physical characteristics, or by other appropriate means that consider the characteristics of the surrounding areas. See 33 CFR 328.3(e).
Overall project: The overall project, for purposes of these GPs, includes all regulated activities that are reasonably related and necessary to accomplish the project purpose. Also see the definition of “single and complete linear project.”
Perennial stream: A perennial stream has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.
Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.
Permanent impacts: Permanent impacts means waters of the U.S. that are permanently affected by filling, flooding, excavation, or drainage because of the regulated activity. Permanent impacts include permanent discharges of dredged or fill material that change an aquatic area to dry land, increase the bottom elevation of a waterbody, or change the use of a waterbody.
Preconstruction notification (PCN): A request submitted by the applicant to the USACE for confirmation that a particular activity is authorized by these GPs. The request may be a permit application, letter, or similar document that includes information about the proposed work and its anticipated environmental effects. Preconstruction notification may be required by the terms and conditions of these GPs. A PCN may be voluntarily submitted in cases where PCN is not required and the applicant wants confirmation that the activity is authorized under these GPs.
Preservation: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions (33 CFR 332.2).
Real estate subdivision: Includes circumstances where a landowner or developer divides a tract of land into smaller parcels for the purpose of selling, conveying, transferring, leasing, or

developing said parcels. This would include the entire area of a residential, commercial or other real estate subdivision, including all parcels and parts thereof

Reconfiguration zone: A USACE authorized area in which permittees may rearrange pile-supported structures and floats without additional authorizations. A reconfiguration zone does not grant exclusive privileges to an area or an increase in structure or float area.

Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/ historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in again in aquatic resource area and functions (33 CFR 332.2).

Reference Site: Reference sites - Compensatory restoration, rehabilitation, and creation mitigation projects should seek to duplicate the features of reference aquatic resources or enhance connectivity with adjacent natural upland and aquatic resource landscape elements. Performance standards related to reference sites are encouraged. Mitigation project sites must be selected based on their ability to be, and continue to be, resistant to disturbance from the surrounding landscape, by locating them adjacent to refuges, buffers, green spaces, and other preserved natural elements of the landscape. In general, aquatic resource mitigation projects must be designed to be self-sustaining, natural systems within the landscape and climate in which they are located, with little or no ongoing maintenance and/or hydrologic manipulation.

Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area (33 CFR 332.2).

Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: re-establishment and rehabilitation (33 CFR 332.2).

Riffle and pool complex: Riffle and pool complexes are special aquatic sites under the 404(b)(1) Guidelines. Riffle and pool complexes sometimes characterize steep gradient sections of streams. Such stream sections are recognizable by their hydraulic characteristics. The rapid movement of water over a course substrate in riffles results in a rough flow, a turbulent surface, and high dissolved oxygen levels in the water. Pools are deeper areas associated with riffles. A slower stream velocity, a streaming flow, a smooth surface, and a finer substrate characterize pools.

Sedimentation: Sedimentation is defined as the process of deposition of a solid material from a state of suspension. Deposited sediments may accumulate and have temporal impacts to aquatic resource areas. See secondary effects definition above. For the purposes of this document, “greater than minimal sedimentation” is generally not considered to occur when using proper erosion controls (GC 25) or when sedimentation is considered “de minimis” 33 CFR 323.2(d)(5).

Single and complete linear project: A linear project is a project constructed for the purpose of getting people, goods, or services from a point of origin to a terminal point, which often involves multiple crossings of one or more waterbodies at separate and distant locations. The term “single and complete project” is defined as that portion of the total linear project proposed or accomplished by one owner/ developer or partnership or other association of owners/developers that includes all crossings of a single water of the U.S. (i.e., a single waterbody) at a specific location. For linear projects crossing a single or multiple waterbodies several times at separate and distant locations, each crossing is considered a single and complete project for the purposes of these GPs. 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, and crossings of such features cannot be considered separately.

Single and complete non-linear project: For non-linear projects, the term “single and complete project” is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. A single and complete

non-linear project must have independent utility (see the definition of “independent utility”). Single and complete non-linear projects may not be “piecemealed” to avoid the limits in a GP authorization.
Special aquatic sites (SAS): These include inland and saltmarsh wetlands, mud flats, vegetated shallows, sanctuaries and refuges, coral reefs, and riffle and pool complexes. These are defined at 40 CFR 230.3 and listed in 40 CFR 230 Subpart E.
Streambed: The stream substrate between the OHW marks on each side. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the streambed, but outside of the OHW marks, are not considered part of the streambed.
Stream channelization: The manipulation of a stream’s course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized stream remains a water of the U.S.
Structure: An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.
Temporal loss: The time lag between the loss of aquatic resource functions caused by the permitted impacts and the replacement of aquatic resource functions at the compensatory mitigation site(s) (33 CFR 332.2).
Temporary impacts: Temporary impacts include, but are not limited to, jurisdictional waters that are temporarily filled, flooded, excavated, or drained because of the regulated activity. Impacts are considered temporary when they are removed immediately upon completion of the activity. Note: An impact is considered temporary when the aquatic resource is restored to pre-project conditions, but effects to archaeological and/or cultural resources may be permanent in duration.
Tidal wetlands: A wetland that is subject to the ebb and flow of the tide. See the definition of “Waters of the U.S.” below.
Tide gates: Structures such as duckbills, flap gates, manual and self-regulating tide gates, etc. that regulate or prevent upstream tidal flows.
Turbidity: A measure of the level of particles such as sediment, plankton, or organic by-products, in a body of water. As the turbidity of water increases, it becomes denser and less clear due to a higher concentration of these light-blocking particles. Suspended solids are more likely to carry toxic chemicals, and can also negatively affect aquatic organisms, water temperature, and dissolved oxygen levels.
Utility line: Any pipe or pipeline for the transportation of any gaseous, liquid, liquescent, or slurry substance, for any purpose that is not oil, natural gas, or petrochemicals. A utility line also includes any cable, line, or wire for the transmission for any purpose of electrical energy, telephone, and telegraph messages, and radio and television communication. The term ‘utility line’ does not include activities that drain a water of the U.S., such as drainage tile or French drains, but it does apply to pipes conveying drainage from another area.
Vegetated shallows: Permanently inundated areas that under normal circumstances support communities of rooted aquatic vegetation, such as eelgrass *(Zostera marina)* and widgeon grass (*Rupia maritima*) in marine systems (does not include salt marsh) as well as a number of freshwater species in rivers and lakes. These are a type of SAS defined at 40 CFR 230.43. Vegetated shallows are commonly referred to as submerged aquatic vegetation or SAV. Vegetated shallow survey guidance is located at www.nae.usace.army.mil/missions/regulatory /jurisdiction-and-wetlands. Maps of vegetated shallows in Massachusetts are located at www.nae.usace.army.mil/missions/regulatory/state-general-permits/massachusetts-general-permit.
Vernal pools: For the purposes of these GPs, vernal pools are depressional wetland basins that typically dry up in most years and may contain inlets or outlets, typically of intermittent flow. Vernal pools range in both size and depth depending upon landscape position and parent material(s). In

most years, vernal pools support one or more of the following obligate indicator species: wood frog, spotted salamander, blue-spotted salamander, marbled salamander, Jefferson's salamander and fairy shrimp. However, they should preclude sustainable populations of predatory fish.

Water diversions: Water diversions are activities such as bypass pumping (e.g., "dam and pump") 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.

Waters of the United States (U.S.) These waterbodies are the waters where permits are required for the discharge of dredged or fill material pursuant to §404 of the CWA. These waters include but are not limited to navigable waters of the U.S. and tidal wetlands and include many non-tidal wetlands and other waterbodies. See definitions for navigable waters of the U.S., tidal wetlands, waterbody, and non-tidal wetlands. (33 CFR 328)

Waterbody: Examples of "waterbodies" include oceans, coastal waters, rivers, streams, ditches, lakes, ponds, and wetlands. If a wetland is adjacent to a waterbody determined to be a water of the U.S., that waterbody and any adjacent wetlands are considered together as a single aquatic unit (see 33 CFR 328.4(c)(2)).

Weir: A barrier across a river designed to alter the flow characteristics. In most cases, weirs take the form of a barrier, smaller than most conventional dams, across a river that causes water to pool behind the structure and allows water to flow over the top. Weirs are commonly used to alter the flow regime of a river, prevent flooding, measure discharge and help render a river navigable.

Wetland: Wetlands are areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The Corps of Engineers Wetlands Delineation Manual in conjunction with the associated regional supplement should be used to determine if a wetland is present and delineate wetland boundaries.

Acronyms

BMPs	Best Management Practices
BUAR	Massachusetts Board of Underwater Archaeological Resources
CWA	Clean Water Act
CZM	Coastal Zone Management
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
EFH	Essential Fish Habitat
FNP	Federal Navigation Project
GC	General Condition
GP	General Permit
HTL	High Tide Line
IP	Individual Permit
LID	Low impact development
MassDEP	Massachusetts Department of Environmental Protection
MA DMF	Massachusetts Division of Marine Fisheries
MHC	Massachusetts Historical Commission
MHW	Mean High Water
MLLW	Mean Lower Low Water
MLW	Mean Low Water
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
OHW	Ordinary High Water Mark
PCN	Preconstruction Notification
SAS	Special Aquatic Sites
SF	Square Feet
SV	Self-Verification
SHPO	State Historic Preservation Officer
THPO	Tribal Historic Preservation Officer
USFWS	U.S. Fish and Wildlife Service
USCG	U.S. Coast Guard
USFS	U.S. Forest Service
USGS	U.S. Geological Service
WQC	Water Quality Certification

Appendix A: Guidance for NHPA Section 106 Compliance in Massachusetts

1. Purpose & Applicability

Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA) (54 U.S.C § 306108), requires Federal agencies to take into account the effects of their undertakings on Historic Properties and afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. Therefore, in order for an activity to be eligible for authorization under the 2023 Massachusetts General Permit, the USACE must consider the effect the activity may have on historic properties. Historic properties may include, but are not limited to, historic districts, archaeological districts, sites, buildings, structures, objects, sacred sites, traditional cultural places, and traditional cultural landscapes that are included in, or eligible for inclusion in, the National Register of Historic Places (NRHP).

This guidance applies to projects that require authorization under Section 404 of the Clean Water Act (33 U.S.C. § 1344) and/or Section 10 of the Rivers and Harbors Act (33 U.S.C. §403) and will assist applicants when evaluating and documenting the presence of historic properties within or near their project site(s). The prospective applicant will evaluate their proposed project using the criteria below to determine if their project has the potential to affect historic properties and if so, whether or not historic properties are present or are likely to be present. All activities authorized under these GPs shall follow the terms outlined in General Condition 14: Historic Properties and General Condition 6: Tribal Rights & Burial Sites. Prospective applicants shall complete their due diligence according to the procedures below for their application to be deemed complete.

2. No Potential to Affect Historic Properties

Certain activities do not have the potential to cause effects on historic properties, assuming such historic properties were present, based on the nature of the activity and site-specific conditions. Therefore, these activities **do not** require historic property identification efforts or notification of the SHPO, THPOs, and/or BUAR under Section 106. The USACE has determined the following activities within the stated parameters have no potential to affect historic properties:

General Permit	Activity Parameters
1	Temporary buoys, markers and similar structures that are placed during winter events on ice and removed before spring thaw.
2	Repair or rehabilitation of structures that are less than 45 years in age. Any temporary structures or fills or work necessary to complete repairs or rehabilitation must not result in any ground disturbance.
3	Maintenance and replacement of moorings that are less than 45 years in age.
6	Maintenance, repair, replacement, or removal of utility lines, oil or natural gas pipelines, outfall or intake structures, and/or appurtenant features that are less than 45 years in age when all access, staging, and ground disturbance is strictly limited to previously disturbed areas (including any previous ground disturbance). Replacement must be in kind or smaller in size. Installation of tide gates on outfall structures that are less than 45 years in age.
7	Maintenance dredging of previously dredged areas where dredging does not extend beyond the original bottom elevations.

	Disposal of dredged material at an existing established and USACE-approved confined aquatic disposal cell. Beach nourishment in ongoing existing nourishment areas.
11	Fish and wildlife harvesting and attraction devices and activities.
13	Cleanup of hazardous and toxic waste materials, including contaminated sediments, that are less than 45 years in age.
16	Removal of land-based and water-based renewable energy generation facilities and hydropower projects that are less than 45 years in age.
18	Installation of buoys, floats, racks, trays, nets, lines, tubes, containers, and other structures for previously authorized by the USACE and ongoing aquaculture activities. Discharges of dredged or fill material into tidal or non-tidal waters necessary for shellfish seeding, rearing, cultivating, transplanting, and harvesting activities for previously authorized and ongoing aquaculture activities.
20	Maintenance activities for existing living shorelines excluding maintenance activities that require new ground disturbance such as excavation or re-sloping of the bank/shoreline.
22	Reshaping or maintenance of existing drainage ditches less than 45 years in age excluding ditch enlargement.
23	Placement of temporary and removable linear transportation and wetland/stream crossings that have no ground disturbance prior to placement, during placement, and during removal (i.e., placed on the surface and subsequently removed within one year of placement).
24	Placement of temporary and removable crossings and cofferdams that have no ground disturbance prior to placement, during placement, and during removal (i.e., placed on the surface and subsequently removed within one year of placement).
25	Emergency repair of existing structures and/or fills less than 45 years in age.

3. Historic Property Identification

If the activity does not fit under the criteria above, the following historic property identification efforts must be completed to demonstrate compliance with Section 106 of the NHPA. This includes documenting previously identified and unidentified historic properties in the project area.

a. Previously Identified Historic Properties: The prospective applicant shall document if previously identified historic properties are present on or adjacent to the project site by notifying the Massachusetts Historical Commission (MHC) and the Massachusetts Board of Underwater Archaeological Resources (BUAR), as appropriate, of the proposed project. The MHC and BUAR will check their records for the presence of any previously identified historic properties. The following outlines how prospective applicants should notify the MHC and BUAR.

i. The prospective applicant will notify the SHPO and BUAR to identify any previously recorded cultural resources. Applicants shall mail a completed Project Notification Form[18], project narrative, location (coordinates), plans, soil maps, and information on known cultural resources to the MHC. The MHC does not accept submissions via email. Applicants shall email or mail this information to the BUAR when the activity is located in lakes, ponds, rivers, and/or navigable waters in MA. Emailed file attachments should be <10MB. Any files >10MB shall be delivered via a file exchange system or the hard copy documents shall be mailed. Preferred contact information is listed below.

ii. **When sending this information, applicants must also document proof of receipt OR proof the information was delivered.** Proof of receipt constitutes a certified mail receipt, read email receipt, or other mail/email/online tracking services that document the information has reached the intended recipient(s). Proof the information was delivered constitutes a certificate of mailing, email delivery receipt, or other mail/email/online services that document the information was sent at a particular time. When using proof of delivery such (e.g., certificate of mailing), applicants should add 5 days to the 30-day notification period so the mail has time to reach its intended recipient. When using proof of receipt, the applicant may begin the 30-day notification period from the date received by the intended recipient.

iii. When mailing or emailing the application materials, applicants should include the following statement: “Please send responses to this notification directly to the USACE via email: cenae-r-ma@usace.army.mil or address regular mail responses to: Regulatory Division, U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, Massachusetts 01742-2751.” Email responses to the USACE are strongly preferred. The SHPO and BUAR will contact the USACE and cc the applicant(s) within 30 days of receiving the notification if their records indicate that historic properties are located in the project vicinity, and if additional review and/or surveys are recommended to ensure NHPA compliance. If the SHPO and/or BUAR do not respond within 30 days of receiving the notification, is it presumed that no known historic properties are present.

b. Previously Unidentified Historic Properties: The prospective applicant shall evaluate the project site and determine the sensitivity for the presence of historic properties if the project site has not been previously surveyed for cultural resources within the last 10 years. If the sensitivity is determined to be moderate to high, an intensive archaeological and/or architectural survey is required to investigate the potential presence of historic properties. The individual conducting this survey must meet the Secretary of the Interior’s Standards for Professional Qualifications (48 FR 44738-44739) in the discipline relevant to a particular resource type. For example, archeologists should not document and evaluate buildings or structures and architectural historians should not document and evaluate archaeological sites. The identification and qualifications for those participating in any survey and evaluation of resources should be included with the survey results. The criteria listed below are indicators of low sensitivity for the presence of historic properties for consideration when determining if an archaeological or architectural survey is needed.

Low sensitivity indicators:

- Previous archaeological and/or architectural survey within the last 10 years with negative results.
- In a location created in modern times (i.e., built on fill placed within the last 45 years or within an area excavated within the last 45 years).
- USACE has reviewed the project description and determined that a survey is not warranted based on the proposed activity and its location.

State survey guidance and standards are provided in the September 1995 Historic Properties Survey Manual Guidelines for the Identification of Historical and Archaeological Resources in Massachusetts available. State survey guidance and standards for underwater surveys are provided

[18] https://www.sec.state.ma.us/mhc/mhcform/formidx.htm

in the Board of Underwater Archaeological Resources' 2022 Policy Guidance on Archaeological Investigations and Related Survey Standards for the Discovery of Underwater Archaeological Resources. This guidance is available on the NAE Regulatory website: https://www.nae.usace.army.mil/Missions/Regulatory/State-General-Permits/Massachusetts-General-Permit/.

Please note, a negative result from MHC and/or BUAR does not necessarily mean no historic properties are present. Often proposed project sites have not been previously subject to a survey, so historic properties which may be present have not been previously recorded.

4. Tribal Coordination

Prospective applicants shall mail the Project Notification Form, project narrative, location (coordinates), plans with locus map, soil maps, and information on cultural resources to the Wampanoag Tribe of Gay Head (Aquinnah), Mashpee Wampanoag Tribe, Narragansett Indian Tribe, and/or Stockbridge-Munsee Community Band of Mohican Indians with interests in the project location. Preferred tribal contact information, including their respective areas of interest, can be found below. Applicants shall follow the same procedures as identified in Section 3(a)i-iii above when notifying Tribes of the proposed activity. Applicants shall provide the USACE with any responses received from the tribe(s) with their PCN application. If a tribe does not respond within 30 days of receiving the notification, the applicant shall provide USACE with all documentation of tribal outreach with their SV or PCN submission (e.g., emails, letters, phone call log, etc.). If the tribe indicates the presence of a previously unrecorded cultural resource, including a traditional cultural property (TCP) or traditional cultural landscape (TCL), a PCN is required.

5. Effect Determination

The project may have the potential to affect historic properties and/or tribal resources if 1) notification recipients respond within 30 calendar days of notification with concerns, 2) historic properties eligible for listing, or potentially eligible for listing in the NRHP, are present or 3) tribal resources are known to be present. The USACE may need to further review the project to confirm potential effects to historic properties and/or tribal resources. A PCN is required for any activity that may affect a historic property.

The USACE may determine the project will have 'no effect' on historic properties (i.e., no historic properties affected) when procedures outlined in Section 3 above are followed and no cultural resources are identified. Similarly, if historic properties are identified and will be completely avoided, the USACE may determine 'no effect.'

6. Contact Information:

Massachusetts Historical Commission

The Massachusetts Archives Building
220 Morrissey Boulevard
Boston, Massachusetts 02125

No email. Applicants or their representatives must send project information via certified mail and submit the certified mail receipt to the USACE or send via regular mail and submit proof of delivery.

Area of concern: All of Massachusetts.

Massachusetts Board of Underwater Archaeological Resources (BUAR)

100 Cambridge Street, Suite 900
Boston, Massachusetts 02114
Email: david.s.robinson@mass.gov

Applicants or their representatives must send project information via email (***strongly preferred***) or regular mail and provide proof of receipt or proof of delivery.

Area of concern: All waterbodies in Massachusetts.

Wampanoag Tribe of Gay Head (Aquinnah)

Bettina Washington
Tribal Historic Preservation Officer (THPO)
20 Black Brook Road
Aquinnah, Massachusetts 02535
Email: thpo@wampanoagtribe-nsn.gov

Applicants or their representative must send project information via email (***preferred***) or regular mail and provide proof of receipt or proof of delivery.

Area of concern: All of Massachusetts.

Mashpee Wampanoag Tribe

ATTN: David Weeden
Tribal Historic Preservation Officer (THPO)
483 Great Neck Road South
Mashpee, Massachusetts 02649
Email: 106review@mwtribe-nsn.gov
Cc: David.weeden@mwtribe-nsn.gov

Applicants or their representative must send project information via email (***preferred***) or regular mail and provide proof of receipt or proof of delivery.

Area of concern: All of Massachusetts.

Narragansett Indian Tribe

ATTN: John Brown
Tribal Historic Preservation Officer (THPO)
Narragansett Indian Longhouse
4425 South County Trail
Charlestown, Rhode Island 02813
Email: tashtesook@aol.com

Applicants or their representative must send project information via email (***preferred***) or regular mail and provide proof of receipt or proof of delivery.

Area of concern: Massachusetts east of the Connecticut River.

Stockbridge-Munsee Community Band of Mohican Indians

ATTN: Jeff Bendremer
Tribal Historic Preservation Manager
Stockbridge-Munsee Community
Tribal Historic Preservation Extension office
86 Spring Street
Williamstown, Massachusetts 01267
Email: thpo@mohican-nsn.gov

Applicants or their representative must send project information via email (***preferred***) or regular mail and provide proof of receipt or proof of delivery.

Area of concern: West of the Connecticut River and Northfield, Montague, Miller's Falls, Turner's Falls, Sunderland, Amherst, Hadley, South Hadley, Chicopee, Springfield and Longmeadow.

APPENDIX B PRE-CONSTRUCTION NOTIFICATION

U.S. Army Corps of Engineers (USACE), New England District (NAE)

PRE-CONSTRUCTION NOTIFICATION (PCN)

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332.

Principal Purpose The information provided will be used in evaluating activities under Pre-Construction Notification procedures within New England.

Routine Uses This information may be shared with other federal, state, and local government agencies during the application review process. Submission

Disclosure of requested information is voluntary. However, if information is not provided the PCN application cannot be fully evaluated nor can USACE render a permit decision.

Instructions The applicant must complete ALL required sections of this document before their submission to USACE. The PCN submission to USACE shall include one set of drawings which show the location and character of the proposed activity, statements that address each required field below, and documentation that supports each field (e.g., emails, letters, description/narrative, phone calls, surveys, reports, etc.). Electronic submissions to the following address are strongly preferred: cenae-r-ma@usace.army.mil. The email subject line shall contain the following: General Permit #, PCN, City/Town, and date submitted. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY USACE)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETE

(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME	8. AUTHORIZED AGENT'S NAME AND TITLE (*agent is not required*)
First - Middle - Last -	First - Middle - Last -
Company -	Company -
E-mail Address -	E-mail Address -
6. APPLICANT'S ADDRESS:	9. AGENT'S ADDRESS:
Address-	Address-
City - State - Zip - Country -	City - State - Zip - Country -
7. APPLICANT'S PHONE NOs. with AREA CODE	10. AGENT'S PHONE NOs. with AREA CODE
a. Residence b. Business c. Fax d. Mobile	a. Residence b. Business c. Fax d. Mobile

STATEMENT OF AUTHORIZATION

11. I hereby authorize, _____ to act on my behalf as my agent in the processing of this general permit PCN application and to furnish, upon request, supplemental information in support of this general permit PCN application.

_____ _____

SIGNATURE OF APPLICANT DATE

NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME or TITLE (*see instructions*)

13. NAME OF WATERBODY, IF KNOWN (*if applicable*)	14. PROPOSED ACTIVITY STREET ADDRESS (*if applicable*)
15. LOCATION OF PROPOSED ACTIVITY (*see instructions*)	City: State: Zip:
Latitude: °N Longitude: °W	

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN (*see instructions*)

State Tax Parcel ID: Municipality:

Section: Township: Range:

17. DIRECTIONS TO THE SITE.

18. IDENTIFY THE SPECIFIC GENERAL PERMIT(S) YOU PROPOSE TO USE:

19. DESCRIPTION OF PROPOSED GENERAL PERMIT ACTIVITY (*see instructions*)

20. DESCRIPTION OF PROPOSED MITIGATION MEASURES (*see instructions*)

21. PURPOSE OF GENERAL PERMIT ACTIVITY (*Describe the reason or purpose of the project, see instructions*)

22. Quantity of Wetlands, Streams, or Other Types of Waters Directly Affected by Proposed General Permit Activity (*see instructions*)

Area (square feet)	Length (linear feet)	Volume (cubic yards)	Duration	Purpose

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site.

23. List any other GP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project on any related activity (*see instructions*)

24. If the proposed activity will result in the loss of aquatic resources that exceed those identified in the New England District Compensatory Mitigation Thresholds, explain how the compensatory mitigation requirement will be satisfied. (*see instructions*)

25. Is Any Portion of the General Permit Activity Already Complete? ☐ Yes ☐ No If Yes, describe the completed work:

26. List the name(s) of any species listed as endangered or threatened under the Endangered Species Act that might be affected by the proposed GP activity or utilize the designated critical habitat that might be affected by the proposed GP activity. (*see instructions*)

27. List any historic properties that have the potential to be affected by the proposed GP activity or include a vicinity map indicating the location of the historic property or properties. Attach relevant project information, along with any responses received from project notifications to this submittal. (*see instructions*)

28. For a proposed GP activity that will occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status, identify the Wild and Scenic River or the "study river":

29. If the proposed GP activity also requires permission from the USACE pursuant to 33 U.S.C. 408 because it will alter or temporarily or permanently occupy or use a U.S. Army Corps of Engineers federally authorized civil works project, have you submitted a written request for section 408 permission from the USACE district having jurisdiction over that project? ☐ Yes ☐ No

If "yes", please provide the date your request was submitted to the USACE District:

30. Does the activity require a 401 Water Quality Certification (WQC)? If so, specify the type of 401 WQC that is required (general or individual). In cases where an individual 401 WQC is required, provide the date the 401 WQC certification request was submitted to the certifying authority and their contact information.

31. If the terms of the GP(s) you want to use require additional information to be included in the PCN (i.e. sampling and analysis plan), please include that information in this space or provide it on an additional sheet of paper marked Block 30. (*see instructions*)

32. I certify that the information in this pre-construction notification is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT	DATE	SIGNATURE OF AGENT	DATE

The Pre-Construction Notification must be signed by the person who desires to undertake the proposed activity (applicant) and, if the statement in block 11 has been filled out and signed, the authorized agent.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both.

Instructions for Preparing a

Department of the Army

General Permit (GP) Pre-Construction Notification (PCN)

Blocks 1 through 4. To be completed by the U.S. Army Corps of Engineers.

Block 5. Applicant' Name. Enter the name and the e-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the PCN, please attach a sheet of paper with the necessary information marked Block 5.

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the PCN. If more space is needed, attach an extra sheet of paper marked Block 6.

Block 7. Applicant Telephone Number(s). Please provide the telephone number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed, if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, consultant, or any other person or organization. Note: An agent is not required.

Blocks 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where they can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by the applicant, if an agent is to be employed.

Block 12. Proposed General Permit Activity Name or Title. Please provide a name identifying the proposed GP activity, e.g., Windward Marina, Rolling Hills Subdivision, or Smith Commercial Center.

Block 13. Name of Waterbody. Please provide the name (if it has a name) of any stream, lake, marsh, or other waterway to be directly impacted by the GP activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14. Proposed Activity Street Address. If the proposed GP activity is located at a site having a street address (not a box number), enter it in Block 14.

Block 15. Location of Proposed Activity. Enter the latitude and longitude of where the proposed GP activity is located. Indicate whether the project location provided is the center of the project or whether the project location is provided as the latitude and longitude for each of the "corners" of the project area requiring evaluation. If there are multiple sites, please list the latitude and longitude of each site (center or corners) on a separate sheet of paper and mark as Block 15.

Block 16. Other Location Descriptions. If available, provide the Tax Parcel Identification number of the site, Section, Township, and Range of the site (if known), and / or local Municipality where the site is located.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site. You may also provide a description of the location of the proposed GP activity, such as lot numbers, tract numbers, or you may choose to locate the proposed GP activity site from a known point (such as the right descending bank of Smith Creek, one mile downstream from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed GP activity site if known. If there are multiple locations, please indicate directions to each location on a separate sheet of paper and mark as Block 17.

Block 18. Identify the Specific General Permit(s) You Propose to Use. List the number(s) of the General Permit(s) you want to use to authorize the proposed activity (e.g., GP 4).

Block 19. Description of the Proposed General Permit Activity. Describe the proposed GP activity, including the direct and indirect adverse environmental effects of the proposed activity. The description of the proposed activity should be sufficiently detailed for USACE to determine that the adverse environmental effects of the activity will be no more than minimal. Identify the materials to be used in construction, as well as the methods by which the work is to be done.

Provide drawings to show that the proposed GP activity complies with the terms of the applicable GP(s). Drawings should contain sufficient detail to provide an illustrative description of the proposed GP activity, but do not need to be detailed engineering plans. The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked Block 19.

Block 20: Description of Proposed Mitigation Measures. Describe any proposed mitigation measures intended to reduce the adverse environmental effects caused by the proposed GP activity. The description of any proposed mitigation measures should be sufficiently detailed for USACE to determine how the measures would avoid and minimize adverse environmental effects. If adverse effects exceed the New England District compensatory mitigation thresholds, you must document how compensatory mitigation would be satisfied in Block 24.

Block 21. Purpose of General Permit Activity. Describe the purpose and need for the proposed GP activity. What will it be used for and why? Also include a brief description of any related activities associated with the proposed project. Provide the approximate dates you plan to begin and complete all work.

Block 22. Quantity of Wetlands, Streams, or Other Types of Waters Directly Affected by the Proposed General Permit Activity. For discharges of dredged or fill material into Waters of the U.S., provide the amount of wetlands, streams, or other types of waters filled, flooded, excavated, or drained by the proposed GP activity. For structures or work in Navigable Waters of the U.S. subject to Section 10 of the Rivers and Harbors Act of 1899, provide the amount of navigable waters filled, dredged, occupied by one or more structures (e.g., aids to navigation, mooring buoys) by the proposed GP activity. The area of impact includes the structures or fills with direct or indirect effects to waters of the U.S. The length of impact includes the length of a stream, including is banks, that are directly affected by the structures or fills. The duration of impact should be identified as temporary (xx days) or permanent. The impact purpose should briefly describe what structure or fill is responsible for the impact.

Block 23. Identify Any Other General Permit(s), Regional General Permit(s), or Individual Permit(s) Used to Authorize Any Part of Proposed Activity or Any Related Activity. List any other GP(s) or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. For linear projects, list other separate and distant crossings of waters and wetlands authorized by these GPs that do not require PCNs. If more space is needed, attach an extra sheet of paper marked Block 23.

Block 24. Compensatory Mitigation Statement for Losses Greater Than the New England District Compensatory Mitigation Thresholds. New England District requires compensatory mitigation at a minimum one for one replacement ratio or greater for all aquatic resource losses that require a PCN and exceed the New England District Compensatory Mitigation Thresholds, unless USACE determines in writing that either some other form of mitigation is more environmentally appropriate or the adverse environmental effects of the proposed GP activity are no more than minimal without compensatory mitigation, and provides an activity specific waiver of this requirement. Describe the proposed compensatory mitigation for wetland losses greater than the New England District Compensatory Mitigation Thresholds or provide an explanation of why USACE should not require wetland compensatory mitigation for the proposed GP activity. If more space is needed, attach an extra sheet of paper marked Block 24.

Block 25. Is Any Portion of the General Permit Activity Already Complete? Describe any work that has already been completed for the GP activity.

Block 26. List the Name(s) of Any Species Listed As Endangered or Threatened under the Endangered Species Act that Might be Affected by the General Permit Activity. If you are not a federal agency, and if any listed species or designated critical habitat might be affected or is in the vicinity of the proposed GP activity, or if the proposed GP activity is located in designated critical habitat, list the name(s) of those endangered or threatened species that might be affected by the proposed GP activity or utilize the designated critical habitat that might be affected by the proposed GP activity. If you are a Federal agency, and the proposed GP activity requires a PCN, you must provide documentation demonstrating compliance with Section 7 of the Endangered Species Act.

Block 27. List Any Historic Properties that Have the Potential to be Affected by the General Permit Activity. If you are not a federal agency, and if any historic properties have the potential to be affected by the proposed GP activity, list the name(s) of those historic properties that have the potential to be affected by the proposed GP activity. Provide all relevant documentation about these historic properties in the PCN submittal. If you are a Federal agency, and the proposed GP activity requires a PCN, you must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

Block 28. List the Wild and Scenic River or Congressionally Designated Study River if the General Permit Activity Would Occur in such a River. If the proposed GP activity will occur in a river in the National Wild and Scenic River System or in a river officially designated by Congress as a “study river” under the Wild and Scenic Rivers Act, provide the name of the river. For a list of Wild and Scenic Rivers and study rivers, please visit http://www.rivers.gov/

Block 29. General Permit Activities that also Require Permission from the USACE Under 33 U.S.C. 408. If the proposed GP activity also requires permission from the USACE under 33 U.S.C. 408 because it will temporarily or permanently alter, occupy, or use a USACE federal authorized civil works project, indicate whether you have submitted a written request for section 408 permission from the USACE district having jurisdiction over that project.

Block 30. 401 Water Quality Certification. As described above, specify if the activity requires a 401 WQC from the certifying authority.

Block 31. Other Information Required For General Permit Pre Construction Notifications. The terms of some of the General Permits include additional information requirements for preconstruction notifications:

* Maintenance – information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals.
* Temporary Construction, Access, and Dewatering – a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions.
* Repair of Uplands Damaged by Discrete Events – documentation, such as a recent topographic survey or photographs, to justify the extent of the proposed restoration.
* Commercial Shellfish Aquaculture Activities – (1) a map showing the boundaries of the project area, with latitude and longitude coordinates for each corner of the project area; (2) the name(s) of the species that will be cultivated during the period this GP is in effect; (3) whether canopy predator nets will be used; (4) whether suspended cultivation techniques will be used; and (5) general water depths in the project area (a detailed survey is not required).Dredging – (1) a proposed sampling and analysis plan shall be provided to USACE for approval prior to its execution. Pre-application meetings are encouraged.
* Beach Nourishment – sediment grain size should be determined for the length of the beach where nourishment is proposed. The frequency and locations of sediment sampling shall be sufficient to identify the sediment composition of the beach profile. This data shall be consolidated to generate a sediment gradation curve for each sampled transect. Each sampled transect should also be identified on the project plans (drawings).

If more space is needed, attach an extra sheet of paper marked Box 31.

Block 32. Signature of Applicant or Agent. The PCN must be signed by the person proposing to undertake the GP activity, and if applicable, the authorized party (agent) that prepared the PCN. The signature of the person proposing to undertake the GP activity shall be an affirmation that the party submitting the PCN possesses the requisite property rights to undertake the GP activity (including compliance with special conditions, mitigation, etc.).

DELINEATION OF WETLANDS, OTHER SPECIAL AQUATIC SITES, AND OTHER WATERS

Each PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current wetland delineation manual and regional supplement published by the USACE. The permittee may ask the USACE to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the USACE does the delineation, especially if the project site is large or contains many wetlands, other special aquatic sites, and other waters. The 60-day PCN review period will not start until a delineation has been completed.

DRAWINGS AND ILLUSTRATIONS

General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a Vicinity Map, a Plan View or a Typical Cross Section Map. Identify each illustration with a figure or attachment number. For linear projects (e.g. roads, subsurface utility lines, etc.) gradient drawings should also be included. Please submit one copy of all drawings on 8½ x 11 inch plain white paper (electronic submissions preferred). Use the fewest number of sheets necessary for your drawings or illustrations. Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross section). While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate, and contain all necessary information.

ADDITIONAL INFORMATION AND REQUIREMENTS

For proposed GP activities that involve discharges into waters of the United States, water quality certification from the State, Tribe, or EPA must be obtained or waived. Some States, Tribes, or EPA have issued water quality certification for one or more GPs. Please check the New England District website to see if water quality certification has already been issued for the GP(s) you wish to use. For proposed GP activities in coastal states, state Coastal Zone Management Act consistency concurrence must be obtained, or a presumption of concurrence must occur. Some States have issued Coastal Zone Management Act consistency concurrences for one or more GPs. Please check the New England District website to see if Coastal Zone Management Act consistency concurrence has already been issued for the GP(s) you wish to use.

APPENDIX C SELF-VERIFICATION NOTIFICATION

U.S. Army Corps of Engineers (USACE)

SELF-VERIFICATION NOTIFICATION (SVN)

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332.

Principal Purpose This information will be used in evaluating activities under Self-Verification procedures within Massachusetts.

Routine Uses Routine uses will include: (1) Documenting compliance with the terms and conditions of the General Permit (GP) for activities that may require authorization pursuant to one or more of USACE's Regulatory authorities. (2) Records may be referred to other Federal, State, and local agencies for evaluation and enforcement purposes.

Disclosure Failure to fully comply and abide by the GP terms and conditions prior to commencing work and after completion project may result in formal enforcement action, up to and including monetary penalties and/or legal action, pursuant to 33 CFR Part 326.

Instructions The permittee must complete ALL required sections of this document before commencing USACE-regulated activities. A copy of this completed SVN must be kept on site during construction and be made available for review by USACE and other Federal, State, & Local regulatory authorities at any time. Within 30 days of initiating project construction, the permittee shall submit the completed SVN to USACE. The SVN shall be submitted to USACE as **ONE signed document** that includes project plans and documentation that supports each field (e.g., emails, letters, description, phone calls, surveys). Electronic submissions to the following address are strongly preferred: cenae-r-ma-sv@usace.army.mil. The email subject line shall contain the following: GP #, SVN, City/Town, and date submitted.

(ITEMS 1 THRU 3 TO BE FILLED BY USACE)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED

APPLICANT AND AGENT INFORMATION

4. APPLICANT'S NAME	7. AGENT'S ADDRESS:
First - Middle - Last -	First - Middle - Last -
Company -	Company -
E-mail Address -	E-mail Address -
5. APPLICANT'S ADDRESS:	8. AGENT'S ADDRESS:
Address-	Address-
City - State - Zip - Country -	City - State - Zip - Country -
6. APPLICANT'S PHONE NOs. w/AREA CODE	9. AGENTS PHONE NOs. w/AREA CODE
a. Residence b. Business c. Fax	a. Residence b. Business c. Fax

NAME, LOCATION, AND DESCRIPTION OF PROJECT SITE

10. PROJECT NAME OR TITLE

11. FILE NUMBER(S) OF PREVIOUS USACE ACTIONS ON THE SITE (if applicable)	12. NAME OF WATERBODY
13. PROJECT COORDINATES (in decimal degrees)	14. PROJECT STREET ADDRESS (if applicable)
Latitude: ◦N Longitude: ◦W	Address
	City - State - Zip -

ACTIVITY TYPE, PROJECT IMPACTS, AVOIDANCE & MINIMIZATION

15. GENERAL PERMIT ACTIVITIES (CHECK ALL THAT APPLY)

1 ☐	6 ☐	11 ☐	16 ☐	21 ☐
2 ☐	7 ☐	12 ☐	17 ☐	22 ☐
3 ☐	8 ☐	13 ☐	18 ☐	23 ☐
4 ☐	9 ☐	14 ☐	19 ☐	24 ☐
5 ☐	10 ☐	15 ☐	20 ☐	25 ☐

16. SUMMARY OF PROJECT IMPACTS (*see instructions*)

Area (square feet)	Length (linear feet)	Volume (cubic yards)	Duration

17. PROJECT PLANS (BY CHECKING THE BOXES BELOW, YOU CERTIFY THESE ITEMS ARE COMPLETE) (*see instructions*)

- ☐ a. Plans shall at least contain the following: Vicinity Map, Plan View, and Typical Cross Section View of the proposed activity.
- ☐ b. All direct, indirect and secondary impacts from USACE regulated activities are shown on the project plans.
- ☐ c. The size of the impact area for each activity (acre, square feet, linear feet) are shown on the project plans.
- ☐ d. For discharges of fill material (§404), the volume of fill material is identified on the project plans.
- ☐ e. The duration of each impact, permanent or temporary (X days), is identified on the project plans.
- ☐ f. Do activities with permanent impacts result in the loss of waters? If so, this is identified on the project plans.
- ☐ g. All aquatic resources in the vicinity of the USACE regulated activities are delineated on the project plans.

18. AVOIDANCE & MINIMIZATION (BY CHECKING THE BOXES BELOW, YOU CERTIFY THESE CRITERIA ARE MET) (*see instructions*)

- ☐ a. The project has been designed to avoid and minimize impacts to aquatic resources.
- ☐ b. The footprint of activities in waters of the U.S. has been reduced to only what is necessary to achieve the overall project purpose.
- ☐ c. All practicable measures have been taken to avoid and minimize impacts to aquatic resources through construction techniques and site access (e.g., Best Management Practices, Time of Year Restrictions).
- ☐ d. All temporary impacts from USACE regulated activities will be restored upon completion of construction and the project area will be returned to pre-construction contours and conditions.

COMPLIANCE WITH FEDERAL REGULATIONS & SUPPLEMENTAL INFORMATION

19. DUE DILIGENCE (*see instructions*)

Complete the entries below to document compliance with the following Federal requirements. Construction may NOT begin if a PCN is/may be required, and you must contact USACE to determine permitting requirements. Documentation that demonstrates how the activity complies with each field below shall be submitted to the USACE as noted in the instructions block. See each General Condition (GC) in the GP for how to comply with each requirement.

a. State Historic Preservation Officer	Select Option
b. Massachusetts BUAR	Select Option
c. Tribal Historic Preservation Officers	Select Option
d. Endangered Species Act - NOAA	Select Option
e. Endangered Species Act - USFWS	Select Option
f. Northern Long Eared Bat (ESA)	Select Option
g. Essential Fish Habitat	Select Option
h. Wild & Scenic Rivers	Select Option
i. 401 Water Quality Certification 401	Select Option
	401 WQC/OOC File Number: OOC issued: 401 issued:
j. Section 408 Permission	Select Option
k. Coastal Zone	Select Option
l. Construction Mats	Select Option
m.Time of Year Restrictions	Select Option
n. Vernal Pools	Select Option
o. Sediment & Erosion Controls	Select Option
p. Stream/Wetland Crossings	Select Option

20. AQUACULTURE ACTIVITIES - GP 18 (*see instructions*)

- ☐ a. If required, an Aquaculture Certification from the Massachusetts Division of Marine Fisheries was obtained prior to commencing work.
- ☐ b. Coordination with the U.S. Coast Guard pursuant to Private Aids to Navigation has occurred prior to commencing work.
- ☐ c. If required, a MEPA Certificate was obtained from the Massachusetts Environmental Protection Agency prior to commencing work. Select Option
- ☐ d. The prospective permittee contacted local authorities (e.g. harbormaster, select board, shellfish constable) for authorization of their facility prior to commencing work.

21. ADDITIONAL INFORMATION/ATTACHMENTS (*see instructions*)

- ☐ a. The project plans are enclosed in this SVN submittal (see block 17).
- ☐ b. The activity Select Option funded through the Bipartisan Infrastructure Bill (also known as the Infrastructure Investment and Jobs Act).
- ☐ c. All required state, local and federal approvals were acquired prior to starting construction in USACE jurisdiction.
- ☐ d. After construction of the activity is completed, a complete Certificate of Compliance will be submitted to USACE.

22. IS THERE ANOTHER LEAD FEDERAL AGENCY:

☐ YES ☐ NO

23. STATEMENT OF AUTHORIZATION *(see instructions)*

I certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT	DATE	SIGNATURE OF AGENT	DATE

24. SIGNATURES *(see instructions)*

I hereby certify that the information in this Self-Verification Notification is complete and accurate. As the applicant or their duly authorized agent, I certify the activity was completed in accordance with the terms and conditions of the GP. This includes all applicable terms, general conditions, and activity-specific GP criteria. I agree to allow the duly authorized representatives of the Corps of Engineers Regulatory Program and other regulatory or advisory agencies to enter upon the premises of the project site at reasonable times to evaluate inspect and photograph site conditions. This consent to enter the property is superior to, takes precedence over, and waives any communication to the contrary. For example, if the property is posted as “no trespassing” this consent specifically supersedes and waives that prohibition and grants permission to enter the property despite such posting.

SIGNATURE OF APPLICANT	DATE	SIGNATURE OF AGENT	DATE

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both.

Instructions for Preparing a
Department of the Army
General Permit (GP) Self-Verification

Blocks 1 through 3. To be completed by the Corps of Engineers.

Block 4. Applicant' Name. Enter the name and the e-mail address of the responsible party or parties. If the responsible party is an agency, company, corporation, or other organization, indicate the name of the organization and responsible officer and title. If more than one party is associated with the self-verification, please attach a sheet of paper with the necessary information marked Block 4.

Block 5. Address of Applicant. Please provide the full address of the party or parties responsible for the self-verification. If more space is needed, attach an extra sheet of paper marked Block 5.

Block 6. Applicant Telephone Number(s). Please provide the telephone number where you can usually be reached during normal business hours.

Blocks 7 through 9. To be completed, if you choose to have an agent.

Block 7. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer, consultant, or any other person or organization. Note: An agent is not required.

Blocks 8 and 9. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where they can be reached during normal business hours.

Block 10. Proposed General Permit Activity Name or Title. Please provide a name identifying the proposed GP activity, e.g., Windward Marina, Rolling Hills Subdivision, or Smith Commercial Center.

Block 11. File Number(s) of Previous USACE Actions on the Site Please provide any known USACE file number. If the activity does not have a known USACE file number, you may state N/A.

Block 12. Name of Waterbody. Please provide the name (if it has a name) of any stream, lake, marsh, or other waterway to be directly impacted by the GP activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 13. Proposed Activity Coordinates. Please enter the latitude and longitude of where the proposed GP activity is located. Indicate whether the project location provided is the center of the project or whether the project location is provided as the latitude and longitude for each of the "corners" of the project area. If there are multiple sites, please list the latitude and longitude of each site (center or corners) on a separate sheet of paper and mark as Block 13.

Block 14. Proposed Activity Street Address. If the proposed activity is located at a site having a street address (not a box number), enter it in Block 14.

Block 15. General Permit Activity Type. Please select all GP activity types that apply to the proposed activity. A list of GP activity types can be found in Section III of the GP.

Block 16. Summary of Project Impacts. Please provide ALL proposed impacts, both temporary and permanent in duration, that are located in Waters of the United States. The area of impact shall be provided in square feet (SF). When applicable, impacts that result in conversion of stream bank or shoreline must also be identified in linear feet (LF). Dredging or the discharge of dredged or fill material shall also include the volume, cubic yards (CY), of material removed from or placed into Waters of the U.S. If more entries are required, please attach a table matching the desired format in Block 16.

Block 17. Project Plans. Please verify that items a-g are included in the project plans. Three types of illustrations are necessary to properly depict the proposed work. These illustrations or drawings are identified as a Vicinity Map, a Plan View (Aerial view) and a Cross Section Map. For linear projects (e.g. roads, subsurface utility lines, etc.) gradient drawings (longitudinal profile) should also be included. Plans must accurately depict the existing conditions and all aspects of the proposed activity located in waters of the U.S. Please submit one copy of all drawings formatted to print on 8½ x 11 inch or 11 x 17 inch plain white paper. Use the fewest number of sheets necessary for your drawings or illustrations. Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view, or cross section). While illustrations need not be certified engineering sheets; they should be clear, accurate, contain all necessary information, and depict all proposed work. Each submission must also include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current wetland delineation manual and regional supplement published by USACE.

Block 18. Avoidance & Minimization. Please verify that items a-d have been implemented for the proposed activity.

Block 19. Due Diligence. Please complete all the fields and submit documentation to USACE to demonstrate compliance with the above requirements. This Documentation may include emails, letters, meeting notes, phone call log, project narrative, project plans, a species list from the NOAA Section 7 Mapper, a completed copy of the IPAC determination keys, etc. Documentation should be limited to what is necessary to demonstrate how the proposed activity meets each requirement. Refer to the MA GP, Appendix A, for specific guidance on the identification of previously identified historic properties and previously unidentified historic properties. Endangered Species: *The applicant must be designated as the non-federal representative for the purposes of Section 7 consultation to select the Rangewide D-Key options. Otherwise, the applicant shall select the following option when IPAC indicates the NLEB is present: "The activity IS located within the NLEB Species Range (PCN Required)."

Block 20. Aquaculture Activities. Please verify that items a-d have been obtained or completed prior to commencing work in waters of the U.S.

Block 21. Additional Information/Attachments. Please verify that items a-d have been completed prior to commencing work in waters of the U.S.

Block 22. Lead Federal Agency. Please identify if there is another lead federal agency involved with the proposed activity. Enter the lead federal agency name (e.g., the Federal Emergency Management Agency, FEMA) and the agency's designated person of contact for the activity.

Block 23. Statement of Authorization. The applicant shall sign this section for all activities. If an agent is to be employed, the agent shall sign this section.

Block 24. Signatures. The SVN must be signed by the person proposing to undertake the GP activity, and if applicable, the authorized party (agent) that prepared the SVN. The signature of the person proposing to undertake the GP activity shall be an affirmation that the party submitting the SVN possesses the requisite property rights to undertake the GP activity.

US Army Corps of Engineers®
New England District

APPENDIX D: PCN APPLICATION CHECKLIST

The following information shall be submitted for all PCNs for USACE to properly evaluate your application. Some applications may require more information and this checklist is offered as a tool to assist applicants with submitting a complete application.

SECTION 1: GENERAL APPLICATION INFORMATION

1. ☐ Complete the Pre-Construction Notification document (Appendix B).
2. ☐ Specify which local/state/federal authorizations are required for the project and if any have been obtained or applied for at the time of USACE application submittal.
3. ☐ Identify all funding sources the project will receive or has received to date. Provide any relevant information in the application submission.
4. ☐ Is this part of a larger project that is being implemented in phases? If so, describe the project schedule and how each phase will be implemented.
5. ☐ Describe the existing conditions on the site and the general land use in the vicinity of the project at the time application submittal.
6. ☐ Provide any historic information available that you may have of project area, e.g., existing USACE permit numbers, the names under which the permits were obtained if the permit numbers are unknown, construction dates and proof of prior existence (aerials, photos, town hall records, affidavits, state or local permits, etc.) to verify that the project predates regulation and is "vested".[19]
7. ☐ The anticipated start and end dates for construction.

SECTION 2: WETLAND DELINEATION

8. ☐ Data used to support aquatic resource boundary determinations (delineation forms, delineation map(s) that show the locations of each aquatic resource in the project area, aerial and ground photographs, LIDAR imagery, national wetland inventory maps, soil maps, national hydrography dataset maps, floodplain maps, historical imagery, etc.).
9. ☐ Photographs of the wetland(s) and/or waterway(s) where impacts are proposed. Photos at low tide are preferred for work in tidal waters.
10. ☐ Indicate the relationship of the project area to waters of the U.S., i.e., adjacent wetlands, tidal influence or hydraulic connectivity through culverts, or other conveyances, etc.
11. ☐ At minimum the delineation map/figure should include the following:
    a. Contour lines showing topography.
    b. North arrow.
    c. Bar and text scale.
    d. Legend.
    e. Drawn project boundary.
    f. High tide line, mean high water, mean low water, ordinary high water mark, and/or wetland boundaries.
    g. Captions with a unique name for each aquatic resource and the area or length of the aquatic resource within the project area.

[19] Vested is exempt (someone or something) from a new law or regulation.

h. Appropriate landmarks and features (e.g., culverts, special aquatic sites, etc.).
i. Points showing the paired upland and wetland delineation locations for tidal and non-tidal wetlands only.

SECTION 3: AVOIDANCE & MINIMIZATION

12. ☐ Describe specific measures taken to avoid impacts to aquatic resources or describe why aquatic resources could not be avoided while achieving the project purpose and need.
13. ☐ For impacts to aquatic resources that could not be avoided, describe specific considerations/ measures taken to minimize the area of proposed impacts to aquatic resources in designing the project.
14. ☐ Describe specific measures taken to avoid and minimize the proposed direct, indirect, and secondary impacts to aquatic resources and their functions through construction techniques and timing.
15. ☐ If applicable, provide a restoration plan that describes how all temporary fills and structures will be removed and the area restored to pre-impact conditions (see GC 22).
16. ☐ If applicable, provide an Invasive Species Control Plan (see GC 29). For sample control plans, see www.nae.usace.army.mil/missions/regulatory/invasive-species.
17. ☐ If applicable, describe how the proposed wetland/waterbody crossing is compliant with GC 31, Stream Work and Crossings, and Wetland Crossings.

SECTION 4A: PROJECT IMPACTS

18. ☐ Describe the overall project and the activities located in Waters of the U.S. (WOTUS) that you are seeking authorization for.
19. ☐ Identify the following for project impacts in WOTUS:
    a. ☐ Direct, indirect, secondary impacts[20] within WOTUS.
    b. ☐ The size of each impact (square feet or acres, or linear feet).
    c. ☐ For discharges of fill material (§404), specify the volume of fill material to be discharged (cubic yards).
    d. ☐ The impact duration from each activity, permanent or temporary (X days).

SECTION 4B: PROJECT PLANS

20. ☐ Submit project plans that depict all impacts in WOTUS. On the project plans, applicants shall provide:

General Information

    a. ☐ Plan view and typical cross-section view sheets that show the existing and proposed conditions. These illustrations should each be identified with a figure number, date of the map, the project title, the name of the applicant and the type of illustration (vicinity map, plan view, or cross section).
    b. ☐ Drawings, sketches, or plans that are legible, reproducible (color is encouraged, but features must be distinguishable in black and white), drawn to scale, and no larger than 11”x17” and 10 MB when submitted in digital format. Numeric and graphic/bar scales must agree, and plan details must be measurable using a standard engineer’s scale on printed plans. Reduced plans are not acceptable.
    c. ☐ The north arrow and remove miscellaneous non-wetland or water project related features such as conduits, utility poles, guardrails, etc.

[20] See definitions section for the definitions of direct, indirect, secondary impacts.

d. ☐ Clearly draw the overall limits of work, staging areas, disposal sites, access routes, and any permittee responsible mitigation sites. These areas may include both aquatic resources and upland areas.
e. ☐ Names or numbers of all roads in the site's vicinity and ownership and numbers of abutting parcels.
f. ☐ Datum in plan and elevation views. The horizontal datum shall be in the NAD 83 Massachusetts State Plane Coordinate System (INSERT) in U.S. survey feet. The vertical data in coastal projects shall be referenced to either MLLW or the North American Vertical Datum of 1988 (NAVD 88). Both the distance and depth units shall be U.S. survey feet and specified on the project plans.

Aquatic Resources & Project Impacts

g. ☐ Delineation of all aquatic resource types on site including salt marsh; other special aquatic sites (vegetated shallows, mudflats, riffles and pools, coral reefs, and sanctuaries and refuges); other waters, such as lakes, ponds, vernal pools, natural rocky habitat (tidal only), and perennial, intermittent, and ephemeral streams.
h. ☐ Identify the substrate type (cobble/gravel, organic detritus, sand/shell, silt, mud) and the approximate percentage of each substrate type on site. Grain sizes shall be based on Wentworth grain size classification scale for granules, pebbles, cobbles, and boulders. Sediment samples with a content of 10% or more of pebble-gravel-cobble and/or boulder in the top layer (6-12 inches) should be delineated and material with epifauna/macroalgae should be differentiated from bare pebble-gravel-cobble and boulder.
i. ☐ The direction of ebb and flood in tidal waters and direction of flow in non-tidal waters.
j. ☐ In tidal waters, the project boundary distance from special aquatic sites identified in 20g above if within 25 feet from that resource.
k. ☐ USACE jurisdictional boundaries including ordinary high-water mark (OHWM), high tide line (HTL), mean high water (MHW). Other boundaries include mean low water (MLW), mean lower low water (MLLW), as applicable.
   - Non-tidal: OHWM and/or wetland boundaries.
   - Tidal (structures/work only): MHW, MLW.
   - Tidal (Fill and Structures/work): HTL, MHW, MLW.
   - Tidal (Dredging/Beach Nourishment): HTL, MHW, MLW, MLLW.
l. ☐ Identification of each aquatic resource with a unique name (ex. Wetland 1, Wetland 2, Tributary 1, Beaver Brook, Atlantic Ocean) and the size of each aquatic resource within the project area (square feet or acres).
m. ☐ Impacts to each aquatic resource with captions denoting the size of each impact (square feet, acres, or linear feet) and the duration of the impact (ex. Permanent, Temporary (X days).

SECTION 4C: PROJECT PLANS - SPECIFIC PROJECT INFORMATION

21. ☐ For projects involving Navigation, Structures, Dredging, and/or Beach Nourishment, the applicant shall also address the following:

Navigation

a. ☐ Identify the locations of adjacent Federal navigation project (FNP) and/or state/local navigation projects on the project plans.
b. ☐ Specify the distance between the FNP and proposed project boundary, the authorized depths of the FNP, and state plane coordinates of seaward end(s) of project structures near an FNP.

Structures

a. ☐ Identification of the piling type (steel, timber, concrete) and diameter to be removed and/or installed.
b. ☐ Specify the minimal height of the structures' frame over saltmarsh. To meet the SV threshold, piers must be ≤4 feet in width and this minimal height must achieve a 1.5:1 ratio (i.e., a 4-foot-wide pier is 6 feet above a saltmarsh).
c. ☐ For floats, the methods of securing them (piles, bottom anchors) and for keeping them off substrate (skids, stops) at low water. To meet the SV threshold, a minimum depth of 18-inches of water should be maintained below a floating dock/structure at lower tide levels.

Dredging

a. ☐ The area (SF, acre) and volume (CY) of material to be dredged waterward of MHW for each dredge location.
b. ☐ Dredge boundaries.
c. ☐ Bathymetry for existing, proposed, and historical (include dates and USACE permits) dredge depths.
d. ☐ The likely final angle of repose of the side cuts based on the physical characterization of the material to be dredged and based upon the high/ medium/low, wave or current energy of the location.
e. ☐ Label area whether the dredging is new, maintenance, improvement, or a combination.
f. ☐ Location of the disposal site (include location sheet). NOTE: For projects proposing open water, nearshore disposal, or beach nourishment, contact USACE as early as possible for sampling and testing protocols. Sediment testing, including physical (e.g., grain-size analysis), chemical and biological testing may be required. Sampling/testing of sediments without such contact should not occur and if done, will be at the applicant's risk.
g. ☐ The methods and areas used to retain or prevent dredged material from running back into the wetland or waterway. Provide the capacity of the storage area and points of runback, including the overflow route, into the aquatic system.
h. ☐ For open-water disposal, explain why inland or beneficial reuse sites are not practicable.
i. ☐ Show the finished top elevation of the disposal site.

Beach Nourishment

a. ☐ For beach nourishment, identify the disposal footprint, existing and proposed nourishment profiles (multiple profiles are appropriate if the site is more than 150 feet long or non-contiguous), total fill area (SF) and volume (CY), fill area and volume waterward of the HTL, and delineation of dunes, banks, existing beach vegetation, and contours.
b. ☐ For beach nourishment identify the substrate type (fine sand, sand, cobble, boulder) and/or grain-size of existing material.

SECTION 5: STRUCTURES

22. ☐ For projects with the removal of existing pilings identify the number, type (steel, timber, concrete) and diameter of pilings to be removed and the methodology for removal (cut off at mud line, pulling, vibratory, etc.).
23. ☐ For projects with the installation of new pilings identify the number, type (steel, timber, concrete) and diameter of pilings to be installed and the methodology for installation (vibratory hammer, impact hammer etc.).
24. ☐ Identify any existing structures and moorings in waters adjacent to the proposed activity, their dimensions, and the distance to the limits and coordinates of any proposed mooring field or reconfiguration zone. For reconfiguration zone and mooring fields, provide the coordinates for all

corners based on the Massachusetts State Plane Coordinate System. Specify the maximum number of slips and/or moorings within proposed reconfiguration zones or anchorage areas.

25. ☐ The dimensions of the structure or work and extent of encroachment waterward of MHW and from affixed point on the shoreline or upland.
26. ☐ Shoreline of adjacent properties and property boundary offset for structures. In narrow waterbodies, the distance to opposite shoreline, waterway width, and structures across from proposed work.
27. ☐ For new commercial boating facilities, anchorage areas or reconfiguration zones, provide a description of the type of vessels that would use the facility, and any plans for sewage pump-out facilities, fueling facilities and contingency plans for oil spills.
28. ☐ See Sections 4A-C above.

SECTION 6: AQUACULTURE

29. ☐ Identify the coordinates for lease area corners and gear configuration area on the project plans.
30. ☐ Identify the proposed aquaculture gear type (buoys, floats, racks, trays, nets, lines, tubes, cages, containers, and other structures). Provide the impacts for each aquaculture gear type (see Section 4A 19a-d).
31. ☐ For a GP 18 to be valid, applicants must have (a) their MA DMF Aquaculture Certification letter for licensed shellfish aquaculture sites, (b) documentation that the applicant has coordinated with the U.S. Coast Guard regarding USCG Private Aids to Navigation standards, (c) their MEPA Certificate (if required), and (d) documentation that the applicant has contacted their local authorities (ex. harbormaster, select board, shellfish constable) for authorization of their facility.
32. Provide information on site the operation, maintenance, and access. Will the site be accessed via boat, kayak, etc.? Will cages be removed in the winter? How often will gear be checked on? Is there an operations plan for the proposed aquaculture area?
33. ☐ See Sections 4A-C above.

SECTION 7: DREDGING

34. ☐ Sampling plan requests for new, improvement or maintenance dredging must submit completed **Dredged Material Evaluation checklist found at Dredged Material Evaluation Checklist, Sampling and Analysis Plan Requirements from Applicant (army.mil)** and identify the method of handling/transporting the dredged material.
35. ☐ Identify grain-size of material to be dredged (e.g., silty sand) and provide any existing sediment grain size and bulk sediment chemistry data from the proposed project or nearby projects. Include information on any recent spills of oil and/or other hazardous materials and/or nearby outfalls. Document the information source, e.g., EPA database, the harbormaster or fire chief. If there are none, state “none”.
36. ☐ See Section 4A, 4B and 4C, Dredging 21(a-i) above.

SECTION 8: WETLAND/WATERBODY CROSSINGS

37. ☐ For the stream crossing, identify the crossing methodology on the project plan (e.g., dam and pump, dry, wet, etc.). Submit a waterway crossing sequencing plan with the application.
38. ☐ If the project includes a permanent crossing of a tidal waterway, your project design should be modified to match the velocity, depth, cross-sectional area, and substrate of the existing waterbody adjacent to the crossing and provide documentation (hydraulic analysis including low lying property analysis) that the size of the crossing will not restrict tidal flow over the full natural tide range and will not adversely affect abutting infrastructure.

39. ☐ If the work includes a permanent crossing of a non-tidal stream, your project design should be modified to match the culvert gradient of the existing stream channel profile, provide clearance for ≥1.2 times bank full width and conveyance should be embedded ≥1-2 feet for box culverts and pipe arches or ≥1-2 feet and at least 25 percent for rounded pipes/culverts in accordance with the Massachusetts Stream Crossing Standards. Provide the basis for any variation to this requirement.
40. ☐ If the work includes a permanent crossing of a non-tidal stream, the structure should be designed to include a natural bottom substrate within the conveyance that matches the characteristics of the substrate in the natural stream channel and the character of the banks (mobility, slope, stability, confinement, grain and rock size). The conveyance should be designed with a minimum openness ratio ≥0.82-feet (0.25-meters). For how to calculate openness ratio and stream simulation ecological approach for road and stream crossings, see https://www.nae.usace.army.mil/Missions/Regulatory/Stream-and-River-Continuity/.

SECTION 9: COMPENSATORY MITIGATION

41. ☐ Does the project require Compensatory Mitigation[21] for impacts to Waters of the U.S.? (See Section V in the 2023 Massachusetts General Permit)
42. ☐ If the project requires mitigation, does the selected compensatory mitigation option (i.e., In-Lieu Fee, permittee-responsible mitigation) deviate from the order of the options presented in §332.3(b)(2)-(6)? If so, please explain why. https://www.ecfr.gov/current/title-33/chapter-II/part-332/section-332.3
43. ☐ For any compensatory mitigation that involves preservation, the applicant must use a site protection instrument to preserve the parcel in perpetuity. (Conservation Easement, Deed Restriction, etc.) https://www.mass.gov/service-details/conservation-restriction-review-program.

SECTION 10: HISTORIC PROPERTIES & NOTIFICATIONS TO SHPO, THPOs, BUAR

44. ☐ Notify the SHPO, Massachusetts Historical Commission, of the Project via Certified Mail and include proof of delivery or receipt in the application package (See Appendix A).
45. ☐ As applicable, notify the THPOs, Narragansett Indian Tribe, Wampanoag Tribe of Gay Head (Aquinnah), and Mashpee Wampanoag Tribe, of the Project via email OR mail and include proof of delivery or receipt in the application package (See Appendix A).
46. ☐ As applicable, notify the BUAR via email (*strongly preferred*) OR mail and include proof of delivery or receipt in the application package (See Appendix A).
47. ☐ Include responses to this notification in the permit application.
48. ☐ As applicable, information on historic properties (Tribal and Archaeological) within the project area should be provided in the permit application.

SECTION 11: ENDANGERED SPECIES & ESSENTIAL FISH HABITAT

49. ☐ Provide a USFWS Information for Planning and Consultation (IPaC) Official Species List from https://ecos.fws.gov/ipac and the email of the individual who generated the list (see GC 10 of the 2023 Massachusetts General Permit for more information).
50. ☐ Provide a species list from the NMFS Section 7 Endangered Species Act mapper at https://noaa.maps.arcgis.com/apps/webappviewer/index.html.
51. ☐ Provide a species list from the NMFS Essential Fish Habitat Mapper at https://www.habitat.noaa.gov/apps/efhmapper/?page=page_3.

[21] Your mitigation proposal must be consistent with the December 29, 2020 Compensatory Mitigation Standard Operating Procedures at https://www.nae.usace.army.mil/Portals/74/docs/regulatory/Mitigation/Compensatory-Mitigation-SOP-2020.pdf and 2008 Mitigation Rule.

52. ☐ If the project will generate turbidity, describe the extent of turbidity and if erosion controls will be used to contain turbidity. If turbidity controls are not operationally feasible, explain the basis for your conclusion and identify any other measures that you will implement to minimize resuspension of sediment.
53. ☐ Identify the substrate type and any aquatic resources that will be affected by the proposed action. (SAV, salt marsh, sand, silt/clay, rocky/hard bottom)
54. ☐ For projects which will include the installation of pilings/sheet-piles, identify the substrate at the project site (sand, cobble, silt/mud/clay), the installation method (vibratory hammer, impact hammer, combination) and indicate whether the following “soft start” procedures at beginning of the workday and after a 30-minute period of rest will be deployed:
    a. ☐ Vibratory Pile Installation: pile driving will be initiated for 15 seconds at reduced energy followed by a one-minute waiting period. This sequence of 15 seconds of reduced energy driving, one-minute waiting period will be repeated two additional times, followed immediately by pile-driving at full rate and energy.
    b. ☐ Impact Pile Installation: pile driving will commence with an initial set of three strikes by the hammer at 40% energy, followed by a one-minute wait period, then two subsequent 3-strike sets at 40% energy, with one-minute waiting periods, before initiating continuous impact driving.
55. ☐ If the project involves dredging, describe any dredge history, number of dredge events to be covered by the permit, erosion/sediment controls, dredge type, intake structures (mesh screen size), dredged material disposal site.
56. ☐ For project activities associated with structures, identify the number, type (drill barge, work boat, tugboat, etc.), and size of any temporary vessels that will be used. Specify measures that will be implemented to ensure vessels are not berthed in shallow water or will “ground out” at low tide.
57. ☐ For aquaculture projects identify whether any component of the gear is seasonal (will be removed annually) or will be in place year-round. If gear will be present year-round and will be variably managed (e.g., floating in summer, bottom in winter) identify month/date for such configurations.
58. ☐ For aquaculture projects identify whether the project will involve use of an existing vessel or new vessel. Identify the length for all work vessels and identify the distance round trip from vessel berthing location and aquaculture area.
59. ☐ For project activities associated with docking structures (either commercial, industrial, or recreational) identify the number, type (motorized/non-motorized, jet-ski, sailboat, kayak, canoe, other that will be berthed there and the sizes of each.
60. ☐ Information required for Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act:
    a. Results of an eelgrass survey completed per the INSERT.
    b. Essential Fish Habitat Assessment to determine project-related impacts to essential fish habitat, using guidance developed by the National Marine Fisheries Service.
61. ☐ A document containing the following information (requirements of 50 CFR §600.920(e)(3)):
    a. Description of proposed action.
    b. Analysis of potential adverse effects on essential fish habitat.
    c. Conclusions regarding the effects of the action on essential fish habitat.
    d. If applicable, proposed mitigation.
    e. Analysis of alternatives to the proposed action.
    f. Other:

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DOCUMENT A00841

MASSACHUSETTS
Department of Environmental Protection

Water Quality Certificate

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Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
100 Cambridge Street Suite 900 Boston, MA 02114 • 617-292-5500

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

October 7, 2024

Massachusetts Department of Transportation
Highway Division
10 Park Plaza
Boston, MA 02116
ATTN: Courtney Walker

RE: 401 WATER QUALITY CERTIFICATION
BRP WW 11, Minor Fill Project
Church Street Bridge (E-10-011) Replacement over Keyup Brook
Erving, Massachusetts

401 WQC Application Number: 24-WW11-0044-APP
USACE Application No. NAE-2024-00662
MassDOT Project Number: 612982

Dear Ms. Walker:

The Massachusetts Department of Environmental Protection (MassDEP) has reviewed your application for a Water Quality Certification (WQC), as referenced above; this application was deemed complete on July 31, 2024. In accordance with the provisions of MGL Ch. 21, §§26-53 and Section 401 of the Federal Clean Water Act as amended (33 U.S.C. §1251 et seq.), it has been determined there is reasonable assurance the proposed project will be conducted in a manner which will not violate applicable water quality standards (314 CMR 4.00) and other applicable requirements of state law.

The proposed project consists of removing and replacing the existing bridge (E-10-011) superstructure that carries Church Street over Keyup Brook and repairing existing retaining walls adjacent to the bridge. The project will also include minor stormwater drainage improvements and streambed restoration. The bridge structure is stated as needing replacement due to its poor condition and various structural deficiencies.

The existing bridge is a single-span structure with a cast in place concrete deck and stone masonry abutments. The bridge was originally built to provide two travel lanes but currently only has one lane open to limit loading on the structure. The bridge spans Keyup Brook with a length of 16 feet and a width of 33 feet. The layout of the bridge consists of two 12-foot lanes, a 2.5-foot shoulder, and a 4-foot sidewalk on the west side of the bridge. Beneath the bridge, the stream is lined with a 4-inch-thick

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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reinforced concrete slab that is integral with the abutments. Keyup Brook is a mapped Coldwater Fishery Resource and is a tributary to Millers River which in turn is tributary to the Connecticut River. The project is within the Federal Emergency Management Agency 1% annual chance of flooding zone.

The project will remove the existing bridge superstructure while leaving the existing abutments, stream slab, and retaining walls in place. The new superstructure span will 32 feet and total average width will be 44 feet, 7 inches. The new layout of the bridge will consist of two 10-foot travel lanes, two 4-foot shoulders, a 5.5-foot sidewalk, two 1-foot-wide bridge rails, and a varying width deck facia. This structure will be constructed entirely outside the stream and existing abutments. Riprap and natural streambed material will be placed upstream of the concrete slab to avoid scour. Sandbag cofferdams may be used for water handling or dewatering during placement of rip rap and natural streambed material and during patching of retaining walls so that the work to create dry working conditions.

The required dewatering for riprap placement and retaining wall repairs will result in impacts to Land Under Water (LUW). In total, 331 square feet (sf) (125 sf temporary and 206 sf permanent) LUW impacts are required for the project. Temporary impacts are primarily due to work associated with dewatering while the permanent impacts are a result of the installation of riprap for scour protection. The project will not result in any impacts to Bordering Vegetated Wetland (BVW). The streambed and the areas of riprap installation will be restored with 12 inches of natural streambed material under the supervision of a Fluvial Geomorphologist (FGM). Installation of riprap along the streambed is necessary to prevent future scour.

The Project will result in a 1,155-sf decrease in impervious surface and qualifies as a redevelopment project as defined at 314 CMR 9.02. The decrease is due to the minor realignment of the adjacent intersection and removal of areas where pavement is not required. The bridge width will increase but the overall impervious area will still decrease. Through a complete evaluation, it was determined that the only feasible structural Stormwater Control Measures (SCMs) are deep sump catch basins. The deep sump catch basins will replace the existing catch basins in the closed stormwater system on site. Due to adjacent private property and the proximity of the retaining wall along the riverbank, additional SCMs were not considered practicable. Existing conditions will be improved by installing the deep sump catch basins. These improvements and the reduction in impervious area will allow the project to fully comply with MA Stormwater Management Standards 1 and 2, and Standards 3, 4, and 6 to the Maximum Extent Practicable (MEP).

The proposed span will fully comply with all of the Massachusetts Stream Crossing Standards except for Standard 3. The proposed 16-foot span cannot be increased due to the existing retaining walls up and down stream of the crossing. The crossing will be 0.43 times the 37.2-foot bankfull width of Keyup Brook.

Based on a review of information provided by the applicant, MassDEP finds that this project complies with the standards described under 314 CMR 9.06. Public notice was provided in the Greenfield Recorder on May 20, 2024. No comment letters were received during the public comment period.

Therefore, based on information currently in the record, MassDEP grants a WQC for this project subject to the following conditions to maintain water quality, to minimize impact on waters and wetlands, and to ensure compliance with appropriate state law. The Department further certifies in accordance with

314 CMR 9.00 that there is reasonable assurance the project or activity will be conducted in a manner which will not violate applicable water quality standards (314 CMR 4.00) and other applicable requirements of state law. Finally, the Department has determined that upon satisfying the conditions and mitigation requirements of this approval, the project provides a level of water quality necessary to protect existing uses and accordingly finds that the project to be implemented satisfies the Surface Water Quality Standards at 314 CMR 4.00.

Pursuant to 314 CMR 9.09(1)(d); 314 CMR 9.06(6)(a); 310 CMR 9.06(2); 314 CMR 9.07; 314 CMR 9.07(1); 314 CMR 9.09(7)(5)(c); 314 CMR 9.11; and 314 CMR 9.09(1)(e), the following Special Conditions are necessary to ensure that construction practices and stormwater controls are implemented in such a manner as to prevent degradation to wetlands and waters; ensure that practicable steps have been taken which will avoid and minimize impacts to wetlands and waters; minimize turbidity and sediment caused by construction activities; ensure that water quality is not degraded, and that biology of the waters are not negatively impacted by potential discharges; and/or maintain a record of the dredged material for reference and to ensure accountability in its transportation.

Those Special Conditions that require direct submittals to MassDEP for either review, or review and approval, are denoted by the following notation (Submittal) at the end of the condition and are summarized in Attachment A. In addition, those conditions with the (Submittal) designation shall be included in the Special Provisions and, as applicable, reviewed at the Pre-Construction Meeting.

1. All work shall be performed in accordance with the following documents and plans:

    - 401 WQC Minor Project Certification (BRP WW 11) Application Church Street over Keyup Brook Bridge Replacement Project. Prepared by Weston & Sampson on behalf of MassDOT, dated May 2024, with cover letter and attachments. 401 WQC Application Number: 24-WW11-0044-APP.
    - MassDOT Response to MassDEP Administrative Completeness Technical Review. Prepared by Weston & Sampson on behalf of MassDOT. Dated June 27, 2024.
    - MassDOT Response to MassDEP Second Administrative Completeness Technical Review. Prepared by Weston & Sampson on behalf of MassDOT. Dated July 31, 2024.

Pre-Construction

2. A qualified **Fluvial Geomorphologist** (FGM) with a minimum of five years of relevant professional experience in stream replacement and restoration projects shall be employed to oversee all LUW replacement and restoration activities as proposed in the application. The name, contact information, and qualifications of the FGM shall be provided to MassDEP for approval with a copy to the Erving Conservation Commission prior to the Pre-Construction Meeting required in Condition 4. **(Submittal)**

3. Prior to the Pre-Construction Meeting required in Condition 4, the applicant shall provide MassDEP with the name and contact information of the Resident Engineer (RE) responsible for ensuring that all work complies with the conditions of this WQC. **(Submittal)**

4. A minimum of 21 days prior to the start of work, MassDOT shall contact MassDEP to schedule an onsite Pre-Construction Meeting to review the approved plans and terms and conditions of this WQC. The RE, the construction contractor, a representative from the MassDOT Environmental Section and/or the District Environmental Engineer shall attend the Pre-Construction Meeting.

5. A minimum of 14 days prior to installation of the streambed materials, the FGM shall meet with the contractor to determine the suitability of stockpiled streambed material for reuse.

6. MassDEP shall be copied on applicable submittals to the U.S. Army Corps of Engineers (USACE). These include but are not limited to: Self-Verification Notification Form (SVNF); Pre-Construction Notification (PCN); Work-Start Notification Form; Mitigation Work-Start Notification Form; and Compliance Certification Form. The Work-Start Notification Form shall be submitted at least 14 days before the anticipated start of work and the Compliance Certification Form shall be submitted within 30 days following the completion of the authorized work. **(Submittal)**

7. A construction period erosion, sedimentation, and pollution prevention plan (CP/PP) shall be developed and implemented as required by 314 CMR 9.06(6)(a)8. A minimum of 14 days prior to the start of work, MassDOT shall submit the CP/PP for review and approval. If the U.S. Environmental Protection Agency (EPA) Construction General Permit (CGP) applies, the Stormwater Pollution Prevention Plan (SWPPP) may serve as the CP/PP, providing it includes the measures required to be in the CP/PP per these Special Conditions, in addition to the measures specifically required by the CGP. Any subsequent changes to the approved CP/PP (defined herein as including the construction period SWPPP) must be approved by MassDEP. **(Submittal)**

8. Training regarding erosion and sedimentation controls is required. The RE, CP/PP Inspector, and any other relevant personnel responsible for erosion and sedimentation controls shall complete the EPA CGP Inspector Training, or other training that meets the CGP requirements, as well as complete a comprehensive review of the approved CP/PP. Verification of proof of completion training of the shall be submitted to MassDEP prior to the start of work. **(Submittal)**

9. The CP/PP shall identify, but shall not be limited to, staging and laydown areas in relation to LUW, proposed dewatering locations, proposed stockpile locations and their proximity to catch basins or other drainage conveyances that discharge to wetland resource areas, and the location of construction-period erosion and sedimentation controls.

10. A minimum of 21 days prior to the start of work, MassDOT shall submit a Control of Water Plan for review and approval. The Plan shall include proposed methods to manage construction-period water including but not limited to dewatering methods and locations, specifications for any water bypass systems, and dredge and debris material dewatering prior to shipment off site, as applicable. The plan shall meet requirements of the CP/PP and be specific to the Project. Dewatering and water bypasses shall be conducted under the supervision of the RE and comply with the applicable conditions identified herein. **(Submittal)**

11. Prior to the start of work, approved erosion and sedimentation control measures shall be installed per the approved CP/PP and as applicable, the manufacturer specifications. Erosion

and sedimentation control measures may consist of, but are not limited to, silt fence, staked straw bales, silt/turbidity curtains, compost filter tubes, etc.

12. Prior to the Pre-Construction Meeting, the boundaries of LUW shall be re-flagged where they are within 50 feet of the limits of work. All boundary markers, once in place, shall remain in place throughout construction until all disturbed surfaces have been permanently stabilized. Boundary markers shall be fully evaluated annually and refreshed where needed. Implementation of and compliance with this requirement shall be documented by the RE. All construction personnel shall be made aware of these markers.

13. A Flood Contingency Plan shall be submitted to MassDEP for review and approval that addresses areas that fall within the 1% annual chance of flooding zone within project limits. The Plan shall address the potential need for temporary relocation of construction and auxiliary equipment during flood events to designated upland locations above the Base Flood Elevation. The Plan shall be approved by MassDEP prior to any work within the 1% annual chance of flooding zone, including mobilization or storage of equipment and materials. **(Submittal)**

14. A minimum of 21 days prior to the start of work, a Demolition Plan shall be submitted for review and approval describing how the existing bridge will be demolished and what measures will be taken to assure that demo material is properly contained and does not enter Keyup Brook. **(Submittal)**

Construction Period

15. No more than **206 sf of permanent impacts to LUW** shall occur. All work shall avoid unapproved impacts to BVW and LUW.

16. CP/PP inspections shall occur at least once every seven calendar days and within 24 hours of a storm event that produces 0.5 inches or more of rain within a 24-hour period, or at a more stringent frequency if the CP/PP requires.

17. Copies of CP/PP Inspection and Maintenance Log Forms shall be submitted to MassDEP within 14 days upon request.

18. The Project shall identify one individual with at least three years of experience with construction period erosion and sedimentation control to be responsible for erosion and sedimentation control inspections. Under the direction of this individual, inspection and maintenance of erosion and sediment controls in active work areas may be performed by both the Contractor and RE or MassDOT project staff. Maintenance is the responsibility of the Contractor; however, the permittee is ultimately responsible for erosion and sedimentation control failure. The RE, and/or contractor shall immediately notify MassDEP and the Erving Conservation Commission if any unauthorized discharges to BVWs or LUW occur.

19. Disturbed areas shall be stabilized immediately after activities have permanently ceased or will be temporarily inactive for 14 or more calendar days. The installation of stabilization measures shall be implemented as soon as practicable, but no later than 14 calendar days after stabilization has been initiated.

20. Work within LUW shall be conducted in low or no-flow conditions to the extent practicable. Notice shall be provided to MassDEP and the Erving Conservation Commission within 24 hours prior to the commencement of dewatering. Dewatering methods and location(s) shall be approved by the RE prior to use, and shall be documented in the CP/PP. There shall be no discharge of untreated dewatered stormwater or groundwater to LUW. Any discharges shall be visibly free of sediment.

21. Additional erosion and sedimentation control materials shall be stored on-site at all times for emergency and routine replacement. Materials shall be kept covered, dry, and accessible at all times. The individual identified in Condition 18 shall be responsible for anticipating the need for and installation of additional erosion and sedimentation controls and shall have the authority to require additional erosion control measures to protect wetland resource areas beyond what is shown on the plans if field conditions, or professional judgment dictate that additional protection is necessary.

22. The RE shall monitor the National Weather Service forecast for updates, and upon issuance of a flood watch for the 1% annual chance of flooding zone, shall implement the flood contingency plan referenced in Condition 13.

23. Any storm drains with potential to receive discharge from stockpiled materials or construction operations shall be managed to inhibit the inflow of sediment while not increasing the likelihood of roadway flooding during periods of precipitation. Stockpiles shall be located no less than 50 feet from LUW, catch basins, or other drainage conveyances that discharge to BVWs or LUW. The CP/PP shall specify measures to implement this. Filter fabric stretched under storm drain inlet grates are not acceptable for this purpose.

24. The contractor shall have designated washout areas for concrete equipment that will be comprised of impermeable material and sized to contain project concrete wastes and wash water. Concrete wash out areas shall be located no less than 50 feet from LUW and catch basins or other drainage conveyances that discharge directly or indirectly to BVWs or LUW.

25. Refueling, washing, and cleaning of vehicles and other construction equipment shall not take place within 50 feet of LUW and any wash water shall be contained such that it does not drain toward LUW. MassDEP shall explicitly approve in writing any deviation to this condition for oversized stationary vehicles.

26. The contractor shall have spill containment kits on site. In the event of a release of fuels and/or oils, the local fire department and MassDEP shall be notified.

27. A temporary shielding system shall be in place beneath the bridge structure prior to removal to prevent debris from falling into the water below. If any debris accidentally enters Keyup Brook, it shall be immediately retrieved. Notice shall be provided to MassDEP if debris enters the river and photo documentation (if practicable) provided that it has been removed submitted by email.

Stream Mitigation

28. The FGM shall oversee all LUW replication and restoration. Placement of streambed materials shall take place in no- or low-flow conditions. The Control of Water Plan required in Condition 10 shall include measures to create no-flow conditions for this work such as a pump bypass system or other dewatering method, if needed. Placement of streambed materials during greater than low-flow conditions shall require a placement plan, with a narrative describing turbidity control measures, submitted to MassDEP for review and approval.

29. Upon completion, the FGM shall provide photographs of the finished stream restoration along with a brief summary describing the finished work to MassDEP and the Erving Conservation Commission. **(Submittal)**

30. Water shall be slowly introduced back into the restored and dewatered LUW work areas as to not cause erosion and sedimentation. This work shall be overseen by the FGM.

31. MassDEP reserves the right to determine the success or failure of the LUW replication and restoration areas and reserves the right to require additional measures deemed necessary to promote success.

Post-Construction

32. All temporary erosion controls shall be removed at the conclusion of work once the surrounding area has achieved final stabilization.

General Conditions

33. Any proposed alterations, minor plan changes, or amendment requests, as well as any required submittals shall be sent by email for review and approval to heidi.davis@mass.gov and tyler.lewis@mass.gov. **(Submittal)**

34. This WQC remains in effect for the same duration as the Section 404 permit that requires it.

35. No Special Condition set forth herein shall be construed or operate to prohibit MassDEP from taking enforcement against the MassDOT or its contractors for any failure to comply with the terms and requirements of this WQC.

36. No activity authorized by this WQC may begin prior to expiration of the 21-day appeal period, or until a final decision is issued by MassDEP in the event of an appeal.

Failure to comply with this Certification is grounds for enforcement, including civil and criminal penalties, under MGL Ch. 21 §42, MGL Ch. 21A §16, or other possible actions/penalties as authorized by the General Laws of the Commonwealth.

This Certification does not relieve the applicant of the obligation to comply with other appropriate state or federal statutes or regulations.

NOTICE OF APPEAL RIGHTS

a.) Appeal Rights and Time Limits

Certain persons shall have a right to request an adjudicatory hearing concerning certifications by MassDEP when an application is required: (a) the applicant or property owner; (b) any person aggrieved by the decision who has submitted written comments during the public comment period; (c) any ten (10) persons of the Commonwealth pursuant to M.G.L. c.30A where a group member has submitted written comments during the public comment period; or (d) any governmental body or private organization with a mandate to protect the environment which has submitted written comments during the public comment period. Any person aggrieved, any ten (10) persons of the Commonwealth, or a governmental body or private organization with a mandate to protect the environment may appeal without having submitted written comments during the public comment period only when the claim is based on new substantive issues arising from material changes to the scope or impact of the activity and not apparent at the time of public notice. To request an adjudicatory hearing pursuant to M.G.L. c.30A, § 10, a Notice of Claim must be made in writing, provided that the request is made by certified mail or hand delivery to MassDEP, with the appropriate filing fee specified within 310 CMR 4.10 along with a DEP Fee Transmittal Form within twenty-one (21) days from the date of issuance of this Certificate, and addressed to:

Case Administrator
Department of Environmental Protection
100 Cambridge Street, 9th Floor
Boston, MA 02114

A copy of the request shall at the same time be sent by certified mail or hand delivery to the Department of Environmental Protection at:

Department of Environmental Protection
Commissioner's Office
100 Cambridge Street, Suite 900
Boston, MA 02114

b.) Contents of Hearing Request

A Notice of Claim for Adjudicatory Hearing shall comply with MassDEP's Rules for Adjudicatory Proceedings, 310 CMR 1.01(6), and shall contain the following information pursuant to 314 CMR 9.10(3):

1. the 401 Certification Transmittal Number;
2. the complete name of the applicant and address of the project;
3. the complete name, address, and fax and telephone numbers of the party filing the request, and, if represented by counsel or other representative, the name, fax and telephone numbers, and address of the attorney;
4. if claiming to be a party aggrieved, the specific facts that demonstrate that the party satisfies the definition of "aggrieved person" found at 314 CMR 9.02;
5. a clear and concise statement that an adjudicatory hearing is being requested;
6. a clear and concise statement of (1) the facts which are grounds for the proceedings, (2) the objections to this Certificate, including specifically the manner in which it is alleged to be inconsistent with the MassDEP's Water Quality Regulations, 314 CMR 9.00, and (3) the relief

sought through the adjudicatory hearing, including specifically the changes desired in the final written Certification; and

7. a statement that a copy of the request has been sent by certified mail or hand delivery to the applicant, the owner (if different from the applicant), the conservation commission of the city or town where the activity will occur, the Department of Conservation and Recreation (when the certificate concerns projects in Areas of Critical Environmental Concern), the public or private water supplier where the project is located (when the certificate concerns projects in Outstanding Resource Waters), and any other entity with responsibility for the resource where the project is located.

c.) Filing Fee and Address

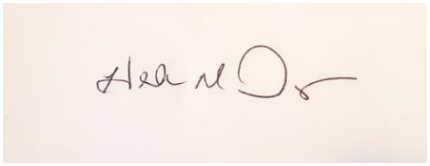
The hearing request along with a DEP Fee Transmittal Form and a valid check or money order payable to the Commonwealth of Massachusetts in the amount of one hundred dollars ($100) must be mailed to:

Commonwealth of Massachusetts
Department of Environmental Protection
Commonwealth Master Lockbox
PO Box 4062
Boston, MA 02211

The request will be dismissed if the filing fee is not paid unless the appellant is exempt or granted a waiver. The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority. MassDEP may waive the adjudicatory hearing filing fee pursuant to 310 CMR 4.06(2) for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file an affidavit setting forth the facts believed to support the claim of undue financial hardship together with the hearing request as provided above.

Should you have any questions relative to this permit, please contact myself or Tyler Lewis at tyler.lewis@mass.gov.

Very truly yours,



Heidi M. Davis
Highway Unit Supervisor

Ecc: DEP-WERO – Michael McHugh
USACE - Dan Vasconcelos
MassDOT – Melissa Lenker
MassDOT – Michael Joa
MassDOT District 2 – Billie Li
Erving Conservation Commission – Mark Blatchley - conservation@erving-ma.gov
Weston & Sampson – Louis Bacho - bacho.louis@wseinc.com

ATTACHMENT A
Bridge (E-10-011) Replacement over Keyup Brook
Erving, MA

PRE-CONSTRUCTION SUBMITTAL CHECKLIST

THIS CHECKLIST MUST BE COMPLETED PRIOR TO THE START OF WORK; NOTE THAT SOME CONDITIONS REQUIRE THAT INFORMATION BE SUBMITTED A SPECIFIC NUMBER OF DAYS PRIOR TO THE START OF WORK OR THE PRE-CONSTRUCTION MEETING.

Condition	Required Submittal	Due Date	Date Submitted	Date Approved
PRE-CONSTRUCTION SUBMITTAL REQUIREMENTS				
2	Name, contact information, and qualifications of the FGM, including specific experience and years to meet requirements	Prior to Pre-Construction Meeting		
3	Name and contact information of the RE	Prior to Pre-Construction Meeting		
6	USACE Work-Start Notification Form	14 days prior to work start		
7	CP/PP	14 days prior to work start		
8	Verification of Erosion and Sedimentation Controls Training	Prior to work start		
10	Control of Water Plan	21 days prior to work start		
13	Flood Contingency Plan	Prior to in water work		
14	Demolition Plan	21 days prior to work start		

重要 महत्वपूर्ण σημαντικός Important կարեւոր quan trọng مهم

Communication for Non-English-Speaking Parties

This document is important and should be translated immediately.

If you need this document translated, please contact MassDEP's Director of Environmental Justice at the telephone number listed below.

Español Spanish

Este documento es importante y debe ser traducido inmediatamente. Si necesita traducir este documento, póngase en contacto con el Director de Justicia Ambiental de MassDEP (*MassDEP's Director of Environmental Justice*) en el número de teléfono que figura más abajo.

Português Portuguese

Este documento é importante e deve ser traduzido imediatamente. Se você precisar traduzir este documento, entre em contato com o Diretor de Justiça Ambiental do MassDEP no número de telefone listado abaixo.

繁體中文 Chinese Traditional

本文檔很重要，需要即刻進行翻譯。
如需對本文檔進行翻譯，請透過如下列示電話號碼與 MassDEP 的環境司法總監聯絡。

简体中文 Chinese Simplified

这份文件非常重要，需要立即翻译。
如果您需要翻译这份文件，请通过下方电话与 MassDEP 环境司法主任联系。

Ayisyen Kreyòl Haitian Creole

Dokiman sa a enpòtan epi yo ta dwe tradui l imedyatman. Si w bezwen tradui dokiman sa a, tanpri kontakte Direktè. Jistis Anviwònmantal MassDEP a nan nimewo telefòn ki endike anba a.

Việt Vietnamese

Tài liệu này và quan trọng và phải được dịch ngay. Nếu quý vị cần bản dịch của tài liệu này, vui lòng liên hệ với Giám Đốc Phòng Công Lý Môi Trường của MassDEP theo số điện thoại được liệt kê bên dưới.

ប្រទេសកម្ពុជា Khmer/Cambodian

ឯកសារនេះមានសារៈសំខាន់
ហើយគប្បីត្រូវត្រូវបានបកប្រែភ្លាមៗ។.
ប្រសិនបើអ្នកត្រូវការអោយឯកសារនេះបកប្រែ
សូមទាក់ទងនាយកផ្នែកយុត្តិធម៌បរិស្ថានរបស់
MassDEPតាមរយៈលេខទូរស័ព្ទដែលបានរាយដូចខាងក្រោម។

Kriolu Kabuverdianu Cape Verdean

Es dokumentu sta important i tenki ser tradusidu immediatamenti. Se nho ta presisa ke es dokumentu sta tradisidu, por favor kontata O Diretor di Justisia di Environman di DEP ku es numero di telifoni menxionadu di baixo.

Contact Deneen Simpson 857-406-0738
Massachusetts Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114
TTY# MassRelay Service 1-800-439-2370 • https://www.mass.gov/environmental-justice
(Version revised 8.2.2023) 310 CMR 1.03(5)(a)

Русский Russian

Это чрезвычайно важный документ, и он должен быть немедленно переведен. Если вам нужен перевод этого документа, обратитесь к директору Департамента экологического правосудия MassDEP (MassDEP's Director of Environmental Justice) по телефону, указанному ниже.

العربية Arabic

هذه الوثيقة مهمة وتجب ترجمتها على الفور.

إذا كنت بحاجة إلى ترجمة هذه الوثيقة، فيرجى الاتصال بمدير العدالة البيئية في MassDEP على رقم الهاتف المذكور أدناه.

한국어 Korean

이 문서는 중대하므로 즉시 번역되어야 합니다.
본 문서 번역이 필요하신 경우, 매사추세츠 환경보호부의 "환경정의" 담당자 분께 문의하십시오. 전화번호는 아래와 같습니다.

հայերեն Armenian

Այս փաստաթուղթը կարևոր է, և պետք է անհապաղ թարգմանել այն:
Եթե Ձեզ անհրաժեշտ է թարգմանել այս փաստաթուղթը, դիմեք Մասաչուսեթսի շրջակա միջավայրի պահպանության նախարարության (MassDEP) Բնապահպանական հարցերով արդարադատության ղեկավարին (Director of Environmental Justice)՝ ստորև նշված հեռախոսահամարով

فارسی Farsi Persian

این نوشتار بسیار مهمی است و باید فوراً ترجمه شود.
اگر نیاز به ترجمه این نوشتار دارید لطفاً با مدیر عدالت محیط زیستی MassDEP در شماره تلفن ذکر شده زیر تماس بگیرید.

Français French

Ce document est important et doit être traduit immédiatement. Si vous avez besoin d'une traduction de ce document, veuillez contacter le directeur de la justice environnementale du MassDEP au numéro de téléphone indiqué ci-dessous.

Deutsch German

Dieses Dokument ist wichtig und muss sofort übersetzt werden. Wenn Sie eine Übersetzung dieses Dokuments benötigen, wenden Sie sich bitte an MassDEP's Director of Environmental Justice *(Direktor für Umweltgerechtigkeit in Massachusetts)* unter der unten angegebenen Telefonnummer.

Ελληνική Greek

Το έγγραφο αυτό είναι πολύ σημαντικό και πρέπει να μεταφραστεί αμέσως. Αν χρειάζεστε μετάφραση του εγγράφου αυτού, παρακαλώ επικοινωνήστε με τον Διευθυντή του Τμήματος Περιβαλλοντικής Δικαιοσύνης της Μασαχουσέτης στον αριθμό τηλεφώνου που αναγράφεται παρακάτω

Italiano Italian

Questo documento è importante e deve essere tradotto immediatamente. Se hai bisogno di tradurre questo documento, contatta il Direttore della Giustizia Ambientale di MassDEP al numero di telefono sotto indicato.

Język Polski Polish

Ten dokument jest ważny i powinien zostać niezwłocznie przetłumaczony. Jeśli potrzebne jest tłumaczenie tego dokumentu, należy skontaktować się z dyrektorem ds. sprawiedliwości środowiskowej MassDEP pod numerem telefonu podanym poniżej.

हिन्दी Hindi

यह दस्तावेज महत्वपूर्ण है और इसका अनुवाद तुरंत किया जाना चाहिए। यदि आपको इस दस्तावेज का अनुवाद कराने की जरूरत है, तो कृपया नीचे दिए गए टेलीफोन नंबर पर MassDEP के पर्यावरणीय न्याय निदेशक से संपर्क करें।

Contact Deneen Simpson 857-406-0738
Massachusetts Department of Environmental Protection
100 Cambridge Street 9th Floor Boston, MA 02114
TTY# MassRelay Service 1-800-439-2370 • https://www.mass.gov/environmental-justice
(Version revised 8.2.2023) 310 CMR 1.03(5)(a)

DOCUMENT A00855

UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

DETERMINATION VERIFICATION LETTER

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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: February 23, 2024
Project code: 2024-0023184
Project Name: 612982 - ERVING- BRIDGE REPLACEMENT, E-10-011, CHURCH STREET OVER KEYUP BROOK

Subject: Concurrence verification letter for the '612982 - ERVING- BRIDGE REPLACEMENT, E-10-011, CHURCH STREET OVER KEYUP BROOK' project under the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (NLEB).

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated February 23, 2024 to verify that the **612982 - ERVING- BRIDGE REPLACEMENT, E-10-011, CHURCH STREET OVER KEYUP BROOK** (Proposed Action) may rely on the concurrence provided in the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures. **At least one of the qualification interview questions indicated an activity or portion of your project is consistent with a not likely to adversely affect determination therefore, the overall determination for your project is, may affect, and is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the endangered northern long-eared bat (*Myotis septentrionalis*)**. Consultation with the Service pursuant to section 7(a)(2) of ESA (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq*.) is required.

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed

Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities: If your initial bridge/culvert or structure assessment documented signs of bat use or occupancy, or an assessment failed to detect Indiana bats and/or NLEBs, yet are later detected prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office within 2 working days of any potential take. In these instances, potential incidental take of Indiana bats and/or NLEBs is covered under the Incidental Take Statement in the 2018 FHWA, FRA, FTA PBO (provided that the take is reported to the Service).

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:
If your initial bridge/culvert or structure assessments failed to detect Indiana bats and/or NLEB use or occupancy, yet bats are later detected prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office within 2 working days of the incident. In these instances, potential incidental take of Indiana bats and/or NLEBs may be exempted provided that the take is reported to the Service.

If the Proposed Action may affect any other federally-listed or proposed species, and/or any designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please contact this Service Office.

The following species may occur in your project area and **are not** covered by this determination:

- Monarch Butterfly *Danaus plexippus* Candidate

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

NAME

612982 - ERVING- BRIDGE REPLACEMENT, E-10-011, CHURCH STREET OVER KEYUP BROOK

DESCRIPTION

612982 - ERVING- BRIDGE REPLACEMENT, E-10-011, CHURCH STREET OVER KEYUP BROOK

The principal project objective is to replace the existing bridge. The proposed structure will be a single span 3- sided precast frame structure that will be placed over the existing abutments; structure (approximately 16’ wide x 6’ deep). The channel bottom will remain as the original concrete slab which will protect the new structure from scour in peak flow events. The overall length of the proposed structure will be about 40 feet long on the west side and 46 feet 9 inches long on the east side.

Monarch Butterfly: Candidate Species only, no conservation measures at this time

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@42.6023603,-72.39958430596633,14z

DETERMINATION KEY RESULT

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the endangered northern long-eared bat, therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required. However, also based on your answers provided, this project may rely on the concurrence provided in the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

QUALIFICATION INTERVIEW

1. Is the project within the range of the Indiana bat[1]?

   [1] See Indiana bat species profile

   Automatically answered
   No

2. Is the project within the range of the northern long-eared bat[1]?

   [1] See northern long-eared bat species profile

   Automatically answered
   Yes

3. Which Federal Agency is the lead for the action?

   A) Federal Highway Administration (FHWA)

4. Are *all* project activities limited to non-construction[1] activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

   [1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

   No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces[1]?

   [1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

   No

6. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum[1]?

   [1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

   No

7. Is the project located **within** a karst area?

   No

8. Is there *any* suitable[1] summer habitat for Indiana Bat or NLEB **within** the project action area[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

   [1] See the Service's summer survey guidance for our current definitions of suitable habitat.

   [2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the User's Guide for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat.

   Yes

9. Will the project remove *any* suitable summer habitat[1] and/or remove/trim any existing trees **within** suitable summer habitat?

   [1] See the Service's summer survey guidance for our current definitions of suitable habitat.

   Yes

10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

    No

11. Have presence/probable absence (P/A) summer surveys[1][2] been conducted[3][4] **within** the suitable habitat located within your project action area?

    [1] See the Service's summer survey guidance for our current definitions of suitable habitat.

    [2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

    [3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

    [4] Negative presence/probable absence survey results obtained using the summer survey guidance are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

    Yes

SUBMITTED DOCUMENTS

- *612982_erving_nleb_survey_20231103.pdf https://ipac.ecosphere.fws.gov/project/GCJHB6EJMZD2VO4I4IFFAHGES4/projectDocuments/135488801*

12. Did the presence/probable absence (P/A) summer surveys detect Indiana bats and/or NLEB[1]?

    [1] P/A summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate home range) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

    No

13. Were the P/A summer surveys conducted **within** the fall swarming/spring emergence range of a documented Indiana bat hibernaculum[1]?

    [1] Contact the local Service Field Office for appropriate distance from hibernacula.

    No

14. Does the project include activities **within documented NLEB habitat**[1][2]?

    [1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

    [2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

    No

15. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors?

    Yes

16. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur?

    C) During both the active and inactive seasons

17. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces?

    Yes

18. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?

    No

19. Are *all* trees that are being removed clearly demarcated?

    Yes

20. Will the removal of habitat or the removal/trimming of trees involve the use of **temporary** lighting?

    Yes

21. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?

    No

22. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

    No

23. Does the project include slash pile burning?

    No

24. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

    Yes

25. Is there *any* suitable habitat[1] for Indiana bat or NLEB **within** 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

    [1] See the Service's current summer survey guidance for our current definitions of suitable habitat.

    Yes

26. Has a bridge assessment[1] been conducted **within** the last 24 months[2] to determine if the bridge is being used by bats?

    [1] See User Guide Appendix D for bridge/structure assessment guidance

    [2] Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that bridge/structure in subsequent years.

    Yes

    SUBMITTED DOCUMENTS

    - *612982_erving_nleb_survey_20231103.pdf https://ipac.ecosphere.fws.gov/project/GCJHB6EJMZD2VO4I4IFFAHGES4/projectDocuments/135488801*

27. Did the bridge assessment detect *any* signs of Indiana bats and/or NLEBs roosting in/under the bridge (bats, guano, etc.)[1]?

    [1] If bridge assessment detects signs of *any* species of bats, coordination with the local FWS office is needed to identify potential threatened or endangered bat species. Additional studies may be undertaken to try to identify which bat species may be utilizing the bridge prior to allowing *any* work to proceed.

    Note: There is a small chance bridge assessments for bat occupancy do not detect bats. Should a small number of bats be observed roosting on a bridge just prior to or during construction, such that take is likely to occur or does occur in the form of harassment, injury or death, the PBO requires the action agency to report the take. Report all unanticipated take within 2 working days of the incident to the USFWS. Construction activities may continue without delay provided the take is reported to the USFWS and is limited to 5 bats per project.

    No

28. Will the bridge removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

    No

29. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

    No

30. Will the project involve the use of *any* **temporary** lighting in addition to the lighting already indicated for habitat removal (including the removal or trimming of trees), or bridge/structure removal, replacement or maintenance activities?

    Yes

31. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **temporary** lighting (other than the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities) will be used?

    Yes

32. Will the project install new or replace existing **permanent** lighting?

    No

33. Does the project include percussives or other activities (**not including tree removal/ trimming or bridge/structure work**) that will increase noise levels above existing traffic/ background levels?

    Yes

34. Will the activities that use percussives (**not including tree removal/trimming or bridge/ structure work**) and/or increase noise levels above existing traffic/background levels be conducted *during* the active season[1]?

    [1] Coordinate with the local Service Field Office for appropriate dates.

    Yes

35. Will *any* activities that use percussives (**not including tree removal/trimming or bridge/ structure work**) and/or increase noise levels above existing traffic/background levels be conducted *during* the inactive season[1]?

    [1] Coordinate with the local Service Field Office for appropriate dates.

    Yes

36. Are *all* project activities that are **not associated with** habitat removal, tree removal/ trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives, limited to actions that DO NOT cause any additional stressors to the bat species?

    Examples: lining roadways, unlighted signage , rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

    Yes

37. Will the project raise the road profile **above the tree canopy**?

    No

38. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) consistent with a Not Likely to Adversely Affect determination in this key?

    Automatically answered
    Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and conducted during the active season within undocumented habitat.

39. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) and/or increase noise levels above existing traffic/background levels consistent with a No Effect determination in this key?

    Automatically answered
    Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and conducted during the inactive season

40. Is the location of this project consistent with a Not Likely to Adversely Affect determination in this key?

    Automatically answered
    Yes, because no bats were detected during presence/probable absence surveys conducted during the summer survey season and outside of the fall swarming/spring emergence periods. Additionally, all activities were at least 0.5 miles from any hibernaculum.

41. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

    Automatically answered
    Yes, because the bridge has been assessed using the criteria documented in the BA and no signs of bats were detected

42. **General AMM 1**
    Will the project ensure *all* operators, employees, and contractors working in areas of known or presumed bat habitat are aware of *all* FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

    Yes

PROJECT QUESTIONNAIRE

1. Have you made a No Effect determination for *all* other species indicated on the FWS IPaC generated species list?

   N/A

2. Have you made a May Affect determination for *any* other species on the FWS IPaC generated species list?

   N/A

3. How many acres[1] of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

   [1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

   0.25

4. Please describe the proposed bridge work:

   This project replaces the current bridge built in 1940 with a new precast concrete three-sided rigid frame structure on new precast footings. The original bridge is a single span cast-in-place concrete slab on granite stone masonry walls faced with concrete. The current streambed is partially lined with a 4" thick reinforced concrete slab under the bridge. The existing concrete slab will be removed in its entirety and the existing granite stone masonry walls will be partially removed to allow the new precast footings and three-sided frame to be placed behind. The existing roadway consists of two 10-foot lanes with no shoulders and a 5 ft. sidewalk on the west side of the bridge. The new roadway will be widened to accommodate two 10-foot lanes, two 4-foot shoulders, and a 5-foot sidewalk on the west side of the bridge. There will also be full depth roadway replacement up to 73 feet south of the bridge and 32 feet north of the bridge.

5. Please state the timing of all proposed bridge work:

   The overhead utility relocation & tree trimming will take place from mid-January thru mid-April 2025. The bridge will be closed starting in April with the removal of the bridge completed by mid-May. The bulk of the work to install the new bridge will h

6. Please enter the date of the bridge assessment:

   June 2, 2023

AVOIDANCE AND MINIMIZATION MEASURES (AMMS)

This determination key result includes the committment to implement the following Avoidance and Minimization Measures (AMMs):

GENERAL AMM 1

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

DETERMINATION KEY DESCRIPTION: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING NLEB OR INDIANA BAT

This key was last updated in IPaC on October 30, 2023. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the endangered **northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects. The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

IPAC USER CONTACT INFORMATION

Agency: Massachusetts Department of Transportation
Name: Ian Battles
Address: 10 Park Plaza
City: Boston
State: MA
Zip: 02116
Email ian.h.battles@dot.state.ma.us
Phone: 8572623378

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration

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DOCUMENT A00856

Northern Long-Eared Bat Presence/Absence Acoustic Survey and Bridge Assessment

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November 3, 2023

Attention: Dave Paulson
Wildlife and Endangered Species Program Supervisor
Massachusetts Department of Transportation – Highway Division
Ten Park Plaza, Room 7360
Boston, MA 02116-3973
David.J.Paulson.@dot.state.ma.us
(857) 262-3378

Project	Northern Long-eared Bat (NLEB) Presence/Absence Acoustic Survey and Bridge Assessment(s)
MassDOT Project #	612982
MassDOT Project Title	Erving – Bridge Replacement, E-10-011, Church Street over Keyup Brook
Town	Erving, Massachusetts
Surveyor Name/Firm	Stantec Consulting Services Inc
Detector Operation Dates	June 2, June 11, June 13, June 15, 2023
Acoustic Survey Results	**NLEB NOT DETECTED**
Acoustic Survey Results	**MYLE NOT DETECTED**
Acoustic Survey Results	**MYLU DETECTED AND CONFIRMED**
Acoustic Survey Results	**PESU DETECTED AND CONFIRMED**
Bridge Assessment Dates	June 2, 2023
Bridge Assessment Results	**No Signs of Bats Detected at E-10-011**

Dear Mr. Paulson,

This report contains the results of the Massachusetts Department of Transportation (MassDOT) northern long-eared bat (*Myotis septentrionalis*, hereafter NLEB) summer presence/absence survey performed for the Erving – Bridge Replacement, E-10-011, Church Street over Keyup Brook project (MassDOT # 612982; Project) in Erving, Massachusetts. Acoustic detectors deployed by Stantec Consulting Services Inc (Stantec) did not record any files identified as NLEB. Automated U.S. Fish and Wildlife Service-approved software (Kaleidoscope Pro version 5.4.7 [KPro]) did not identify NLEB passes or indicate presence based on nightly maximum likelihood estimate scores. KPro autoclassified six bat passes as the state-endangered little brown bat (*Myotis lucifugus*; MYLU) and two passes as the state-endangered tricolored bat (*Perimyotis subflavus*; PESU). Presence of both species was confirmed during our qualitative assessment. No bat passes were autoclassified as the state-endangered eastern small-footed bat (*Myotis leibeii;* MYLE).

This report also contains the results of the MassDOT bridge assessment performed for Bridge #E-10-011. No bats (dead or alive), staining, bat sounds, or distinct odors were observed for this bridge. This bridge does not appear to provide a cave-like environment (i.e., stable temperature and humidity, low wind

speeds). For the reasons stated above, it is determined that this bridge is not currently being used by bats.

Sincerely,

Stantec Consulting Services Inc.

Alex Pries
Project Manager
Phone: (603) 260-7434
Fax: (207) 729-2715
Alex.Pries@stantec.com

Attachments: NLEB Survey Report for Erving 612982
Bridge Assessment Report for Erving 612982

To:	Dave Paulson, Wildlife and Endangered Species Program Supervisor Massachusetts Department of Transportation	From:	Alex Pries Auburn, New Hampshire Office
File:	179410729	Date:	November 3, 2023

Reference: Bridge Replacement on Church Street over Keyup Brook, Erving, Massachusetts – Northern Long-eared Bat Acoustic Survey Report

INTRODUCTION

The Massachusetts Department of Transportation (MassDOT) retained Stantec Consulting Services Inc. (Stantec) to conduct an acoustic survey for the presence or probable absence of populations of the federally and state-listed endangered northern long-eared bat (*Myotis septentrionalis*; NLEB) on Church Street over Keyup Brook for proposed bridge replacement work in Erving, Massachusetts (Project). The Project includes potential tree clearing along 0.15 kilometers (km) of forested habitat (Figure 1). The purpose of the survey was to determine if this species was using these forested areas at the Project during the 2023 summer maternity season. The survey was conducted according to methods outlined in the U.S. Fish and Wildlife Service's (USFWS) March 2023 *Range-wide Indiana Bat and Northern Long-eared Bat Summer Survey Guidelines* (USFWS Guidelines).[1] Stantec submitted a Study Plan Form to USFWS on May 2, 2023 and a work scope to MassDOT on May 15, 2023. No response was received from USFWS. Stantec conducted surveys on June 2–16, 2023. The USFWS Guidelines identified a survey window of May 15 to August 15 for acoustic surveys. This memorandum summarizes methods and results of the acoustic bat survey for the Project. The memorandum for the associated bridge inspection is located in Appendix D.

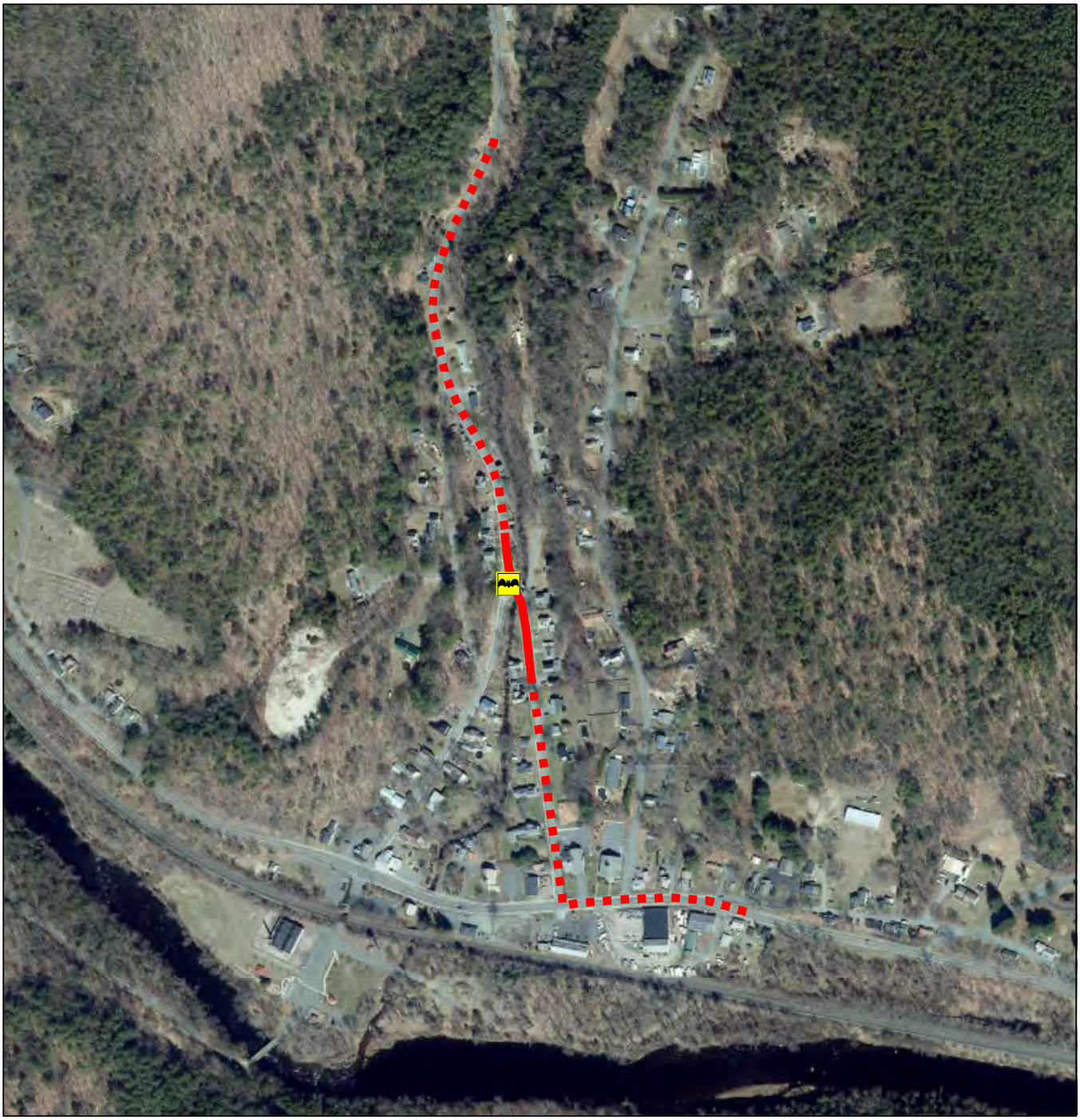
METHODS

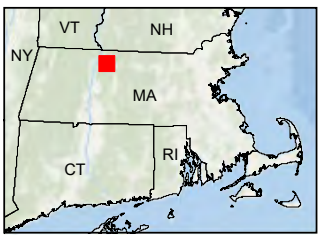
FIELD SURVEY

Surveys were conducted according to the methods outlined in the USFWS Guidelines[1]. The USFWS Guidelines specify survey effort for acoustic surveys based either on an area method or a linear method and indicate that projects less than 1 km in length should be considered non-linear and require 14 detector-nights and at least two survey sites no less than 200 meters (m) apart. Based on previous correspondence and agreement between MassDOT and USFWS, Stantec included portions of the linear road corridors on either side of the bridge to be assessed (up to 1 km survey) to categorize the Project as linear and to allow for greater flexibility in acoustic detector placement. Per survey efforts outlined in the USFWS Guidelines: Phase 2 Acoustic Surveys for linear projects, at least four detector-nights per km of suitable summer habitat were required for the Project. For the purposes of this survey, we have conservatively assumed that forested areas immediately adjacent to the Project provide potential roost habitat for NLEB (e.g., suitable summer habitat) and may potentially be cleared during project construction. Accordingly, Stantec conducted four detector-nights (one detector deployed for four nights) of acoustic surveys.

Stantec identified the survey location based on review of aerial imagery during desktop analysis, taking into consideration land permission access to the MassDOT right-of-way for the Project. Stantec biologists determined final detector placement in the field according to USFWS Guidelines, positioning the detector in a location that could be suitable as potential NLEB foraging habitat and appropriate for recording bat echolocation search-phase pulses/calls. The detector was positioned along a forested edge of the road near a riparian corridor (Figure 1). We recorded the location of the site and habitat information using the ArcGIS Survey123 mobile app and photographed the site (Appendix A).

[1] U.S. Fish and Wildlife Service. 2023. Range-wide Indiana Bat and Northern Long-eared Bat Survey Guidelines. U.S. Fish and Wildlife Service, Region 3, Bloomington, MN. 76 pp.





Legend

- Acoustic Survey Location
- Project Area
- Expanded Project Area

0 500 Feet

(At original document size of 8.5x11)
1" = 500'

N

Stantec

Notes

1. Coordinate System: NAD 1983 StatePlane Massachusetts Mainland FIPS 2001
2. Data Sources: MassDOT, Stantec
3. Background: Massachusetts 2021 MassGIS Color Orthoimagery

Project Location
Erving, Massachusetts

Prepared by MM on 2023-07-19
TR by GC on 2023-07-19
IR Review by LJ on 2023-07-19

Client/Project
179410729
Massachusetts Department of Transportation
Northern Long-eared Bat Acoustic Survey

Figure No.
1

Title
Northern Long-eared Bat Acoustic Survey Location – Erving

Citrix V:\1956\Active_Task Owner and other Non-BC\1956 Jobs\179410729\03_data\gis_cad\gis\mxds\179410729_DetectorsStudyPlan_ReportMaps.mxd Revised: 2023-07-19 By: memason

Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.

Stantec used a full-spectrum acoustic bat detector (Wildlife Acoustics© SM4BAT-FS) for the survey, inspecting the detector and ensuring its microphone met manufacturer calibration standards before deployment. The detector was fitted with a SMM-U2 ultrasonic omnidirectional microphone and deployed in an area with minimal vegetation within 10 m and at least 3 m away from obstructions in any direction. The detector was mounted on a pole approximately 3 m above ground level and oriented horizontally to the ground to sample an optimal volume of air space in accordance with the USFWS Guidelines. The audio and data storage settings on the detector were set according to defaults recommended by the manufacturer (e.g., detectors will operate in "triggered.wav" mode using default trigger threshold settings). The detector was set to record from 30 minutes before sunset until 30 minutes after sunrise and was powered with alkaline batteries.

DATA ANALYSIS

Although acoustic surveys focused on detecting NLEB, bat detectors are designed to detect any bats vocalizing in the vicinity of the detectors. Therefore, additional listed bat species can be detected, including eastern small-footed bat *(Myotis leibii*; state-listed endangered), little brown bat (*Myotis lucifugus*; state-listed endangered), and tricolored bat (*Perimyotis subflavus*; state-listed endangered). Though the federally endangered Indiana bat (*Myotis sodalis*) is listed as endangered in Massachusetts, the Project site occurs outside the known range of this species[2]. Therefore, Indiana bat was not included in acoustic analysis.

Stantec performed an initial coarse visual analysis of data to confirm detector functionality and that bats were recorded. Data were then analyzed using Kaleidoscope Pro Software version 5.4.7 (KPro; classifier version 5.4.0), using a "-1" sensitivity setting and selecting the appropriate species list for the Massachusetts region (excluding Indiana bat). This analysis method has been approved by the USFWS as suitable for analyzing full-spectrum bat data collected.[3]

KPro analyzes each acoustic file and sorts the files into those that contain bat echolocation or non-bat noise. The software then sorts files that contain bat echolocation by assigning a bat species identification if the program determines it contains enough information for a species-level determination or labels the file as no identification (NoID). KPro also assigns a maximum likelihood estimate (MLE) to each species identified, at each detector site, for each night surveyed. According to the USFWS Guidelines, presence or probable absence of NLEB is based on the species' MLE generated by KPro for each detector site for each night surveyed. An MLE of less than 0.05 indicates probable presence and an MLE greater than 0.05 indicates probable absence of that species at that detector site for that night.

Stantec visually vetted all files recorded on nights with probable NLEB presence (MLE of less than 0.05) to evaluate the plausibility of NLEB presence on those nights. We also reviewed all high frequency files identified as any state and/or federally listed bat species by the program to evaluate the plausibility of additional bat species of interest.

RESULTS

HABITAT SURVEY

The Project area includes a road over Keyup Brook and traversing riparian forested habitat interspersed

[2] Bats of Massachusetts. https://www.mass.gov/info-details/bats-of-massachusetts
[3] Automated Acoustic Bat ID Software Programs, USFWS, https://www.fws.gov/media/automated-acoustic-bat-id-software-programs

with residential areas (Figure 1). The forested habitat consists of deciduous forest with a moderate canopy closure. Many potential bat flight corridors, foraging areas, and potential roost habitat exist within the site and the surrounding area.

FIELD SURVEY

Stantec deployed the acoustic detector on June 2, 2023, and monitored weather conditions at weather station KMAERVIN9 (Weather Underground, located approximately 0.5 miles northwest of the Project) after each night to confirm that weather met the following parameters outlined in the USFWS Guidelines during the first 5 hours surveyed after sunset:

- Temperatures remained above 50°F
- No precipitation or fog for 30 minutes or more
- Sustained wind speeds did not exceed 9 miles/hour for 30 minutes or more

The nights of June 2, June 11, June 13, and June 15 met the required weather parameters. The detector was inspected in the field on June 22 to confirm proper operation during those four nights of deployment. The detector was retrieved, and detector operation was confirmed during all nights of the survey.

ACOUSTIC ANALYSIS

Coarse visual analysis confirmed presence of bat passes at the site. We included only the first four nights of the survey that met weather condition requirements in the acoustic analysis, meeting the minimal level of survey effort according to USFWS Guidelines. Analysis with KPro software did not identify any passes as NLEB or indicate presence of NLEB based on nightly MLE scores (Table 1).

KPro identified six passes as state-endangered little brown bat and two passes as state-endangered tricolored bat but did not indicated presence of either species based on nightly MLE scores. Visual QA/QC (i.e., manual vetting of the passes), performed by Caroline Byrne (see resume in Appendix B), indicated presence of both species (Table 1). KPro did not identify any passes as state-endangered eastern small-footed bat or indicate presence of this species based on nightly MLE scores (Table 1).

Additional species recorded at the Project included big brown bat (*Eptesicus fuscus*), silver-haired bat (*Lasionycteris noctivagans*), hoary bat (*Lasiurus cinereus*), and eastern red bat (*Lasiurus borealis*). Overall, big brown bats accounted for most recorded bat activity, followed by silver-haired bats and then hoary bats.

See Appendix C for examples of bat passes confirmed through visual QA/QC at the Project. Original full-spectrum and converted zero-crossing data files have been archived electronically and can be made available upon request. We have populated the USFWS Region 5 Bat Reporting Form and the 2023_MassDOT_BatSurvey_Stantec shapefile as electronic attachments.

Table 1. Acoustic analysis results for state and/or federally listed bat species based on KPro software and visual QA/QC for acoustic surveys for bridge replacement on Church Street over Keyup Brook, Erving, Massachusetts

Species	Night	KPro Analysis # Passes (Nightly MLE Score)	Visual QA/QC Notes
eastern small-footed bat	2-Jun	0 (1.00)	No passes/No presence
	11-Jun	0 (1.00)	No passes/No presence
	13-Jun	0 (1.00)	No passes/No presence
	15-Jun	0 (1.00)	No passes/No presence
little brown bat	2-Jun	0 (1.00)	No passes/No presence
	11-Jun	2 (0.99)	Presence confirmed based on visual QA/QC
	13-Jun	2 (0.67)	Presence confirmed based on visual QA/QC
	15-Jun	2 (0.54)	Presence confirmed based on visual QA/QC
northern long-eared bat	2-Jun	0 (1.00)	No passes/No presence
	11-Jun	0 (1.00)	No passes/No presence
	13-Jun	0 (1.00)	No passes/No presence
	15-Jun	0 (1.00)	No passes/No presence
tricolored bat	2-Jun	0 (1.00)	No passes/No presence
	11-Jun	2 (1.00)	Presence confirmed based on visual QA/QC
	13-Jun	0 (1.00)	No passes/No presence
	15-Jun	0 (1.00)	No passes/No presence

CONCLUSIONS

Acoustic surveys for the Project were conducted according to requirements outlined by the USFWS Guidelines and the approved scope of work submitted to MassDOT prior to fieldwork. No files detected during the survey were identified via automated analysis as NLEB, indicating probable absence of NLEB at the Project during the 2023 field season. Little brown bat presence and tricolored bat presence was documented at the Project based on autoclassification and was confirmed based on visual analysis, even though MLE scores did not indicate presence. Eastern small-footed bat was not identified at the Project. Bat activity consisted primarily of big brown bats and silver-haired bats.

Stantec Consulting Services Inc.

Alex Pries
Project Manager
Phone: (603) 260-7434
Fax: (207) 729-2715
Alex.Pries@Stantec.com

Attachments:
APPENDIX A Acoustic Detector Photographs
APPENDIX B Resume of Caroline Byrne
APPENDIX C Screenshots of Bat Passes
APPENDIX D Bridge Inspection Memo
USFWS Region 5 Bat Reporting Form
2023_MassDOT_BatSurvey_Stantec shapefile

APPENDIX A Acoustic Detector Photographs

Appendix A Figure 1. View of Erving detector set up facing north (top) and south (bottom)

Appendix A Figure 2. View of Erving detector set up facing east (top) and west (bottom)

APPENDIX B Resume of Caroline Byrne

Caroline Byrne

Wildlife Biologist
14 years of experience · Topsham, Maine

Caroline Byrne is a project scientist and bat biologist, specializing in rare species assessments and bioacoustics. She has a wide range of experience with wildlife assessments for birds, bats, turtles, cave fauna, and vegetation. She has conducted extensive mist netting, acoustic, and telemetry surveys and is a federally permitted bat biologist. Caroline has project experience in various sectors including commercial (renewable energy and development), federal (Department of Defense, Environmental Protection Agency US Fish and Wildlife), and state agencies. Caroline will be working with the emerging EchoPITCH program and related research projects funded by the US Department of Energy, National Renewable Energy Laboratory, Renewable Energy and Wildlife Institute, and private clients. Caroline has a BS from Binghamton University and a MS from Indiana State, where she researched Indiana bat social calls and behavior. She has conducted extensive mist netting, acoustic, and telemetry surveys and is a federally permitted bat biologist. Most recently, she has worked as a wildlife research biologist for Biodiversity Research Institute in Portland, Maine.

EDUCATION

Master of Science, Biology, Indiana State University, Terre Haute, Indiana , United States, 2015

Bachelors of Science, Environmental Science: Ecosystems , Binghamton University, Vestal, New York, United States, 2010

CERTIFICATIONS & TRAINING

30-hour Construction Safety and Health , Occupational Safety and Health Administration, San Diego, California, United States, 2022

Wilderness First Aid, Wilderness Medical Associates International, Portland, Maine, United States, 2021

Soundscape Analysis: From Data to Graphs, Wildlife Acoustics, Inc., Maynard, Massachusetts, United States, 2021

Bat Acoustics Training and Analysis Course, Wildlife Acoustics, Inc., Maynard, Massachusetts, United States, 2016

Raven Sound Analysis Workshop, Cornell Lab of Ornithology, Ithaca, New York, United States, 2013

Acoustic Techniques Workshop, Bat Conservation Managment, Newburyport, Massachusetts, 2011

Bat Automatic Identification Software Workshop , Western EcoSystems Technology, Inc., Pikeville, Tennessee, United States, 2013

Properties of Sound: How Bat Detectors Work, Wildlife Acoustics, Inc., Maynard, Massachusetts, United States, 2020

MEMBERSHIPS

Member, North American Society for Bat Research, 2011-Present

President-elect, Northeast Bat Working Group, 2009-Present

Member, Southeastern Bat Diversity Network, 2009-Present

Past President, The Wildlife Society, Maine, 2015-Present

Member, The Wildlife Society, 2015- Present

PROJECT EXPERIENCE

BAT BIOLOGY

VTrans Rare Bat Acoustic Surveys | Vermont Agency of Transportation | Vermont, USA | 2022 | Wildlife Biologist

Caroline assisted presence/absence acoustic surveys for rare bats throughout Vermont on behalf of VTrans. Surveys targeted bridges and other infrastructure and the surrounding habitats, using acoustic detectors to determine presence or probable absence of bat species, including state and federally listed species. Caroline assisted with data collection, analysis, and reporting.

MassDOT Rare Bat Acoustic Surveys | Massachusetts Department of Transportation | Massachusetts, USA | 2022 | Wildlife Biologist

Caroline assisted presence/absence acoustic surveys for rare bats throughout eastern and central Massachusetts. Surveys targeted bridges and other infrastructure and the surrounding habitats, using acoustic detectors to determine presence or probable absence of bat species, including state and federally listed species. Caroline assisted data collection, analysis, and reporting.

VDOT Rare Bat Acoustic Surveys | Virginia Department of Transportation | Virginia, USA | 2022 | Wildlife Biologist

Caroline supported presence/absence acoustic surveys for federally listed bats throughout Virginia on behalf of VDOT. Surveys targeted bridges and other infrastructure and the surrounding habitats, using acoustic detectors to determine presence or probable absence of bat species, including state and federally listed species. Caroline conducted visual vetting of bat passes identified by autoclassification as rare bat species.

** denotes projects completed with other firms*

Massachusetts Division of Fisheries and Wildlife Rare and Threatened Bat Species Surveys* | Massachusetts Division of Fisheries and Wildlife | Massachusetts | 2017-2018 | Field Coordinator, Federally Permitted Biologist at Biodiversity Research Institute

Preformed state-wide surveys for rare and threatened bat species. Surveys including investigating public reports of remaining bat colonies post-white-nose syndrome, capture, radiotelemetry, emergence counts, and acoustics.

Rare, Threatened, and Endangered Bat Surveys at US Naval Installations* | US Navy | Virginia, North Carolina, and Maine, USA | 2015-2022 | Field Coordinator, Federally Permitted Biologist at Biodiversity Research Institute

While at Biodiversity Research Institute, Caroline performed rare, threatened, and endangered bat surveys throughout the eastern United States, including acoustics (deployment, automated analysis, and qualitative identification analysis), mist-netting, homing telemetry, foraging telemetry, and hibernacula surveys.

Rare and Threatened Bat Surveys* | Massachusetts Army National Guard | Massachusetts, USA | 2015-2022 | Field Coordinator, Federally Permitted Biologist at Biodiversity Research Institute

Performed surveys for rare and threatened bat species, including hibernacula surveys, acoustics (deployment, automated analysis, and qualitative identification analysis), capture, radiotelemetry, emergence counts, and structure inspections.

Threatened and Endangered Bat Surveys at Ely Mine* | Environmental Protection Agency | Vershire, Vermont, United States | 2016-2017 | Field Coordinator, Federally Permitted Biologist at Biodiversity Research Institute

Performed mist-netting surveys, acoustics (deployment, automated analysis, and qualitative analysis), day roost telemetry, automated foraging, and home range telemetry. Compiled results into reports to client and permitting agencies.

USNPS Acadia National Park Bat Surveys* | US National Park Service | Acadia National Park, Maine, USA | 2015-2021 | Field Coordinator, Federally Permitted Biologist at Biodiversity Research Institute

Caroline led acoustic, capture, radiotelemetry, talus, and structure surveys for rare bats at Acadia National Park in 2015–2021. Surveys targeted the varied habitats present in the park including bridges (external and confined space), talus slopes and rock cliffs, structures, and forested habitats. Caroline managed agency consultation, survey design, data collection, analysis, and reporting, serving as the liaison between relevant state and federal agencies as needed.

Indianapolis International Airport Indiana Bat Project* | Indianapolis Airport Authority | Indianapolis, Indiana, United States | 2013-2015 | Graduate Researcher-Indiana State University

Lead a long-term Indiana bat monitoring project, including mist netting long-term netting sites, radio telemetry and transmitter attachment in order to track foraging bats and locate day roosts, spotlight checks, and emergence count to monitor roost use. Also performed vegetation surveys, report preparation, acoustic surveys (Pettersson D500x), infrared video, ethogram development, and analyzed acoustic behavior (Raven Pro, AnalookW, and SonoBat)

WILDLIFE CAPTURE AND TELEMETRY

Motus Network Automated Telemetry Tower Installation at Fort Indiantown Gap* | National Guard | Fort Indiantown Gap, PA, USA | 2017-2022 | Field Coordinator, Federally Permitted Biologist at Biodiversity Research Institute

Caroline built and deployed permanent automated telemetry towers for the Motus Wildlife Tracking System detection of migrating species including birds, bats, and insects.

ENDANGERED SPECIES/SPECIES AT RISK ASSESSMENTS

US Navy Lynx Survey* | US Navy | Maine, USA | 2019-2021 | Data Analyst and Field Biologist

Performed surveys for Canada Lynx, with use of autonomous cameras and bait stations. Project objective was to document the potential presence of Canada Lynx.

EMPLOYMENT HISTORY

Biodiversity Research Institute

Mammal Program Field Coordinator

2015 - 2022 · 7 years

Project Management: • Staffing: Supervise and manage all field staff including other field leads • Permitting: Application, management, and reporting for permits on both the state and federal level • Development: study plans, scopes of work, and standard operating procedures, worked directly with numerous clients including DOD (Navy, Air Force, Army, and Marines), EPA, State Agencies, USFWS, USNPS, Army National Guard, Army Core of Engineers, Air National Guard, and renewable energy companies (i.e., solar and offshore wind) • Logistics: arranged vehicles, lodging, equipment, and staffing schedules Field Program Work: • Overseeing all aspects of the capture and radio tracking of Eastern bat species. o As of 2020, I have identified 13 bat species in North America totaling >1,700 individual bats in hand. In North America, from Maine to South Carolina to Illinois. o Supervise and participate in the live capture of bats, and monitor and take samples according to the scope of work and approved protocols. o Daytime radio telemetry to locate roosting sites, nighttime telemetry with up to five teams for simultaneous foraging telemetry for home range analysis. o Development, siting, production, and execution of nano-telemetry towers for MOTUS network monitoring, captured and tagged bats with MOTUS transmitters during migration o Hibernacula and anthropogenic structure surveys • Surveys for

** denotes projects completed with other firms*

Canada Lynx with the use of camera traps and scent stations • Assisted in drafting bat portions of Construction and Operations Plans (COP) for offshore wind development Acoustics (birds and bats): • Develop standard operating procedures for acoustic monitoring with various detectors, software, and deployment types • Deployment and analysis of acoustic monitoring methods for bats o Deployed Pettersson D500X, 240X, and M500, Anabat SD2, Binary Acoustics AR125, Wildlife Acoustics SM2, SM3, and SM4 to record bat activity o Post- processing analysis with SonoBat, Kaleidoscope Pro., EchoClass, and Raven • Post-processing: Post-process recorded acoustic data with Echoclass, Kaleidoscope Pro., Sonobat, Raven, and Audacity • Manual vetting: extensive experience in manual vetting of recordings of eastern bat species. • Offshore wind energy acoustic deployments and acoustic processing and vetting

Indiana State University
Graduate Student
2013 - 2015 · 3 years

Long term monitoring of local bat populations : Mist netting long term netting sites, radio telemetry and transmitter attachment in order to track foraging bats and locate day roosts, spotlight checks and emergence count to monitor roost use Vegetation surveys Report preparation Deployed acoustic monitors and night vision video to record acoustic and visual behavior at maternity roosts, analyzed hundreds of hours of acoustic and video data Developed ethogram detailing visual, through behavioral coding of video and acoustic behaviors through qualitative and statistically analysis of acoustic behaviors

Indiana State University
Field Technician
2012 - 2012 · 1 year

-Organizing field and netting teams and planning field tasks. -Implementation of standardized vegetation surveys in plot and transect form. With use of Trimble GPS units, Terra Sync and Pathfinder software. - Data entry with Microsoft Access and Excel. - Capturing bats using mist-nets, identifying and handling 11 species of eastern bats including target species Indiana bat (Myotis sodalis) and northern long-eared bat (Myotis septentrionalis). Used radio telemetry to track bats and locate roost trees in steep mountainous terrain. - Identified and measured eastern trees in plots around roost trees and prescribed burn areas. -Recorded and analyzed bat calls with the Anabat system, Wildlife Acoustics SM2 detectors and call analysis with SonoBat Software -Use of the basic functions of ArcGIS software. -Setup and deployment of Lotek SRX-DL Radio Receivers

US Fish and Wildlife Service
Biological Intern
2011 - 2011 · 1 year

- Oversaw all aspects of bat research at 3 regional refuges. Duties included organizing interns and volunteers capturing bats using mist-nets, identifying and handling of eastern bats. Radio telemetry to locate roosts. Emergence counts. Acoustic surveys mobile and stationary. Decontamination of field gear. Data entry with Microsoft Access and Excel. - Participated in water and wading bird surveys and banding, turtle capture and telemetry including wood and bog turtles, and invasive plant control. - Preformed public outreach events

US Forest Service
Lead Technician
2010 - 2010 · 1 year

-Organizing field and netting teams and planning field tasks. -Implementation of standardized vegetation surveys in plot and transect form. With use of Trimble GPS units, Terra Sync and Pathfinder software. - Data entry with Microsoft Access and Excel. - Capturing bats using mist-nets, identifying and handling 11 species of eastern bats including target species Indiana bat (Myotis sodalis) and northern long-eared bat (Myotis septentrionalis). Used radio telemetry to track bats and locate roost trees in steep mountainous terrain. - Identified and measured eastern trees in plots around roost trees and prescribed burn areas. -Recorded and analyzed bat calls with the Anabat system.

US Forest Service/Clemson University
Field Technician
2009 - 2009 · 1 year

- Capturing bats using mist-nets, identifying and handling 11 species of eastern bats including target species Indiana bat (Myotis sodalis) and northern long-eared bat (Myotis septentrionalis). Used radio telemetry to track bats and locate roost trees in steep mountainous terrain. - Identified and measured eastern trees in plots around roost trees. -Recorded and analyzed bat calls with the Anabat system.

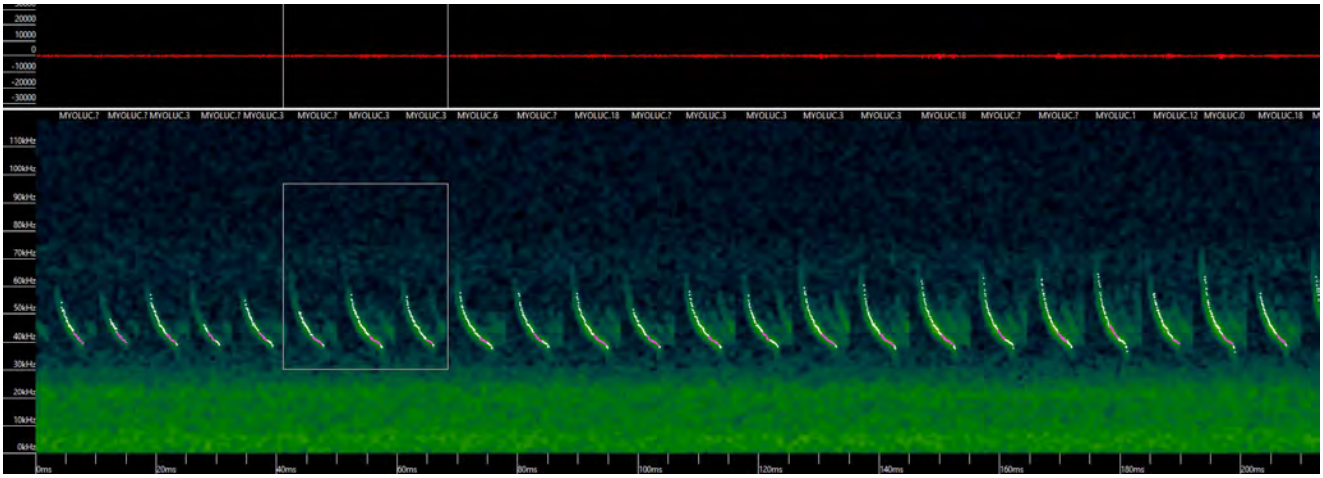
** denotes projects completed with other firms*

PUBLICATIONS & WHITEPAPERS

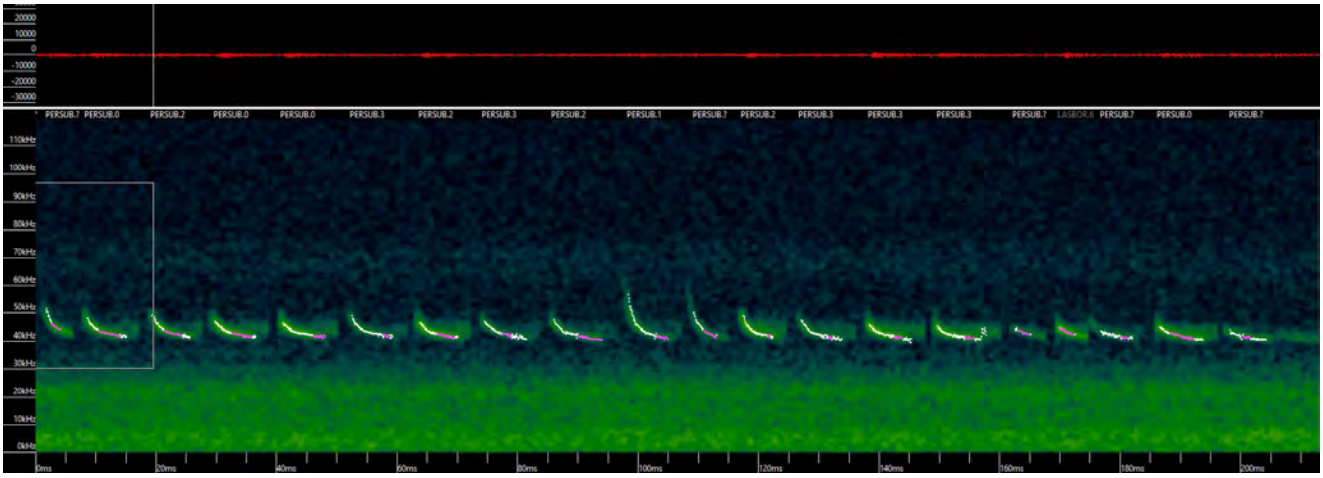
Byrne, C., Describing the social behavior of the Indiana bat Myotis sodalis at day roost sites. . *A thesis submitted in partial fulfillment of the requirements for the degree of master of science, Indiana State University.*, 2015.

** denotes projects completed with other firms*

APPENDIX C Screenshots of Bat Passes



Appendix C Figure 1. Screenshot of a little brown bat pass recorded on the night of June 11, 2023, for bridge replacement on Church Street over Keyup Brook, Erving, Massachusetts. Little brown bat presence was confirmed based on visual QA/QC.



Appendix C Figure 2. Screenshot of a tricolored bat pass recorded on the night of June 11, 2023, for bridge replacement on Church Street over Keyup Brook, Erving, Massachusetts. Tricolored bat presence was confirmed based on visual QA/QC.

APPENDIX D Bridge Inspection Memo

To:	Dave Paulson, Wildlife and Endangered Species Program Supervisor Massachusetts Department of Transportation	From:	Alex Pries Auburn, New Hampshire Office
File:	179410729	Date:	November 3, 2023

Reference: Erving, MA (DOT Project # 612982) Church Street over Keyup Brook Bridge Bat Habitat Inspection

Dear Mr. Paulson,

Stantec biologists conducted a visual inspection for roosting bats and bat habitat at Bridge E-10-011 associated with MassDOT Project # 612982 [ERVING- BRIDGE REPLACEMENT, E-10-011, CHURCH STREET OVER KEYUP BROOK] on June 2, 2023. During the inspection, Stantec biologists used flashlights and binoculars to search gaps, crevices, and other locations on bridge structures that could potentially hold roosting bats. No bats, bat vocalization, guano, or staining were observed at the bridge during the inspection.

The bridge is a flat slab/box structure with a concrete deck over Keyup Brook (Figures 1 – 3). Concrete curbs and concrete guardrails are located on the top of the structure (Figure 4). Inspection of open concrete and any small cracks/crevices in the bridge provided no indication of current bat roosting (Figures 5 – 6). Potential suitable roosting habitat for bats is limited as the concrete is largely exposed to the elements and unlikely to provide thermal protection. Similarly, a visual inspection of the bridge's concrete guardrails indicated they were solid (i.e., absent of any cracks or crevices), and unlikely to provide suitable roosting habitat.

In conclusion, Stantec biologists did not observe any roosting bats, or evidence of roosting bats, during the inspection of Bridge E-10-011. Stantec did observe limited areas of potential roosting bat habitat within gaps between section of concrete and the bridge abutments. A completed bridge assessment form is included as Appendix A.

Sincerely,

Stantec Consulting Services Inc.

Alex Pries
Project Manager
Phone: (603) 260-7434
Fax: (207) 729-2715
Alex.Pries@Stantec.com

Attachments: Figures
Appendix A – Bridge Inspection Form

Appendix D Figure 1. View of Bridge E-10-011 (Church Street over Keyup Brook in Erving, MA), facing south

Appendix D Figure 2. View of Bridge E-10-011 (Church Street over Keyup Brook in Erving, MA), facing north

Appendix D Figure 3. View of Bridge E-10-011 (Church Street over Keyup Brook in Erving, MA), facing northeast

Appendix D Figure 4. Concrete curbs and guardrails on Bridge E-10-011 (Church Street over Keyup Brook in Erving, MA), facing south

Appendix D Figure 5. View underneath Bridge E-10-011 (Church Street over Keyup Brook in Erving, MA), facing north

Appendix D Figure 6. View underneath Bridge E-10-011 (Church Street over Keyup Brook in Erving, MA), facing east

November 3, 2023

Dave Paulson, Wildlife and Endangered Species Program Supervisor
Attachments

Reference: Erving, MA (DOT Project # 612982) Church Street over Keyup Brook Bridge Bat Habitat Inspection

APPENDIX A Bridge Inspection Form

Bridge/Structure Bat Assessment Form

Date & Time of Assessment: 06 02 2023 15:50	DOT Project Number: 612982	Route/Facility Carried: Church St	County: Franklin
Federal Structure ID: E-10-011	Structure Coordinates (latitude and longitude): 42.602410 -72.399655	Structure Height (approximate): 10'	Structure Length: 20'

Structure Type (check one)

Bridge Construction Style

- ○ Cast-in-place
- ✓ Flat Slab/Box
- ○ Truss (Side View)
- ○ Parallel Box Beam
- ○ Pre-stressed Girder
- ○ Steel I-beam
- ○ Covered
- ○ Other

Culvert Type: N/A

- ○ Box
- ○ Pipe/Round
- ○ Other

Other Structure: N/A

Structure Material (check all that apply)

Deck Material	Beam Material	End/Back Wall Material
✓ Metal	✓ None	✓ Concrete
✓ Concrete	Concrete	Timber
Timber	Steel	Stone/Masonry
Open grid	Timber	Other
Other	Other	

Creosote Evidence: ○ Yes ✓ No ○ Unknown

Culvert Material: N/A

- Metal
- Concrete
- Plastic
- Stone/Masonry
- Other

Notes:

Crossings Traversed (check all that apply)

- Bare ground
- Rip-rap
- ✓ Flowing water
- Standing water
- Seasonal water
- Open vegetation
- Closed vegetation
- Railroad
- Road/trail - Type:
- Other

Surrounding Habitat (check all that apply)

- Agricultural
- Commercial
- ✓ Residential-urban
- Residential-rural
- ✓ Woodland/forested
- Grassland
- Ranching
- Riparian/wetland
- Mixed use
- Other

Areas Assessed (check all that apply)

Check all areas that apply. If an area is not present in the structure, check the "not present" box.
Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.

Area (check if assessed)	Assessment Notes	Evidence of Bats (include photos if present)
✓ All crevices and cracks ✓ **Bridges/culverts**: rough surfaces or imperfections in concrete **Other structures**: soffits, rafters, attic areas	☐ Not present No signs of active bat use	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
✓ Concrete surfaces (open roosting on concrete)	☐ Not present " "	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
☐ Spaces between concrete end walls and the bridge deck	✓ Not present	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
☐ Crack between concrete railings on top of the bridge deck (Gap / Railing)	✓ Not present	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
☐ Vertical surfaces on concrete I-beams	✓ Not present	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
☐ Spaces between walls, ceiling joists	✓ Not present	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
☐ Weep holes, scupper drains, and inlets/pipes	✓ Not present	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
✓ All guiderails	☐ Not present " "	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
☐ All expansion joints	✓ Not present	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species

Name: Alexander J. Pries

Signature:

Last Revised March 2022

Assessment Form

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DOCUMENT A00875

POLICY DIRECTIVE P-22-001
AND
POLICY DIRECTIVE P-22-002

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massDOT Massachusetts Department of Transportation Highway Division

Number: P-22-001
Date: 9/23/22

POLICY DIRECTIVE

Jonathan Gulliver (signature on original)
HIGHWAY ADMINISTRATOR

Off-Site Stockpiling of Soil from MassDOT Construction Projects

Purpose

The purpose of this Policy Directive is to formally establish a policy and procedures for managing and stockpiling soil generated and transported from MassDOT construction projects. This Policy Directive does not supersede any Federal, State, or Local regulations.

Date of Effect

This Policy Directive is effective immediately for all projects, including active construction projects.

For active construction projects and for other projects advertised prior to October 15, 2022, changes to the contract documents needed to implement the requirements of this Policy Directive will be considered on a case-by-case basis and shall be approved by the District Highway Director, as necessary.

For projects advertised on or after October 15, 2022, MassDOT will include the requirements and implementation procedures of this Policy Directive in the construction contract documents.

Policy Requirements

This policy is intended to prevent the off-site relocation of excavated soil generated from MassDOT projects to areas near residential receptors and to control potential fugitive dusts and/or contaminants. To that end, excavated soil may not be moved from the project site without knowledge of the content of the material. Knowledge may include visual field observations for presence of staining, odor, and/or debris, screening with a photoionization detector (PID), laboratory analysis, and/or site history. Pavement millings and other non-soil materials are not subject to the requirements of this Policy Directive.

Moving soil from a MassDOT project site to a temporary off-site storage location must be approved in writing by the District Highway Director.

The Contractor must select a storage location that is at least 500 feet away from residential receptors, as defined herein to include, but not be limited to, residential dwellings, residentially

zoned property, schools, daycare facilities, playgrounds, parks, recreational areas, hospitals, elderly housing and convalescent facilities.

Temporary off-site storage of excavated soil from a MassDOT project is only permissible at a location approved and permitted by MassDOT. The temporary storage location should be located within the same municipality where the soil was excavated, where possible. Stockpiled soil must be securely covered, and appropriate measures must be taken to minimize fugitive dust and erosion.

Signs indicating the source of the soil, the date the soil was generated, and contact information must be erected and maintained until the stockpiled soils are transported to a disposal facility or reused on the project site.

Implementation Procedures

To ensure that off-site storage of excavated soils is managed properly on MassDOT projects, this policy requires the following:

1. **Off-Site Stockpile Storage Locations**
    a. The Contractor shall provide proposed off-site storage locations to the Engineer for approval at least 30 days prior to transporting soil off site. Off-site storage locations should be in the same municipality as the work site.
    b. The Contractor shall keep excavated soil on site until adequately characterized to the satisfaction of the Engineer.
    c. The Contractor shall provide notification of the approved off-site storage location to the local Board of Health and the Town Manager's/Mayor's Office at least 7-days prior to transporting soil off site.
    d. The Contractor shall provide the Engineer with at least 3-days' notice prior to transporting soil off site.
    e. For off-site storage locations on MassDOT property, the Contractor is required to obtain an Access Permit through the District Permits Office prior to storage of soil or other materials. MassDOT will issue these permits at no cost to the Contractor. Information to be submitted by the Contractor as part of the permit application shall include:
        i. A description of material to be stored off-site, including available analytical data;
        ii. A figure of the location with distances to residences and residential receptors; and
        iii. Anticipated duration of temporary storage.
    f. Stockpile locations should not be within 500 feet of residential receptors (e.g., residential dwellings, residentially zoned property, schools, daycare facilities, playgrounds, parks, recreational areas, hospitals, elderly housing and convalescent facilities).
        i. If the stockpile location must be within 500 feet of residential receptors, then soil must be less than RCS-1 (per 310 CMR 40.1600) and free of potentially hazardous or regulated items.

g. For off-site storage locations on non-MassDOT property, the Contractor must notify the property owner(s) at least 7 days prior to transporting material.
h. Exceptions to these rules will be reviewed by MassDOT and may be approved by the District Highway Director on a case-by-case basis.

2. Off-Site Stockpile Management

a. The Contractor shall keep soil stockpiles on impermeable surfaces (e.g., asphalt or concrete) or on 10-mil polyethylene sheeting.
b. The Contractor shall cover soil stockpiles with 10-mil polyethylene sheeting and surround with a berm made of hay bales, straw wattles, or similar.
    i. Piles that are actively being worked on must be covered and re-secured at the end of the work shift.
c. The Contractor shall label stockpiles with signs, including:
    i. Location of origin (including any Release Tracking Numbers)
    ii. Stockpile ID number (including MassDOT District office-assigned tracking ID, if different)
    iii. Date of initial accumulation
    iv. Applicable telephone numbers for the Contractor and MassDOT.
d. The Contractor shall mitigate fugitive dust at storage locations under the direction of an appropriately trained/certified environmental professional.
e. The Contractor shall remedy noncompliance with this policy within 48 hours.
f. The Contractor shall remedy noncompliance with this policy on the SAME DAY for potentially hazardous material, as determined by the Engineer.
g. The Contractor shall handle excavated soil according to federal, state, and local regulations.
h. The Contractor shall use appropriate shipping documents for all movements of excavated soil on public roadways (e.g., Bill of Lading, Material Shipping Record, Manifest, Asbestos Waste Shipment Record, etc.).

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massDOT Massachusetts Department of Transportation Highway Division

Number: P-22-002
Date: 9/23/22

POLICY DIRECTIVE

Jonathan Gulliver (signature on original)
HIGHWAY ADMINISTRATOR

Use of MassDOT Property for Staging and other Construction-Related Operations

Purpose

This Policy Directive is intended to address the use of MassDOT property by MassDOT Contractors for construction staging and other construction-related operations that are not specifically defined in the construction contract. Such use of MassDOT property will only be allowed if permitted by the District Office in accordance with 700 CMR 13.00, Approval of Access to MassDOT Highways and Other Property. This includes the use of MassDOT property for staging, laydown, and storage of equipment and materials, including soil excavated from a project site.

This Policy Directive requires the Contractor/applicant to obtain a Non-Vehicular Access Permit from MassDOT to use MassDOT property for these purposes.

This Policy Directive is effective immediately and applies to all MassDOT construction projects.

General Permit Considerations and Conditions

In addition to other normal MassDOT Access Permit procedures, MassDOT shall consider the following during the application, review, implementation and monitoring processes of Access Permits required by this Policy Directive:

- Storage and placement of the Contractor's equipment and materials should not be allowed within the clear zone of the roadway.
- Stockpiled soils should not be located within 500 feet of residential receptors, as defined herein to include, but not be limited to, residential dwellings, residentially zoned property, schools, daycare facilities, playgrounds, parks, recreational areas, hospitals, elderly housing and convalescent facilities.
- The Contractor/applicant shall identify the access/egress locations of the proposed storage areas. MassDOT will only approve locations determined to be safe for roadway users, construction workers and the general public.
- The Contractor may be required to submit a Traffic Management Plan and/or Lighting Plan for MassDOT review and approval as part of the permit application, depending on the proposed use of the area.

- The Contractor shall submit the permit application through MassDOT's online State Highway Access Permit System (SHAPS).
- MassDOT will waive the permit application fee for any application received from a MassDOT Contractor for any permit required by this Policy Directive and will waive any subsequent amendment and extension fees that may otherwise be required.
- MassDOT will review the permit application in accordance with applicable standard procedures and will apply standard permit terms and conditions, as necessary.
- The Resident Engineer will verify that the permit is approved before allowing the Contractor to use the affected area for the requested purpose.
- Areas permitted are for use by the approved applicant only and are not to be shared with or used by other vendors. Subcontractors specifically engaged with the applicant working on the specific MassDOT project will be allowed to use the area in accordance with the terms of the permit.
- Permits are issued on an annual basis and will require the Contractor to file for an extension each year to continue use.

Exemptions from Permit Requirements

Equipment and materials being used for active construction operations and located within the work zone of the construction contract are exempt from this permit requirement, provided they do not interfere with the safety or operation of the roadway or the work zone. Examples of these types of exempt uses are:

- Equipment and materials parked or stored within a protected (barriered) work zone.
- Materials placed in the work zone prior to same-day installation or use.
- Soils excavated temporarily and scheduled to be replaced, such as for trenching operations or for installation of drainage structures.

DOCUMENT B00420

PROPOSAL

ERVING

For: **Bridge Replacement, E-10-011, Church Street over Keyup Brook**

COMMONWEALTH OF MASSACHUSETTS

LOCATION

The work referred to herein is in the Town of ERVING in Franklin County, in the Commonwealth of Massachusetts, and is shown by the locus map (Document 00331) in the Proposal Pamphlet, the work locations extend as follows:

Church Street

Bridge E-10-011

Beginning – Station 10+70.00 +/-
Ending –Station 12+13.76.00 +/-

The contract prices shall include the furnishing of all materials (except as otherwise herein specified), the performing of all the labor requisite or proper, the providing of all necessary machinery, tools, apparatus and other means of construction, the doing of all the abovementioned work in the manner set forth, described and shown in the specifications and on the drawings for the work, and in the form of contract, and the completion thereof within **759 CALENDAR DAYS** upon receipt of a Notice to Proceed, except that if the completion date falls between December 1 and March 15 then the same number of days beyond December 1st will be extended after March 15th.

The Work of this project is described by the following Items and quantities.

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Project # 612982	Contract # 132268			
Location : ERVING				
Description : Bridge Replacement, E-10-011, Church Street over Keyup Brook				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
101.	0.25	CLEARING AND GRUBBING AT _____ PER ACRE		
102.51	2	INDIVIDUAL TREE PROTECTION AT _____ EACH		
102.521	25	TREE AND PLANT PROTECTION FENCE AT _____ PER FOOT		
115.1	1	DEMOLITION OF BRIDGE NO. E-10-011 (OPW) AT _____ LUMP SUM		
120.	270	EARTH EXCAVATION AT _____ PER CUBIC YARD		
121.	15	CLASS A ROCK EXCAVATION AT _____ PER CUBIC YARD		
127.1	2	REINFORCED CONCRETE EXCAVATION AT _____ PER CUBIC YARD		
140.	470	BRIDGE EXCAVATION AT _____ PER CUBIC YARD		
141.1	10	TEST PIT FOR EXPLORATION AT _____ PER CUBIC YARD		

Project # 612982	Contract # 132268			
Location : ERVING				
Description : Bridge Replacement, E-10-011, Church Street over Keyup Brook				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
144.	25	CLASS B ROCK EXCAVATION AT _____ PER CUBIC YARD		
146.	3	DRAINAGE STRUCTURE REMOVED AT _____ EACH		
151.	155	GRAVEL BORROW AT _____ PER CUBIC YARD		
151.2	65	GRAVEL BORROW FOR BACKFILLING STRUCTURES AND PIPES AT _____ PER CUBIC YARD		
160.3	10	CONTROLLED LOW-STRENGTH MATERIAL (> 300 PSI) AT _____ PER CUBIC YARD		
170.	480	FINE GRADING AND COMPACTING - SUBGRADE AREA AT _____ PER SQUARE YARD		
180.01	1	ENVIRONMENTAL HEALTH AND SAFETY PROGRAM AT _____ LUMP SUM		
180.02	8	PERSONAL PROTECTION LEVEL C UPGRADE AT _____ PER HOUR		
180.03	24	LICENSED SITE PROFESSIONAL SERVICES AT _____ PER HOUR		

Project # 612982	Contract # 132268			
Location : ERVING				
Description : Bridge Replacement, E-10-011, Church Street over Keyup Brook				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
181.11	525	DISPOSAL OF UNREGULATED SOIL AT _____ PER TON		
181.12	70	DISPOSAL OF REGULATED SOIL - IN-STATE FACILITY AT _____ PER TON		
181.13	35	DISPOSAL OF REGULATED SOIL - OUT-OF-STATE FACILITY AT _____ PER TON		
181.14	35	DISPOSAL OF HAZARDOUS WASTE AT _____ PER TON		
182.1	1	INSPECTION AND TESTING FOR ASBESTOS AT _____ LUMP SUM		
182.2	130	REMOVAL OF ASBESTOS AT _____ PER FOOT		
201.	2	CATCH BASIN AT _____ EACH		
202.	1	MANHOLE AT _____ EACH		
210.	2	SANITARY SEWER MANHOLE AT _____ EACH		

Project # 612982	Contract # 132268			
Location : ERVING				
Description : Bridge Replacement, E-10-011, Church Street over Keyup Brook				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
210.02	1	SANITARY SEWER MANHOLE REMOVED AT _____ EACH		
220.	1	DRAINAGE STRUCTURE ADJUSTED AT _____ EACH		
222.3	5	FRAME AND GRATE (OR COVER) MUNICIPAL STANDARD AT _____ EACH		
223.2	4	FRAME AND GRATE (OR COVER) REMOVED AND DISCARDED AT _____ EACH		
225.52	2	TRAP AND HOOD MUNICIPAL STANDARD AT _____ EACH		
227.3	3	REMOVAL OF DRAINAGE STRUCTURE SEDIMENT AT _____ PER CUBIC YARD		
227.31	145	REMOVAL OF DRAINAGE PIPE SEDIMENT AT _____ PER FOOT		
241.12	31	12 INCH REINFORCED CONCRETE PIPE CLASS III AT _____ PER FOOT		
250.08	128	8 INCH POLYVINYL CHLORIDE SANITARY SEWER PIPE AT _____ PER FOOT		

Project # 612982	Contract # 132268			
Location : ERVING				
Description : Bridge Replacement, E-10-011, Church Street over Keyup Brook				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
402.	50	DENSE GRADED CRUSHED STONE FOR SUB-BASE AT _____ PER CUBIC YARD		
443.	1	WATER FOR ROADWAY DUST CONTROL AT _____ PER 1000 GALLONS		
450.31	50	SUPERPAVE INTERMEDIATE COURSE - 12.5 (SIC -12.5) AT _____ PER TON		
450.42	90	SUPERPAVE BASE COURSE - 37.5 (SBC - 37.5) AT _____ PER TON		
450.60	40	SUPERPAVE BRIDGE SURFACE COURSE - 9.5 (SSC-B - 9.5) AT _____ PER TON		
450.70	11	SUPERPAVE BRIDGE PROTECTIVE COURSE - 9.5 (SPC-B - 9.5) AT _____ PER TON		
452.	60	ASPHALT EMULSION FOR TACK COAT AT _____ PER GALLON		
453.	600	HMA JOINT ADHESIVE AT _____ PER FOOT		
482.31	90	SAWING AND SEALING JOINTS IN ASPHALT PAVEMENT AT BRIDGES AT _____ PER FOOT		

Project # 612982	Contract # 132268			
Location : ERVING				
Description : Bridge Replacement, E-10-011, Church Street over Keyup Brook				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
482.5	350	SAWCUTTING ASPHALT PAVEMENT FOR BOX WIDENING AT _____ PER FOOT		
506.	24	GRANITE CURB TYPE VB - STRAIGHT AT _____ PER FOOT		
506.1	80	GRANITE CURB TYPE VB - CURVED AT _____ PER FOOT		
509.	50	GRANITE TRANSITION CURB FOR PEDESTRIAN CURB RAMPS - STRAIGHT AT _____ PER FOOT		
514.	1	GRANITE CURB INLET - STRAIGHT AT _____ EACH		
620.13	185	GUARDRAIL, TL-3 (SINGLE FACED) AT _____ PER FOOT		
627.1	2	TRAILING ANCHORAGE AT _____ EACH		
628.21	2	TRANSITION TO NCHRP 350 GUARDRAIL AT _____ EACH		
628.24	4	TRANSITION TO BRIDGE RAIL AT _____ EACH		

Project # 612982	Contract # 132268			
Location : ERVING				
Description : Bridge Replacement, E-10-011, Church Street over Keyup Brook				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
630.2	390	HIGHWAY GUARD REMOVED AND DISCARDED AT _____ PER FOOT		
657.	150	TEMPORARY FENCE AT _____ PER FOOT		
691.	200	BALANCE STONE WALL REMOVED AND REBUILT AT _____ PER FOOT		
697.1	3	SILT SACK AT _____ EACH		
698.3	22	GEOTEXTILE FABRIC FOR SEPARATION AT _____ PER SQUARE YARD		
701.	60	CEMENT CONCRETE SIDEWALK AT _____ PER SQUARE YARD		
701.2	28	CEMENT CONCRETE PEDESTRIAN CURB RAMP AT _____ PER SQUARE YARD		
702.	3	HOT MIX ASPHALT SIDEWALK OR DRIVEWAY AT _____ PER TON		
715.	5	RURAL MAIL BOX REMOVED AND RESET AT _____ EACH		

Project # 612982	Contract # 132268			
Location : ERVING				
Description : Bridge Replacement, E-10-011, Church Street over Keyup Brook				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
722.3	1	SCHEDULE OF OPERATIONS (TYPE C) - FIXED PRICE $11,000 AT Eleven Thousand Dollars LUMP SUM	$11,000.00	$11,000.00
740.	26	ENGINEER'S FIELD OFFICE AND EQUIPMENT (TYPE A) AT _____ PER MONTH		
748.	1	MOBILIZATION AT _____ LUMP SUM		
751.	22	LOAM FOR ROADSIDES AT _____ PER CUBIC YARD		
756.1	1	CONSTRUCTION PERIOD POLLUTION PREVENTION AND EROSION AND SEDIMENTATION CONTROL AT _____ LUMP SUM		
765.	200	SEEDING AT _____ PER SQUARE YARD		
767.121	450	SEDIMENT CONTROL BARRIER AT _____ PER FOOT		
769.	320	PAVEMENT MILLING MULCH UNDER GUARD RAIL AT _____ PER FOOT		
832.	88.5	WARNING-REGULATORY AND ROUTE MARKER - ALUMINUM PANEL (TYPE A) AT _____ PER SQUARE FOOT		

Project # 612982	Contract # 132268			
Location : ERVING				
Description : Bridge Replacement, E-10-011, Church Street over Keyup Brook				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
847.1	11	SIGN SUP (N/GUIDE)+RTE MKR W/1 BRKWAY POST ASSEMBLY - STEEL AT _____ EACH		
848.1	2	SIGN SUP (N/GUIDE)+RTE MKR W/2 BRKWAY POST ASSEMBLIES-STEEL AT _____ EACH		
850.41	240	ROADWAY FLAGGER AT _____ PER HOUR		
852.	400	SAFETY SIGNING FOR TRAFFIC MANAGEMENT AT _____ PER SQUARE FOOT		
853.1	14	PORTABLE BREAKAWAY BARRICADE TYPE III AT _____ EACH		
853.23	54	TEMPORARY BARRIER (TL-3) AT _____ PER FOOT		
854.1	420	PAVEMENT MARKING REMOVAL AT _____ PER SQUARE FOOT		
859.	7,200	REFLECTORIZED DRUM AT _____ PER DAY		
862.406	360	6-INCH RECESSED WHITE LINE (MC, UFD, WR) AT _____ PER FOOT		

Project # 612982	Contract # 132268			
Location : ERVING				
Description : Bridge Replacement, E-10-011, Church Street over Keyup Brook				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
863.406	230	6-INCH RECESSED YELLOW LINE (MC, UFD, WR) AT _____ PER FOOT		
866.112	216	12 INCH REFLECTORIZED WHITE LINE (THERMOPLASTIC) AT _____ PER FOOT		
874.	8	STREET NAME SIGN AT _____ EACH		
874.4	9	TRAFFIC SIGN REMOVED AND STACKED AT _____ EACH		
901.2	14	SHOTCRETE CHANNEL SLOPE AT _____ PER CUBIC YARD		
905.2	2	5000 PSI, 3/8 INCH, 710 HP CEMENT CONCRETE AT _____ PER CUBIC YARD		
909.2	80	CEMENTITIOUS MORTAR FOR PATCHING AT _____ PER SQUARE FOOT		
945.10	336	DRILLED MICROPILES AT _____ PER FOOT		
948.60	1	MICROPILE VERIFICATION LOAD TEST AT _____ EACH		

Project # 612982	Contract # 132268			
Location : ERVING				
Description : Bridge Replacement, E-10-011, Church Street over Keyup Brook				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
948.61	1	MICROPILE PROOF LOAD TEST AT _____ EACH		
953.1	370	TEMPORARY SUPPORT OF EXCAVATION AT _____ PER SQUARE YARD		
983.522	23	NATURAL STREAMBED MATERIAL AT _____ PER CUBIC YARD		
991.1	1	CONTROL OF WATER - STRUCTURE NO. E-10-011 (CLV) AT _____ LUMP SUM		
995.01	1	BRIDGE STRUCTURE, BRIDGE NO. E-10-011 (CLV) AT _____ LUMP SUM		
Total Qty:	16,340.75			

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DOCUMENT B00853

SCHEDULE OF PARTICIPATION
BY DISADVANTAGED BUSINESS ENTERPRISES (DBEs)

PRIME BIDDER: _____

DATE OF BID OPENING: _____ MassDOT PROJECT NO.: 612982

FEDERAL AID PROJECT NUMBER: NHP(BNNHS)-0032(050)X

PROJECT LOCATION: ERVING

Name Address and Phone Number of DBE	Name of Activity	NAICS Code(s)	(a) DBE Contractor Activity Amount *Construction Work*	(b) DBE Other Business Amount *Services, Supplies, Material*	(c) Total amount eligible for credit
Total Bid Amount	TOTALS:		$		$
	DBE Percentage of Total bid:		%		%

A copy of the DBE's most recent certification and an original affidavit must be attached to this document.

Is a Joint Check Approval being submitted for any of the above? ☐ Yes X No
Will any of the contractors listed above be using a third party to deliver materials or perform any portion of work?
☐ Yes X No
(i.e. manufacturing)

SIGNATURE:_____ DATE_____

NAME AND TITLE (*PRINT*):_____

EMAIL ADDRESS: _____TEL NO.:_____

Rev'd 5/8/13

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DOCUMENT B00854

DBE Letter of Intent

(To be completed by the DBE – Page 1 of 2)

The DBE firm will also include the latest MassUCP letter with this Letter of Intent.

To: _____ (Prime Bidder)

From: _____ (DBE Firm)

Federal Aid Project No.: NHP(BNNHS)-0032(050)X Bid Opening or Due Date: _____

Project Name: _____ Project Location: ERVING

I, _____, authorized signatory of the above-reference DBE firm hereby declare:

(Print Name)

(a) My company is currently certified as a Disadvantaged Business Enterprise (DBE) by the Massachusetts Supplier Diversity Office (SDO), as a (check all that apply):

☐ CONTRACTOR ☐ REGULAR DEALER ☐ OTHER
☐ MANUFACTURER ☐ TRUCKING OPERATIONS ☐ PROFESSIONAL SERVICES

[Additional guidance is available at Title 49, Code of Federal Regulations, Part 26.55 (49 CFR Part 26.55)]

(b) My firm has the ability to manage, supervise and perform the activity described on page 3 of this Letter of Intent. If you are awarded the contract, my company intends to enter into a contract with your firm to perform the items of work or other activity described on the following sheet for the prices indicated.

(c) There have been no changes affecting the ownership, control or independence of my company since my last certification review on _____. If any such change is planned or occurs prior to my company's completion of this proposed work, I will give prior written notification to your firm and to the Office of Diversity and Civil Rights (ODCR)(MBTA/MassDOT) and SDO.

(d) I have read the MassDOT proposal for the Project, and acknowledge that my company will comply with that document and the requirements of 49 CFR Part 26.

(e) For the purpose of obtaining subcontractor approval from the MassDOT, my firm will provide to you:

a. ***The following construction work:***
   i. a complete list of contact information for proposed Superintendent, i.e., address, phone number and e-mail address, and;
   ii. a list of projects completed in the last 10 years. I shall also include, for each project: the name and telephone number of a contact person for the contracting authority, person, or organization; project title / location (City/State), dollar value of the work; a description of the work; and the date project completed .

b. The following professional services work:
   i. resume, stating the qualifications and experience of person responsible for project oversight and contact information, i.e., address, phone number and e-mail address.
   ii. proposed team and organization,
   iii. resumes of key personnel;
   iv. example projects

c. The following services, materials or supplies:
   i. a written agreement and invoices for the materials or supplies, and any other documents evidencing the terms of providing such items to be sent to the Office of Diversity and Civil Rights Government Compliance Unit designee;
   ii. information concerning brokers fees and commissions for providing services or materials.

DBE Firm Authorized Signature _____ Date _____

DBE Letter of Intent (Continued)

(To be completed by the DBE – Page 2 of 2)

Prime Bidder: _____

DBE Firm: _____

Federal Aid Project No.: NHP(BNNHS)-0032(050)X Bid Opening or Due Date: _____

Project Name: _____ Project Location: ERVING

Item number if applicable	NAICS Code	Description of Activity with notations such as Services, or Brokerage, Labor Only, Material Only, or Complete	Quantity	Unit Price	Amount
			TOTAL AMOUNT:		

Please give full explanations, attach additional sheets if necessary.

I HEREBY VERIFY THAT _____

(DBE Firm)

WILL SOLELY PERFORM THE WORK, OR PROVIDE THE SERVICES OR MATERIALS, AS DESCRIBED ABOVE.

DBE Authorized Signature: _____

_____

Name (Print): _____

Title: _____

Email Address: _____

Phone Number: _____ Fax Number: _____

END OF DOCUMENT

DOCUMENT B00855

DBE JOINT CHECK ARRANGEMENT APPROVAL FORM

(to be submitted by Prime Contractor)

Contract No: 132268 **Project No.** 612982 **Federal Aid No.:** NHP(BNNHS)-0032(050)X

Location: ERVING **Bid Opening Date:** _____

Project Description: Bridge Replacement, E-10-011, Church Street over Keyup Brook

We have received the attached request for the use of a joint check arrangement from _____ _____ , a DBE on the above- referenced Contract and _____ _____, a Material Supplier/Vendor for the subject Contract. The DBE has complied with the requirements of 49 CFR Part 26.55(c)(1). In particular, the DBE has:

- a written agreement with the material supplier/vendor;
- applied for credit with the subject material supplier and has supplied the vendor's response;
- shown that it will place all orders to the subject material supplier/vendor;
- made and retains all decision-making responsibilities concerning the materials; and
- provided a Joint Check Agreement that is acceptable to MassDOT;

As the Contractor for the Project, we agree to issue joint checks (made payable to the Material Supplier/Vendor and the DBE) for payment of sums due pursuant to invoices from the Supplier/Vendor and DBE.

Contractor:

_____ _____
Company Name Signature
Duly Authorized

_____
Printed Name

_____ _____
Date Title

SubContractor:

_____ _____
Company Name Signature –
Duly Authorized

_____
Printed Name

_____ _____
Date Title

*** END OF DOCUMENT ***

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DOCUMENT B00856

JOINT VENTURE AFFIDAVIT

(All Firms)

- All Information Requested By This Schedule Must Be Answered. Additional Sheets May Be Attached.
- If, there is any change in the information submitted, the Joint Venture parties must inform MassDOT Pre-Qualifications Office (and, if one of the companies is a DBE, the Director of Contract Compliance, Office of Civil Rights) *prior* to such change, in writing, either directly or through the Prime Contractor if the Joint Venture is a subcontractor.
- If the Joint Venture Entity will be the bidder on a prime Contract, it must bid and submit all required documents (insurance, worker's compensation, bonds, etc.) in the name of the Joint Venture Entity.

I. Name of Joint Venture: _____

Type of Entity if applicable (Corp., LLC):_____Filing State _____

Address of joint venture: _____

_____

Phone No(s) for JV Entity: _____E-mail:_____

Contact Person(s)_____

Tax ID/EIN of Joint Venture: _____Vendor Code:_____

II. Identify each firm or party to the Joint Venture:

Name of Firm: _____

Address: _____

Phone : _____E-mail:_____

Contact person(s) _____

Name of Firm: _____

Address: _____

Phone: _____E-mail:_____

Contact Person(s)_____

III. Describe the role(s) of the each party to the Joint Venture:

_____

_____

IV. Attach a copy of the Joint Venture Agreement. The proposed Joint Venture Agreement should include specific details including, but not limited to: (1) the contributions of capital and equipment; (2) work items to be performed by each company's forces, (3) work items to be performed under the supervision of any DBE Venturer; (4) the commitment of management, supervisory and operative personnel employed by the DBE to be dedicated to the performance of the Project; and (5) warranty, guaranty, and indemnification clauses.

V. Attach any applicable Corporate or LLC Votes, Authorizations, etc.

VI. Ownership of the Joint Venture:

A. What is the percentage(s) of each company's ownership in the Joint Venture?

ownership percentage(s): _____

ownership percentage(s): _____

B. Specify percentages for each of the following (provide narrative descriptions and other detail as applicable):

1. Sharing of profit and loss: _____

2. Capital contributions:

(a) Dollar amounts of initial contribution: _____

(b) Dollar amounts of anticipated on-going contributions: _____

(c) Contributions of equipment (specify types, quality and quantities of equipment to be provided by each firm): _____

_____

4. Other applicable ownership interests, including ownership options or other agreements, which restrict or limit ownership and/or control:

_____

_____

5. Provide copies of all other written agreements between firms concerning bidding and operation of this Project or projects or contracts.

6. Identify all current contracts and contracts completed during the past two (2) years by either of the Joint Venture partners to this Joint Venture:

_____

_____

VII. Control of and Participation in the Joint Venture. Identify by name and firm those individuals who are, or will be, responsible for and have the authority to engage in the following management functions and policy decisions. (Indicate any limitations to their authority such as dollar limits and co-signatory requirements.):

A. Joint Venture check signing:

_____

_____

B. Authority to enter Contracts on behalf of the Joint Venture:

_____

_____

C. Signing, co-signing and/or collateralizing loans:

_____

_____

D. Acquisition of lines of credit:

_____

_____

E. Acquisition and indemnification of payment and performance bonds:

_____

_____

F. Negotiating and signing labor agreements:

_____

_____

G. Management of contract performance. *(Identify by name and firm only)*:

1. Supervision of field operations: _____
2. Major purchases: _____
3. Estimating: _____
4. Engineering: _____

VIII. Financial Controls of Joint Venture:

A. Which firm and/or individual will be responsible for keeping the books of account?

_____

_____

B. Identify the "Managing Partner," if any, and describe the means and measure of their compensation:

_____

_____

C. What authority does each firm have to commit or obligate the other to insurance and bonding companies, financing institutions, suppliers, subcontractors, and/or other parties participating in the performance of this Contract or the work of this Project?

_____

IX. Personnel of Joint Venture: State the approximate number of personnel (by trade) needed to perform the Joint Venture's work under this Contract. Indicate whether they will be employees of the majority firm, DBE firm, or the Joint Venture.

	Firm 1 (number)	Firm 2 (number)	Joint Venture (number)
Trade			
Professional			
Administrative/Clerical			
Unskilled Labor			

Will any personnel proposed for this Project be employees of the Joint Venture?: _____

If so, who: _____

A. Are any proposed Joint Venture employees currently employed by either firm?

Employed by Firm 1: _____ Employed by firm 2 _____

B. Identify by name and firm the individual who will be responsible for Joint Venture hiring: ____

_____

X. Additional Information. Please state any material facts and additional information pertinent to the control and structure of this Joint Venture.

_____

_____

XI. AFFIDAVIT OF JOINT VENTURE PARTIES. The undersigned affirm that the foregoing statements and attached documents are correct and include all material information necessary to identify and explain the terms and operations of our Joint Venture and the intended participation of each firm in the undertaking. Further, the undersigned covenant and agree to provide to MassDOT current, complete and accurate information regarding actual Joint Venture work, payments, and any proposed changes to any provisions of the Joint Venture, or the nature, character of each party to the Joint Venture. We understand that any material misrepresentation will be grounds for terminating any Contract awarded and for initiating action under Federal or State laws concerning false statements.

Firm 1	Firm 2
Signature Duly Authorized	Signature Duly Authorized
Printed Name and Title	Printed Name and Title
Date	Date

*** END OF DOCUMENT ***