jb

COMMONWEALTH OF MASSACHUSETTS

massDOT
Massachusetts Department of Transportation
Highway Division

CONTRACT DOCUMENTS AND SPECIAL PROVISIONS

PROPOSAL NO.	610768-129332
P.V. =	$1,297,000.00
PLANS	YES

FOR

Federal Aid Project No. STP(BR-OFF)-003S(808)X
Bridge Replacement, W-27-028, Perry Hill Road
over North Branch of Manhan River

in the Town of

WESTHAMPTON

In accordance with the STANDARD SPECIFICATIONS
for HIGHWAYS and BRIDGES dated 2024

This Proposal to be opened and read: **TUESDAY, MARCH 11, 2025 at 2:00 P.M.**

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

DOCUMENT 00010

TABLE OF CONTENTS

TABLE OF CONTENTS (Continued)

*** END OF DOCUMENT ***

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, MARCH 11, 2025 at 2:00 P.M. **
WESTHAMPTON
Federal Aid Project No. STP(BR-OFF)-003S(808)X
Bridge Replacement, W-27-028,
Perry Hill Road over North Branch of Manhan River

****Date Subject to Change**

PROJECT VALUE = $1,297,000.00

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 $560.00 per ton, Portland cement $425.53 per ton, diesel fuel $2.980 per gallon, and gasoline $2.426 per gallon, and Steel Base Price Index 369.8. 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, FEBRUARY 1, 2025

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

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.

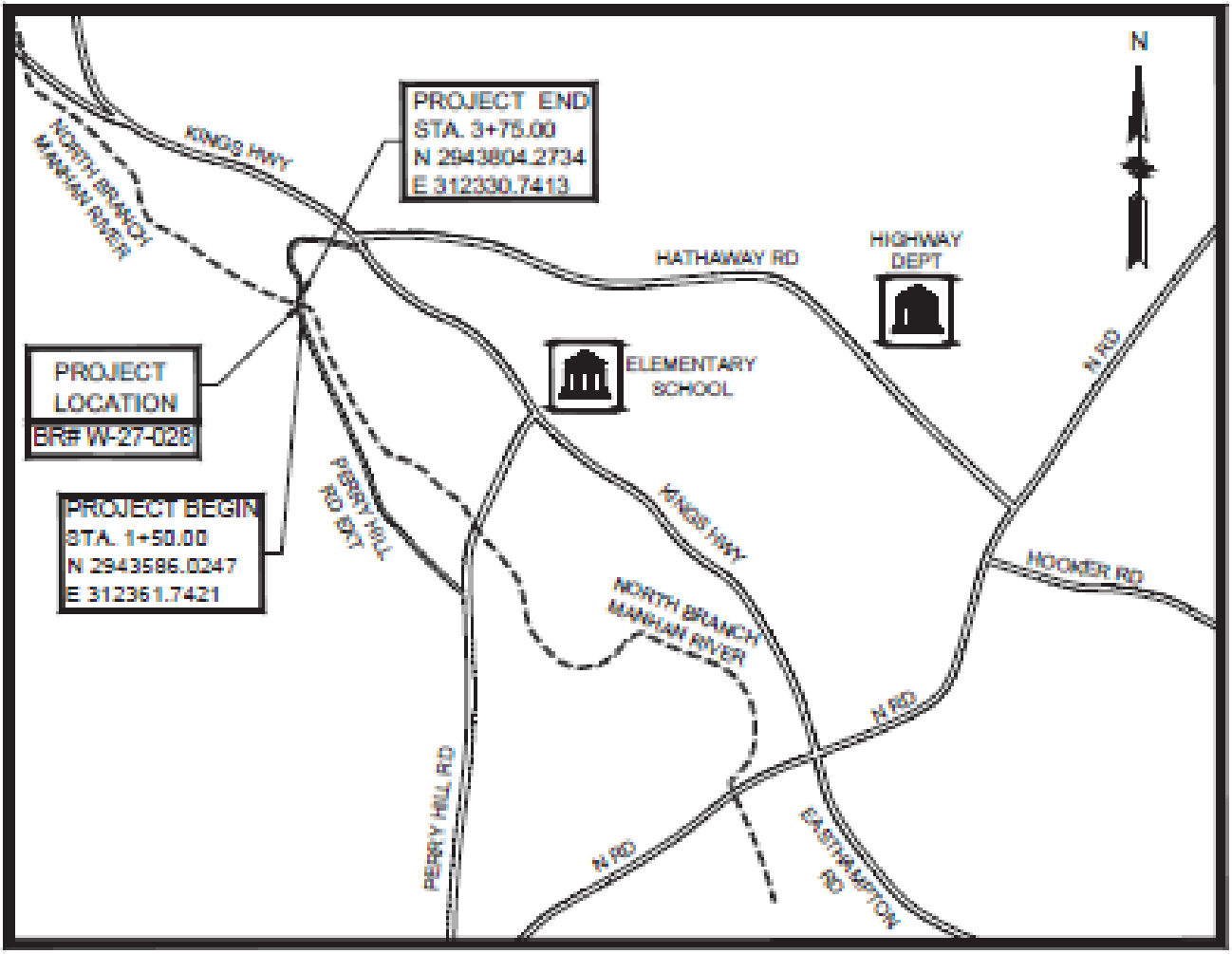
*** END OF DOCUMENT ***

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

DOCUMENT 00331

LOCUS MAP

WESTHAMPTON
Federal Aid Project No. STP(BR-OFF)-003S(808)X
Bridge Replacement, W-27-028,
Perry Hill Road over North Branch of Manhan River



LENGTH OF PROJECT = 225.00 FEET = 0.043 MILE

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

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

*** END OF DOCUMENT ***

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: _____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

WORK NOT COMPLETED WITHIN SPECIFIED TIME: _____

_____

_____

_____

_____

_____

_____

Revised: 04/28/17

*** END OF DOCUMENT ***

DOCUMENT 00710

GENERAL CONTRACT PROVISIONS

Revised: 05/06/24

NOTICE OF AVAILABILITY

The STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES dated 2024, the SUPPLEMENTAL SPECIFICATIONS, the 1996 METRIC CONSTRUCTION AND TRAFFIC STANDARD DETAILS, the 1990 STANDARD DRAWINGS FOR SIGNS AND SUPPORTS; the 1968 STANDARD DRAWINGS FOR TRAFFIC SIGNALS AND HIGHWAY LIGHTING and the 2017 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.

*** END OF DOCUMENT ***

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

DOCUMENT 00715

SUPPLEMENTAL SPECIFICATIONS

SEPTEMBER 30, 2024

The 2024 *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 1: DEFINITON OF TERMS

Subsection 1.03: Defined Terms
Under Party of the First Part replace the words Chapter 90 of the General Laws with MGL Chapter 6C, Section 4[b].

SECTION 2: PROPOSAL REQUIREMENTS AND CONDITIONS

Subsection 2.01: Proposal Forms and Plans
Replace the first paragraph under A. Prequalification Prior to Requesting Proposal Forms with the following:

Subject to the requirements of M.G.L. Chapter 81, Section 8B, each prospective Bidder proposing to bid on any work, excepting the construction, reconstruction, repair or alteration of buildings, to be awarded by the Department or by a municipality under the provisions of M.G.L. Chapter 6C, Section 4(b) must be prequalified in accordance with 700 CMR 14.00 Prequalification of contractors and subcontractors, if the amount of the proposal added to the value of the uncompleted work already under contract with the Department will aggregate $50,000 or more.

Replace the second paragraph under B. Issuance of Proposal Forms and Plans with the following:

For projects to be awarded under the provisions of M.G.L. Chapter 6C, Section 4(b), bidders may obtain plans and specifications from the applicable municipality at the place specified in the Notice to Contractors.

SECTION 4: SCOPE OF WORK

Subsection 4.04: Changed Conditions
Replace the last paragraph with the following.

The provisions of Section 39N of Chapter 30 of the General Laws, as amended, do not apply to construction contracts entered into on behalf of a municipality under the provisions of M.G.L. Chapter 6C, Section 4(b).

Subsection 4.06: Increased or Decreased Contract Quantities
Replace the second paragraph with the following.

Where the actual quantity of a pay item varies by more than 25% above or below the estimated quantity stated in the Contract, an equitable adjustment in the Contract Price for that pay item shall be negotiated upon demand of either party regardless of the cause of the variation in quantity. A demand for an equitable adjustment must be submitted to the other party within 30 days after beginning the work of the affected item that is greater than 25% above the bid quantity or within 30 days after completing the work when the actual quantity is 25% less than the bid quantity.

SECTION 9: MEASUREMENT AND PAYMENT

Subsection 9.03: Payment for Extra Work
Replace paragraph B., (2) with the following.

(2) Plus 13 percent of direct labor, for the actual 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, ~~and~~ 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.

Subsection 9.04: Partial Payments
Replace the last sentence of the first paragraph with the following;.

No such estimates or payment shall be required to be made when, in the Engineer's judgment, the work is not proceeding in accordance with the provisions of the Contract, or when in their judgment the total value of the work completed since the last estimate amounts to less than $5,000.00.

DIVISION II

CONSTRUCTION DETAILS

DIVISION II: Construction Details
Replace M4.02.15 Cement Mortar with M4.04.0 Grout, Mortar, and Concrete Products where encountered, including in Subsections 230.40, 485.40, 501.40, 685.40, 940.40A and 983.40.

SECTION 100: EARTHWORK, GRADING, DEMOLITION, RODENT CONTROL AND BORINGS

SUBSECTION 150: EMBANKMENT

Subsection 150.62: Embankment Construction with Materials Other Than Rock
Replace the fourth paragraph with the following.

The embankment materials shall be compacted to not less than 95% of the maximum dry density of the embankment material as determined by AASHTO T 99, Method C. If required, a correction for oversized particles shall be in accordance with Annex A of AASHTO T 99. If the material retained on the ¾-in. sieve is 30% or more of the total sample, this test shall not apply and the material shall be compacted to the target density. The target density shall be established by determining the number of passes of a roller required to produce a constant and uniform density, after conducting a series of tests using either AASHTO T 310, *In-Place Density and Moisture Content of Soil and Soil-Aggregate by Nuclear Methods (Shallow Depth)*, AASHTO T 191, *Density of Soil In-Place by the Sand-Cone Method*, or *ASTM D 8167 Standard Test Method for In-Place Bulk Density of Soil and Soil-Aggregate by a Low-Activity Nuclear Method (Shallow Depth)*. The Contractor shall, without additional compensation, employ whatever measures may be necessary to adjust the natural water content of the suitable embankment material to permit the placement and compaction as hereinbefore specified.

SUBSECTION 160: CONTROLLED LOW-STRENGTH MATERIAL

Subsection 160: Controlled Low-Strength Material
Add this new subsection.

DESCRIPTION

160.20: General

Controlled Low-Strength Material shall be installed in accordance with the relevant provisions of Subsection 150: Embankment, Section 901: Cement Concrete and in accordance with the procedures described herein.

Controlled Low Strength Materials (CLSM) shall be a self-compacting, self-leveling, flowable, excavatable or non-excavatable, low strength, rigid setting, and unshrinkable material, used as an alternative to compacted granular fills, including backfill, structural fill, utility fill, pavement base, subgrade, subbase, base course, conduit bedding, erosion control, and void filling.

MATERIALS

160.40: General

Material for controlled low-strength material shall meet the requirement specified of M4.08.0 Controlled Low-Strength Material. The material shall be specified by the Engineer as one of the following types;

CLSM – Manual Excavatable (≤100 psi)
CLSM – Mechanical Excavatable (101-300 psi)
CLSM – Structural Non Excavatable (> 300 psi)

Permeability testing as specified in Table M4.08.0-2 shall be required when the material is placed outside of roadway areas or footings for concrete structures, or as directed by the Engineer.

CONSTRUCTION METHODS

160.60: General

The Contractor shall submit a placement plan for Controlled Low-Strength Material (CLSM). The plan shall include the type of CLSM, detailed descriptions of methods used for placing and containing the controlled density fill and the set time to strength.

The Contractor shall remove all debris prior to placing the fill. Fill shall not be placed against any structural elements or utilities unless approved by the Engineer.

CLSM shall be poured in lifts not exceeding 4 feet to insure stability under the fluid effects of the pour. Care shall be taken to ensure the integrity of the forms or other means of supporting the material until the material sets up.

COMPENSATION

160.80: Method of Measurement

Controlled Low-Strength Material shall be measured by the cubic yard in place to the neat lines established on the plans or specified by the Engineer. When backfilling pipes the horizontal neat lines shall be not greater than 3.0 ft. greater than the rated inside diameter of the pipe and vertically from the top of the crushed stone foundation material, if any, or 6 in. below the pipe invert whichever is less to the specified top elevation. A deduction shall be made for the volume of the pipe or conduit encased.

160.81: Basis of Payment

Payment under this item shall constitute full compensation for the placement, testing, and all material, equipment and labor to complete the work.

160.82: Payment Items

160.1	Controlled Low-Strength Material - Manual Excavatable (≤ 100 PSI)	Cubic Yard
160.2	Controlled Low-Strength Material – Mechanical Excavatable (101-300 PSI)	Cubic Yard
160.3	Controlled Low-Strength Material (>300 PSI)	Cubic Yard

SECTION 200: DRAINAGE

SUBSECTION 201: BASINS, MANHOLES AND INLETS

Subsection 201.40: General
Replace "Cement Mortar ..... M4.02.15" with "Mortar ..... M4.04.0".

SECTION 400: SUB-BASE, BASE COURSES, SHOULDERS, PAVEMENTS AND BERMS

SUBSECTION 401: GRAVEL SUB-BASE

Subsection 401.60: Gravel Sub-base
Replace the last sentence of the first paragraph with the following.

The specific density of the Gravel Sub-base shall be maintained by determining the number of passes of a roller required to produce a constant and uniform density, after conducting a series of tests using a nuclear device or the sand/volume method in accordance with AASHTO T310, AASHTO T 191, or ASTM D 8167.

SUBSECTION 402: DENSE GRADED CRUSHED STONE FOR SUB-BASE

Subsection 402.61: Spreading and Compacting
Replace the last sentence of the first paragraph with the following.

The specified density of the Dense Graded Crushed Stone shall be maintained by determining the number of passes of a roller are required to produce a constant and uniform density, after conducting a series of tests using a nuclear device or the sand/volume method in accordance with AASHTO T310, AASHTO T 191, or ASTM D 8167.

SUBSECTION 403: RECLAIMED PAVEMENT FOR BASE COURSE AND/OR SUB-BASE

Subsection 403.64: Compaction and Dust Control
Replace the second paragraph with the following.

The reclaimed base course shall be tested for compaction and smoothness and accuracy of grade in accordance with the applicable provisions of 401.60: Gravel Sub-base. The required density shall be measured by using a nuclear device or the sand/volume method in accordance with AASHTO T310, AASHTO T 191, or ASTM D 8167. If any portions are found to be unacceptable by the Engineer, such portions shall be reprocessed, regraded, and recompacted until the required smoothness and accuracy are obtained.

SUBSECTION 404: RECLAIMED PAVEMENT BORROW MATERIAL

Subsection 404.60: General
Replace the second sentence with the following.

The specified density of the Reclaimed Pavement Borrow Material shall be maintained by determining the number of passes of a roller that are required to produce a constant and uniform density, after conducting a series of tests using a nuclear device or the sand/volume method in accordance with AASHTO T310, AASHTO T 191, or ASTM D 8167

SUBSECTION 450: HOT MIX ASPHALT PAVEMENT

Subsection 450.40: General
Add the following paragraph to the end of this subsection.

Prior to placing hot mix asphalt the contractor shall provide notice to the Engineer at least 48 hours in advance of the work. The notice shall include the anticipated schedule, HMA tonnage, the type of mix, the mix provider and plant location.

SUBSECTION 460: HOT MIX ASPHALT PAVEMENT FOR LOCAL ROADS

Subsection 460.40: General
Add the following paragraph to the end of this subsection.

Prior to placing hot mix asphalt the contractor shall provide notice to the Engineer at least 48 hours in advance of the work. The notice shall include the anticipated schedule, HMA tonnage, the type of mix, the mix provider and plant location.

SUBSECTION 466: STRESS ABSORBING MEMBRANE & STRESS ABSORBING MEMBRANE INTERLAYER

Subsection 466.40: General
Replace this subsection with the following.

Prior to placing stress absorbing membrane the contractor shall provide notice to the Engineer at least 48 hours in advance of the work. The notice shall include the anticipated schedule, tonnage, the type of mix, the mix provider and plant location. Stress absorbing membrane and stress absorbing membrane interlayer shall be constructed as specified herein.

SUBSECTION 470: HOT MIX ASPHALT PAVEMENT BERM

Subsection 470.40: General
Replace this subsection with the following.

Prior to placing hot mix asphalt the contractor shall provide notice to the Engineer at least 48 hours in advance of the work. The notice shall include the anticipated schedule, HMA tonnage, the type of mix, the mix provider and plant location. The Contractor shall obtain HMA berm material of the type specified.

SUBSECTION 472: TEMPORARY ASPHALT PATCHING

Subsection 472.40: General
Add the following paragraph to the beginning of this subsection.

Prior to placing hot mix asphalt the contractor shall provide notice to the Engineer at least 48 hours in advance of the work. The notice shall include the anticipated schedule, HMA tonnage, the type of mix, the mix provider and plant location.

SUBSECTION 486: ULTRATHIN BONDED OVERLAY

Subsection 486.40: General
Add the following paragraph to the end of this subsection.

Prior to placing ultrathin bonded overlay the contractor shall provide notice to the Engineer at least 48 hours in advance of the work. The notice shall include the anticipated schedule, tonnage, the type of mix, the mix provider and plant location.

SECTION 600: HIGHWAY GUARD, FENCES AND WALLS

SUBSECTION 690: WALLS REMOVED AND RESET

Subsection 690.40: General
Replace the last sentence with the following.

Mortar shall meet the requirement of M4.04.0: Grout, Mortar, and Concrete Products.

SECTION 700: INCIDENTAL WORK

SUBSECTION 702: HOT MIX ASPHALT SIDEWALKS AND DRIVEWAYS

Subsection 702.40: General
Add the following paragraph to the end of this subsection.

Prior to placing hot mix asphalt the contractor shall provide notice to the Engineer at least 48 hours in advance of the work. The notice shall include the anticipated schedule, HMA tonnage, the type of mix, the mix provider and plant location.

SECTION 800: TRAFFIC CONTROL DEVICES

SUBSECTION 825: RECTANGULAR RAPID FLASHING BEACONS

Subsection 825: Rectangular Rapid Flashing Beacons
Add this new subsection.

DESCRIPTION

825.20: General

This work shall consist of furnishing and installing a solar-powered, actuated, Rectangular Rapid Flashing Beacon (RRFB) system at the location(s) shown in the Plans.

MATERIALS

825.40: General

Rectangular Rapid-Flashing Beacons shall meet the requirements specified in the following Subsections of Division III, Materials:

Cement Concrete.....M4.02.00
Signal Posts and Bases M10.05.1
APS Pushbuttons.....M10.09.1
RRFB Assemblies.....M10.11.0

An RRFB system shall include the following items (quantities shown in the Major Items List found in the Plans):

- Cement Concrete Foundation
- Signal Post and Pedestal Base
- APS Pushbutton
- Light Bar
- Signage
- Enclosure for Controller, Activation Unit, and Battery System
- Solar Panel
- All mounting and supporting hardware and wiring necessary to complete a working system

The Contractor shall supply cement concrete foundations per the Plans.

The Contractor shall supply Schedule 80 aluminum signal posts with a brushed or spun finish and square, pedestal aluminum bases with a natural finish unless otherwise shown in the Plans or Special Provisions.

Each Light Bar shall have a pair of yellow beacons facing one or both directions of traffic, as shown in the Plans.

All sign designs shall conform to the MUTCD. Sign panel information, including dimensions, shall be per the Plans.

The warning signs (MUTCD code W11-2, W11-15, or S1-1 signs – see Plans for sign type), and the diagonal downward arrow sign (W16-7P) signs shall be on Type A substrate, conforming to 828.42: Panels. The sign sheeting shall be fluorescent yellow-green, conforming to ASTM D4956 Type IX.

An R10-25 sign, conforming to the MUTCD, shall be mounted above the APS Pushbutton on a Type A substrate or may be integral to the button assembly.

The solar panel and battery system may be integrated into a single unit or housed separately, per the manufacturer's design. These may also be co-housed with the Light Bar and/or the Controller and Activation Unit.

The solar panel and battery system shall be sized appropriately to accommodate 300 actuations per day, 365 days a year, for the duration of the repeating flashing sequence shown in the Plans. The sizing calculations shall be based upon solar and temperature conditions for a typical December-January in Massachusetts. The system shall have a minimum autonomy of 5 days.

Each assembly shall be rated for wind speeds of up to 90 mph.

Any proprietary software required for the programming and/or operation of the system during its lifetime shall be included at no additional cost.

825.41: Shop Drawings

Within 30 days from the Notice to Proceed the Contractor shall submit shop drawings for the RRFB system, including cutsheets for all components to show conformance with M10.05, M10.09.1, and M10.11.0 and these specifications.

Shop drawings shall include all solar and battery sizing calculations. These calculations shall have Contractor- or manufacturer-supplied, site-specific shading factors applied.

825.42: Material Warranties

All RRFB components shall include a minimum 1-year manufacturer's replacement warranty for manufacturing or installation defects starting at the date of acceptance by the Engineer. A battery shall be considered defective should it not retain 80% of its original capacity within the warranty period.

CONSTRUCTION METHODS

825.60: General

RRFBs shall be installed on new foundations at the locations as shown in the Plans. Bases shall be secured to the foundation in accordance with the manufacturer's specifications.

All systems shall be installed per the manufacturer's instructions.

The location and orientation of the system shall be per the Plans.

The arrow on each APS pushbutton shall be aligned parallel to the direction of travel of the crosswalk.

The Light Bar(s) shall be oriented towards the incoming lane(s).

Solar panels shall be oriented to maximize sunlight gain.

SYSTEM OPERATION

825.70: APS Pushbuttons

APS Pushbuttons shall actuate the RRFB system. Upon actuation, an audible speech message shall be broadcast from each pushbutton in the system that says, "Warning lights are flashing," shall be stated twice. This message shall be repeated upon each actuation. No other messages shall be allowed.

While the system is in dark mode, the APS Pushbuttons shall broadcast a locator tone. The locator tone shall have a duration of 0.15 seconds or less and shall repeat at 1-second intervals at all times that the system is in dark mode. The locator tone shall be set 2 to 5 dBA above ambient sound, shall automatically adjust intensity, but cap at a maximum volume of 100 dBA.

APS Pushbuttons shall have all other vibrotactile and percussive indications disabled.

825.71: Light Bar

The Light Bar shall remain dark until actuated.

Upon actuation, all Light Bars in the system shall be activated simultaneously for a predetermined repeating flash sequence. The flashing rate shall be 75 flashing sequences per minute.

The left and right yellow beacons shall operate using the following sequence:

A. The yellow beacon on the left-hand side shall be illuminated for approximately 50 milliseconds.
B. Both yellow beacons shall be dark for approximately 50 milliseconds.
C. The yellow beacon on the right-hand side shall be illuminated for approximately 50 milliseconds.
D. Both yellow beacons shall be dark for approximately 50 milliseconds.
E. The yellow beacon on the left-hand side shall be illuminated for approximately 50 milliseconds.
F. Both yellow beacons shall be dark for approximately 50 milliseconds.
G. The yellow beacon on the right-hand side shall be illuminated for approximately 50 milliseconds.
H. Both yellow beacons shall be dark for approximately 50 milliseconds.
I. Both yellow beacons shall be illuminated for approximately 50 milliseconds.
J. Both yellow beacons shall be dark for approximately 50 milliseconds.
K. Both yellow beacons shall be illuminated for approximately 50 milliseconds.
L. Both yellow beacons shall be dark for approximately 250 milliseconds.

The flash rate of each individual RRFB indication, as applied over the full flashing sequence, shall not be more than 5 flashes per second, to avoid frequencies that might cause seizures.

The sequence shall then be repeated until the duration time has been met and then all yellow beacons shall return to dark mode simultaneously. The duration time shall be per the Plans.

The predetermined repeating flash sequence shall be immediately initiated every time a pushbutton detector is actuated. If the RRFBs are already flashing and an actuation is received, it shall restart the duration time. There shall be no delay time programmed between actuations.

COMPENSATION

825.80: Method of Measurement

RRFBs will be measured as a single system, 2-Post Assembly or 3-Post Assembly, furnished and installed.

825.81: Basis of Payment

The work will be paid for at the contract price each under the respective item for a 2-Post Assembly System or 3-Post Assembly System. Any additional wiring, mounting equipment, or other materials or labor required to for an operating system per the Plans and Specifications shall be considered as incidental to the construction and be included in the contract price.

825.82: Payment Item

825.2	RRFB (2-Post Assembly System)	Each
825.3	RRFB (3-Post Assembly System)	Each

SECTION 900: STRUCTURES

Subsection 922: Elastomeric Bearing Pads
Add this new subsection.

SUBSECTION 922: ELASTOMERIC BEARING PADS

DESCRIPTION

922.20: General
This specification consists of the construction requirements for elastomeric bearing pads. Elastomeric bearing pads shall consist of plain or laminated bearings consisting of layers of elastomers restrained at their interfaces by bonded steel laminates.

MATERIALS

922.40: General

Elastomeric bearing pads shall meet the following requirements:

Elastomeric Bearing Pads M9.14.5

Anchor bolts M8.01.5

CONSTRUCTION METHODS

922.50: Submittals

The Contractor shall submit the following to the Engineer for approval:

1. Prior to fabrication:
    a. Written notification 30 days prior to the start of bearing production. The notification shall include the contract number, quantity, type, and size of bearing being produced, manufacturer's name, and the name of the independent testing lab.
    b. Shop drawings for approval in accordance with Subsection 5.02, 14 days prior to the start of bearing production.
2. At the time of bearing pad delivery:
    a. A certificate of compliance (COC) certifying that the elastomeric bearing pads meet the requirements of the contract specifications. The COC shall be accompanied by:
        - A mill certificate for steel laminates used in bearings, where applicable.
        - Fabricator QC test reports.
    b. Independent test results as required under Subsection 922.62.

922.51: Fabricators

Fabricators shall be in accordance with Subsection M9.14.5D.

922.52: Fabrication

Fabrication shall be in accordance with Subsection M9.14.5E.

In addition to the number of bearing pads required for the contract the Contractor shall order additional bearing pads as defined in Subsection M9.14.5G, in order to allow the Engineer to randomly select a bearing pad for testing in accordance with 922.72.

922.53: Packaging, Handling, & Storage

The bearing pads shall be packaged, handled, and stored in accordance with Subsection M9.14.5F.

All bearing devices and components shall be stored on the project in an area that provides protection from environmental and physical damage. When installed, bearings shall be clean and free of all foreign substances.

922.54 Installation

Bearing pads shall be installed only on concrete bridge seat bearing areas that have been prepared in accordance with Subsection 901.65A(3).

Bearing pads shall be installed by qualified personnel to the positions, elevations, and slopes shown on the plans and to the dimensions and offsets prescribed by the manufacturer. The bearing pads shall be adjusted, as necessary, to take into account the ambient temperature at installation and future movements of the bridge due to temperature changes, release of falsework, and shortening due to post-tensioning.

Elastomeric bearings shall be placed directly on the concrete surface provided that it is flat within the bearing area to within a tolerance of 0.005 times the smallest nominal dimension of the bearing as measured by a straight edge from peak to valley. Bearings shall be placed on surfaces that do not deviate from the specified bridge seat slope in any direction by more than 0.01 rad.

Any bearing areas that exceed these tolerances shall be brought into compliance by grouting or use of shims as directed by the Engineer before the weight of the structure acts on the bearing.

Bearings that have an internal tapered load plates shall be marked with an arrow that points up-station in order to properly align the slope of the internal tapered load plate with the centerline of the bridge.

Sole plates that sit on the bearing shall not be welded to the beam flange in the field unless at least 1.5 in. of the steel exists between the weld and the elastomer. In no case shall the elastomer or the bond be subjected to temperatures higher than 400°F.

No beams shall be erected until the bearings have been accepted by the Engineer.

CONTRACTOR QUALITY CONTROL

922.60: General

The Contractor shall provide a Quality Control System (QC System) to ensure that all materials and workmanship meet the required specifications.

922.61: Quality Control Inspection

The Contractor shall perform QC inspection of all work items addressed under this specification. Inspection activities during placement may be performed by qualified production personnel. The Contractor's QC personnel shall have overall responsibility for the QC inspection. The Contractor shall not rely on the results of the Engineer's Acceptance inspection for QC purposes. The Engineer shall be provided with the opportunity to monitor and witness all QC inspections.

QC inspection activities must address the following three primary components:

a. Materials
b. Environmental Conditions
c. Workmanship

The minimum frequency of QC inspection activity shall be in accordance with the requirements below.

Table 922.61-1 - Minimum QC Inspection of Elastomeric Bearing Pads

Inspection Component	Inspection Attribute	Minimum Inspection Frequency	Point of Inspection	Inspection Method
Materials	Bearing Pad	Each Delivery	Bearing Pad	Check COC
	Geometry and Surface	Each Bearing Pad	Bearing Pad Surface	Visual Check & Check Measurement
Environmental Conditions	Temperature of Air	1 per Day	At Project Site	Check Measurement
Workmanship	Bridge Seat	Each Bearing Location	Bearing Pad Location	Visual Check
	Elevation	Each Bearing Pad	Bearing Pad Location	Check Measurement
	Orientation	Each Bearing Pad	Bearing Pad Location	Check Measurement

922.62: Quality Control Sampling and Testing Requirements

The Contractor shall have each Lot of bearing pads sampled and tested in accordance with Subsection M9.14.5G. This shall include both QC and compliant independent laboratory test results.

DEPARTMENT ACCEPTANCE

922.70: General

The Department shall sample and test bearing pads as part of its Acceptance activities. Independent testing shall also be used to supplement its testing.

922.71: Acceptance Inspection

The Engineer will perform Acceptance inspection to ensure that materials and completed work are in conformance with the contract requirements. Acceptance inspection is intended to visually assess the quality of each Lot produced and placed and will address only the inspection components of materials and workmanship in support of the Department's final Acceptance determination. All Acceptance inspection activities by the Department will be performed independent of the Contractor's QC inspection.

Table 922.71-1 – Department Acceptance Inspection of Elastomeric Bearing Pads

Inspection Component	Inspection Attribute	Minimum Inspection Frequency	Point of Inspection	Inspection Method
Materials	Bearing Pad	1 Per Bearing Pad	Bearing Pad Surface	Check COC
	Geometry and Surface	1 Per Bearing Pad	Bearing Pad Surface	Visual Check & Check Measurement
Workmanship	Elevation	1 per Bearing Pad	Bearing Pad Location	Check Measurement
	Orientation	1 per Bearing Pad	Bearing Pad Location	Check Measurement

922.72: Acceptance Sampling and Testing Requirements

For Acceptance samples taken by the Engineer at the project, the sampling rate shall be in accordance with Subsection M9.14.5G. Bearing pads shall be tested by the Department in accordance with Table M9.14.5-1.

922.73: Lot Acceptance Determination Based on Inspection Results

The Engineer's Acceptance inspection results will be used in the final Acceptance determination for all Lots. Prior to final Acceptance of each Lot produced and placed, the Engineer will evaluate all Acceptance inspection information for the Lot. The materials and product workmanship for the completed work will be evaluated for conformance with the plans and the requirements specified in Subsections 922.60, 922.61, and 922.62.

When the Acceptance information identifies deficiencies in either material quality or product workmanship, the location will be isolated and further evaluated by the Engineer through additional Acceptance inspection. Depending upon the findings of the additional Acceptance inspection activity, the Engineer will determine the disposition of the nonconforming work in accordance with Division I, Subsection 5.03, Conformity with Plans and Specifications.

922.74: Lot Acceptance Determination Based on Testing Data

Prior to final Acceptance of each Lot, the Engineer will evaluate all available QC, independent, and Acceptance testing data for the Lot to determine conformance with the minimum requirements in Subsection M9.14.5G and Table M9.14.5-1.

If a test result does not meet the minimum requirement, the Contractor and Engineer will further assess the quality to determine whether the material can remain in place.

If the Engineer's assessment determines that the material quality is not sufficient to permit the bearing pad to remain in place, the pad shall be removed and replaced. When a nonconforming bearing pad is corrected or replaced, the Engineer will perform Acceptance testing of the replacement bearing pad and evaluate the test results for conformance with the minimum requirements.

922.75: Final Lot Acceptance Determination

For each Lot produced and placed, the Engineer will evaluate all Acceptance inspection and testing data for the Lot. The final review and visual inspection shall be conducted jointly by the Contractor and Engineer. Any items that do not meet the requirements of the specifications and plans shall be addressed at this time, at no additional cost to the Department.

After each Lot is complete, including any corrective action, the Engineer will perform a final evaluation of all Acceptance data for the Lot. The Engineer will accept the Lot if the evaluation of all inspection and testing data for the Lot is in conformance with this specification and the contract documents.

When the above requirements have been met, the Engineer will accept all completed bearing pads.

COMPENSATION

922.80: Method of Measurement

Laminated Elastomeric Bearing Pads will be measured by each pad installed. Plain Elastomeric Bearing Pads will be measured by the square foot installed. The measured quantities do not include the additional bearings required for conformance and destructive testing.

922.81: Basis of Payment

Payment under this item shall be at the contract unit price. This price will include all materials, equipment, tools and labor, additional bearing pads for testing and all required testing necessary to complete the work.

922.82: Payment Items

921.	Laminated Elastomeric Bearing Pad with Anchor Bolts	Each
922.	Laminated Elastomeric Bearing Pad without Anchor Bolts	Each
923.	Laminated Sliding Elastomeric Bearing Pad with Anchor Bolts	Each
933.	Plain Elastomeric Bearing Pad	Square Foot

SECTION 970: DAMP-PROOFING

Subsection 970.30: General
Add the following material to this subsection.

Mortar..... M4.04.0

Subsection 970.40: General
Replace the second sentence in the second paragraph with the following.

All holes in concrete surfaces shall be satisfactorily filled with mortar before damp-proofing is applied.

SUBSECTION 983: REVETMENT

Subsection 983.64 Special Slope Paving Under Bridges
Replace the last sentence under B. Quarry Stone or Precast Concrete Blocks. with the following.

Mortar shall then be placed in the joints to the top of the paved surface.

Subsection 983.65 Channel Paving and Grouted Channel Paving
Replace the last sentence with the following.

The grout shall conform to M4.04.0: Grout, Mortar, and Concrete Products.

DIVISION III

MATERIALS SPECIFICATIONS

SECTION M4: CEMENT AND CEMENT CONCRETE MATERIALS

Subsection M4.02.00 Cement Concrete

Add the following to the end of this subsection.

Alkali Silica Reactivity - Resistant Portland Cement Concrete

All cement concrete and precast/prestressed concrete products shall be alkali silica reactivity-resistant. Proportion Portland cement concrete mixes to include materials that meet either the aggregate requirement or Alkali-Silica Reactivity (ASR) mitigation criteria listed below. Provide cement mill test reports from certified laboratories that show the materials' source, composition and the cement alkali content expressed as sodium oxide equivalent(s) not to exceed 1.4%. Certified test reports according to test procedures as specified in Table A will be required to be submitted with the trial batch submission to RMS for approval every year or whenever the source of material is changed.

Select non-reactive aggregates that meet all the criteria of Table M4.02.00-2. Mitigate the mix as described below when nonreactive aggregates are unavailable. If non-reactive aggregates are used for portland cement concrete mix, 15% by weight of the cementitious content shall be fly ash meeting AASHTO M 295, Type F.

Select a material or a combination of materials that meet the criteria shown in Table M4.02.00-3 to mitigate ASR when concrete mixes must be proportioned with reactive aggregates. Perform verification test according to AASHTO T 303 and ASTM C295 to determine the effectiveness of the resulting mix design against ASR. Use the same proportion of cement and pozzolan for each test mixture as that proposed for the actual mix design. Provide the Department with certified documentation of the mixtures' effectiveness to control ASR.

Table M4.02.00-2: Tests and Criteria for Proposed Aggregates

Procedure	Description	Limits
AASHTO T 303: Accelerated Detection of Potentially Deleterious Expansion of Mortar Bars Due to Alkali-Silica Reaction	Mean mortar bar expansion at 14 days. Perform a polynomial fit (1) of 4, 7, 11, and 14 days to determine reliability of results	0.08% maximum metamorphic aggregate; 0.10% maximum all other aggregates. Repeat AASHTO T 303 if r^2 is less than 0.95.
ASTM C295: Petrographic Examination of Aggregates for Concrete	Optically strained, microfractured, or microcrystalline quartz	5.0% maximum (2)
	Chert or chalcedony	3.0% maximum (2)
	Tridymite or cristobolite	1.0% maximum (2)
	Opal	0.5% maximum (2)
	Natural volcanic glass	3.0% maximum (2)

(1) Use a second order polynomial of $\%Exp = A^o + A^1 SQRT(t) + A^2t$. See publication SD92-04-F.
(2) Based on the total aggregate sample.

Table M4.02.00-3: Mitigation Methods for ASR in Portland Cement Concrete

Material	Specification	Cementitious Material Percentage (1)
Low alkali cement (2)	AASHTO M 85	100%
Fly ash - Class F	AASHTO M 295	15% minimum to 30% (4) maximum
Silica Fume (5)	AASHTO M 307	6% ± 1% (6)
Slag Grade 100 and 120	AASHTO M 302	25% minimum to 50% maximum

(1) Measure this minimum content of cementitious material as percent by weight of cement plus pozzolan.
(2) This single criterion is not effective in all cases in remediating ASR. Low alkali cement (0.60% maximum (3)) must be used in combination with other pozzolanic materials in Table B.
(3) Na_2O equivalent = $\%Na_2O + 0.658 (\%K_2O)$
(4) Fly ash, Type F, shall replace 15% by weight of the design cement content, and any additional fly ash will be considered as fine aggregate.
(5) Silica fume shall only be used in silica fume cement concrete.
(6) The total amount of Type F fly ash and silica fume shall constitute 20% by weight of the design cement content, and any additional fly ash shall be considered as fine aggregate.

Subsection M4.02.15 Cement Mortar
Delete this subsection.

Subsection M4.04.0: Grout, Mortar and Concrete Products
Replace this subection with the following.

M4.04.0: Grout, Mortar, and Concrete Products

Grout, cementitious mortar, and concrete products shall be packaged, dry, and preblended with preformulated constituent materials (excluding mixing water) to produce a material with acceptable quality characteristics and material properties, including time of set, compressive strength, flexural strength, slant shear bond strength, resistance to alkali silica reaction, freezing/thawing, and de-icing cycles, shrinkage, expansion, and sulfate reaction.

Mortar products shall be defined as products containing aggregate of which less than 5% by mass of the total mixture is retained on the 3/8 in. sieve. Mortar products for concrete repairs shall be used only on repair depths of 2 in. or less. Concrete products shall be defined as products containing aggregate of which 5% or more by mass of the total mixture is retained on the 3/8 in. sieve. Concrete products for concrete repairs shall be used only on repair depths greater than 2 in.

The aggregate sources included in the prepackaged product or extended into the product shall meet Section M4.02.02: Aggregates. Grout, cementitious mortar, and concrete products shall only be applied per the requirements provided on the product's technical data sheet. Grout, cementitious mortar, and concrete products shall maintain valid listing on the MassDOT Qualified Construction Materials List (QCML). Grout, cementitious mortar, and concrete products shall meet requirements specified herein.

A. Technical Data Sheet.

The Manufacturer shall submit the product's technical data sheet to the Department for review. At a minimum, the product's technical data sheets shall include:

(a) Product Name
(b) Manufacturer, including address and contact information
(c) Packaging
(d) Yield
(e) Product Description, including an overview of the product and its intended application(s) and use(s).

(f) Technical Data, including quality characteristics and corresponding performance criteria with the AASHTO and/or ASTM standard test methods identified.
(g) Recommended Equipment
(h) Instructions, including surface preparation, mixing, forming, placing, finishing, curing, and protection from adverse conditions, such as precipitation, cold conditions, and hot conditions.
(i) Limitations
(j) Storage and Shelf Life
(k) Safety

B. Mix Design Formulation.

Products that are extended with aggregate not included in the original product packaging shall be formulated per the product's technical data sheet and evaluated through Department mix design evaluation and verification testing. Producers shall report and submit proposed mix design formulations onto the Department issued mix design sheet. The Producer shall select an AASHTO accredited independent laboratory to conduct verification testing. The sampling and testing conducted by the independent laboratory shall be witnessed by the Department.

C. Product Verification Testing.

Verification test results shall be within the limits specified herein.

M4.04.1: Conventional Grout, Cementitious Mortar, and Concrete Products

Conventional grout, cementitious mortar, and concrete products shall meet the requirements of Section M4: Cement and Cement Concrete Materials, performance criteria of the product's technical data sheet, and the requirements specified herein.

M4.04.2: Rapid Hardening Cementitious Mortar and Concrete Products

Rapid hardening cementitious mortar and concrete products shall meet the requirements and performance criteria of the product's technical data sheet, ASTM C928 Standard Specification for Packaged, Dry, Rapid-Hardening Cementitious Materials for Concrete Repairs, and Table M4.04.2-2.

Table M4.04.2-1: Types of Rapid Hardening Cementitious Products for Concrete Repairs

Type	Description	Application
R1	General Rapid Hardening	Vertical and Overhead Repairs
R2	Medium Rapid Hardening	Vertical and Overhead Repairs
R3	Very Rapid Hardening	Horizontal, Vertical, and Overhead Repairs

Table M4.04.2-2: Verification Testing Requirements

Property	Method	Quality Characteristic		Limits					
				R1		R2		R3	
				Min.	Max.	Min.	Max.	Min.	Max.
Setting	T 197	Initial Set (min.)		Technical Data Sheet					
		Final Set (min.)		Technical Data Sheet					
Strength	T 97[1]	Flexural Strength (psi)	24 Hours	–	–	–	–	650	–
			7 Days	–	–	–	–	–	–
Durability	T 358	Surface Chloride Ion Penetration Resistance (kΩ-cm)	28 Days	21	–	21	–	21	–
	T 161 (A)	Relative Durability Factor		90	–	90	–	90	–
		Mass Loss (%)		–	6.0	–	6.0	–	6.0
[1] Not applicable to vertical and overhead repair applications.									

M4.04.3: Mortar Products for Unit Masonry

Mortar products for unit masonry shall meet the requirements and performance criteria of the product's technical data sheet and Type M specified in ASTM C270 Standard Specification for Mortar for Unit Masonry. Field proportioned cement mortar for laying brick and block shall be composed of 1 part Portland cement and 2 parts of fine aggregate by volume with a sufficient amount of water to form a workable mixture, while still achieving the properties specified herein.

M4.04.4: Grout Products for Unit Masonry

Grout products for unit masonry shall meet the requirements and performance criteria of the product's technical data sheet and ASTM C476 Standard Specification for Grout for Masonry.

M4.04.5: Non-Shrink Grout Products

Non-shrink grout products are intended for use under applied load, including supporting a structure, transfer medium between load-bearing members, shear keys, and other non-shrink applications, where a change in height below initial placement height is to be avoided. Non-shrink grout products shall meet the requirements and performance criteria of the product's technical data sheet and ASTM C1107 Standard Specification for Packaged Dry, Hydraulic-Cement Grout (Nonshrink).

SECTION M5: PIPE, CULVERT SECTIONS AND CONDUIT

Subsection M5.01.0: Joint Material for Pipe
Replace M4.02.15 Cement Mortar with M4.04.0 Grout, Mortar, and Concrete Products in paragraph B.

SECTION M8: METALS AND RELATED MATERIALS

Subsection M8.18.1: Traffic Signal Supports
Delete the heading Posts and the two paragraphs under it. Delete the heading Bases and the three paragraphs under it.

SECTION M9: MISELLANEOUS MATERIALS

Subsection M9.14.5: Elastomeric Bridge Bearing Pads
Replace this subsection with the following:

M9.14.5: Elastomeric Bearing Pads

A. General Requirements

Elastomeric bearing pads shall be plain or laminated. They shall meet the applicable requirements of AASHTO M 251, the MassDOT Bridge Manual, and the AASHTO LRFD Bridge Design and Construction Specifications. The type of bearing will be specified on the plans.

Laminated elastomeric bearing pads consist of layers of elastomers restrained at their interfaces by bonded metal laminates.

B. Material Requirements

Plain elastomeric bearing pads shall consist of elastomer.

Laminated elastomeric bearing pad shall consist of:

- Elastomer
- Internal Steel Laminates
- Tapered Internal Load Plates (if used)

The components of the elastomeric bearing pad shall conform to AASHTO M 251 and the following:

- The elastomer compound shall be 100% virgin neoprene and classified as being of low-temperature grade 3.
- The steel laminates shall meet the requirements of ASTM A 1011 Grade 36 or higher

C. Material Qualification

Elastomeric bearing pads shall be approved on a project basis. The Contractor shall furnish to the Research and Materials Section certified independent test reports demonstrating conformance. All testing shall be performed by the same independent lab in accordance with Subsection M9.14.5G.

D. Fabricators

Bearing shall be fabricated by a fabricator listed on the MassDOT Qualified Construction Materials List (QCML).

E. Fabrication

Fabrication shall not begin until the shop drawings have been approved and the Department has an inspector at the fabricator's facility.

The shop drawings shall specify bearing dimensions as shown on the plans and, where applicable, shall include:

- Elastomer thickness and edge cover,
- Number and thickness of steel reinforcing laminates,
- Dimensions of load plates (if any),
- Design shear modulus of the elastomer shall be as shown on the Plans.

Plain elastomeric bearing pads shall be fabricated and tested in accordance with the "Method A" design outlined in the AASHTO LRFD Bridge Design Specifications.

Laminated elastomeric bearing pads shall be fabricated and tested in accordance with the "Method B" design outlined in the AASHTO LRFD Bridge Design Specifications.

The manufacturer shall designate the bearings in each Lot, as described in Subsection M9.14.5G, and certify that each bearing in the Lot was manufactured in a reasonably continuous manner from the same batch of elastomer and cured under the same conditions. In addition, the manufacturer shall certify that each bearing in the Lot satisfies the requirements of this specification, AASHTO M 251, the AASHTO LRFD Bridge Construction Specifications, and the contract plans and documents.

The tolerances on the overall dimensions for the bearings shall be according to Table 2 of AASHTO M 251, except that the tolerance on the overall vertical dimension shall be limited to 0, +1/8" regardless of the design thickness.

All steel included in the final bearing product must conform to Buy America Requirements.

F. Packaging, Handling, & Storage

The bearing pads shall be packaged, handled, and stored as specified below:

Prior to shipment from the point of manufacture, bearings shall be packaged in such a manner to ensure that during shipment and storage the bearings will be protected against damage from handling, weather, or any normal hazard. Each completed bearing shall have its components clearly identified, be securely bolted, strapped, or otherwise fastened to prevent any relative movement, and be marked on it top as to location and orientation in each structure in the project in conformity with the contract documents.

Each elastomeric bearing shall be marked in indelible ink or flexible paint. The marking shall consist of the order number, lot number, bearing identification number, and elastomer type and grade per AASHTO M 251. For bearing pads fabricated with a tapered internal load plate, a 1/32" deep direction arrow shall be inscribed into the bearing which will allow the bearing to be aligned with the up-station direction. All marks shall be permanent and be visible after the bearing is installed.

G. Testing Requirements

Quality Control System

Fabricators shall perform Quality Control (QC) testing in accordance with their quality system. QC test reports shall accompany the bearing pads when delivered to the project.

Acceptance System

MassDOT will evaluate the fabricator's quality system and QC test reports. It will also perform its own testing and verify the independent laboratory's test reports, if applicable.

Lot Sizes

Sampling of bearing pads for testing shall be random and performed on a Lot basis. A Lot of bearings shall be a group of 100 or fewer bearings that are:

- For a single contract,
- Cured under the same conditions,
- The same size and configuration,
- Manufactured in a reasonably continuous manner from the same batch of elastomer.

Testing of Plain Bearings

Testing Laboratory

Plain elastomeric bearing pads shall be tested by both an independent laboratory and MassDOT:

- Independent testing shall be performed by a nationally recognized third-party laboratory approved by the Research & Materials Section.
- Acceptance testing shall be performed by the Research and Materials.

Sampling Frequency

Each Lot of plain bearings shall be randomly sampled for testing. The Contractor shall ensure that the fabricator produces the additional bearings required for testing.

Samples for independent testing shall be selected by the fabricator. The sampling rate for the independent

testing shall be as follows:

- Lot sizes less than 10 bearings – One full-size bearing per Lot.
- Lot sizes greater than or equal to 10 bearings – Two full-size bearings per lot.

Samples for Acceptance testing shall be selected by the Engineer. The sampling rate for Acceptance testing shall be one bearing pad per lot.

Testing Requirements

The laboratory shall test the bearings in accordance with Sections 8 and 9 of AASHTO M 251 as specified below:

1. Dimensions per Section 8.4.
2. Elastomer per Section 8.6.
    - The hardness, tensile strength, and ultimate elongation shall be in accordance with Table 1 of AASHTO M 251.
3. Test procedures per Section 8.9.
    - Heat resistance per Section 8.9.3.

Testing of Laminated Bearings

Testing Laboratory

Laminated elastomeric bearing pads shall be tested by both an independent laboratory and MassDOT:

- Independent testing shall be performed by a nationally recognized third-party laboratory approved by the Research & Materials Section.
- Acceptance testing shall be performed by the Research and Materials.

Sampling Frequency

Each Lot of laminated bearings shall be randomly sampled for testing. The Contractor shall ensure that the fabricator produces the additional bearings required for testing.

Samples for independent testing shall be selected by the fabricator. The sampling rate for the independent testing shall be as follows:

- Lot sizes less than 10 bearings – One full-size bearing per Lot.
- Lots sizes greater than or equal to 10 bearings:
    - One full-size bearing per every twenty per lot, or a minimum of two bearings.
    - The number of laminated bearings to sample shall be determined by taking the Lot size divided by 20. If the integer part of this calculation is 0 or 1, then two bearings shall be sampled. For example, if the lot size is 58 laminated bearings, two bearings shall be sampled; if the lot size is 65, three bearings shall be sampled; and if the lot size is 22, two bearings shall be sampled.

Samples for Acceptance testing shall be selected by the Engineer. The sampling rate for Acceptance testing shall be one bearing pad per lot.

Testing Requirements

Testing of the bearings shall be in accordance with Sections 8 and 9 of AASHTO M 251 as specified below:

1. Dimensions per Section 8.4.
2. Elastomer per Section 8.6.
    - The hardness, tensile strength, and ultimate elongation shall be in accordance with Table 1 of AASHTO M 251.
3. Compressive strain at the maximum design dead plus live service compressive load per Section 8.8.1.1.

- The compressive deflection, as determined per Section 9.1., between the two loadings for each bearing tested shall not exceed 10%.

4. Bond via Compressive Load per Section 8.8.2.2.
5. Shear Modulus of the elastomer per Section 8.8.3.
   - Shear modulus shall meet the requirements on the plans.
6. Test procedures per Section 8.9.
   a. Additional Low Temperature Shear Modulus testing per Section 8.9.1.
   b. Heat resistance per Section 8.9.3.
   c. Compression set per Section 8.9.4.
   d. Creep per Section 8.9.5.
      - The percent creep shall be less than 35%.
   e. Long Term Compression per Section 8.9.6.

Table M9.14.5-1: Department Acceptance Testing of Elastomeric Bearing Pads

Quality Characteristic	**Test Method**	**Requirement**
Hardness	ASTM D2240	From Independent Test Results ± 5 Pts
Tensile Strength	ASTM D412	≥ 2250 psi
Ultimate Elongation	ASTM D412	Minimum Elongation Based on Durometer according to AASHTO M 251 Table 1
Shear Modulus (see Note 1)	ASTM D4014	Specified Value ± 15%
After Heat Aging for 70 Hours at 100°C (Maximum Change from Unaged Testing)		
Hardness	ASTM D573	Hardness + 15 Pts
Tensile Strength	ASTM D573	Tensile Strength - 15%
Ultimate Elongation	ASTM D573	Ultimate Elongation - 40%
Note 1: Test is only required for laminated elastomeric bearing pads.		

SECTION M10: TRAFFIC CONTROL DEVICES

Subsection M10.05.0: Traffic Signal Structures (General)
Add this new subsection.

M10.05.0: Traffic Signal Structures (General)

The bases of all Traffic Signal Structures shall be supplied with a bonding lug.

Subsection M10.05.1: Signal Posts and Bases
Add this new subsection.

M10.05.1: Signal Posts and Bases

All Signal Posts shall be one-piece 4-in. diameter, Schedule 40 or Schedule 80, and machine-threaded.

Signal Posts may be fabricated from aluminum with a brushed or spun finish or from steel with a galvanized finish.

The interior of Signal Posts shall be coated as specified in Underwriters Laboratories UL-6 for enameled conduit, or aluminum conduit conforming to M5.07.1: Electrical Conduit-Rigid Metallic (Type RM), Paragraph C.

Signal Posts Bases shall be fabricated to accept the threads from the Signal Post and locked into place with set screws.

Signal Post Bases shall be fabricated from aluminum with a natural or anodized finish or galvanized cast iron.

Signal Post Bases shall be square or octagonal.

Signal Posts and Bases conform to Table M10.05.1-1.

Table M10.05.1-1: Signal Post and Base Material Requirements

Component	Material	Specification
Signal Post	Aluminum	6063-T6 (ASTM B221, B429 or B241)
Signal Post	Steel	ASTM A53, Grade A or B
Signal Post Base	Aluminum	356.0-T6 (ASTM B26, B108)
Signal Post Base	Cast Iron	AASHTO M 105

Subsection M10.11.0: RRFB Assemblies
Add this new subsection.

M10.11.0: RRFB Assemblies

Rectangular Rapid Flashing Beacon (RRFB) Assemblies shall consist of a Light Bar and an enclosure for the Controller and Activation Unit.

Light Bar

The Light Bar shall consist of two rapidly-flashed rectangular-shaped yellow indications, each with an LED-array based pulsing light source. The size of each RRFB indication shall conform to the Construction Standard Details.

The light intensity of the yellow indications during daytime conditions shall meet the minimum specifications for Class 1 yellow peak luminous intensity in the publication "Directional Flashing Optical Warning Devices for Authorized Emergency, Maintenance, and Service Vehicles J595," 2005, Society of Automotive Engineers (SAE). A photocell or equivalent device shall be included to reduce the brilliance of the LED beacons during nighttime conditions.

Controller and Activation Unit

The enclosure for the Controller and Activation Unit shall be NEMA rated for outdoor use and protection against rain and sleet.

The Controller and Activation Unit shall be powered by a DC battery/solar array system or a 120 VAC service connection.

The Controller and Activation Unit shall be actuated by a pedestrian pushbutton, a passive pedestrian detection device, or both.

Communications between multiple units within the same system shall be via a 900MHz or 2.4 GHz frequency hopping spread spectrum with a minimum range of 200 ft. Multiple channels shall be available to prevent cross-communication between multiple systems located close to each other.

The Controller shall be programmable via an on-board user interface or a no-fee wireless (Wi-Fi, Bluetooth®, etc.) connection and application.

<<<<<<<<<<>>>>>>>>>>

END OF SUPPLEMENTAL SPECIFICATIONS

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

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-

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 **7 %**
(*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

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.

* * * * *

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.

*** END OF DOCUMENT ***

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

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

*** END OF DOCUMENT ***

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

DOCUMENT 00813

SPECIAL PROVISIONS
PRICE ADJUSTMENTS FOR STRUCTURAL STEEL AND REINFORCING STEEL

January 15, 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	$0.57
2	ASTM A27 (AASHTO M103) Steel Castings, H-Pile Points & Pipe Pile Shoes (See Note below.)	$0.79
3	ASTM A668 / A668M (AASHTO M102) Steel Forgings	$0.79
4	ASTM A108 (AASHTO M169) Steel Forgings for Shear Studs	$0.82
5	ASTM A709/A709M Grade 36 / AASHTO M270M/M270 Grade 36 or 250 Structural Steel Plate	$0.87
6	ASTM A709/A709M Grade 36 / AASHTO M270M/M270 Grade 36 or 250 Structural Steel Shapes	$0.81
7	ASTM A709/A709M Grade 50 / AASHTO M270M/M270 Grade 50 or 345 Structural Steel Plate	$0.87
8	ASTM A709/A709M Grade 50 / AASHTO M270M/M270 Grade 50 or 345 Structural Steel Shapes	$0.81
9	ASTM A709/A709M Grade 50WT / AASHTO M270M/M270 Grade 50WT or 345WT Structural Steel Plate	$0.90
10	ASTM A709/A709M Grade 50WT / AASHTO M270M/M270 Grade 50WT or 345WT Structural Steel Shapes	$0.82
11	ASTM A709/A709M Grade 50W / AASHTO M270M/M270 Grade 50W 345W Structural Steel Plate	$0.90
12	ASTM A709/A709M Grade 50W / AASHTO M270M/M270 Grade 50W or 345W Structural Steel Shapes	$0.82
13	ASTM A709/A709M Grade HPS 50W / AASHTO M270M/M270 Grade HPS 50W or 345W Structural Steel Plate	$0.94
14	ASTM A709/A709M Grade HPS 70W / AASHTO M270M/M270 Grade HPS 70W or 485W Structural Steel Plate	$1.01
15	ASTM A514/A514M-05 Grade HPS 100W / AASHTO M270M/M270 Grade HPS 100W or 690W Structural Steel Plate	$1.54
16	ASTM A992/A992M Grade 50S / AASHTO M270M/M270 Grade 50S or 345S Structural Steel Plate	$0.90
17	ASTM A992/A992M Grade 50S / AASHTO M270M/M270 Grade 50S or 345S Structural Steel Shapes	$0.82
18	ASTM A276 Type 316 Stainless Steel	$4.61
19	ASTM A240 Type 316 Stainless Steel	$4.61
20	ASTM A148 Grade 80/50 Steel Castings (See Note below.)	$1.58
21	ASTM A53 Grade B Structural Steel Pipe	$1.01
22	ASTM A500 Grades A, B, 36 & 50 Structural Steel Pipe	$1.01
23	ASTM A252, Grades 240 (36 KSI) & 414 (60 KSI) Pipe Pile	$0.80
24	ASTM 252, Grade 2 Permanent Steel Casing	$0.80
25	ASTM A36 (AASHTO M183) for H-piles, steel supports and sign supports	$0.85
26	ASTM A328 / A328M, Grade 50 (AASHTO M202) Steel Sheetpiling	$1.52
27	ASTM A572 / A572M, Grade 50 Sheetpiling	$1.52
28	ASTM A36/36M, Grade 50	$0.87
29	ASTM A570, Grade 50	$0.85
30	ASTM A572 (AASHTO M223), Grade 50 H-Piles	$0.87
31	ASTM A1085 Grade A (50 KSI) Steel Hollow Structural Sections (HSS), heat-treated per ASTM A1085 Supplement S1	$1.01
32	AREA 140 LB Rail and Track Accessories	$0.52

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.

END OF DOCUMENT

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

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.

*** END OF DOCUMENT ***

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

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 ***

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

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 ***

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

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: 129332 **Project No.** 610768 **Federal Aid No.:** STP(BR-OFF)-003S(808)X

Location: WESTHAMPTON

Project Description: Bridge Replacement, W-27-028, Perry Hill Road over North Branch of Manhan River

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

THIS PAGE INTENTIONALLY LEFT BLANK

MAURA HEALEY
Governor

KIM DRISCOLL
Lt. Governor

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

Prevailing Wage Rates

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 Division

Contract Number: 129332 **City/Town:** WESTHAMPTON

Description of Work: WESTHAMPTON – FAP No. STP(BR-OFF)-003S(808)X Bridge Replacement, W-27-028, Perry Hill Road over North Branch of Manhan River (610768)

Job Location: WESTHAMPTON - Perry Hill Road

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 within90 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.

Issue Date: 01/31/2025 **Wage Request Number:** 20250131-003

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
Construction						
(2 AXLE) DRIVER - EQUIPMENT *TEAMSTERS JOINT COUNCIL NO. 10 ZONE B*	01/01/2025	$39.95	$15.57	$20.17	$0.00	$75.69
	06/01/2025	$40.95	$15.57	$20.17	$0.00	$76.69
	12/01/2025	$40.95	$15.57	$21.78	$0.00	$78.30
	01/01/2026	$40.95	$16.17	$21.78	$0.00	$78.90
	06/01/2026	$41.95	$16.17	$21.78	$0.00	$79.90
	12/01/2026	$41.95	$16.17	$23.52	$0.00	$81.64
	01/01/2027	$41.95	$16.77	$23.52	$0.00	$82.24
(3 AXLE) DRIVER - EQUIPMENT *TEAMSTERS JOINT COUNCIL NO. 10 ZONE B*	01/01/2025	$40.02	$15.57	$20.17	$0.00	$75.76
	06/01/2025	$41.02	$15.57	$20.17	$0.00	$76.76
	12/01/2025	$41.02	$15.57	$21.78	$0.00	$78.37
	01/01/2026	$41.02	$16.17	$21.78	$0.00	$78.97
	06/01/2026	$42.02	$16.17	$21.78	$0.00	$79.97
	12/01/2026	$42.02	$16.17	$23.52	$0.00	$81.71
	01/01/2027	$42.02	$16.77	$23.52	$0.00	$82.31
(4 & 5 AXLE) DRIVER - EQUIPMENT *TEAMSTERS JOINT COUNCIL NO. 10 ZONE B*	01/01/2025	$40.14	$15.57	$20.17	$0.00	$75.88
	06/01/2025	$41.14	$15.57	$20.17	$0.00	$76.88
	12/01/2025	$41.14	$15.57	$21.78	$0.00	$78.49
	01/01/2026	$41.14	$16.17	$21.78	$0.00	$79.09
	06/01/2026	$42.14	$16.17	$21.78	$0.00	$80.09
	12/01/2026	$42.14	$16.17	$23.52	$0.00	$81.83
	01/01/2027	$42.14	$16.77	$23.52	$0.00	$82.43
ADS/SUBMERSIBLE PILOT *PILE DRIVER LOCAL 56 (ZONE 3)*	08/01/2024	$117.16	$10.08	$24.29	$0.00	$151.53
For apprentice rates see "Apprentice- PILE DRIVER"						
AIR TRACK OPERATOR *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$36.50	$9.65	$17.07	$0.00	$63.22
	06/02/2025	$37.75	$9.65	$17.07	$0.00	$64.47
	12/01/2025	$39.00	$9.65	$17.07	$0.00	$65.72
	06/01/2026	$40.30	$9.65	$17.07	$0.00	$67.02
	12/07/2026	$41.60	$9.65	$17.07	$0.00	$68.32
	06/07/2027	$43.00	$9.65	$17.07	$0.00	$69.72
	12/06/2027	$44.40	$9.65	$17.07	$0.00	$71.12
	06/05/2028	$45.90	$9.65	$17.07	$0.00	$72.62
	12/04/2028	$47.40	$9.65	$17.07	$0.00	$74.12
For apprentice rates see "Apprentice- LABORER"						
AIR TRACK OPERATOR (HEAVY & HIGHWAY) *LABORERS - ZONE 3 (HEAVY & HIGHWAY)*	12/01/2024	$36.50	$9.65	$15.06	$0.00	$61.21
	06/01/2025	$37.75	$9.65	$15.06	$0.00	$62.46
	12/01/2025	$38.99	$9.65	$15.06	$0.00	$63.70
	06/01/2026	$40.29	$9.65	$15.06	$0.00	$65.00
	12/01/2026	$41.58	$9.65	$15.06	$0.00	$66.29
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"						
ASBESTOS WORKER (PIPES & TANKS) *HEAT & FROST INSULATORS LOCAL 6 (SPRINGFIELD)*	12/01/2024	$38.52	$14.50	$10.55	$0.00	$63.57
	06/01/2025	$39.42	$14.50	$10.55	$0.00	$64.47
	12/01/2025	$40.32	$14.50	$10.55	$0.00	$65.37

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
ASPHALT RAKER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$36.00	$9.65	$17.07	$0.00	$62.72
	06/02/2025	$37.25	$9.65	$17.07	$0.00	$63.97
	12/01/2025	$38.50	$9.65	$17.07	$0.00	$65.22
	06/01/2026	$39.80	$9.65	$17.07	$0.00	$66.52
	12/07/2026	$41.10	$9.65	$17.07	$0.00	$67.82
	06/07/2027	$42.50	$9.65	$17.07	$0.00	$69.22
	12/06/2027	$43.90	$9.65	$17.07	$0.00	$70.62
	06/05/2028	$45.40	$9.65	$17.07	$0.00	$72.12
	12/04/2028	$46.90	$9.65	$17.07	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"						
ASPHALT RAKER (HEAVY & HIGHWAY) *LABORERS - ZONE 3 (HEAVY & HIGHWAY)*	12/01/2024	$36.00	$9.65	$15.06	$0.00	$60.71
	06/01/2025	$37.25	$9.65	$15.06	$0.00	$61.96
	12/01/2025	$38.49	$9.65	$15.06	$0.00	$63.20
	06/01/2026	$39.79	$9.65	$15.06	$0.00	$64.50
	12/01/2026	$41.08	$9.65	$15.06	$0.00	$65.79
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"						
AUTOMATIC GRADER-EXCAVATOR (RECLAIMER) *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$39.56	$13.78	$15.15	$0.00	$68.49
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
BACKHOE/FRONT-END LOADER OPERATOR *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$39.56	$13.78	$15.15	$0.00	$68.49
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
BARCO-TYPE JUMPING TAMPER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$36.00	$9.65	$17.07	$0.00	$62.72
	06/02/2025	$37.25	$9.65	$17.07	$0.00	$63.97
	12/01/2025	$38.50	$9.65	$17.07	$0.00	$65.22
	06/01/2026	$39.80	$9.65	$17.07	$0.00	$66.52
	12/07/2026	$41.10	$9.65	$17.07	$0.00	$67.82
	06/07/2027	$42.50	$9.65	$17.07	$0.00	$69.22
	12/06/2027	$43.90	$9.65	$17.07	$0.00	$70.62
	06/05/2028	$45.40	$9.65	$17.07	$0.00	$72.12
	12/04/2028	$46.90	$9.65	$17.07	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"						
BATCH/CEMENT PLANT - ON SITE *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$39.03	$13.78	$15.15	$0.00	$67.96
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
BLOCK PAVER, RAMMER / CURB SETTER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$36.50	$9.65	$17.07	$0.00	$63.22
	06/02/2025	$37.75	$9.65	$17.07	$0.00	$64.47
	12/01/2025	$39.00	$9.65	$17.07	$0.00	$65.72
	06/01/2026	$40.30	$9.65	$17.07	$0.00	$67.02
	12/07/2026	$41.60	$9.65	$17.07	$0.00	$68.32
	06/07/2027	$43.00	$9.65	$17.07	$0.00	$69.72
	12/06/2027	$44.40	$9.65	$17.07	$0.00	$71.12
	06/05/2028	$45.90	$9.65	$17.07	$0.00	$72.62
	12/04/2028	$47.40	$9.65	$17.07	$0.00	$74.12
For apprentice rates see "Apprentice- LABORER"						

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
BLOCK PAVER, RAMMER / CURB SETTER (HEAVY & HIGHWAY) *LABORERS - ZONE 3 (HEAVY & HIGHWAY)*	12/01/2024	$36.50	$9.65	$15.06	$0.00	$61.21
	06/01/2025	$37.75	$9.65	$15.06	$0.00	$62.46
	12/01/2025	$38.99	$9.65	$15.06	$0.00	$63.70
	06/01/2026	$40.29	$9.65	$15.06	$0.00	$65.00
	12/01/2026	$41.58	$9.65	$15.06	$0.00	$66.29
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)						
BOILER MAKER *BOILERMAKERS LOCAL 29*	01/01/2024	$48.12	$7.07	$20.60	$0.00	$75.79

Apprentice - *BOILERMAKER - Local 29*

Effective Date - 01/01/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	65	$31.28	$7.07	$13.22	$0.00	$51.57
2	65	$31.28	$7.07	$13.22	$0.00	$51.57
3	70	$33.68	$7.07	$14.23	$0.00	$54.98
4	75	$36.09	$7.07	$15.24	$0.00	$58.40
5	80	$38.50	$7.07	$16.25	$0.00	$61.82
6	85	$40.90	$7.07	$17.28	$0.00	$65.25
7	90	$43.31	$7.07	$18.28	$0.00	$68.66
8	95	$45.71	$7.07	$19.32	$0.00	$72.10

Notes:

Apprentice to Journeyworker Ratio:1:4

BRICK/STONE/ARTIFICIAL MASONRY (INCL. MASONRY WATERPROOFING) *BRICKLAYERS LOCAL 3 (SPRINGFIELD/PITTSFIELD)*	08/01/2024	$52.06	$11.49	$21.46	$0.00	$85.01
	02/01/2025	$53.36	$11.49	$21.46	$0.00	$86.31
	08/01/2025	$55.51	$11.49	$21.46	$0.00	$88.46
	02/01/2026	$56.86	$11.49	$21.46	$0.00	$89.81
	08/01/2026	$59.06	$11.49	$21.46	$0.00	$92.01
	02/01/2027	$60.46	$11.49	$21.46	$0.00	$93.41

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *BRICK/PLASTER/CEMENT MASON - Local 3 Springfield/Pittsfield*

Effective Date - 08/01/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$26.03	$11.49	$21.46	$0.00	$58.98
2	60	$31.24	$11.49	$21.46	$0.00	$64.19
3	70	$36.44	$11.49	$21.46	$0.00	$69.39
4	80	$41.65	$11.49	$21.46	$0.00	$74.60
5	90	$46.85	$11.49	$21.46	$0.00	$79.80

Effective Date - 02/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$26.68	$11.49	$21.46	$0.00	$59.63
2	60	$32.02	$11.49	$21.46	$0.00	$64.97
3	70	$37.35	$11.49	$21.46	$0.00	$70.30
4	80	$42.69	$11.49	$21.46	$0.00	$75.64
5	90	$48.02	$11.49	$21.46	$0.00	$80.97

Notes:

Apprentice to Journeyworker Ratio:1:5

BULLDOZER/POWER SHOVEL/TREE SHREDDER /CLAM SHELL *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$39.56	$13.78	$15.15	$0.00	$68.49
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
CAISSON & UNDERPINNING BOTTOM MAN *LABORERS - FOUNDATION AND MARINE*	12/01/2024	$48.10	$9.65	$18.22	$0.00	$75.97
	06/01/2025	$49.60	$9.65	$18.22	$0.00	$77.47
	12/01/2025	$51.10	$9.65	$18.22	$0.00	$78.97
	06/01/2026	$52.65	$9.65	$18.22	$0.00	$80.52
	12/01/2026	$54.15	$9.65	$18.22	$0.00	$82.02
For apprentice rates see "Apprentice- LABORER"						
CAISSON & UNDERPINNING LABORER *LABORERS - FOUNDATION AND MARINE*	12/01/2024	$46.95	$9.65	$18.22	$0.00	$74.82
	06/01/2025	$48.45	$9.65	$18.22	$0.00	$76.32
	12/01/2025	$49.95	$9.65	$18.22	$0.00	$77.82
	06/01/2026	$51.50	$9.65	$18.22	$0.00	$79.37
	12/01/2026	$53.00	$9.65	$18.22	$0.00	$80.87
For apprentice rates see "Apprentice- LABORER"						
CAISSON & UNDERPINNING TOP MAN *LABORERS - FOUNDATION AND MARINE*	12/01/2024	$47.28	$9.65	$18.22	$0.00	$75.15
	06/01/2025	$48.78	$9.65	$18.22	$0.00	$76.65
	12/01/2025	$50.28	$9.65	$18.22	$0.00	$78.15
	06/01/2026	$51.83	$9.65	$18.22	$0.00	$79.70
	12/01/2026	$53.33	$9.65	$18.22	$0.00	$81.20
For apprentice rates see "Apprentice- LABORER"						

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
CARBIDE CORE DRILL OPERATOR	12/02/2024	$36.00	$9.65	$17.07	$0.00	$62.72
LABORERS - ZONE 3 (BUILDING & SITE)	06/02/2025	$37.25	$9.65	$17.07	$0.00	$63.97
	12/01/2025	$38.50	$9.65	$17.07	$0.00	$65.22
	06/01/2026	$39.80	$9.65	$17.07	$0.00	$66.52
	12/07/2026	$41.10	$9.65	$17.07	$0.00	$67.82
	06/07/2027	$42.50	$9.65	$17.07	$0.00	$69.22
	12/06/2027	$43.90	$9.65	$17.07	$0.00	$70.62
	06/05/2028	$45.40	$9.65	$17.07	$0.00	$72.12
	12/04/2028	$46.90	$9.65	$17.07	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"						
CARPENTER	09/01/2024	$42.36	$7.91	$18.15	$0.00	$68.42
CARPENTERS LOCAL 336 - HAMPDEN HAMPSHIRE FRANKLIN	03/01/2025	$43.26	$7.91	$18.15	$0.00	$69.32
	09/01/2025	$44.21	$7.91	$18.15	$0.00	$70.27
	03/01/2026	$45.11	$7.91	$18.15	$0.00	$71.17
	09/01/2026	$46.06	$7.91	$18.15	$0.00	$72.12
	03/01/2027	$46.96	$7.91	$18.15	$0.00	$73.02

Apprentice - *CARPENTER - Local 336 Hampden Hampshire Franklin*

Effective Date - 09/01/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	45	$19.06	$7.91	$1.40	$0.00	$28.37
2	45	$19.06	$7.91	$1.40	$0.00	$28.37
3	55	$23.30	$7.91	$2.76	$0.00	$33.97
4	55	$23.30	$7.91	$2.76	$0.00	$33.97
5	70	$29.65	$7.91	$15.39	$0.00	$52.95
6	70	$29.65	$7.91	$15.39	$0.00	$52.95
7	80	$33.89	$7.91	$16.77	$0.00	$58.57
8	80	$33.89	$7.91	$16.77	$0.00	$58.57

Effective Date - 03/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	45	$19.47	$7.91	$1.40	$0.00	$28.78
2	45	$19.47	$7.91	$1.40	$0.00	$28.78
3	55	$23.79	$7.91	$2.76	$0.00	$34.46
4	55	$23.79	$7.91	$2.76	$0.00	$34.46
5	70	$30.28	$7.91	$15.39	$0.00	$53.58
6	70	$30.28	$7.91	$15.39	$0.00	$53.58
7	80	$34.61	$7.91	$16.77	$0.00	$59.29
8	80	$34.61	$7.91	$16.77	$0.00	$59.29

Notes:

Apprentice to Journeyworker Ratio:1:5

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
CARPENTER WOOD FRAME *CARPENTERS-ZONE 3 (Wood Frame)*	10/01/2024	$26.65	$7.02	$4.80	$0.00	$38.47
	10/01/2025	$27.75	$7.02	$4.80	$0.00	$39.57
	10/01/2026	$28.85	$7.02	$4.80	$0.00	$40.67

All Aspects of New Wood Frame Work

Apprentice - *CARPENTER (Wood Frame) - Zone 3*

Effective Date - 10/01/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	60	$15.99	$7.02	$0.00	$0.00	$23.01
2	60	$15.99	$7.02	$0.00	$0.00	$23.01
3	65	$17.32	$7.02	$1.00	$0.00	$25.34
4	70	$18.66	$7.02	$1.00	$0.00	$26.68
5	75	$19.99	$7.02	$4.80	$0.00	$31.81
6	80	$21.32	$7.02	$4.80	$0.00	$33.14
7	85	$22.65	$7.02	$4.80	$0.00	$34.47
8	90	$23.99	$7.02	$4.80	$0.00	$35.81

Effective Date - 10/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	60	$16.65	$7.02	$0.00	$0.00	$23.67
2	60	$16.65	$7.02	$0.00	$0.00	$23.67
3	65	$18.04	$7.02	$1.00	$0.00	$26.06
4	70	$19.43	$7.02	$1.00	$0.00	$27.45
5	75	$20.81	$7.02	$4.80	$0.00	$32.63
6	80	$22.20	$7.02	$4.80	$0.00	$34.02
7	85	$23.59	$7.02	$4.80	$0.00	$35.41
8	90	$24.98	$7.02	$4.80	$0.00	$36.80

Notes:

Apprentice to Journeyworker Ratio:1:5

CEMENT MASONRY/PLASTERING *BRICKLAYERS LOCAL 3 (SPRINGFIELD/PITTSFIELD)*	07/01/2024	$44.56	$13.20	$19.23	$1.69	$78.68

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *CEMENT MASONRY/PLASTERING - Springfield/Pittsfield*

Effective Date - 07/01/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$22.28	$13.20	$16.30	$0.00	$51.78
2	60	$26.74	$13.20	$19.23	$1.69	$60.86
3	65	$28.96	$13.20	$19.23	$1.69	$63.08
4	70	$31.19	$13.20	$19.23	$1.69	$65.31
5	75	$33.42	$13.20	$19.23	$1.69	$67.54
6	80	$35.65	$13.20	$19.23	$1.69	$69.77
7	90	$40.10	$13.20	$19.23	$1.69	$74.22

Notes:

Steps 3,4 are 500 hrs. All other steps are 1,000 hrs.

Apprentice to Journeyworker Ratio:1:3

CHAIN SAW OPERATOR *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$36.00	$9.65	$17.07	$0.00	$62.72
	06/02/2025	$37.25	$9.65	$17.07	$0.00	$63.97
	12/01/2025	$38.50	$9.65	$17.07	$0.00	$65.22
	06/01/2026	$39.80	$9.65	$17.07	$0.00	$66.52
	12/07/2026	$41.10	$9.65	$17.07	$0.00	$67.82
	06/07/2027	$42.50	$9.65	$17.07	$0.00	$69.22
	12/06/2027	$43.90	$9.65	$17.07	$0.00	$70.62
	06/05/2028	$45.40	$9.65	$17.07	$0.00	$72.12
	12/04/2028	$46.90	$9.65	$17.07	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"						
COMPRESSOR OPERATOR *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$39.03	$13.78	$15.15	$0.00	$67.96
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
CRANE OPERATOR *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$43.06	$13.78	$15.15	$0.00	$71.99
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
DELEADER (BRIDGE) *PAINTERS LOCAL 35 - ZONE 3*	01/01/2025	$58.46	$9.95	$23.95	$0.00	$92.36

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *PAINTER Local 35 - BRIDGES/TANKS*

Effective Date - 01/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$29.23	$9.95	$0.00	$0.00	$39.18
2	55	$32.15	$9.95	$6.66	$0.00	$48.76
3	60	$35.08	$9.95	$7.26	$0.00	$52.29
4	65	$38.00	$9.95	$7.87	$0.00	$55.82
5	70	$40.92	$9.95	$20.32	$0.00	$71.19
6	75	$43.85	$9.95	$20.93	$0.00	$74.73
7	80	$46.77	$9.95	$21.53	$0.00	$78.25
8	90	$52.61	$9.95	$22.74	$0.00	$85.30

Notes:
Steps are 750 hrs.

Apprentice to Journeyworker Ratio:1:1

DEMO: ADZEMAN *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$47.00	$9.65	$18.40	$0.00	$75.05
	06/02/2025	$48.50	$9.65	$18.40	$0.00	$76.55
	12/01/2025	$50.00	$9.65	$18.40	$0.00	$78.05
	06/01/2026	$51.55	$9.65	$18.40	$0.00	$79.60
	12/07/2026	$53.05	$9.65	$18.40	$0.00	$81.10
	06/07/2027	$54.65	$9.65	$18.40	$0.00	$82.70
	12/06/2027	$56.25	$9.65	$18.40	$0.00	$84.30
	06/05/2028	$57.93	$9.65	$18.40	$0.00	$85.98
	12/04/2028	$59.60	$9.65	$18.40	$0.00	$87.65
For apprentice rates see "Apprentice- LABORER"						
DEMO: BACKHOE/LOADER/HAMMER OPERATOR *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$48.00	$9.65	$18.40	$0.00	$76.05
	06/02/2025	$49.50	$9.65	$18.40	$0.00	$77.55
	12/01/2025	$51.00	$9.65	$18.40	$0.00	$79.05
	06/01/2026	$52.55	$9.65	$18.40	$0.00	$80.60
	12/07/2026	$54.05	$9.65	$18.40	$0.00	$82.10
	06/07/2027	$55.65	$9.65	$18.40	$0.00	$83.70
	12/06/2027	$57.25	$9.65	$18.40	$0.00	$85.30
	06/05/2028	$58.93	$9.65	$18.40	$0.00	$86.98
	12/04/2028	$60.60	$9.65	$18.40	$0.00	$88.65
For apprentice rates see "Apprentice- LABORER"						
DEMO: BURNERS *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$47.75	$9.65	$18.40	$0.00	$75.80
	06/02/2025	$49.25	$9.65	$18.40	$0.00	$77.30
	12/01/2025	$50.75	$9.65	$18.40	$0.00	$78.80
	06/01/2026	$52.30	$9.65	$18.40	$0.00	$80.35
	12/07/2026	$53.80	$9.65	$18.40	$0.00	$81.85
	06/07/2027	$55.40	$9.65	$18.40	$0.00	$83.45
	12/06/2027	$57.00	$9.65	$18.40	$0.00	$85.05
	06/05/2028	$58.68	$9.65	$18.40	$0.00	$86.73
	12/04/2028	$60.35	$9.65	$18.40	$0.00	$88.40

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
For apprentice rates see "Apprentice- LABORER"						
DEMO: CONCRETE CUTTER/SAWYER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$48.00	$9.65	$18.40	$0.00	$76.05
	06/02/2025	$49.50	$9.65	$18.40	$0.00	$77.55
	12/01/2025	$51.00	$9.65	$18.40	$0.00	$79.05
	06/01/2026	$52.55	$9.65	$18.40	$0.00	$80.60
	12/07/2026	$54.05	$9.65	$18.40	$0.00	$82.10
	06/07/2027	$55.65	$9.65	$18.40	$0.00	$83.70
	12/06/2027	$57.25	$9.65	$18.40	$0.00	$85.30
	06/05/2028	$58.93	$9.65	$18.40	$0.00	$86.98
	12/04/2028	$60.60	$9.65	$18.40	$0.00	$88.65
For apprentice rates see "Apprentice- LABORER"						
DEMO: JACKHAMMER OPERATOR *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$47.75	$9.65	$18.40	$0.00	$75.80
	06/02/2025	$49.25	$9.65	$18.40	$0.00	$77.30
	12/01/2025	$50.75	$9.65	$18.40	$0.00	$78.80
	06/01/2026	$52.30	$9.65	$18.40	$0.00	$80.35
	12/07/2026	$53.80	$9.65	$18.40	$0.00	$81.85
	06/07/2027	$55.40	$9.65	$18.40	$0.00	$83.45
	12/06/2027	$57.00	$9.65	$18.40	$0.00	$85.05
	06/05/2028	$58.68	$9.65	$18.40	$0.00	$86.73
	12/04/2028	$60.35	$9.65	$18.40	$0.00	$88.40
For apprentice rates see "Apprentice- LABORER"						
DEMO: WRECKING LABORER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$47.00	$9.65	$18.40	$0.00	$75.05
	06/02/2025	$48.50	$9.65	$18.40	$0.00	$76.55
	12/01/2025	$50.00	$9.65	$18.40	$0.00	$78.05
	06/01/2026	$51.55	$9.65	$18.40	$0.00	$79.60
	12/07/2026	$53.05	$9.65	$18.40	$0.00	$81.10
	06/07/2027	$54.65	$9.65	$18.40	$0.00	$82.70
	12/06/2027	$56.25	$9.65	$18.40	$0.00	$84.30
	06/05/2028	$57.93	$9.65	$18.40	$0.00	$85.98
	12/04/2028	$59.60	$9.65	$18.40	$0.00	$87.65
For apprentice rates see "Apprentice- LABORER"						
DIVER *PILE DRIVER LOCAL 56 (ZONE 3)*	08/01/2024	$78.11	$10.08	$24.29	$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 (ZONE 3)*	08/01/2024	$49.19	$10.08	$24.29	$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 (ZONE 3)*	08/01/2024	$83.69	$10.08	$24.29	$0.00	$118.06
For apprentice rates see "Apprentice- PILE DRIVER"						
DIVER/SLURRY (EFFLUENT) *PILE DRIVER LOCAL 56 (ZONE 3)*	08/01/2024	$117.16	$10.08	$24.29	$0.00	$151.53
For apprentice rates see "Apprentice- PILE DRIVER"						
DRAWBRIDGE OPERATOR (Construction) *DRAWBRIDGE - SEIU LOCAL 888*	07/01/2020	$26.77	$6.67	$3.93	$0.16	$37.53

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
ELECTRICIAN (Including Core Drilling) *ELECTRICIANS LOCAL 7*	12/29/2024	$51.06	$13.25	$15.06	$0.00	$79.37
	06/29/2025	$52.16	$13.50	$15.21	$0.00	$80.87
	12/28/2025	$53.26	$13.75	$15.36	$0.00	$82.37
	06/28/2026	$54.41	$14.00	$15.46	$0.00	$83.87
	01/03/2027	$55.56	$14.25	$15.56	$0.00	$85.37

Apprentice - *ELECTRICIAN - Local 7*

Effective Date - 12/29/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	40	$20.42	$7.35	$0.61	$0.00	$28.38
2	45	$22.98	$7.35	$0.69	$0.00	$31.02
3	50	$25.53	$13.25	$7.47	$0.00	$46.25
4	55	$28.08	$13.25	$7.54	$0.00	$48.87
5	65	$33.19	$13.25	$9.74	$0.00	$56.18
6	70	$35.74	$13.25	$11.19	$0.00	$60.18

Effective Date - 06/29/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	40	$20.86	$7.50	$0.63	$0.00	$28.99
2	45	$23.47	$7.50	$0.70	$0.00	$31.67
3	50	$26.08	$13.50	$7.53	$0.00	$47.11
4	55	$28.69	$13.50	$7.61	$0.00	$49.80
5	65	$33.90	$13.50	$9.84	$0.00	$57.24
6	70	$36.51	$13.50	$11.30	$0.00	$61.31

Notes:

Steps 1-2 are 1000 hrs; Steps 3-6 are 1500 hrs.

Apprentice to Journeyworker Ratio:2:3****

ELEVATOR CONSTRUCTOR *ELEVATOR CONSTRUCTORS LOCAL 41*	01/01/2025	$62.83	$16.28	$21.36	$0.00	$100.47
	01/01/2026	$63.68	$16.38	$21.76	$0.00	$101.82
	01/01/2027	$64.53	$16.48	$22.16	$0.00	$103.17

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *ELEVATOR CONSTRUCTOR - Local 41*

Effective Date - 01/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$31.42	$16.28	$0.00	$0.00	$47.70
2	55	$34.56	$16.28	$21.36	$0.00	$72.20
3	65	$40.84	$16.28	$21.36	$0.00	$78.48
4	70	$43.98	$16.28	$21.36	$0.00	$81.62
5	80	$50.26	$16.28	$21.36	$0.00	$87.90

Effective Date - 01/01/2026

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$31.84	$16.38	$0.00	$0.00	$48.22
2	55	$35.02	$16.38	$21.76	$0.00	$73.16
3	65	$41.39	$16.38	$21.76	$0.00	$79.53
4	70	$44.58	$16.38	$21.76	$0.00	$82.72
5	80	$50.94	$16.38	$21.76	$0.00	$89.08

Notes:
Steps 1-2 are 6 mos.; Steps 3-5 are 1 year

Apprentice to Journeyworker Ratio:1:1

ELEVATOR CONSTRUCTOR HELPER *ELEVATOR CONSTRUCTORS LOCAL 41*	01/01/2025	$43.98	$16.28	$21.36	$0.00	$81.62
	01/01/2026	$44.58	$16.38	$21.76	$0.00	$82.72
	01/01/2027	$45.17	$16.48	$22.16	$0.00	$83.81
For apprentice rates see "Apprentice - ELEVATOR CONSTRUCTOR"						
FENCE & GUARD RAIL ERECTOR (HEAVY & HIGHWAY) *LABORERS - ZONE 3 (HEAVY & HIGHWAY)*	12/01/2024	$36.00	$9.65	$15.06	$0.00	$60.71
	06/01/2025	$37.25	$9.65	$15.06	$0.00	$61.96
	12/01/2025	$38.49	$9.65	$15.06	$0.00	$63.20
	06/01/2026	$39.79	$9.65	$15.06	$0.00	$64.50
	12/01/2026	$41.08	$9.65	$15.06	$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*	06/01/1999	$18.84	$4.80	$4.10	$0.00	$27.74
FIELD ENG.PARTY CHIEF:BLDG,SITE,HVY/HWY *OPERATING ENGINEERS LOCAL 98*	06/01/1999	$21.33	$4.80	$4.10	$0.00	$30.23
FIELD ENG.SURVEY CHIEF-BLDG,SITE,HVY/HWY *OPERATING ENGINEERS LOCAL 98*	06/01/1999	$22.33	$4.80	$4.10	$0.00	$31.23
FIRE ALARM INSTALLER *ELECTRICIANS LOCAL 7*	12/29/2024	$51.06	$13.25	$15.06	$0.00	$79.37
	06/29/2025	$52.16	$13.50	$15.21	$0.00	$80.87
	12/28/2025	$53.26	$13.75	$15.36	$0.00	$82.37
	06/28/2026	$54.41	$14.00	$15.46	$0.00	$83.87
	01/03/2027	$55.56	$14.25	$15.56	$0.00	$85.37
For apprentice rates see "Apprentice- ELECTRICIAN"						

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
FIRE ALARM REPAIR / MAINTENANCE / COMMISSIONING *ELECTRICIANS LOCAL 7*	12/29/2024	$51.06	$13.25	$15.06	$0.00	$79.37
	06/29/2025	$52.16	$13.50	$15.21	$0.00	$80.87
	12/28/2025	$53.26	$13.75	$15.36	$0.00	$82.37
	06/28/2026	$54.41	$14.00	$15.46	$0.00	$83.87
	01/03/2027	$55.56	$14.25	$15.56	$0.00	$85.37
For apprentice rates see "Apprentice- TELECOMMUNICATIONS TECHNICIAN"						
FIREMAN *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$39.03	$13.78	$15.15	$0.00	$67.96

Apprentice - *OPERATING ENGINEERS - Local 98 Class 3*

Effective Date - 12/01/2023

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	60	$23.42	$13.78	$15.15	$0.00	$52.35
2	70	$27.32	$13.78	$15.15	$0.00	$56.25
3	80	$31.22	$13.78	$15.15	$0.00	$60.15
4	90	$35.13	$13.78	$15.15	$0.00	$64.06

Notes:

Steps 1-2 are 1000 hrs.; Steps 3-4 are 2000 hrs.

Apprentice to Journeyworker Ratio:1:6

FLAGGER & SIGNALER (HEAVY & HIGHWAY) *LABORERS - ZONE 3 (HEAVY & HIGHWAY)*	12/01/2024	$27.01	$9.65	$15.06	$0.00	$51.72
	06/01/2025	$28.09	$9.65	$15.06	$0.00	$52.80
	12/01/2025	$28.09	$9.65	$15.06	$0.00	$52.80
	06/01/2026	$29.21	$9.65	$15.06	$0.00	$53.92
	12/01/2026	$29.21	$9.65	$15.06	$0.00	$53.92
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"						
FLOORCOVERER *FLOORCOVERERS LOCAL 2168 ZONE III*	09/01/2024	$42.36	$7.91	$18.15	$0.00	$68.42
	03/01/2025	$43.26	$7.91	$18.15	$0.00	$69.32
	09/01/2025	$44.21	$7.91	$18.15	$0.00	$70.27
	03/01/2026	$45.11	$7.91	$18.15	$0.00	$71.17
	09/01/2026	$46.06	$7.91	$18.15	$0.00	$72.12
	03/01/2027	$46.96	$7.91	$18.15	$0.00	$73.02

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *FLOORCOVERER - Local 2168 Zone III*

Effective Date - 09/01/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$21.18	$7.91	$1.38	$0.00	$30.47
2	55	$23.30	$7.91	$1.38	$0.00	$32.59
3	60	$25.42	$7.91	$2.76	$0.00	$36.09
4	65	$27.53	$7.91	$2.76	$0.00	$38.20
5	70	$29.65	$7.91	$15.39	$0.00	$52.95
6	75	$31.77	$7.91	$15.39	$0.00	$55.07
7	80	$33.89	$7.91	$16.77	$0.00	$58.57
8	85	$36.01	$7.91	$16.77	$0.00	$60.69

Effective Date - 03/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$21.63	$7.91	$1.38	$0.00	$30.92
2	55	$23.79	$7.91	$1.38	$0.00	$33.08
3	60	$25.96	$7.91	$2.76	$0.00	$36.63
4	65	$28.12	$7.91	$2.76	$0.00	$38.79
5	70	$30.28	$7.91	$15.39	$0.00	$53.58
6	75	$32.45	$7.91	$15.39	$0.00	$55.75
7	80	$34.61	$7.91	$16.77	$0.00	$59.29
8	85	$36.77	$7.91	$16.77	$0.00	$61.45

Notes: Steps are 750 hrs.
% After 10/1/17; 45/45/55/55/70/70/80/80 (1500hr Steps)
Step 1&2 $26.72.24/ 3&4 $32.11/ 5&6 $50.75/ 7&8 $56.14

Apprentice to Journeyworker Ratio:1:1

FORK LIFT *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$39.25	$13.78	$15.15	$0.00	$68.18
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
GENERATORS/LIGHTING PLANTS *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$35.80	$13.78	$15.15	$0.00	$64.73
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
GLAZIER (GLASS PLANK/AIR BARRIER/INTERIOR SYSTEMS) *GLAZIERS LOCAL 1333*	06/01/2020	$39.18	$10.80	$10.45	$0.00	$60.43

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *GLAZIER - Local 1333*

Effective Date - 06/01/2020

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$19.59	$10.80	$1.80	$0.00	$32.19
2	56	$22.04	$10.80	$1.80	$0.00	$34.64
3	63	$24.49	$10.80	$2.45	$0.00	$37.74
4	69	$26.94	$10.80	$2.45	$0.00	$40.19
5	75	$29.39	$10.80	$3.15	$0.00	$43.34
6	81	$31.83	$10.80	$3.15	$0.00	$45.78
7	88	$34.28	$10.80	$10.45	$0.00	$55.53
8	94	$36.73	$10.80	$10.45	$0.00	$57.98

Notes:

Apprentice to Journeyworker Ratio:1:3

GRADER/TRENCHING MACHINE/DERRICK *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$39.56	$13.78	$15.15	$0.00	$68.49
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
HVAC (DUCTWORK) *SHEETMETAL WORKERS LOCAL 63*	01/01/2025	$42.23	$12.20	$18.74	$2.13	$75.30
For apprentice rates see "Apprentice- SHEET METAL WORKER"						
HVAC (ELECTRICAL CONTROLS) *ELECTRICIANS LOCAL 7*	12/29/2024	$51.06	$13.25	$15.06	$0.00	$79.37
	06/29/2025	$52.16	$13.50	$15.21	$0.00	$80.87
	12/28/2025	$53.26	$13.75	$15.36	$0.00	$82.37
	06/28/2026	$54.41	$14.00	$15.46	$0.00	$83.87
	01/03/2027	$55.56	$14.25	$15.56	$0.00	$85.37
For apprentice rates see "Apprentice- ELECTRICIAN"						
HVAC (TESTING AND BALANCING - AIR) *SHEETMETAL WORKERS LOCAL 63*	01/01/2025	$42.23	$12.20	$18.74	$2.13	$75.30
For apprentice rates see "Apprentice- SHEET METAL WORKER"						
HVAC (TESTING AND BALANCING -WATER) *PLUMBERS & PIPEFITTERS LOCAL 104*	03/17/2024	$49.21	$9.55	$17.10	$0.00	$75.86
For apprentice rates see "Apprentice- PIPEFITTER" or "PLUMBER/PIPEFITTER"						
HVAC MECHANIC *PLUMBERS & PIPEFITTERS LOCAL 104*	03/17/2024	$49.21	$9.55	$17.10	$0.00	$75.86
For apprentice rates see "Apprentice- PIPEFITTER" or "PLUMBER/PIPEFITTER"						
HYDRAULIC DRILLS (HEAVY & HIGHWAY) *LABORERS - ZONE 3 (HEAVY & HIGHWAY)*	12/01/2024	$36.50	$9.65	$15.06	$0.00	$61.21
	06/01/2025	$37.75	$9.65	$15.06	$0.00	$62.46
	12/01/2025	$38.99	$9.65	$15.06	$0.00	$63.70
	06/01/2026	$40.29	$9.65	$15.06	$0.00	$65.00
	12/01/2026	$41.58	$9.65	$15.06	$0.00	$66.29
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"						
INSULATOR (PIPES & TANKS) *HEAT & FROST INSULATORS LOCAL 6 (SPRINGFIELD)*	09/01/2024	$45.54	$14.75	$19.61	$0.00	$79.90
	09/01/2025	$48.27	$14.75	$19.61	$0.00	$82.63
	09/01/2026	$51.01	$14.75	$19.61	$0.00	$85.37

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *ASBESTOS INSULATOR (Pipes & Tanks) - Local 6 Springfield*

Effective Date - 09/01/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$22.77	$14.75	$14.32	$0.00	$51.84
2	60	$27.32	$14.75	$15.37	$0.00	$57.44
3	70	$31.88	$14.75	$16.43	$0.00	$63.06
4	80	$36.43	$14.75	$17.49	$0.00	$68.67

Effective Date - 09/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$24.14	$14.75	$14.32	$0.00	$53.21
2	60	$28.96	$14.75	$15.37	$0.00	$59.08
3	70	$33.79	$14.75	$16.43	$0.00	$64.97
4	80	$38.62	$14.75	$17.49	$0.00	$70.86

Notes:
Steps are 1 year

Apprentice to Journeyworker Ratio:1:4

IRONWORKER/WELDER *IRONWORKERS LOCAL 7 (SPRINGFIELD AREA)*	03/16/2024	$40.66	$8.25	$22.70	$0.00	$71.61

Apprentice - *IRONWORKER - Local 7 Springfield*

Effective Date - 03/16/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	60	$24.40	$8.25	$22.70	$0.00	$55.35
2	70	$28.46	$8.25	$22.70	$0.00	$59.41
3	75	$30.50	$8.25	$22.70	$0.00	$61.45
4	80	$32.53	$8.25	$22.70	$0.00	$63.48
5	85	$34.56	$8.25	$22.70	$0.00	$65.51
6	90	$36.59	$8.25	$22.70	$0.00	$67.54

Notes:

Apprentice to Journeyworker Ratio:1:4

JACKHAMMER & PAVING BREAKER OPERATOR *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$36.00	$9.65	$17.07	$0.00	$62.72
	06/02/2025	$37.25	$9.65	$17.07	$0.00	$63.97
	12/01/2025	$38.50	$9.65	$17.07	$0.00	$65.22
	06/01/2026	$39.80	$9.65	$17.07	$0.00	$66.52
	12/07/2026	$41.10	$9.65	$17.07	$0.00	$67.82
	06/07/2027	$42.50	$9.65	$17.07	$0.00	$69.22
	12/06/2027	$43.90	$9.65	$17.07	$0.00	$70.62
	06/05/2028	$45.40	$9.65	$17.07	$0.00	$72.12
	12/04/2028	$46.90	$9.65	$17.07	$0.00	$73.62

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
For apprentice rates see "Apprentice- LABORER"						
LABORER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$35.75	$9.65	$17.07	$0.00	$62.47
	06/02/2025	$37.00	$9.65	$17.07	$0.00	$63.72
	12/01/2025	$38.25	$9.65	$17.07	$0.00	$64.97
	06/01/2026	$39.55	$9.65	$17.07	$0.00	$66.27
	12/07/2026	$40.85	$9.65	$17.07	$0.00	$67.57
	06/07/2027	$42.25	$9.65	$17.07	$0.00	$68.97
	12/06/2027	$43.65	$9.65	$17.07	$0.00	$70.37
	06/05/2028	$45.15	$9.65	$17.07	$0.00	$71.87
	12/04/2028	$46.65	$9.65	$17.07	$0.00	$73.37

Apprentice - *LABORER - Zone 3 Building & Site*

Effective Date - 12/02/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	60	$21.45	$9.65	$17.07	$0.00	$48.17
2	70	$25.03	$9.65	$17.07	$0.00	$51.75
3	80	$28.60	$9.65	$17.07	$0.00	$55.32
4	90	$32.18	$9.65	$17.07	$0.00	$58.90

Effective Date - 06/02/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	60	$22.20	$9.65	$17.07	$0.00	$48.92
2	70	$25.90	$9.65	$17.07	$0.00	$52.62
3	80	$29.60	$9.65	$17.07	$0.00	$56.32
4	90	$33.30	$9.65	$17.07	$0.00	$60.02

Notes:

Apprentice to Journeyworker Ratio:1:5

LABORER (HEAVY & HIGHWAY) *LABORERS - ZONE 3 (HEAVY & HIGHWAY)*	12/01/2024	$35.75	$9.65	$15.06	$0.00	$60.46
	06/01/2025	$37.00	$9.65	$15.06	$0.00	$61.71
	12/01/2025	$38.24	$9.65	$15.06	$0.00	$62.95
	06/01/2026	$39.54	$9.65	$15.06	$0.00	$64.25
	12/01/2026	$40.83	$9.65	$15.06	$0.00	$65.54

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *LABORER (Heavy & Highway) - Zone 3*

Effective Date - 12/01/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	60	$21.45	$9.65	$15.06	$0.00	$46.16
2	70	$25.03	$9.65	$15.06	$0.00	$49.74
3	80	$28.60	$9.65	$15.06	$0.00	$53.31
4	90	$32.18	$9.65	$15.06	$0.00	$56.89

Effective Date - 06/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	60	$22.20	$9.65	$15.06	$0.00	$46.91
2	70	$25.90	$9.65	$15.06	$0.00	$50.61
3	80	$29.60	$9.65	$15.06	$0.00	$54.31
4	90	$33.30	$9.65	$15.06	$0.00	$58.01

Notes:

Apprentice to Journeyworker Ratio:1:5

LABORER: CARPENTER TENDER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$35.75	$9.65	$17.07	$0.00	$62.47
	06/02/2025	$37.00	$9.65	$17.07	$0.00	$63.72
	12/01/2025	$38.25	$9.65	$17.07	$0.00	$64.97
	06/01/2026	$39.55	$9.65	$17.07	$0.00	$66.27
	12/07/2026	$40.85	$9.65	$17.07	$0.00	$67.57
	06/07/2027	$42.25	$9.65	$17.07	$0.00	$68.97
	12/06/2027	$43.65	$9.65	$17.07	$0.00	$70.37
	06/05/2028	$45.15	$9.65	$17.07	$0.00	$71.87
	12/04/2028	$46.65	$9.65	$17.07	$0.00	$73.37

For apprentice rates see "Apprentice- LABORER"

LABORER: CEMENT FINISHER TENDER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$35.75	$9.65	$17.07	$0.00	$62.47
	06/02/2025	$37.00	$9.65	$17.07	$0.00	$63.72
	12/01/2025	$38.25	$9.65	$17.07	$0.00	$64.97
	06/01/2026	$39.55	$9.65	$17.07	$0.00	$66.27
	12/07/2026	$40.85	$9.65	$17.07	$0.00	$67.57
	06/07/2027	$42.25	$9.65	$17.07	$0.00	$68.97
	12/06/2027	$43.65	$9.65	$17.07	$0.00	$70.37
	06/05/2028	$45.15	$9.65	$17.07	$0.00	$71.87
	12/04/2028	$46.65	$9.65	$17.07	$0.00	$73.37

For apprentice rates see "Apprentice- LABORER"

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
LABORER: HAZARDOUS WASTE/ASBESTOS REMOVER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$35.67	$9.65	$17.20	$0.00	$62.52
	06/02/2025	$36.92	$9.65	$17.20	$0.00	$63.77
	12/01/2025	$38.17	$9.65	$17.20	$0.00	$65.02
	06/01/2026	$39.47	$9.65	$17.20	$0.00	$66.32
	12/07/2026	$40.77	$9.65	$17.20	$0.00	$67.62
	06/07/2027	$42.17	$9.65	$17.20	$0.00	$69.02
	12/06/2027	$43.57	$9.65	$17.20	$0.00	$70.42
	06/05/2028	$45.07	$9.65	$17.20	$0.00	$71.92
	12/04/2028	$46.57	$9.65	$17.20	$0.00	$73.42
For apprentice rates see "Apprentice- LABORER"						
LABORER: MASON TENDER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$38.75	$9.65	$17.07	$0.00	$65.47
	06/02/2025	$40.00	$9.65	$17.07	$0.00	$66.72
	12/01/2025	$41.25	$9.65	$17.07	$0.00	$67.97
	06/01/2026	$42.55	$9.65	$17.07	$0.00	$69.27
	12/07/2026	$43.85	$9.65	$17.07	$0.00	$70.57
	06/07/2027	$45.25	$9.65	$17.07	$0.00	$71.97
	12/06/2027	$46.65	$9.65	$17.07	$0.00	$73.37
	06/05/2028	$48.15	$9.65	$17.07	$0.00	$74.87
	12/04/2028	$49.65	$9.65	$17.07	$0.00	$76.37
For apprentice rates see "Apprentice- LABORER"						
LABORER: MASON TENDER (HEAVY & HIGHWAY) *LABORERS - ZONE 3 (HEAVY & HIGHWAY)*	12/01/2024	$36.00	$9.65	$15.06	$0.00	$60.71
	06/01/2025	$37.25	$9.65	$15.06	$0.00	$61.96
	12/01/2025	$38.49	$9.65	$15.06	$0.00	$63.20
	06/01/2026	$39.79	$9.65	$15.06	$0.00	$64.50
	12/01/2026	$41.08	$9.65	$15.06	$0.00	$65.79
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"						
LABORER: MULTI-TRADE TENDER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$35.75	$9.65	$17.07	$0.00	$62.47
	06/02/2025	$37.00	$9.65	$17.07	$0.00	$63.72
	12/01/2025	$38.25	$9.65	$17.07	$0.00	$64.97
	06/01/2026	$39.55	$9.65	$17.07	$0.00	$66.27
	12/07/2026	$40.85	$9.65	$17.07	$0.00	$67.57
	06/07/2027	$42.25	$9.65	$17.07	$0.00	$68.97
	12/06/2027	$43.65	$9.65	$17.07	$0.00	$70.37
	06/05/2028	$45.15	$9.65	$17.07	$0.00	$71.87
	12/04/2028	$46.65	$9.65	$17.07	$0.00	$73.37
For apprentice rates see "Apprentice- LABORER"						
LABORER: TREE REMOVER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$35.75	$9.65	$17.07	$0.00	$62.47
	06/02/2025	$37.00	$9.65	$17.07	$0.00	$63.72
	12/01/2025	$38.25	$9.65	$17.07	$0.00	$64.97
	06/01/2026	$39.55	$9.65	$17.07	$0.00	$66.27
	12/07/2026	$40.85	$9.65	$17.07	$0.00	$67.57
	06/07/2027	$42.25	$9.65	$17.07	$0.00	$68.97
	12/06/2027	$43.65	$9.65	$17.07	$0.00	$70.37
	06/05/2028	$45.15	$9.65	$17.07	$0.00	$71.87
	12/04/2028	$46.65	$9.65	$17.07	$0.00	$73.37
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"						

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
LASER BEAM OPERATOR	12/02/2024	$36.00	$9.65	$17.07	$0.00	$62.72
LABORERS - ZONE 3 (BUILDING & SITE)	06/02/2025	$37.25	$9.65	$17.07	$0.00	$63.97
	12/01/2025	$38.50	$9.65	$17.07	$0.00	$65.22
	06/01/2026	$39.80	$9.65	$17.07	$0.00	$66.52
	12/07/2026	$41.10	$9.65	$17.07	$0.00	$67.82
	06/07/2027	$42.50	$9.65	$17.07	$0.00	$69.22
	12/06/2027	$43.90	$9.65	$17.07	$0.00	$70.62
	06/05/2028	$45.40	$9.65	$17.07	$0.00	$72.12
	12/04/2028	$46.90	$9.65	$17.07	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"						
LASER BEAM OPERATOR (HEAVY & HIGHWAY)	12/01/2024	$36.00	$9.65	$15.06	$0.00	$60.71
LABORERS - ZONE 3 (HEAVY & HIGHWAY)	06/01/2025	$37.25	$9.65	$15.06	$0.00	$61.96
	12/01/2025	$38.49	$9.65	$15.06	$0.00	$63.20
	06/01/2026	$39.79	$9.65	$15.06	$0.00	$64.50
	12/01/2026	$41.08	$9.65	$15.06	$0.00	$65.79
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"						
MARBLE & TILE FINISHERS	08/01/2024	$43.05	$11.49	$20.53	$0.00	$75.07
BRICKLAYERS LOCAL 3 (SPR/PITT) - MARBLE & TILE	02/01/2025	$44.90	$11.49	$20.53	$0.00	$76.92
	08/01/2025	$45.81	$11.49	$20.53	$0.00	$77.83
	02/01/2026	$46.89	$11.49	$20.53	$0.00	$78.91
	08/01/2026	$48.65	$11.49	$20.53	$0.00	$80.67
	02/01/2027	$49.77	$11.49	$20.53	$0.00	$81.79

Apprentice - *MARBLE-TILE FINISHER-Local 3 Marble/Tile (Spr/Pitt)*

Effective Date - 08/01/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$21.53	$11.49	$20.53	$0.00	$53.55
2	60	$25.83	$11.49	$20.53	$0.00	$57.85
3	70	$30.14	$11.49	$20.53	$0.00	$62.16
4	80	$34.44	$11.49	$20.53	$0.00	$66.46
5	90	$38.75	$11.49	$20.53	$0.00	$70.77

Effective Date - 02/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$22.45	$11.49	$20.53	$0.00	$54.47
2	60	$26.94	$11.49	$20.53	$0.00	$58.96
3	70	$31.43	$11.49	$20.53	$0.00	$63.45
4	80	$35.92	$11.49	$20.53	$0.00	$67.94
5	90	$40.41	$11.49	$20.53	$0.00	$72.43

Notes:

Apprentice to Journeyworker Ratio:1:5

MARBLE MASON/TILE LAYER(SP/PT)SeeBrick
BRICKLAYERS LOCAL 3 (SPR/PITT) - MARBLE & TILE

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
See "BRICK/STONE/ARTIFICIAL MASONRY(INCL.MASONRY WATERPROOFING)						
MECH. SWEEPER OPERATOR (ON CONST. SITES) *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$39.56	$13.78	$15.15	$0.00	$68.49
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
MECHANIC/WELDER/BOOM TRUCK *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$39.03	$13.78	$15.15	$0.00	$67.96
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
MILLWRIGHT (Zone 3) *MILLWRIGHTS LOCAL 1121 - Zone 3*	01/06/2025	$43.48	$10.08	$21.22	$0.00	$74.78
	01/05/2026	$45.76	$10.08	$21.22	$0.00	$77.06

Apprentice - *MILLWRIGHT - Local 1121 Zone 3*

Effective Date - 01/06/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	55	$23.91	$10.08	$5.36	$0.00	$39.35
2	65	$28.26	$10.08	$6.34	$0.00	$44.68
3	75	$32.61	$10.08	$18.78	$0.00	$61.47
4	85	$36.96	$10.08	$19.76	$0.00	$66.80

Effective Date - 01/05/2026

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	55	$25.17	$10.08	$5.36	$0.00	$40.61
2	65	$29.74	$10.08	$6.34	$0.00	$46.16
3	75	$34.32	$10.08	$18.78	$0.00	$63.18
4	85	$38.90	$10.08	$19.76	$0.00	$68.74

Notes: Step 1&2 Appr. indentured after 1/6/2020 receive no pension, but do receive annuity. (Step 1 $5.72, Step 2 $6.66)
Steps are 2,000 hours

Apprentice to Journeyworker Ratio:1:4

MORTAR MIXER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$36.00	$9.65	$17.07	$0.00	$62.72
	06/02/2025	$37.25	$9.65	$17.07	$0.00	$63.97
	12/01/2025	$38.50	$9.65	$17.07	$0.00	$65.22
	06/01/2026	$39.80	$9.65	$17.07	$0.00	$66.52
	12/07/2026	$41.10	$9.65	$17.07	$0.00	$67.82
	06/07/2027	$42.50	$9.65	$17.07	$0.00	$69.22
	12/06/2027	$43.90	$9.65	$17.07	$0.00	$70.62
	06/05/2028	$45.40	$9.65	$17.07	$0.00	$72.12
	12/04/2028	$46.90	$9.65	$17.07	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"						
OILER *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$35.02	$13.78	$15.15	$0.00	$63.95
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
OTHER POWER DRIVEN EQUIPMENT - CLASS VI *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$32.74	$13.78	$15.15	$0.00	$61.67
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
PAINTER (BRIDGES/TANKS) *PAINTERS LOCAL 35 - ZONE 3*	01/01/2025	$58.46	$9.95	$23.95	$0.00	$92.36

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *PAINTER Local 35 - BRIDGES/TANKS*

Effective Date - 01/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$29.23	$9.95	$0.00	$0.00	$39.18
2	55	$32.15	$9.95	$6.66	$0.00	$48.76
3	60	$35.08	$9.95	$7.26	$0.00	$52.29
4	65	$38.00	$9.95	$7.87	$0.00	$55.82
5	70	$40.92	$9.95	$20.32	$0.00	$71.19
6	75	$43.85	$9.95	$20.93	$0.00	$74.73
7	80	$46.77	$9.95	$21.53	$0.00	$78.25
8	90	$52.61	$9.95	$22.74	$0.00	$85.30

Notes:
Steps are 750 hrs.

Apprentice to Journeyworker Ratio:1:1

PAINTER (SPRAY OR SANDBLAST, NEW) *	01/01/2025	$41.23	$9.65	$19.90	$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 - ZONE 3*

Apprentice - *PAINTER Local 35 Zone 3 - Spray/Sandblast - New*

Effective Date - 01/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$20.62	$9.95	$0.00	$0.00	$30.57
2	55	$22.68	$9.95	$4.43	$0.00	$37.06
3	60	$24.74	$9.95	$4.83	$0.00	$39.52
4	65	$26.80	$9.95	$5.23	$0.00	$41.98
5	70	$28.86	$9.95	$17.49	$0.00	$56.30
6	75	$30.92	$9.95	$17.89	$0.00	$58.76
7	80	$32.98	$9.95	$18.29	$0.00	$61.22
8	90	$37.11	$9.95	$19.10	$0.00	$66.16

Notes:
Steps are 750 hrs.

Apprentice to Journeyworker Ratio:1:1

PAINTER (SPRAY OR SANDBLAST, REPAINT) *PAINTERS LOCAL 35 - ZONE 3*	01/01/2025	$38.55	$9.95	$19.90	$0.00	$68.40

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *PAINTER Local 35 Zone 3 - Spray/Sandblast - Repaint*

Effective Date - 01/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$19.28	$9.95	$0.00	$0.00	$29.23
2	55	$21.20	$9.95	$4.43	$0.00	$35.58
3	60	$23.13	$9.95	$4.83	$0.00	$37.91
4	65	$25.06	$9.95	$5.23	$0.00	$40.24
5	70	$26.99	$9.95	$17.49	$0.00	$54.43
6	75	$28.91	$9.95	$17.89	$0.00	$56.75
7	80	$30.84	$9.95	$18.29	$0.00	$59.08
8	90	$34.70	$9.95	$19.10	$0.00	$63.75

Notes:
Steps are 750 hrs.

Apprentice to Journeyworker Ratio:1:1

PAINTER / TAPER (BRUSH, NEW) *	01/01/2025	$39.83	$9.95	$19.90	$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 - ZONE 3*

Apprentice - *PAINTER - Local 35 Zone 3 - BRUSH NEW*

Effective Date - 01/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$19.92	$9.95	$0.00	$0.00	$29.87
2	55	$21.91	$9.95	$4.43	$0.00	$36.29
3	60	$23.90	$9.95	$4.83	$0.00	$38.68
4	65	$25.89	$9.95	$5.23	$0.00	$41.07
5	70	$27.88	$9.95	$17.49	$0.00	$55.32
6	75	$29.87	$9.95	$17.89	$0.00	$57.71
7	80	$31.86	$9.95	$18.29	$0.00	$60.10
8	90	$35.85	$9.95	$19.10	$0.00	$64.90

Notes:
Steps are 750 hrs.

Apprentice to Journeyworker Ratio:1:1

PAINTER / TAPER (BRUSH, REPAINT) *PAINTERS LOCAL 35 - ZONE 3*	01/01/2025	$37.15	$9.95	$19.90	$0.00	$67.00

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *PAINTER Local 35 Zone 3 - BRUSH REPAINT*

Effective Date - 01/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$18.58	$9.95	$0.00	$0.00	$28.53
2	55	$20.43	$9.95	$4.43	$0.00	$34.81
3	60	$22.29	$9.95	$4.83	$0.00	$37.07
4	65	$24.15	$9.95	$5.23	$0.00	$39.33
5	70	$26.01	$9.95	$17.49	$0.00	$53.45
6	75	$27.86	$9.95	$17.89	$0.00	$55.70
7	80	$29.72	$9.95	$18.29	$0.00	$57.96
8	90	$33.44	$9.95	$19.10	$0.00	$62.49

Notes:
Steps are 750 hrs.

Apprentice to Journeyworker Ratio:1:1

PAINTER TRAFFIC MARKINGS (HEAVY/HIGHWAY) *LABORERS - ZONE 3 (HEAVY & HIGHWAY)*	12/01/2024	$35.75	$9.65	$15.06	$0.00	$60.46
	06/01/2025	$37.00	$9.65	$15.06	$0.00	$61.71
	12/01/2025	$38.24	$9.65	$15.06	$0.00	$62.95
	06/01/2026	$39.54	$9.65	$15.06	$0.00	$64.25
	12/01/2026	$40.83	$9.65	$15.06	$0.00	$65.54
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"						
PANEL & PICKUP TRUCKS DRIVER *TEAMSTERS JOINT COUNCIL NO. 10 ZONE B*	01/01/2025	$39.78	$15.57	$20.17	$0.00	$75.52
	06/01/2025	$40.78	$15.57	$20.17	$0.00	$76.52
	12/01/2025	$40.78	$15.57	$21.78	$0.00	$78.13
	01/01/2026	$40.78	$16.17	$21.78	$0.00	$78.73
	06/01/2026	$41.78	$16.17	$21.78	$0.00	$79.73
	12/01/2026	$41.78	$16.17	$23.52	$0.00	$81.47
	01/01/2027	$41.78	$16.77	$23.52	$0.00	$82.07
PIER AND DOCK CONSTRUCTOR (UNDERPINNING AND DECK) *PILE DRIVER LOCAL 56 (ZONE 3)*	08/01/2024	$49.19	$10.08	$24.29	$0.00	$83.56
For apprentice rates see "Apprentice- PILE DRIVER"						
PILE DRIVER *PILE DRIVER LOCAL 56 (ZONE 3)*	08/01/2024	$49.19	$10.08	$24.29	$0.00	$83.56

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *PILE DRIVER - Local 56 Zone 3*

Effective Date - 08/01/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	45	$22.14	$10.08	$2.53	$0.00	$34.75
2	55	$27.05	$10.08	$5.07	$0.00	$42.20
3	70	$34.43	$10.08	$19.22	$0.00	$63.73
4	80	$39.35	$10.08	$21.76	$0.00	$71.19

Notes:

% Indentured BEFORE 8/1/2020, 50/60/70/75/80/80/90/90
1$58.97/2$63.88/3$68.80/4$71.26/5&6 $73.72/7&8 $78.64

Apprentice to Journeyworker Ratio:1:5

PIPELAYER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$36.00	$9.65	$17.07	$0.00	$62.72
	06/02/2025	$37.25	$9.65	$17.07	$0.00	$63.97
	12/01/2025	$38.50	$9.65	$17.07	$0.00	$65.22
	06/01/2026	$39.80	$9.65	$17.07	$0.00	$66.52
	12/07/2026	$41.10	$9.65	$17.07	$0.00	$67.82
	06/07/2027	$42.50	$9.65	$17.07	$0.00	$69.22
	12/06/2027	$43.90	$9.65	$17.07	$0.00	$70.62
	06/05/2028	$45.40	$9.65	$17.07	$0.00	$72.12
	12/04/2028	$46.90	$9.65	$17.07	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"						
PIPELAYER (HEAVY & HIGHWAY) *LABORERS - ZONE 3 (HEAVY & HIGHWAY)*	12/01/2024	$36.00	$9.65	$15.06	$0.00	$60.71
	06/01/2025	$37.25	$9.65	$15.06	$0.00	$61.96
	12/01/2025	$38.49	$9.65	$15.06	$0.00	$63.20
	06/01/2026	$39.79	$9.65	$15.06	$0.00	$64.50
	12/01/2026	$41.08	$9.65	$15.06	$0.00	$65.79
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"						
PLUMBER & PIPEFITTER *PLUMBERS & PIPEFITTERS LOCAL 104*	03/17/2024	$49.21	$9.55	$17.10	$0.00	$75.86

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *PLUMBER/PIPEFITTER - Local 104*

Effective Date - 03/17/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	45	$22.14	$9.55	$10.10	$0.00	$41.79
2	50	$24.61	$9.55	$10.10	$0.00	$44.26
3	55	$27.07	$9.55	$10.10	$0.00	$46.72
4	60	$29.53	$9.55	$10.10	$0.00	$49.18
5	65	$31.99	$9.55	$10.10	$0.00	$51.64
6	70	$34.45	$9.55	$10.10	$0.00	$54.10
7	75	$36.91	$9.55	$10.10	$0.00	$56.56
8	80	$39.37	$9.55	$10.10	$0.00	$59.02
9	80	$39.37	$9.55	$17.10	$0.00	$66.02
10	80	$39.37	$9.55	$17.10	$0.00	$66.02

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

Apprentice to Journeyworker Ratio:**

PNEUMATIC CONTROLS (TEMP.) *PLUMBERS & PIPEFITTERS LOCAL 104*	03/17/2024	$49.21	$9.55	$17.10	$0.00	$75.86
For apprentice rates see "Apprentice- PIPEFITTER" or "PLUMBER/PIPEFITTER"						
PNEUMATIC DRILL/TOOL OPERATOR (HEAVY & HIGHWAY) *LABORERS - ZONE 3 (HEAVY & HIGHWAY)*	12/01/2024	$36.00	$9.65	$15.06	$0.00	$60.71
	06/01/2025	$37.25	$9.65	$15.06	$0.00	$61.96
	12/01/2025	$38.49	$9.65	$15.06	$0.00	$63.20
	06/01/2026	$39.79	$9.65	$15.06	$0.00	$64.50
	12/01/2026	$41.08	$9.65	$15.06	$0.00	$65.79
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"						
POWDERMAN & BLASTER *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$36.75	$9.65	$17.07	$0.00	$63.47
	06/02/2025	$38.00	$9.65	$17.07	$0.00	$64.72
	12/01/2025	$39.25	$9.65	$17.07	$0.00	$65.97
	06/01/2026	$40.55	$9.65	$17.07	$0.00	$67.27
	12/07/2026	$41.85	$9.65	$17.07	$0.00	$68.57
	06/07/2027	$43.25	$9.65	$17.07	$0.00	$69.97
	12/06/2027	$44.65	$9.65	$17.07	$0.00	$71.37
	06/05/2028	$46.15	$9.65	$17.07	$0.00	$72.87
	12/04/2028	$47.65	$9.65	$17.07	$0.00	$74.37
For apprentice rates see "Apprentice- LABORER"						
POWDERMAN & BLASTER (HEAVY & HIGHWAY) *LABORERS - ZONE 3 (HEAVY & HIGHWAY)*	12/01/2024	$36.75	$9.65	$15.06	$0.00	$61.46
	06/01/2025	$38.00	$9.65	$15.06	$0.00	$62.71
	12/01/2025	$39.24	$9.65	$15.06	$0.00	$63.95
	06/01/2026	$40.54	$9.65	$15.06	$0.00	$65.25
	12/01/2026	$41.83	$9.65	$15.06	$0.00	$66.54
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"						
PUMP OPERATOR (CONCRETE) *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$39.56	$13.78	$15.15	$0.00	$68.49
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
PUMP OPERATOR (DEWATERING, OTHER) *OPERATING ENGINEERS LOCAL 98* For apprentice rates see "Apprentice- OPERATING ENGINEERS"	12/01/2023	$39.03	$13.78	$15.15	$0.00	$67.96
READY-MIX CONCRETE DRIVER *TEAMSTERS 404 - Construction Service (Northampton)*	05/01/2024	$26.14	$11.82	$7.25	$0.00	$45.21
RIDE-ON MOTORIZED BUGGY OPERATOR *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$36.00	$9.65	$17.07	$0.00	$62.72
	06/02/2025	$37.25	$9.65	$17.07	$0.00	$63.97
	12/01/2025	$38.50	$9.65	$17.07	$0.00	$65.22
	06/01/2026	$39.80	$9.65	$17.07	$0.00	$66.52
	12/07/2026	$41.10	$9.65	$17.07	$0.00	$67.82
	06/07/2027	$42.50	$9.65	$17.07	$0.00	$69.22
	12/06/2027	$43.90	$9.65	$17.07	$0.00	$70.62
	06/05/2028	$45.40	$9.65	$17.07	$0.00	$72.12
	12/04/2028	$46.90	$9.65	$17.07	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"						
ROLLER OPERATOR *OPERATING ENGINEERS LOCAL 98* For apprentice rates see "Apprentice- OPERATING ENGINEERS"	12/01/2023	$38.42	$13.78	$15.15	$0.00	$67.35
ROOFER (Coal tar pitch) *ROOFERS LOCAL 248*	10/02/2024	$42.38	$10.35	$18.00	$0.00	$70.73
	07/16/2025	$43.88	$10.35	$18.00	$0.00	$72.23
	10/02/2025	$44.88	$10.35	$18.00	$0.00	$73.23
	07/16/2026	$46.88	$10.35	$18.00	$0.00	$75.23
For apprentice rates see "Apprentice- ROOFER"						
ROOFER (Inc.Roofer Waterproofng &Roofer Damproofg) *ROOFERS LOCAL 248*	10/02/2024	$41.88	$10.35	$18.00	$0.00	$70.23
	07/16/2025	$43.38	$10.35	$18.00	$0.00	$71.73
	10/02/2025	$44.38	$10.35	$18.00	$0.00	$72.73
	07/16/2026	$46.38	$10.35	$18.00	$0.00	$74.73

Apprentice - *ROOFER - Local 248*

Effective Date - 10/02/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	60	$25.13	$10.35	$0.00	$0.00	$35.48
2	65	$27.22	$10.35	$18.00	$0.00	$55.57
3	70	$29.32	$10.35	$18.00	$0.00	$57.67
4	75	$31.41	$10.35	$18.00	$0.00	$59.76
5	80	$33.50	$10.35	$18.00	$0.00	$61.85
6	85	$35.60	$10.35	$18.00	$0.00	$63.95
7	90	$37.69	$10.35	$18.00	$0.00	$66.04
8	95	$39.79	$10.35	$18.00	$0.00	$68.14

Notes:

Steps are 750 hrs.Roofer(Tear Off)1:1; Same as above

Apprentice to Journeyworker Ratio:1:3

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
ROOFER SLATE / TILE / PRECAST CONCRETE *ROOFERS LOCAL 248*	10/02/2024	$42.38	$10.35	$18.00	$0.00	$70.73
	07/16/2025	$43.88	$10.35	$18.00	$0.00	$72.23
	10/02/2025	$44.88	$10.35	$18.00	$0.00	$73.23
	07/16/2026	$46.88	$10.35	$18.00	$0.00	$75.23
For apprentice rates see "Apprentice- ROOFER"						
SCRAPER *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$39.03	$13.78	$15.15	$0.00	$67.96
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
SELF-POWERED ROLLERS AND COMPACTORS (TAMPERS) *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$38.42	$13.78	$15.15	$0.00	$67.35
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
SELF-PROPELLED POWER BROOM *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$35.80	$13.78	$15.15	$0.00	$64.73
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						
SHEETMETAL WORKER *SHEETMETAL WORKERS LOCAL 63*	01/01/2025	$42.23	$12.20	$18.74	$2.13	$75.30

Apprentice - *SHEET METAL WORKER - Local 63*

Effective Date - 01/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	45	$19.00	$5.49	$4.86	$0.85	$30.20
2	50	$21.12	$6.10	$5.40	$0.94	$33.56
3	55	$23.23	$6.71	$9.71	$1.15	$40.80
4	60	$25.34	$7.32	$9.71	$1.23	$43.60
5	65	$27.45	$7.93	$9.71	$1.31	$46.40
6	70	$29.56	$8.54	$9.71	$1.39	$49.20
7	75	$31.67	$9.15	$9.71	$1.47	$52.00
8	80	$33.78	$9.76	$17.66	$1.78	$62.98
9	85	$35.90	$10.37	$17.66	$1.86	$65.79
10	90	$38.01	$10.98	$17.66	$1.94	$68.59

Notes:

Apprentice to Journeyworker Ratio:1:3

SPECIALIZED EARTH MOVING EQUIP < 35 TONS *TEAMSTERS JOINT COUNCIL NO. 10 ZONE B*	01/01/2025	$40.24	$15.57	$20.17	$0.00	$75.98
	06/01/2025	$41.24	$15.57	$20.17	$0.00	$76.98
	12/01/2025	$41.24	$15.57	$21.78	$0.00	$78.59
	01/01/2026	$41.24	$16.17	$21.78	$0.00	$79.19
	06/01/2026	$42.24	$16.17	$21.78	$0.00	$80.19
	12/01/2026	$42.24	$16.17	$23.52	$0.00	$81.93
	01/01/2027	$42.24	$16.77	$23.52	$0.00	$82.53

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
SPECIALIZED EARTH MOVING EQUIP > 35 TONS *TEAMSTERS JOINT COUNCIL NO. 10 ZONE B*	01/01/2025	$40.53	$15.57	$20.17	$0.00	$76.27
	06/01/2025	$41.53	$15.57	$20.17	$0.00	$77.27
	12/01/2025	$41.53	$15.57	$21.78	$0.00	$78.88
	01/01/2026	$41.53	$16.17	$21.78	$0.00	$79.48
	06/01/2026	$42.53	$16.17	$21.78	$0.00	$80.48
	12/01/2026	$42.53	$16.17	$23.52	$0.00	$82.22
	01/01/2027	$42.53	$16.77	$23.52	$0.00	$82.82
SPRINKLER FITTER *SPRINKLER FITTERS LOCAL 669*	04/01/2023	$47.43	$11.45	$16.61	$0.00	$75.49

Apprentice - *SPRINKLER FITTER - Local 669*

Effective Date - 04/01/2023

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	45	$21.34	$8.22	$0.00	$0.00	$29.56
2	50	$23.72	$8.22	$0.00	$0.00	$31.94
3	55	$26.09	$11.45	$7.20	$0.00	$44.74
4	60	$28.46	$11.45	$8.35	$0.00	$48.26
5	65	$30.83	$11.45	$8.35	$0.00	$50.63
6	70	$33.20	$11.45	$8.60	$0.00	$53.25
7	75	$35.57	$11.45	$8.60	$0.00	$55.62
8	80	$37.94	$11.45	$8.60	$0.00	$57.99
9	85	$40.32	$11.45	$8.60	$0.00	$60.37
10	90	$42.69	$11.45	$8.60	$0.00	$62.74

Notes:

Apprentice to Journeyworker Ratio:1:1

TELECOMMUNICATION TECHNICIAN *ELECTRICIANS LOCAL 7*	12/29/2024	$51.06	$13.25	$15.06	$0.00	$79.37
	06/29/2025	$52.16	$13.50	$15.21	$0.00	$80.87
	12/28/2025	$53.26	$13.75	$15.36	$0.00	$82.37
	06/28/2026	$54.41	$14.00	$15.46	$0.00	$83.87
	01/03/2027	$55.56	$14.25	$15.56	$0.00	$85.37

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *TELECOMMUNICATION TECHNICIAN - Local 7*

Effective Date - 12/29/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	40	$20.42	$7.35	$0.61	$0.00	$28.38
2	45	$22.98	$7.35	$0.69	$0.00	$31.02
3	50	$25.53	$13.25	$7.47	$0.00	$46.25
4	55	$28.08	$13.25	$7.54	$0.00	$48.87
5	65	$33.19	$13.25	$9.74	$0.00	$56.18
6	70	$35.74	$13.25	$11.19	$0.00	$60.18

Effective Date - 06/29/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	40	$20.86	$7.50	$0.63	$0.00	$28.99
2	45	$23.47	$7.50	$0.70	$0.00	$31.67
3	50	$26.08	$13.50	$7.53	$0.00	$47.11
4	55	$28.69	$13.50	$7.61	$0.00	$49.80
5	65	$33.90	$13.50	$9.84	$0.00	$57.24
6	70	$36.51	$13.50	$11.30	$0.00	$61.31

Notes:
Steps are 800 hours

Apprentice to Journeyworker Ratio:1:1

TERRAZZO FINISHERS *BRICKLAYERS LOCAL 3 (SPR/PITT) - MARBLE & TILE*	08/01/2024	$63.44	$11.49	$23.59	$0.00	$98.52
	02/01/2025	$64.74	$11.49	$23.59	$0.00	$99.82
	08/01/2025	$66.89	$11.49	$23.59	$0.00	$101.97
	02/10/2026	$68.24	$11.49	$23.59	$0.00	$103.32
	08/01/2026	$70.44	$11.49	$23.59	$0.00	$105.52
	02/01/2027	$71.84	$11.49	$23.59	$0.00	$106.92

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *TERRAZZO FINISHER-Local 3 Marble/Tile (Spr/Ptt)*

Effective Date - 08/01/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$31.72	$11.49	$23.59	$0.00	$66.80
2	60	$38.06	$11.49	$23.59	$0.00	$73.14
3	70	$44.41	$11.49	$23.59	$0.00	$79.49
4	80	$50.75	$11.49	$23.59	$0.00	$85.83
5	90	$57.10	$11.49	$23.59	$0.00	$92.18

Effective Date - 02/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$32.37	$11.49	$23.59	$0.00	$67.45
2	60	$38.84	$11.49	$23.59	$0.00	$73.92
3	70	$45.32	$11.49	$23.59	$0.00	$80.40
4	80	$51.79	$11.49	$23.59	$0.00	$86.87
5	90	$58.27	$11.49	$23.59	$0.00	$93.35

Notes:

Apprentice to Journeyworker Ratio:1:5

TERRAZZO MECHANIC *BRICKLAYERS LOCAL 3 (SPR/PITT) - MARBLE & TILE*	08/01/2024	$64.52	$11.49	$23.56	$0.00	$99.57
	02/01/2025	$65.82	$11.49	$23.56	$0.00	$100.87
	08/01/2025	$67.97	$11.49	$23.56	$0.00	$103.02
	02/01/2026	$69.32	$11.49	$23.56	$0.00	$104.37
	08/01/2026	$71.52	$11.49	$23.56	$0.00	$106.57
	02/01/2027	$72.92	$11.49	$23.56	$0.00	$107.97

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate

Apprentice - *TERRAZZO MECH - Local 3 Marble/Tile (Spr/Pitt)*

Effective Date - 08/01/2024

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$32.26	$11.49	$23.56	$0.00	$67.31
2	60	$38.71	$11.49	$23.56	$0.00	$73.76
3	70	$45.16	$11.49	$23.56	$0.00	$80.21
4	80	$51.62	$11.49	$23.56	$0.00	$86.67
5	90	$58.07	$11.49	$23.56	$0.00	$93.12

Effective Date - 02/01/2025

Step	percent	Apprentice Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
1	50	$32.91	$11.49	$23.56	$0.00	$67.96
2	60	$39.49	$11.49	$23.56	$0.00	$74.54
3	70	$46.07	$11.49	$23.56	$0.00	$81.12
4	80	$52.66	$11.49	$23.56	$0.00	$87.71
5	90	$59.24	$11.49	$23.56	$0.00	$94.29

Notes:

Apprentice to Journeyworker Ratio:1:5

TEST BORING DRILLER *LABORERS - FOUNDATION AND MARINE*	12/01/2024	$51.28	$9.65	$18.22	$0.00	$79.15
	06/01/2025	$52.78	$9.65	$18.22	$0.00	$80.65
	12/01/2025	$54.28	$9.65	$18.22	$0.00	$82.15
	06/01/2026	$55.83	$9.65	$18.22	$0.00	$83.70
	12/01/2026	$57.33	$9.65	$18.22	$0.00	$85.20
For apprentice rates see "Apprentice- LABORER"						
TEST BORING DRILLER HELPER *LABORERS - FOUNDATION AND MARINE*	12/01/2024	$47.07	$9.65	$18.22	$0.00	$74.94
	06/01/2025	$48.57	$9.65	$18.22	$0.00	$76.44
	12/01/2025	$50.07	$9.65	$18.22	$0.00	$77.94
	06/01/2026	$51.62	$9.65	$18.22	$0.00	$79.49
	12/01/2026	$53.12	$9.65	$18.22	$0.00	$80.99
For apprentice rates see "Apprentice- LABORER"						
TEST BORING LABORER *LABORERS - FOUNDATION AND MARINE*	12/01/2024	$46.95	$9.65	$18.22	$0.00	$74.82
	06/01/2025	$48.45	$9.65	$18.22	$0.00	$76.32
	12/01/2025	$49.95	$9.65	$18.22	$0.00	$77.82
	06/01/2026	$51.50	$9.65	$18.22	$0.00	$79.37
	12/01/2026	$53.00	$9.65	$18.22	$0.00	$80.87
For apprentice rates see "Apprentice- LABORER"						
TRACTORS *OPERATING ENGINEERS LOCAL 98*	12/01/2023	$38.42	$13.78	$15.15	$0.00	$67.35
For apprentice rates see "Apprentice- OPERATING ENGINEERS"						

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
TRAILERS FOR EARTH MOVING EQUIPMENT *TEAMSTERS JOINT COUNCIL NO. 10 ZONE B*	01/01/2025	$40.82	$15.57	$20.17	$0.00	$76.56
	06/01/2025	$41.82	$15.57	$20.17	$0.00	$77.56
	12/01/2025	$41.82	$15.57	$21.78	$0.00	$79.17
	01/01/2026	$41.82	$16.17	$21.78	$0.00	$79.77
	06/01/2026	$42.82	$16.17	$21.78	$0.00	$80.77
	12/01/2026	$42.82	$16.17	$23.52	$0.00	$82.51
	01/01/2027	$42.82	$16.77	$23.52	$0.00	$83.11
TUNNEL WORK - COMPRESSED AIR *LABORERS (COMPRESSED AIR)*	12/01/2024	$59.18	$9.65	$19.00	$0.00	$87.83
	06/01/2025	$60.68	$9.65	$19.00	$0.00	$89.33
	12/01/2025	$62.18	$9.65	$19.00	$0.00	$90.83
	06/01/2026	$63.73	$9.65	$19.00	$0.00	$92.38
	12/01/2026	$65.23	$9.65	$19.00	$0.00	$93.88
For apprentice rates see "Apprentice- LABORER"						
TUNNEL WORK - COMPRESSED AIR (HAZ. WASTE) *LABORERS (COMPRESSED AIR)*	12/01/2024	$61.18	$9.65	$19.00	$0.00	$89.83
	06/01/2025	$62.68	$9.65	$19.00	$0.00	$91.33
	12/01/2025	$64.18	$9.65	$19.00	$0.00	$92.83
	06/01/2026	$65.73	$9.65	$19.00	$0.00	$94.38
	12/01/2026	$67.23	$9.65	$19.00	$0.00	$95.88
For apprentice rates see "Apprentice- LABORER"						
TUNNEL WORK - FREE AIR *LABORERS (FREE AIR TUNNEL)*	12/01/2024	$51.25	$9.65	$19.00	$0.00	$79.90
	06/01/2025	$52.75	$9.65	$19.00	$0.00	$81.40
	12/01/2025	$54.25	$9.65	$19.00	$0.00	$82.90
	06/01/2026	$55.80	$9.65	$19.00	$0.00	$84.45
	12/01/2026	$57.30	$9.65	$19.00	$0.00	$85.95
For apprentice rates see "Apprentice- LABORER"						
TUNNEL WORK - FREE AIR (HAZ. WASTE) *LABORERS (FREE AIR TUNNEL)*	12/01/2024	$53.25	$9.65	$19.00	$0.00	$81.90
	06/01/2025	$54.75	$9.65	$19.00	$0.00	$83.40
	12/01/2025	$56.25	$9.65	$19.00	$0.00	$84.90
	06/01/2026	$57.80	$9.65	$19.00	$0.00	$86.45
	12/01/2026	$59.30	$9.65	$19.00	$0.00	$87.95
For apprentice rates see "Apprentice- LABORER"						
VAC-HAUL *TEAMSTERS JOINT COUNCIL NO. 10 ZONE B*	01/01/2025	$40.24	$15.57	$20.17	$0.00	$75.98
	06/01/2025	$41.24	$15.57	$20.17	$0.00	$76.98
	12/01/2025	$41.24	$15.57	$21.78	$0.00	$78.59
	01/01/2026	$41.24	$16.17	$21.78	$0.00	$79.19
	06/01/2026	$42.24	$16.17	$21.78	$0.00	$80.19
	12/01/2026	$42.24	$16.17	$23.52	$0.00	$81.93
	01/01/2027	$42.24	$16.77	$23.52	$0.00	$82.53

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
WAGON DRILL OPERATOR *LABORERS - ZONE 3 (BUILDING & SITE)*	12/02/2024	$36.00	$9.65	$17.07	$0.00	$62.72
	06/02/2025	$37.25	$9.65	$17.07	$0.00	$63.97
	12/01/2025	$38.50	$9.65	$17.07	$0.00	$65.22
	06/01/2026	$39.80	$9.65	$17.07	$0.00	$66.52
	12/07/2026	$41.10	$9.65	$17.07	$0.00	$67.82
	06/07/2027	$42.50	$9.65	$17.07	$0.00	$69.22
	12/06/2027	$43.90	$9.65	$17.07	$0.00	$70.62
	06/05/2028	$45.40	$9.65	$17.07	$0.00	$72.12
	12/04/2028	$46.90	$9.65	$17.07	$0.00	$73.62
For apprentice rates see "Apprentice- LABORER"						
WAGON DRILL OPERATOR (HEAVY & HIGHWAY) *LABORERS - ZONE 3 (HEAVY & HIGHWAY)*	12/01/2024	$36.00	$9.65	$15.06	$0.00	$60.71
	06/01/2025	$37.25	$9.65	$15.06	$0.00	$61.96
	12/01/2025	$38.49	$9.65	$15.06	$0.00	$63.20
	06/01/2026	$39.79	$9.65	$15.06	$0.00	$64.50
	12/01/2026	$41.08	$9.65	$15.06	$0.00	$65.79
For apprentice rates see "Apprentice- LABORER (Heavy and Highway)"						
WATER METER INSTALLER *PLUMBERS & PIPEFITTERS LOCAL 104*	03/17/2024	$49.21	$9.55	$17.10	$0.00	$75.86
For apprentice rates see "Apprentice- PLUMBER/PIPEFITTER" or "PLUMBER/GASFITTER"						
Marine Drilling						
BLASTER *MARINE DRILLING*	01/01/2018	$41.82	$7.63	$3.60	$0.00	$53.05
BOAT CAPTAIN *MARINE DRILLING*	01/01/2018	$33.87	$7.63	$3.30	$0.00	$44.80
BOAT CAPTAIN / Over 1,000 hp *MARINE DRILLING*	01/01/2018	$38.06	$7.63	$3.60	$0.00	$49.29
CORE DRILLER *MARINE DRILLING*	01/01/2018	$31.43	$7.63	$2.90	$0.00	$41.96
CORE DRILLER HELPER *MARINE DRILLING*	01/01/2018	$28.47	$7.63	$3.00	$0.00	$39.10
DRILLER *MARINE DRILLING*	01/01/2018	$39.70	$7.63	$3.60	$0.00	$50.93
ENGINEER *MARINE DRILLING*	01/01/2018	$39.69	$7.63	$3.50	$0.00	$50.82
HELPER *MARINE DRILLING*	01/01/2018	$34.24	$7.63	$3.00	$0.00	$44.87
MACHINIST *MARINE DRILLING*	01/01/2018	$38.88	$7.63	$3.30	$0.00	$49.81
OILER - MARINE DRILLING *MARINE DRILLING*	01/01/2018	$34.24	$7.63	$3.00	$0.00	$44.87
TUG DECKHAND *MARINE DRILLING*	01/01/2018	$27.61	$7.63	$3.00	$0.00	$38.24
WELDER *MARINE DRILLING*	01/01/2018	$38.88	$7.63	$3.30	$0.00	$49.81
Op Eng Marine (Dredging Work)						
BOAT OPERATOR *OPERATING ENGINEERS - MARINE DIVISION*	10/01/2017	$29.26	$7.63	$3.30	$0.00	$40.19
CERTIFIED WELDER *OPERATING ENGINEERS - MARINE DIVISION*	10/01/2017	$31.09	$7.63	$3.60	$0.00	$42.32

Classification	Effective Date	Base Wage	Health	Pension	Supplemental Unemployment	Total Rate
CHIEF WELDER/ CHIEF MATE *OPERATING ENGINEERS - MARINE DIVISION*	10/01/2017	$33.02	$7.63	$3.60	$0.00	$44.25
DERRICK / SPIDER / SPILLBARGE OPERATOR *OPERATING ENGINEERS - MARINE DIVISION*	10/01/2017	$33.02	$7.63	$3.60	$0.00	$44.25
DRAG BARGE OPERATOR / WELDER / MATE *OPERATING ENGINEERS - MARINE DIVISION*	10/01/2017	$30.24	$7.63	$3.30	$0.00	$41.17
ENGINEER / ELECTRICIAN *OPERATING ENGINEERS - MARINE DIVISION*	10/01/2017	$33.02	$7.63	$3.60	$0.00	$44.25
LICENSED BOAT OPERATOR *OPERATING ENGINEERS - MARINE DIVISION*	10/01/2017	$33.02	$7.63	$3.60	$0.00	$44.25
LICENSED TUG OPERATOR OVER 1000HP *OPERATING ENGINEERS - MARINE DIVISION*	10/01/2017	$38.18	$7.63	$3.60	$0.00	$49.41
MAINTENANCE ENGINEER *OPERATING ENGINEERS - MARINE DIVISION*	10/01/2017	$33.03	$7.63	$3.60	$0.00	$44.26
OILER - MARINE DIVISION *OPERATING ENGINEERS - MARINE DIVISION*	10/01/2017	$24.30	$7.63	$3.00	$0.00	$34.93
OPERATOR / LEVERMAN *OPERATING ENGINEERS - MARINE DIVISION*	10/01/2017	$38.18	$7.63	$3.60	$0.00	$49.41
RODMAN / SCOWMAN *OPERATING ENGINEERS - MARINE DIVISION*	10/01/2017	$24.30	$7.63	$3.00	$0.00	$34.93
SHOREMAN / DECKHAND *OPERATING ENGINEERS - MARINE DIVISION*	10/01/2017	$24.30	$7.63	$3.00	$0.00	$34.93

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.

*** THIS PAGE IS LEFT BLANK INTENTIONALLY ***

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

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

General Decision Number: MA20250020 01/03/2025

Superseded General Decision Number: MA20240020

State: Massachusetts

Construction Type: Highway

County: Hampshire 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

ENGI0004-019 12/01/2024

	Rates	Fringes
POWER EQUIPMENT OPERATOR		
Group 1	$ 57.03	33.20
Group 2	$ 56.40	33.20

FOOTNOTE FOR POWER EQUIPMENT OPERATORS:
A. PAID HOLIDAYS: New Year's Day, Washington's Birthday, Labor Day, Memorial Day, Independence Day, Patriot's Day, Columbus Day, Veteran's Day, Thanksgiving Day, Christmas Day

POWER EQUIPMENT OPERATORS CLASSIFICATIONS
Group 1: Broom/Sweeper; Crane; Gradall; Post Driver (Guardrail/Fences) Group 2: Bulldozer; Grader/Blade

---

ENGI0098-010 06/01/2024

	Rates	Fringes
POWER EQUIPMENT OPERATOR		
Group 1	$ 41.23	30.58+A
Group 2	$ 40.92	30.58+A
Group 4	$ 37.47	30.58+A

Footnote:
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: Backhoe/Excavator/Trackhoe; Bobcat/Skid Steer/Skid Loader; Loader
Group 2: Milling Machine; Paver (Asphalt, Aggregate, and Concrete)
Group 4: Roller

IRON0007-027 03/16/2024

	Rates	Fringes
IRONWORKER (ORNAMENTAL AND STRUCTURAL)	$ 39.51	32.98

LABO0596-008 12/01/2021

	Rates	Fringes
LABORER (Traffic Control: Flagger)	$ 24.50	23.96

LABO0999-003 12/01/2021

	Rates	Fringes
LABORER		
Common or General	$ 32.50	23.96
Landscape	$ 32.50	23.96

PAIN0035-023 07/01/2024

	Rates	Fringes
PAINTER (Steel)	$ 56.76	36.00

SUMA2014-010 01/11/2017

	Rates	Fringes
CARPENTER, Includes Form Work	$ 40.64	20.80
CEMENT MASON/CONCRETE FINISHER	$ 52.13	20.89
ELECTRICIAN	$ 47.13	13.41
IRONWORKER, REINFORCING	$ 46.21	21.27
LABORER: Asphalt, Includes Raker, Shoveler, Spreader and Distributor	$ 33.10	18.09
LABORER: Concrete Saw (Hand Held/Walk Behind)	$ 44.43	14.18
OPERATOR: Forklift	$ 51.63	0.00
OPERATOR: Mechanic	$ 48.14	17.02
OPERATOR: Piledriver	$ 43.87	18.04
PAINTER: Spray (Linestriping)	$ 37.50	18.83
TRAFFIC CONTROL: Laborer-Cones/ Barricades/Barrels - Setter/Mover/Sweeper	$ 43.73	15.06

TRUCK DRIVER: Concrete Truck....$ 33.69 15.79

TRUCK DRIVER: Dump Truck.....$ 30.00 18.18

TRUCK DRIVER: Flatbed Truck.....$ 48.53 0.00

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

==========

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 ***

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

General Decision Number: MA20250006 01/03/2025

Superseded General Decision Number: MA20240006

State: Massachusetts

Construction Type: Heavy Dredging

Counties: Massachusetts Statewide.
STATEWIDE

Massachusetts 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

ENGI0025-001 10/01/2023

STATEWIDE

	Rates	Fringes
Dredging:		
CLASS A1	$ 45.26	15.17+a+b
CLASS A2	$ 40.33	14.82+a+b
CLASS B1	$ 39.14	14.74+a+b
CLASS B2	$ 36.84	14.58+a+b
CLASS C1	$ 35.83	14.26+a+b
CLASS C2	$ 34.68	14.18+a+b
CLASS D	$ 28.81	13.77+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.

==========

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 ***

General Decision Number: MA20250010 01/03/2025

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

BOIL0029-001 01/01/2021

	Rates	Fringes
BOILERMAKER	$ 45.87	29.02

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 & TERRAZZO WORKERS	$ 50.81	32.27

CARP0056-004 08/01/2024

	Rates	Fringes
DIVER TENDER	$ 61.70	35.47
DIVER	$ 78.11	35.47

CARP0056-009 08/01/2024

	Rates	Fringes
PILEDRIVERMAN	$ 51.97	35.47

CARP0336-005 09/01/2024

FRANKLIN COUNTY (Erving, Orange, North Orange, and Warwick)

	Rates	Fringes
CARPENTER	$ 41.90	27.40

CARP0336-010 09/01/2024

BERKSHIRE

	Rates	Fringes
CARPENTER	$ 41.90	27.40

CARP0336-012 09/01/2024

HAMPDEN; HAMPSHIRE; AND FRANKLIN (Remainder of County)

	Rates	Fringes
CARPENTER	$ 41.90	27.40

CARP1121-004 01/01/2024

	Rates	Fringes
MILLWRIGHT	$ 41.20	32.99

ELEC0007-002 06/30/2024

HAMPDEN (Except Chester & Holyoke); HAMPSHIRE (Belchertown,Ware)

	Rates	Fringes
ELECTRICIAN	$ 50.01	27.71

ELEC0007-003 06/30/2024

BERKSHIRE; FRANKLIN; HAMPDEN (Chester, Holyoke); HAMPSHIRE (Except Belchertown, Ware)

	Rates	Fringes
ELECTRICIAN	$ 50.01	27.71

ENGI0098-007 06/01/2024

	Rates	Fringes
Power equipment operators:		
Group 1	$ 41.23	30.58+A
Group 2	$ 40.92	30.58+A
Group 3	$ 40.70	30.58+A
Group 4	$ 37.47	30.58+A
Group 5	$ 36.35	30.58+A
Group 6	$ 34.41	30.58+A
Group 7	$ 52.73	30.58+A
Group 8	$ 42.41	30.58+A
Group 9	$ 42.72	30.58+A
Group 10	$ 44.73	30.58+A
Group 11	$ 45.73	30.58+A
Group 12	$ 47.23	30.58+A
Group 13	$ 48.23	30.58+A
Group 14	$ 49.23	30.58+A
Group 15	$ 50.73	30.58+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 03/16/2024

BERKSHIRE (Becket, East Otis, Hinsdale, Monterey, New Marlboro, North Otis, Otis, Peru, Sandisfield, Savoy, Sheffield, Washington, Windsor); FRANKLIN; HAMPDEN; HAMPSHIRE

	Rates	Fringes
IRONWORKER	$ 39.51	32.98

IRON0012-003 07/01/2024

BERKSHIRE (Lee)

	Rates	Fringes
IRONWORKER	$ 38.50	28.46

IRON0012-004 07/01/2024

BERKSHIRE (Remainder of County)

	Rates	Fringes
Ironworkers:		
Sheeter	$ 38.75	28.46
Structural, Ornamental, Reinforcing, Fence Erector, Machinery Mover, Rigger, Rodman, Stone Derrickman	$ 38.50	28.46

LABO0022-002 12/01/2024

FRANKLIN (Orange, Warwick)

	Rates	Fringes
Laborers:		
GROUP 1	$ 38.95	29.41
GROUP 2	$ 39.20	29.41
GROUP 3	$ 39.70	29.41
GROUP 4	$ 39.95	29.41
GROUP 5	$ 39.70	29.41
GROUP 6	$ 40.95	29.41

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

---

LABO0473-005 12/01/2021

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	$ 30.37	24.64
Group 2	$ 30.62	24.64
Group 3	$ 31.12	24.64
Group 4	$ 31.37	24.64
Group 5	$ 24.50	24.64
Group 6	$ 32.37	24.64

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

---

LABO0473-006 12/01/2021

BERKSHIRE; HAMPSHIRE COUNTIES (the towns of Chesterfield, Cummington, Goshen, Middlefield, Plainfield, and Worthington only)

	Rates	Fringes
Laborers:		
Group 1	$ 30.37	24.49
Group 2	$ 30.62	24.49
Group 3	$ 31.12	24.49
Group 4	$ 31.37	24.49
Group 5	$ 24.50	24.49
Group 6	$ 32.37	24.49

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

---

LABO1421-002 12/01/2021

	Rates	Fringes
Laborers:		
Group 1	$ 41.33	27.37
Group 2	$ 42.08	27.35
Group 3	$ 42.33	27.35
Group 4	$ 37.33	27.35
Group 5	$ 40.43	27.35
Group 6	$ 41.33	27.37

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:		
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

PLUM0004-003 09/01/2024

FRANKLIN (Orange)

	Rates	Fringes
Plumber and Steamfitter	$ 55.00	28.77

PLUM0104-004 09/17/2024

BERKSHIRE (Becket, Otis, Sandisfield); FRANKLIN (Except Monroe, Rowe, and the Western part of Charlemont); HAMPDEN; HAMPSHIRE

	Rates	Fringes
Plumbers and Pipefitters	$ 49.26	29.35

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

---

PLUM0104-009 09/17/2024

BERKSHIRE (Except Otis, Becket, Sandisfield); FRANKLIN (Monroe, Rowe and the Western part of Charlemont)

	Rates	Fringes
Plumber and Steamfitter	$ 49.26	29.35

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 06/01/2024

	Rates	Fringes
Truck drivers:		
Group 1	$ 39.78	35.24+a+b
Group 2	$ 39.95	35.24+a+b
Group 3	$ 40.02	35.24+a+b
Group 4	$ 40.14	35.24+a+b
Group 5	$ 40.24	35.24+a+b
Group 6	$ 40.53	35.24+a+b
Group 7	$ 40.82	35.24+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

---

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

==========

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 ***

DOCUMENT A00801

SPECIAL PROVISIONS

WESTHAMPTON
Federal Aid Project No. STP(BR-OFF)-003S(808)X
Bridge Replacement, W-27-028,
Perry Hill Road over North Branch of Manhan River

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 *2024 Standard Specifications for Highways and Bridges*, the *Supplemental Specifications* contained in this book, the *2017 Construction Standard Details*, the *Traffic Management Plans and Detail Drawings*, *MassDOT Work Zone Safety Temporary Traffic Control,* 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 American Standard for Nursery Stock*; the Plans and these Special Provisions.

The existing single span steel stringer bridge with a reinforced concrete slab and gravel wearing surface is proposed to be replaced with a single span precast three-sided concrete culvert structure with a 12-inch minimum gravel surface. The bridge width will be slightly widened to 18'-3" (out-to-out) and the profile will be slightly raised from the existing vertical alignment.

The proposed bridge will be in the same general location with a slight adjustment to the vertical roadway alignment. The single span length will be increased to 28'-0", approximately six feet longer than the existing overall bridge length. The bridge will provide a 15'-0" roadway width with one travel lane. An S3-TL4 Bridge Railing on an 8" curb will be constructed along both sides of the roadway. The bridge will be closed and a detour put in place during construction.

The proposed substructure will be Cast-in Place reinforced concrete spread footings and gravity wingwalls founded on rock. A precast concrete guardrail transition will be installed at the bridge corners.

The roadway approaches will be re-graded to meet the existing roadway profile grade. Up to 6" of gravel for surfacing be used to supplement the existing approach roadway structure. New guardrail will be installed on the northeasterly, northwesterly and southeasterly corners of the bridge. At the southwest corner adjacent to the existing driveway, no guardrail is required. The proposed design speed on this roadway section is 25 MPH.

Due to the low traffic volumes, the proposed sequence of this construction project involves the complete closure of the bridge and the use of a detour route. The detour route will be coordinated with the Town (DPW and School Department), Police Department and Fire/Emergency Department.

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.

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 project file number and municipality is to be placed in the subject line.

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.

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.

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.

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.

PROVISIONS FOR TRAVEL AND PROSECUTION OF WORK

(Supplementing Subsections 7.09, 7.10 and 8.03)

The Contractor shall maintain traffic in accordance with the Traffic Management Plans and the Special Provisions.

Care shall be taken to establish and maintain such methods and procedures that will not create a hazard to public safety. Access to nearby properties, shall be maintained in a reasonable manner for the duration of the construction period.

Demolition and removal of the existing bridge shall not begin until barricades and other warning signs are in place. The Contractor shall not implement the work until receiving approval from the Engineer. All shop drawings for each phase of work shall be approved prior to any traffic restrictions being imposed for that phase of the work.

The Contractor will notify the Westhampton Public Works Department, Police Department and Fire Department, in writing, at least two weeks before commencing work.

The Contractor is responsible for erecting and maintaining any additional signs that may be needed for the bridge and roadway reconstruction and remove them when they are no longer needed or as directed by the Engineer.

The Contractor shall not begin physical work on any phase of the project until the following minimum criteria have been met:

- The Contractor shall prove that all shop drawings for a particular phase of work have been approved and the materials for the construction of the proposed structure have been fabricated for that particular phase of the work.

- All signing has been installed as noted on the Plans and approved in the field by the Engineer.

- All traffic control devices as noted on the Plans have been delivered to the site.

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 and hammock activities in the accepted baseline Contract Progress Schedule using the stated description.

MS#01 – Contractor Field Completion: The Contractor shall achieve Contractor Completion within **671 calendar days from Notice to Proceed**.

> **Contractor Field Completion** is defined as: All physical contract Work is complete including punch list. The Contractor has fully de-mobilized from field operations.

MS#02 –Full Beneficial Use: The Contractor shall achieve Full Beneficial Use within **555 calendar days from Notice to Proceed.** For this project, Full Beneficial Use is the same as Substantial Completion.

> **Full Beneficial Use** is defined as: 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. Final paving and striping is not required to be complete to achieve Full Beneficial Use. All anticipated lane takings have been completed, except for minor, short term work Items.

MS#03 – Substantial Completion: The Contractor shall achieve Substantial Completion within **636 calendar days from Notice to Proceed.**

> **Substantial Completion** is defined as: A walkthrough of the entire contract Work has been performed by the Resident Engineer, a Punch List has been generated and the Work required by the contract, including paper work, has been completed, except for work having a contract price of less than one percent of the adjusted total contract price, including overruns, underruns and all contract amendments. All material submittals have been received by the District Materials Lab.

SUBSECTION 8.06 LIMITATIONS OF OPERATIONS

Add/amend the following at the end of the Section:

The Contractor shall limit roadway closures in a manner consistent with the TTCP.

The Contractor must clearly identify all aspects of this work in the preparation of the Construction Schedule and throughout the contract duration.

The Contractor is reminded that, in bidding this work, the Contractor is obligated to meet the Contract Milestones and Durations (Time) and is obligated to plan the successful completion of Work, prior to submitting the bid.

In submitting a bid price for this contract, the Contractor acknowledges that a detailed plan, has been developed to meet the Contract Time for all aspects of the Contact; including shift work; extended work hour requirements/restrictions; multiple crews and parallel work efforts, as well as the planning of all subContractor and supplier operations.

EXISTING SUBSURFACE EXPLORATION PROGRAM PROVIDED

(Supplementing Subsection 2.03)

Borings were performed for this project in May 2021 by Seaboard Drilling, Inc and the locations are shown in the plan set. Geophysical Survey was performed by Hager Geosciences on July 2021. Material encountered in the excavation may include various materials such as rock fill and may also include various other materials from previous constructions. The Contractor shall make his own investigations to ascertain the presence of the utilities and former constructions. The bid by the Contractor will be considered as a mutual agreement that the removal and disposal of all the materials encountered in the excavation regardless of its nature or size (except for materials defined as Bridge Excavation and large rock fill as noted below) will be considered as included under the general Items for excavation; and that there shall be no addition to the contract unit price for the Items regardless if the operation is more difficult or more costly than is implied by the preliminary information. Large rock fill encountered during drainage excavations and guardrail installations, greater than 1 cubic yard should be compensated through Class B Rock Excavation.

PUBLIC SAFETY AND CONVENIENCE

(Supplementing Subsection 7.09)

The Contractor shall provide access at all times to the nearby property owners and also coordinate his operations with them. The Contractor shall provide, in accordance with the contract plans, all traffic barriers, signs and all other specified traffic control devices needed for the closure of the bridge. Construction work shall not commence until the construction signing and traffic control devices as described in the Contract Drawings have been installed and approved by the Engineer. All shop drawings for the detour shall be approved prior to any traffic restrictions being imposed for the project.

Care shall be taken to establish and maintain such methods and procedures that will not create a hazard to public safety. Miscellaneous construction activities needing temporary lane closures for access to the construction shall be done at the approval of the Engineer. Temporary travel lane closures shall be allowed based solely on the discretion of the Engineer and with the presence of police detail officers as scheduled by the Contractor.

The Contractor shall carry on his work concurrently and in conjunction with the abutters, Utility Companies, and Town departments involved with the project to provide for all possible cooperation towards the satisfactory completion of the work with minimum delay and inconvenience to the utility owners and the general public.

The Contractor shall order all materials and service required for the work immediately after the execution of the Contract. The Contractor shall not start any operation until all materials required for the operation are at the site or until the Engineer is satisfied that the materials will be delivered in such order that there will be no interruption to continuous and efficient progress.

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.

SUGGESTED CONSTRUCTION SEQUENCE

The following sequence of construction for bridge work is provided only for the convenience of the Contractor. The Contractor is not bound by the suggested sequence and shall be responsible for scheduling all work in accordance with the contract documents.

1. Set up traffic control for road/bridge closure and detour route.
2. Demolition of bridge superstructure.
3. Installation of sandbag diversion dikes and removal of existing abutments
4. Construction of the new culvert footings and place new precast three-sided culvert.
5. Construct new wingwalls.
6. Construct safety curb, railing and roadway.
7. Remove traffic control/detour and open new bridge for traffic.

WORK SCHEDULE

Work on this project is restricted to a normal 8-hour day, 5-day week, with the prime Contractor and all SubContractors working on the same shift except as noted or approved by the Engineer. The work is expected to be performed during the hours of 7:00 am and 3:30 pm with the roadway being closed and traffic detoured. No work shall be done on this contract on Saturdays, Sundays, or holidays without prior written authorization from the Engineer. Work will not be allowed the day before or the day after a long weekend which involves a holiday without prior approval by the Engineer.

PROJECT MEETINGS

Contractor shall attend a scheduled kick-off meeting at the Project site to review the Work, Project schedule, submittal status and delivery schedule, contract modifications, health and safety, and other matters.

Attendees are expected to include:

- The Owner and the Engineer
- Contractor’s Project Superintendent
- Contractor, SubContractors, and suppliers, as appropriate
- Others, as appropriate

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.

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.

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 8.14 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.

SUBSECTION 8.14 (Continued)

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.

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.

SUBSECTION 8.14 (Continued)

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.

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.

SUBSECTION 8.14 (Continued)

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.

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.

BUILD AMERICA BUY AMERICA PREFERENCE

On Federally-aid projects the Buy America (23.CFR § 635.410) and Build America, Buy America Act (Pub. L. No. 117-58, §§ 70901-52). 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 the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and

BUILD AMERICA BUY AMERICA PREFERENCE (Continued)

(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.

NOTE: The requirements for manufactured products indicated in paragraph (2) above are not in effect for this contract.

PROGRESS PHOTOGRAPHS

On or about the last day of every month and also during and after completion of important stages of work, the Contractor shall take a minimum of five (5) but not more than ten (10) photographs as directed, showing progress of construction. In addition, photographs of abutting properties shall be taken as directed immediately preceding and immediately following completion of construction operations. The Contractor shall furnish the Engineer with a CD with all photos indicating the dates the photos were taken.

WORK DONE BY OTHERS

Relocation and/or resetting to new grades of all private utilities, including utility poles, made necessary by the construction of this project, will be accomplished by the respective utility companies unless otherwise noted on the plans. The Contractor shall coordinate his work with all work to be performed by others and allow adequate notice and time for them to schedule and perform their work.

ENVIRONMENTAL PERMITTING

If the Contractors erection, demolition, storage, or other procedures not originally allowed by existing environmental permits 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 either amended or obtained allowing such work. The Contractor must notify the District #2 Highway Director and Resident Engineer in writing a minimum of 60 days prior to desired commencement of the proposed activity. All environmental submittals, including any contact with Local, State, or Federal environmental agencies, must be coordinated through the District #2 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 modify or obtain the environmental permits.

A Massachusetts Department of Environmental Protection (MassDEP) Water Quality Certification and Army Corps of Engineers (ACOE) General Permits (GPs) have been issued for this project. The Contractor shall adhere to the requirements of these documents.

ARMY CORPS OF ENGINEERS PERMIT

This project is subject to Section 401 of the federal Clean Water Act, 33 U.S.C. 1251 et seq and has been issued a General Permit (GP) by the Army Corps of Engineers. The GP and the respective Application are to be considered part of this contract and a copy of the GP and all plans/attachments shall be on-site while activities regulated by the GP are being performed. The Contractor's attention is directed to the fact that specific time restrictions for work in water and other conditions/requirements may be associated with the GP and Application. It is the Contractor's responsibility to be aware of and comply with these restrictions and requirements and plan his/her work and schedule accordingly. The Contractor is hereby notified that he/she will be responsible and held accountable for performing any/all work necessary to satisfy and comply with the entire GP and respective Application. For a Self-Verification (SV) Project, Appendix C must be completed and submitted as required. For Pre-Construction Notification (PCN) Projects, the Work-Start Notification Form and the Compliance Certification Form (both provided with the PCN authorization letter) shall be completed and returned to the Corps. The Contractor is advised that no additional compensation will be allowed for work required to establish, achieve, and maintain compliance with the GP and Application, as payment for the work shall be included in the various bid Items, unless specified elsewhere. This work may include, but is not limited to, the following: preparation and submission of as-built plans; wetland replication monitoring reports, etc.; preparation and submission of as-built plans; wetland flagging; wetland replication monitoring reports, etc.

DEP – WATER QUALITY CERTIFICATION:

This project is subject to the Massachusetts Clean Waters Act, M.G.L. c. 21, §§ 26 through 53 and has been issued a Water Quality Certification ("WQC") by the Department of Environmental Protection. The WQC and Application are to be considered part of this contract and a copy of the WQC and all plans/attachments shall be on-site while activities regulated by the WQC are being performed. The Contractor's attention is directed to the fact that special conditions and other requirements are associated with this WQC and Application. It is the Contractor's responsibility to be aware of and comply with these conditions and requirements and plan his/her work and schedule accordingly. The Contractor is hereby notified that he/she will be responsible and held accountable for performing any/all work necessary to satisfy and comply with the entire WQC and Application. The Contractor is advised that no additional compensation will be allowed for work required to establish, achieve, and maintain compliance with the WQC and Application, as payment for the work shall be included in the various bid Items, unless otherwise specified. This work may include, but is not limited to, the following: preparation and submission of as-built plans; wetland flagging; wetland replication monitoring reports, etc.

NOTICE TO OWNERS OF UTILITIES

The Contractor shall give written notice to all public service corporations or officials owning or having charge of public or privately owned utilities, of his intention to commence operations affecting such utilities at least two (2) weeks in advance of the commencement of such operations. The Contractor shall at the same time file a copy of such notice with the Engineer.

The Contractor is hereby informed of the existence of certain underground structures and utilities in the proposed work area. The Contractor shall investigate and research these locations and conduct his operation accordingly. The Contractor shall exercise due care and caution in his work so as not to disturb any underground utilities. Any damage to utilities caused by negligence shall be repaired and paid for by the Contractor.

Pipes or other structures damaged by the Contractor may be repaired by the owner, either the municipality or the utility company. The cost of such repairs shall be borne by the Contractor without compensation thereof.

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
Select the Town of WESTHAMPTON and then locate the utility

Notification Of Public Officials

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/info-details/massachusetts-state-police-troop-boundaries. Select the area of jurisdiction to find the local station.

The following utility contact list is for guidance only and is not guaranteed to be complete or up to date.

NOTICE TO OWNERS OF UTILITIES (Continued)

Westhampton Police Department:
48 Stage Road
Westhampton, MA 01027
Attn: David White
Chief of Police
(413) 527-6154

Westhampton Fire Department:
48 Stage Road
Westhampton, MA 01027
Attn: David Antosz
Fire Chief
(413) 529-7181

Hampshire Regional School District
19 Stage Road
Westhampton, MA 01027
Attn: Julie Abel
Van Transportation Coordinator
(413) 205-6919

Westhampton Council On Aging
3 South Road Annex
Westhampton, MA 01027
Attn: Amy Landay
Coordinator
(413) 203-9808

Verizon
385 Myles Standish Blvd.
Taunton, MA 02780
Attn: Karen Mealey
(774) 409-3160

Westhampton Highway Department
58 Hathaway Road
Westhampton, MA 01237
Attn: William Jablonski
Superintendent
(413) 527-0136

Water Department
None

Gas Co.
None

Eversource Electric West
300 Caldwell Drive
Springfield, MA 01104
Attn: Robert Davis
(413) 787-9554

Comcast Cable
PO Box 6505, 5 Omni Way
Chelmsford, MA 01824
Attn: Wendy Brown
(978) 848-5163

PVTA Administration Offices
2808 Main Street
Springfield, MA 01036
Attn: Sandra Sheehan
Administrator
(413) 732-6248 Ext 216

Attn:Paul Burns-Johnson
Director of Transit Operations
O: (413) 732-6248 Ext 2230
C: (413) 234-0549

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

NORTHERN LONG-EARED BAT AND TRICOLORED BAT PROTECTION

The northern long-eared bat (*Myotis septentrionalis*; NLEB) and tricolored bat (*Perimyotis subflavus*; TCB) are listed as federally endangered or proposed endangered, respectfully, under the Endangered Species Act (ESA). The U.S. Fish and Wildlife Service (USFWS) developed this guidance to address ESA compliance and promote conservation of NLEB and TCB. This project has been consulted with the USFWS through the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and Federal Transit Administration (FTA) Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana Bat and Northern Long-Eared Bat revised February 5, 2018 and amended March 31, 2023.

On June 15, 2023, Tetra Tech on behalf of MassDOT Highway Division Environmental Services, conducted a northern long-eared bat summer presence/absence survey using acoustic detection methods, in accordance with the 2023 survey guidelines. The survey did not confirm the presence of NLEB and/or TCB, and as stated within the survey guidelines, the survey is valid for five years. Due to the 5-year validity of the negative presence/absence survey, it is recommended that the Contractor conduct all activities that could result in stressors to the bats such as tree removal/trimming, bridge and/or structure removal/maintenance, lighting, or use of percussive, by June 15, 2028. If additional stressor producing work is proposed by the Contractor past this date, additional review is required by the MassDOT Highway Division's Environmental Services Section, and additional review and restrictions may be required by the USFWS.

Due to the negative survey results, the project is eligible for a May Affect, Not Likely to Adversely Affect (NLAA) determination, with Avoidance and Minimizations Measures (AMMs), in accordance with the FHWA, FRA and FTA Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat. On behalf of FHWA, the lead federal agency for Section 7 consultation, MassDOT submitted a Programmatic Consultation for Transportation Projects affecting NLEB or Indiana Bat to the USFWS through the Information for Planning and Consultation (IPaC) webpage and generated a NLAA documentation letter (see Document A00872). Therefore, the project has completed Section 7 consultation through the Endangered Species Act, and the AMMs listed below.

In advance of the uplisting of the TCB to endangered under the ESA, the following Avoidance and Minimization Measures (AMMs) must be strictly adhered to in order to protect NLEB and TCB and to be in compliance with the ESA. Contact MassDOT Environmental Services - Wildlife Unit Supervisor for questions about project limits, restrictions, or conservation measures.

General AMM

- The Contractor shall ensure all personnel working in on the project site are aware of all environmental commitments related to NLEB and TCB, including all applicable AMMs. NLEB and TCB information (https://www.fws.gov/midwest/endangered/mammals/nleb/ and https://www.fws.gov/species/tricolored-bat-perimyotis-subflavus) shall be made available to all personnel.

Hibernacula AMMs

- For projects located within karst areas, on-site personnel will use best management practices, secondary containment measures, or other standard spill prevention and countermeasures to avoid impacts to possible hibernacula. Where practicable, a 300 foot buffer will be employed to separate fueling areas and other major containment risk activities from caves, sinkholes, losing streams, and springs in karst topography.

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. The schedule type applicable to this project is established in the project special provisions.

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 102.3 HERBICIDE TREATMENT OF INVASIVE PLANTS HOUR

This work must be performed by persons who meet the qualifications below and are approved by the Landscape Design Section.

Work under this Item consists of herbicide treatment of invasive plants currently existing within the project limits and as directed. An Invasive Plant Management Strategy (IPMS) shall be submitted to the Engineer for review and approval and the IPMS shall be implemented on-site. The IPMS shall be measured and paid for under Item 102.33 Invasive Plant Management Strategy.

Work under this Item shall be coordinated with work and schedule for Selective Clearing, Clearing and Grubbing, Mowing, Tree Removal, Planting, and Wetland Mitigation Items.

Payment is per hour on-site and shall be compensation for a minimum crew of 2 licensed applicators, 2 back-pack sprayers and mist-blowers, a properly equipped spray truck with spray hoses, and a tank with sufficient capacity for a full day of work. If there is only one applicator, hourly payment shall be adjusted to 50 percent of the unit price. This Item is not intended for manual removal of plants.

Management of plants determined to have been introduced to the site via imported loam, compost, mulch, plants, equipment, or other construction activities will be the Contractor's responsibility and at the Contractor's expense.

Herbicide shall be applied during daytime hours only.

Measures to prevent the introduction of invasive plant species to the site and to address introduction due to construction-related activities shall be covered under the Standard Specifications, Division I - Subsections 7.01(D) Plant Pest Control and 7.13 Protection and Restoration of Property as amended in these Special Provisions.

Plant species targeted for management under this Item shall be as determined in the field per the site walk and as specified in the IPMS.

The definition of invasive plant species shall be as described by Massachusetts Invasive Plant Advisory Group (MIPAG): "non-native species that have spread into native or minimally managed plant systems in Massachusetts, causing economic or environmental harm by developing self-sustaining populations and becoming dominant and/or disruptive to those systems."

Control of invasive plants shall begin immediately with the initiation of construction activities and prior to any clearing or site disturbance. Treatment areas shall include stockpile locations and may, upon approval of the Engineer, extend outside the project limit. Treatment shall be done each consecutive year for the duration of the contract unless specified otherwise in the IMPS or unless directed otherwise by the MassDOT invasive species contact. Work shall be done during the growing season from May – October unless otherwise specified in the IPMS.

Areas identified for vegetation control measures shall be as shown on the plans and as determined in the field by the Engineer and a MassDOT Landscape Architect.

ITEM 102.3 (Continued)

QUALIFICATIONS

The applicators shall submit and meet the qualifications outlined below. A list of Contractors specializing in invasive management and approved by MassDOT Landscape Design Section is available on the following website: https://www.mass.gov/lists/landscape-design-and-roadside-maintenance under Invasive Plant Management.

Requirements

1. Company must provide proof of qualifications by providing the following:
   a. Narrative describing company, its expertise and experience with invasive plant control.
   b. Demonstrate experience with herbicide treatment as part of restorations and in sensitive areas.
   c. Describe company's technical qualifications and past performance.

2. Company must meet licensing requirements:
   a. All crew applicators must have a Massachusetts Commercial Applicator License (CORE).
   b. At least one or more applicator must have a ROW certification, if required for work.
   c. Company must provide name(s) of applicator(s) and Applicator License/Certification number for all Contractor crew leaders working on the project.
   d. Company must provide documentation of any warnings, penalties or fines received in the last three (3) years.

3. Company must provide proof of experience with invasive plant control and include following:
   a. At least five (5) references from prior invasive plant control work completed in last five (5) years. Provide contact information including address, phone number and email.
   b. Provide a summary of each of these projects including nature of the problem, specific invasive vegetation treated, dates and period of treatment, methodologies used, and summary of success or not in terms of meeting performance objectives. Include summary of equipment used.
   c. Photo documentation of these projects.
   d. GPS coordinates of project locations, if available.

4. Crew leader must have expertise with invasive plant control and provide the following:
   a. Have held Core license for at least five (5) years.
   b. Resume listing five (5) or more years of experience applying pesticides with the company or with another company specializing in vegetation management.

SUBMITTALS

No work shall begin without approval of the submittals.

Submittals include the following Items:

Invasive Plant Management Strategy (IPMS)

At least thirty (30) days prior to proposed treatment the IPMS shall be submitted for approval by the Engineer and MassDOT Landscape Architect. All chemicals, methods and work done under this Item shall be consistent with the IPMS. The IPMS shall be as described under Item 102.33.

ITEM 102.3 (Continued)

Herbicide Use Report

Within two (2) weeks after each application, the Contractor shall provide to the Engineer a completed and signed MassDOT Herbicide Use Report.

Photo Documentation

Digital photos with date and time of herbicide application work may be required and shall be submitted upon request.

MATERIALS

All proposed herbicides shall be as approved in the IPMS. Herbicides shall be labeled for the method of treatment and shall meet all federal, state and local regulation requirements. Application rates will depend on herbicide proposed and shall be per the manufacturer's label for specific application.

METHODS

All methods used shall be as approved in the IPMS which shall be determined during the Initial Site Walk as described under Item 102.33 Invasive Plant Management Strategy.

The Contractor shall be responsible for marking delineated areas and plants to be preserved, removed, or otherwise treated. Fencing or other materials needed for marking and delineating protected areas shall be incidental to this Item.

The Contractor shall notify the Engineer a minimum of 3 days prior to date of expected herbicide application. Applicators shall notify the Engineer upon arriving on-site and upon leaving the site.

Herbicide Applications

All herbicide application shall conform to Massachusetts Pesticide Laws and Regulations per the Massachusetts Department of Agricultural Resources (MDAR) Pesticide Bureau.

Mixing, applying and/or disposing of herbicides shall always be in accordance with instructions on their labels and all applicable federal, state, and local regulations. Mixing shall not occur within sensitive areas, wetlands, or buffer zones.

Contractor shall not spray 2 hours prior to precipitation, during rain, or during windy conditions. The Contractor shall be responsible for monitoring weather conditions and adjusting the work schedule as appropriate for the herbicide and application method to be used.

Targeted vegetation shall be identified and marked prior to treatment. Plants treated by foliar spray, injection or glove application or other methods that leave standing vegetation, as opposed to cut-stump application, shall remain clearly marked for identification through the contract period.

Desirable vegetation shall be protected from both spray and other physical damage.

ITEM 102.3 (Continued)

Contractor is responsible for any damage to vegetation not designated for removal or treatment. Vegetation damaged shall be restored. Cost of replacement plants and/or restoration shall be borne by the Contractor.

Contractor shall ensure that the public does not enter a work area while herbicide application or spraying is underway.

Disposal Of Invasive Plant Material

All material to be cleared shall become the property of the Contractor. The satisfactory disposal of all cleared plant material (seeds, roots, woody vegetation, associated soils, etc.) shall be the Contractor's responsibility.

The Contractor shall take measures to prevent viable plant material from leading to further infestations (seeds, roots, woody material, etc.) while stockpiled, in transit, or at final disposal locations. All precautions shall be taken to avoid contamination of natural landscapes with invasive plants or invasive plant material.

Chipping, shredding, or on-site burning of plant material must be approved by the Engineer and included in the IMPS.

For plant material taken to an incinerating facility per the IPMS, a receipt from that facility shall be submitted to the Engineer as proof of disposal.

Where feasible, it is preferable to dispose of plants on-site or to bury them on-site with on-going monitoring for re-sprouting. Disposal locations and methods must be approved and included in the IPMS. Site work such as grading and seeding to stabilize and restore disposal area shall be incidental to this Item.

The Contractor shall be responsible for treating or otherwise managing areas of re-growth due to improper disposal. Treatment shall be at the Contractor's expense.

Follow-Up Treatment

Plants and areas shall be re-treated as necessary and as appropriate to the time of year. Treatment shall be for the duration of the contract and per the IPMS.

MEASURE OF SUCCESS

The expectation is a minimum of 85-95 percent control achieved after the first treatment, depending on plants targeted and extent of population, and based on the expectations laid out in the IPMS. The expectation for the contract duration is 95-100% eradication by the end of the treatment period, unless otherwise specified in the IPMS.

ITEM 102.3 (Continued)

METHOD OF MEASUREMENT

Item 102.3 will be measured for payment by the HOUR of crew time spent on the project doing actual herbicide application work. A crew shall be defined as a minimum of two licensed applicators each equipped with (at minimum) back-pack sprayer and mist blower. The crew shall also have a properly equipped spray truck with hoses and a tank with sufficient capacity for a full day of work.

BASIS OF PAYMENT

Item 102.3 will be paid at the contract unit price per HOUR, which price shall include all labor, materials, equipment, tools, and all incidentals required to complete the work.

Payment will be based upon time spent on the project doing actual work and shall not include travel time to and from the Contractor's place of business and shall also not include time for investigative field trips.

If there is only one applicator, hourly payment shall be adjusted to 50 percent of the unit price.

The Invasive Plant Management Strategy will be paid for under Item 102.33.

ITEM 102.33 INVASIVE PLANT MANAGEMENT STRATEGY HOUR

This Item consists of providing an Invasive Plant Management Strategy (IPMS) for the control of invasive plants currently existing on the project site and/or as directed and shall be coordinated with Item 102.3 Herbicide Treatment of Invasive Plants. The IPMS shall be submitted for review and approval and the IPMS shall be implemented on-site.

Herbicide treatment for invasive plants shall be as described under Item 102.3 Herbicide Treatment of Invasive Plants and shall be compensated per that Item.

Work under this Item shall be coordinated with work and schedule for Selective Clearing, Clearing and Grubbing, Mowing, Tree Removal, Planting, and Wetland Mitigation as relevant to the project.

Individual attending the site walk and determining the Invasive Plant Management Strategy must demonstrate expertise with vegetation management and invasive plant control and submit qualifications as described below.

QUALIFICATIONS

Individual shall be from the same company as that providing services for Item 102.3 Herbicide Treatment of Invasive Plants and shall submit the following, if not submitted under Item 102.3:

- Submit copy of current Core license.
- Submit a resume listing five (5) or more years of experience managing invasive plants with a company specializing in vegetation management.
- References shall be submitted if requested.

SUBMITTALS

Task Summary & Reports

For measurement of payment, the Contractor shall submit the total sum and a breakdown of hours for the tasks performed. At a minimum, the tasks shall include the Initial Site Walk, the IPMS Written Report, and if necessary to accommodate project or site changes, a Follow-up Site Inspection and accompanying IPMS Amendment.

Interim Site Monitoring Reports and/or a Final Report shall be submitted if requested by the MassDOT Landscape Design contact. The MassDOT Landscape Design contact must be notified to attend the final walk through when a Final Report has been requested.

Invasive Plant Management Strategy (IPMS)

At least thirty (30) days prior to construction activities and/or any proposed treatment, submit a written IPMS proposal for approval by the Engineer and MassDOT Landscape Architect. All chemicals and methods proposed shall be consistent with applicable Massachusetts Wetlands Protection Act Order of Conditions.

The IPMS shall be completed in coordination with the Roadway Contractor and the Engineer and shall include the following as appropriate to the project:

ITEM 102.33 (Continued)

I. Project Information
- a. Company writing IPMS and performing herbicide application.
- b. Date of site walk
- c. Attendees at site walk
- d. Expected end date of contract and expected last treatment (month/season)

II. Brief Description of Conditions
- a. Provide a free-hand sketch on construction plans or aerial image showing species, location, and as relevant, show or note extent of population as relevant to Strategy (i.e., population extends off ROW preventing eradication, small population and eradication deemed feasible within contract schedule, etc.).

III. Coordination with Roadway Contractor regarding other work
- a. Tree Work: Note coordination to be implemented with tree removal, clearing, and clearing and grubbing as applicable to the project.
- b. Wetland Mitigation - Include management proposed for wetland mitigation areas in the IPMS, if and as required.
- c. Planting: If there will be planting in areas proposed for treatment, propose treatment and schedule to avoid herbicide damage to plants.
- d. Mowing: If coordination is required with state mowers, note need in IPMS.

IV. Soil Management
- a. Provide specifics on how soil with invasive plant roots (in particular) or seeds will be handled (i.e., separate stockpiles, plant material will be buried on-site, re-used on-site, disposed off site and if so, where?).
- b. Show stockpile locations on plan and include treatment schedule.
- c. Note measures that will be implemented to avoid spread through equipment, including how and where equipment will be cleaned.

V. Invasive Plant Treatment & Management
- a. Proposed chemical and methods of treatment for each species or area.
- b. Time of treatment based on target plant species.
- c. Submit product label including application methods and rates (entire MSDS information need not be submitted if available online).
- d. Proposed performance metrics or measure of treatment success if different from that specified under Item 102.3.
- e. Method for disposing invasive plant material. This includes material that may result in spread (i.e., seeds, roots) and material that has been treated and/or is not viable (foliage, dead wood, etc.). Methods may include grinding in place, stockpiling and treating, and incinerating offsite.
- f. Expected follow-up treatment for duration of contract.

VI. Monitoring Schedule if requested by MassDOT.

Note: The IPMS is critical for identifying pre-construction conditions as well as strategies for minimizing import or spread of invasive plants. Failure to provide an approved IPMS may jeopardize this Item, in which case, the Contractor will be responsible for management of invasive plants found on-site at no cost to the contract.

Photo Documentation

Digital photos with date and time verification shall be provided with the IPMS and with any follow-up monitoring or reporting.

ITEM 102.33 (Continued)

METHODS

Initial Site Walk

Prior to any construction activities and soil disturbance, the Contractor shall walk the site with the Engineer and the MassDOT Landscape Architect to determine the IPMS. During the site walk the Contractor shall identify limits of work and, as necessary, mark locations of areas designated for treatment and individual plants targeted for treatment or removal. The Contractor shall be responsible for marking delineated areas and plants to be preserved, removed, or otherwise treated. Fencing or other materials needed for marking and delineating protected areas shall be incidental to this Item.

IPMS Follow-up Amendment

The IPMS may be amended to address additional concerns or adjust to conditions if required by the MassDOT Landscape Architect. The amended IPMS shall be submitted to the Engineer and MassDOT Landscape Architect for approval at least fourteen (14) days prior to any proposed treatment.

Interim Site Monitoring Inspection Reports

If required by the MassDOT Landscape Architect and Engineer, Interim Site Monitoring and an accompanying report shall be conducted.

Final Inspection

A final inspection and report documenting the status of the invasive control may be required for regulatory purposes or for instances where control will be continued by others. The report shall include photo documentation of pre-construction (existing) and post-treatment conditions, notations on a plan or aerial image of area treated, summary of treatment performed, and control achieved.

METHOD OF MEASUREMENT

Item 102.33 will be measured for payment by the HOUR. The basis for measurement shall be per the completion of tasks as approved under the Task Summary submittal.

BASIS OF PAYMENT

Item 102.33 will be paid at the contract unit price per HOUR, which price shall include all labor, materials, equipment, tools, and all incidentals required to complete the work.

Payment shall not include travel time to and from the Contractor's place of business.

ITEM 114.1 DEMOLITION OF SUPERSTRUCTURE OF BRIDGE NO. W-27-028 (OTA) LUMP SUM

The work to be done under this Item shall conform to the relevant provisions of Subsection 112 of the Standard Specifications and the following:

The demolition work shall be done in one phase. The work shall consist of the complete removal and satisfactory disposal of the bridge railing, concrete bridge deck, the existing gravel wearing surface, steel beams and diaphragms.

The Contractor shall make adequate provisions, including the erection of a temporary protective shielding, for the protection of personnel from damage and injury due to excavation operations and debris removal and to prevent any debris from falling into the water below. Said shielding shall be in accordance with and paid for under Item 994.011 and 994.012.

No debris, tools or incidental equipment of any kind will be permitted to fall into areas within the water below. Any material that accidentally falls into such areas shall be removed immediately. Equipment used for the demolition and debris removal shall not work from the water side of the abutments or walls.

All materials removed under Item 114.1 shall become the property of the Contractor and shall be removed from the job site and disposed of properly, unless such materials are designated to be reused in the proposed construction.

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 surrounding structures. It shall be the Contractor's responsibility to always maintain stability of the structure during the execution of his work. Any instability or damage that occurs as a result of the Contractors operation shall be repaired by the Contractor at his expense.

No utilities are anticipated at this site, however, the Contractor shall be aware and make adequate provision for the protection of utilities, both overhead and underground should they be found. No demolition work shall be started until all utility companies involved have been notified (not less than seven (7) days prior to the start of demolition) and the Contractor has received approval from the Engineer as to the equipment, procedures and schedule of operation to be used during the demolition period. The Contractor shall be responsible for protecting the existing utility lines during his/her operations. If any utilities are damaged due to the Contractor's negligence, the Contractor shall make repairs at his/her own expense.

ITEM 114.1 (Continued)

The Contractor shall prepare and submit a plan indicating their proposed demolition procedures and methods to be used including equipment, tools, devices, crane capacity and location, schedule of operations, methods of utility protection, etc., to the Engineer for approval. The requirements for equipment and all procedures utilized shall be in conformance with the requirements of Subsection 960.61, Design, Fabrication and Erection of the Supplemental Specifications to the Standard Specifications for Highways and Bridges. The demolition procedures and any necessary calculations and drawings shall be stamped by a Structural Professional Engineer registered in Massachusetts certifying that all existing structural members are suitably braced and supported throughout the demolition process. The Contractor shall not proceed with demolition work until the Engineer has given written acceptance of the demolition plan.

BASIS OF PAYMENT

The Contractor will make his own investigation of the structure to be demolished including the materials that are part of the structure. No increase will be made to the bid price due to the nature of the materials involved in the demolition. All costs for permits, dump fees, taxes, special handling of hazardous materials etcetera, shall be included in the bid price of the demolition Item.

The work described under this Item will be paid for at the contract LUMP SUM price for Item 114.1 and shall include all necessary labor, equipment, and materials necessary to complete the work.

The cost of removing and rebuilding stone walls, as indicated in the plans, is paid separately under Item 691, Balance Stone Wall Removed and Reset.

Removal of the abutments will be paid for under Item 127.1.

The cost of removing and disposing stone walls, as indicated in the plans, is paid separately under Item 140, Bridge Excavation.

ITEM 127.1 REINFORCED CONCRETE EXCAVATION CUBIC YARD

The work under this Item includes all excavation, saw cutting, removal, and satisfactory disposal of the existing reinforced concrete abutments and wingwalls, as shown on the drawings or other concrete not included in Item 114.1. Incidental to this work is the removal of embedded steel or other material that is designated to be removed that may be present in this concrete. Removal of concrete with reinforcing or embedded steel is part of Item 127.1. The Contractor will not be paid for the removal of any concrete beyond the limits described under this Item.

MassDOT does not guarantee or represent that the existing bridge materials will actually coincide with any descriptions contained herein or represented on plans. The Contractor must satisfy himself/herself by his/her own investigation and research regarding all conditions and materials affecting the work to be done.

The Contractor shall be responsible for providing a temporary shielding system to prevent any debris from falling into the water below as a result of the operations. Should any debris fall into or adjacent to the waterway, it shall be immediately removed at the Contractor's expense.

The cost of providing, installing, and removing the temporary shielding system shall be included in Items 994.011 and 994.012.

Shielding shall be installed or removed only upon approval of the Engineer. All materials used in the shielding system shall become the property of the Contractor and shall be removed from the site at the completion of the project.

Equipment

Surface preparation and concrete removal equipment shall be of the following types:

1. Pneumatic and Power-Driven Chipping Hammers: Hammers weighing more than 35 lbs. shall not be used for the removal of concrete.

2. Hoe Ram to remove large areas of the bridge.

During the prosecution of the removal of concrete, the Engineer may reject the use of any methods or equipment that causes undue vibration or possible damage to any part of the surrounding structures.

All materials removed under this Item shall become the property of the Contractor and shall be removed from the job site. The Contractor shall be responsible for satisfactory disposal of all materials removed from this site.

METHOD OF MEASUREMENT

Item 127.1, Reinforced Concrete Excavation will be measured for payment by the CUBIC YARD to the limits shown on the plans or as directed by the Engineer, complete and accepted.

BASIS OF PAYMENT

Item 127.1, Reinforced Concrete Excavation will be paid for at the Contract unit price per CUBIC YARD, which price shall be considered full compensation for removal of all required portions of the existing concrete, including any embedded steel or other Items, and all labor, material, equipment, incidentals and material disposal needed 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 Sub-Contractors 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.

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.

ITEM 180.01 (Continued)

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 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.

METHOD OF MEASUREMENT AND BASIS OF PAYMENT

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.

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.

ITEM 180.03 (Continued)

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, penalties and enforcement requirements imposed by applicable regulatory agencies for failure to meet regulatory and contract timeframes. No compensation will be provided for such fines, penalties, 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.

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.

ITEMS 181.11 thru 181.14 (Continued)

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:

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 thru 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 thru 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.

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.

ITEMS 181.11 thru 181.14 (Continued)

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 penalties and/or for 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 base plan 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.

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.

ITEMS 181.11 thru 181.14 (Continued)

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.

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.

ITEMS 181.11 thru 181.14 (Continued)

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 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 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 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 181.13 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 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 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 450. GRAVEL FOR SURFACING CUBIC YARD

The work under this Item shall conform to the relevant provisions of Subsections150 and 400 of the Standard Specifications and the following:

This work shall consist of furnishing, placing, and compacting Gravel for Surfacing at locations specified on the plans and/or as directed. Gravel for Surfacing shall meet the requirements specified in Subsection M1.03.1 of Division III, Materials of the MassDOT Standard Specifications.

Gravel for Surfacing shall meet the requirements for M1.03.1 Processed Gravel for Subbase, with the following gradation modifications:

¾" minus crushed gravel

Square Opening Sieve	Percent Passing
1 inch	100
¾ inch	86-100
#4	40-70
#50	5-20
#200	1-6

METHOD OF MEASUREMENT

Item 450., Gravel for Surfacing will be measured for payment by the CUBIC YARD, complete-in-place and approved by the Engineer.

BASIS OF PAYMENT

Item 450., Gravel for Surfacing will be paid for at the contract unit price per CUBIC YARD which price shall constitute full compensation for furnishing all labor, tools, equipment, materials, supplies, transportation, installation, and all other incidentals necessary to complete this Item.

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:

Work done under this Item consists of the furnishing, installing, maintaining, and final removal and transportation of the temporary chain link fence and gates around the work site, to secure the work area as shown on the Plans or as directed by the Engineer.

The fence shall be used to close off the construction area from adjacent private properties and for protection of pedestrians whose use may conflict with the construction activities. The fence shall extend at least six feet above the ground.

CONSTRUCTION METHOD

The Contractor will be responsible for providing the Engineer with an acceptable method for the installation of the Temporary Fence that will provide for the pedestrian and worker safety and security for which it is intended.

All posts, including end, corner and intermediate brace posts, and all gates and gateposts, shall be included in the per foot cost. Materials need not be new, but shall be in good condition, shall not be deteriorated, nor in a condition which in any way may jeopardize the safety and security purposes intended. The fence posts shall be secured with two sandbags, blocks, or methods approved by the Engineer. The Contractor shall be responsible for maintenance of the Temporary Fence and shall be responsible and cognizant that the work area remains secure and is inaccessible to the general public at all times. It may be necessary to remove sections of the Temporary Fence at times during construction. Any removing and resetting of the Temporary Fence by the Contractor to facilitate his/her construction operations shall be done at no additional cost to the Department. Fence fabric shall be placed on the top face of the post away from the work area. A top tension wire, rather than a pipe top rail, shall be used. The Temporary Fence shall not be removed until construction is completed, or until directed by the Engineer.

METHOD OF MEASUREMENT

Item 657., Temporary Fence will be measured for payment per FOOT installed complete in place. The removal of the Temporary Fence shall be considered incidental to this Item.

BASIS OF PAYMENT

Item 657., Temporary Fence will be paid for at the contract unit price per FOOT of temporary fence that has been installed. This price shall include furnishing, installing, maintaining, and final removal from the site once work containing the Item is complete. The cost for all end, corner, padlock and intermediate posts as well as gates and all other incidental material, labor and equipment required for the installation, and final removal shall also be included.

The Contractor shall replace and/or restore sections of fence damaged due to accidents, vandalism or in any other manner for the duration of the project. Damage due to construction activities or the Contractors negligence shall be replaced at no additional cost to the Department.

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 (2) 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 able to perform 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.

BASIS OF PAYMENT

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 751.7 COMPOST BLANKET CUBIC YARD

The work under this Item shall conform to the relevant provisions of Subsections 751. and M1.06.0, Compost of the Standard Specifications and the following:

Work shall consist of furnishing and pneumatically applying compost as a thin mulch blanket (1/2 – 1 inch depth) over prepared soil to provide temporary soil stabilization and organic matter for plant growth.

SUBMITTALS AND MATERIALS

No materials shall be delivered until the required submittals have been approved by the Engineer. Delivered materials shall match the approved samples. Approval of test results does not constitute final acceptance.

Contractor shall submit to the Engineer samples and certified test results no sooner than 60 days prior to application of compost. Vender certification that material delivered meets the test results shall be submitted if requested.

Compost shall meet the requirements for M1.06.0: Compost, Type 2, as referenced in the MassDOT– Highway Division Standard Specifications for Highways and Bridges, Division III: Materials Specifications, latest edition.

The Engineer shall approve the Contractor's equipment for application.

CONSTRUCTION METHODS

Application of compost material shall not begin until the Engineer has approved the site and soil conditions. Soil preparation shall be as specified under the applicable Item for soil placement or for seeding. The Contractor shall notify the Engineer when areas are ready for inspection and application of compost.

Compost blanket shall be pneumatically applied (blown on) to a minimum depth of one half to one inch. Where shown on the plans or when directed by the Engineer depth may be increased to provide berms for sediment control or to otherwise prevent slope erosion.

When compost blanket is proposed with seeding, seed shall be broadcast and shall occur in conjunction with compost blanket, as specified under the relevant Item for seeding.

ITEM 751.7 Continued)

When compost blanket is proposed for areas with planting, compost (and seed if applicable) shall be applied after planting. If compost and seed occur prior to planting, areas shall be regraded and compost and seed reapplied to the satisfaction of the Engineer and at the Contractor's expense.

METHOD OF MEASUREMENT

Item 751.7 will be measured for payment per CUBIC YARD installed, complete in place.

BASIS OF PAYMENT

Item 751.7 will be paid at the Contract unit price per CUBIC YARD, which price shall constitute full compensation for all labor, materials, equipment, and all incidental costs required to complete the work of pneumatically applying compost.

Surface preparation of substrate receiving compost blanket shall be compensated under the applicable Item for placement of loam, sand, ordinary borrow, wetland soil, topsoil rehandled and spread, tilled existing soil, or other specified substrate.

Seeding, if utilized, will be compensated for under the appropriate seeding Items.

ITEM 751.765 COMPOST AND SEED OVER MODIFIED ROCK CUBIC YARD

The work under this Item shall conform to the relevant provisions of Subsections 751, 767, and 765 of the Standard Specifications and the following.

Work shall consist of furnishing and pneumatically applying compost in conjunction with native seed on designated areas of modified rock and achieving satisfactory establishment of seeded species as specified herein.

QUALIFICATIONS

Compost application and seeding shall be done by a company having a minimum of five years of experience with native seed establishment. Prior to beginning work, the seeding Contractor shall furnish proof of qualifications to the Engineer for approval. Proof of qualifications shall include providing documentation (photos and contacts) to demonstrate knowledge and expertise with native seeding and establishment and proof of having completed successful native seeding projects.

MATERIAL AND SUBMITTALS

Compost

Compost shall meet the relevant provisions for Type 2 Compost, found in Subsection M1.06 of the Standard Specifications.

The Engineer shall approve the Contractor's equipment for application.

Seed Mix

Seed Mixes and Submittals shall be per the Item(s) for the permanent seed mix. Mix shall be:

ITEM 751.765 (Continued)

Mix 765.553 Wetland – Riparian Mix

	Botanical Name	Common Name	% PLS By Weight
Grass	Sorghastrum nutans NY Eco	Indiangrass NY Ecotype	14.00%
	Schizachyrium scoparium	Little Blue Stem	14.00%
	Elymus riparius	Riverbank Wild Rye	10.00%
	Elymus virginicus	Virginia Wild Rye	10.00%
	Panicum clandestinum 'Tioga'	Deer Tongue 'Tioga'	9.00%
	Andropogon gerardii NY Eco	Big Bluestem NY Eco	8.00%
	Carex vulpinoidea	Fox Sedge	7.00%
	Panicum virgatum	Switchgrass	3.00%
	Juncus effusus	Soft Rush	2.00%
	Agrostis perennans	Upland Bentgrass	2.00%
	Scirpus atrovirens	Green Bulrush	1.00%
Herb/Forb	Chamaecrista fasciculata	Partridge Pea	3.00%
	Verbena hastata	Blue Vervain	3.00%
	Asclepias incarnata	Swamp Milkweed	3.00%
	Heliopsis helianthoides	Ox-Eye Sunflower	2.00%
	Eupatorium perfoliatum	Boneset	2.00%
	Aster umbellatus	Flat Topped White Aster	1.00%
	Aster prenanthoides	Zig Zag Aster	1.00%
	Aster puniceus	Aster – Swamp	1.00%
	Aster novae-angliae	New England Aster	1.00%
	Eupatorium maculatum	Joe-pye Weed	1.00%
	Monarda fistulosa	Wild Bergamot	1.00%
	Vernonia noveboracensis	New York Ironweed	1.00%
			20.00%
			100.00%

Seeding Rate:

Species ecotype shall be as native to New England region as possible. Apply this mix at 20 lbs PLS/acre.

FOR USE WITH SLOPES: Add 30 lbs/acre of a cover crop if erosions is a concern. For a cover crop use either grain oats (1 Jan to 31 July) or grain rye (1 Aug to 31 Dec). Cover crop shall be incidental to seeding Mix.

ITEM 751.765 (Continued)

SEEDING SEASON

Seeding seasons for native mixes is April 1 - May 15 and October 1 - December 1 for dormant seeding. Written approval must be obtained for seeding outside the seeding season and, if approved, the permanent seed rate shall be increased by 50%.

CONSTRUCTION METHODS

Method of application and equipment to be used shall be reviewed and approved by the Engineer prior to placement of material.

Placement of Compost

Compost shall be placed as shown on the Plans and in the Detail and as required by the Engineer. Material shall be placed so that settled material is at or slightly below the surface plane of the stone. The Contractor shall ensure that there will be adequate quantity, including adjustment for settlement.

For purposes of estimation, required compost quantities should be 300 cubic yards per acre to achieve the target depth.

Seeding

For areas smaller than half an acre, unless otherwise approved by the Engineer, seeding shall be done by broadcast method. Seeding shall be done in conjunction with or immediately following Compost application. Alternative seeding methods must be submitted and approved by the Engineer 14 days in advance of compost and seed application.

Hydroseeding

Hydroseeding may be used for sites over half an acre in size or when the rock slope does not permit safe application via a broadcasting method. Hydroseed shall be per the manufacturer's directions and as follows.

Tank and hoses shall be cleaned from all previous hydroseeding and hydromulching projects. Seed shall be mixed into the slurry immediately before application and slurry applied within 30 minutes after seeds have been placed in the tank. Once seed has been placed in the tank, tank shall be agitated only enough to mix the seeds and keep slurry from separating.

When Seeding Occurs after Application of Compost or after December 1

When seeding is done more than 3 days after Compost application or when Compost is applied after December 1, seeding rate shall be increased by 50%.

ITEM 751.765 (Continued)

Over-Seeding

Large extents of bare area (greater than 5-6 feet and depending on modified rock slope conditions) shall be over-seeded with the specified mix during the appropriate season for seeding. Rates, methods, and submittals shall be as specified under the relevant Seed Mix Item and Materials above.

Over-seeding, mulch, watering, and all work for over-seeding shall be incidental.

Determining Satisfactory Establishment

A reasonably well-established stand of the specified seeded species as determined by the Engineer and the MassDOT Landscape Architect or designated Specialist will be required for Final Acceptance. The expectation is that an acceptable number and variety of the desired permanent seeded species will be visible. For seeding with compost over modified rock this shall generally be:

- A minimum of 50% coverage by the specified permanent seeded species after one growing season (considered June-September 15). Of that percentage, generally, depending on the mix species:
    - At least 2 types of permanent seeded grass species shall be visible.
    - At least 2 species of wildflowers shall be visible.
- There will be no more than 25% coverage by weed species.
- There will be no invasive or aggressive species within the stand at the time of acceptance.
- There shall be no evidence of seed from non-native mixes (ex., clover) due to using an incorrect or modified mix or due to failure to clean the hydroseeding tank if a hydroseeder is used.

Invasive and aggressive weeds (such as mugwort, vetch, knapweed, and chicory) must be cut, pulled with roots removed, or treated prior to going to seed for Interim Acceptance. Weed removal shall be coordinated with MassDOT Landscape Architect. No herbicides shall be used without approval and coordination with MassDOT Landscape Design Section.

Acceptance of Seeding and Establishment Work

Conditional Acceptance shall be based on approval of seed mix submittals and proper application of seed as specified herein.

Final Acceptance of Seed Establishment shall be given upon satisfactory Establishment as described above. If the seeded area fails to meet the requirements of Establishment by the end of the growing season, Contractor shall propose and implement remediations and site shall be inspected during the following growing season after July 1st. Otherwise, Contractor shall forego the payment for Final Acceptance. All remediation shall be at the Contractor's expense.

ITEM 751.765 (Continued)

METHOD OF MEASUREMENT

Item 751.765, Compost and Seed Over Modified Rock will be measured for payment per the CUBIC YARD installed complete in place.

BASIS OF PAYMENT

Item 751.765, Compost and Seed Over Modified Rock will be paid at the Contract unit price per CUBIC YARD, which price shall be full compensation for all labor, materials, equipment, site preparation, and all incidental costs required to complete the work.

Native Seed Mix shall be compensated at the contract unit price per the specified seed mix Item by the POUND.

Schedule of payment shall be as follows:

- 60% upon approval of Compost application and Conditional Acceptance of seeding as specified above.
- 40% upon Final Acceptance of Seed Establishment.

ITEM 765.553 WETLAND RIPARIAN MIX POUND

Work under this Item shall consist of furnishing the mix specified below in the required quantity.

SUBMITTALS

1) Pre-Verification of Seed Availability: Within 30 days after the Notice to Proceed, the Contractor shall submit to the Engineer the supplier's verification of availability of seed species in the required quantities and for the anticipated date of seeding. Verification shall be on the supplier's letterhead and notarized by the supplier's notary. Species not expected to be available should be noted and substitutions recommended.

2) Final Verification of Seed Availability: No earlier than 21 days prior to ordering, the Contractor shall submit to the Engineer the supplier's verification of availability of seed species and in the required quantities. Verification shall be on the supplier's letterhead and notarized by the supplier's notary. A copy of this submittal shall be forwarded to the MassDOT Landscape Design Section. Substitutions or changes in the mix at this time must be approved by MassDOT Landscape Design Section.

3) Seed Worksheet provided herein shall be submitted to the Engineer prior to ordering seed to determine the number of pounds of Pure Live Seed required.

4) Seed Tags: The Contractor shall submit original seed tags from each bag of seed used on the project or ensure that each tag is photo documented by the Engineer while on the unopened bag.

   Number of tags submitted must correspond to number of bags delivered.

   Species listed on the seed tag shall match the Final Verification of Seed Availability (Submittal #2) unless approved otherwise. Tag must include: variety and species name; lot number; purity; percentage of inert matter; percentage of weeds, noxious seeds, and other crop seeds; germination, dormant or hard seed; total viability; origin of seed; germination test date, net weight, and name and address of seller. The origin of seed must be listed on the seed tag for all species in the mix to provide verification of original (generation 0) seed source. The smallest known geographic area (township, county, ecotype region, etc.) shall be listed. Ecotypes and cultivars shall be as close to Massachusetts as possible and appropriate to the site conditions.

   A copy of this submittal shall be forwarded to the MassDOT Landscape Design Section.

5) Verification of Seed Delivery: Prior to payment, Contractor shall submit the Seed Delivery Verification form contained within the contract or the Supplier's Verification on company letterhead or a bill of lading. Supplier verification must include all information requested on the Verification form within this contract. The bill of lading must include variety and species name, lot number, net weight shipped, date of sale, invoice, project or seeding location, and name and address of Supplier. All information must be filled in and complete for acceptance. Information must match the seed tags and quantity of seed used on the job. A copy of this submittal shall be forwarded to the MassDOT Landscape Design Section

ITEM 765.553 (Continued)

6) Seed Sample: If requested or if seed is from a previously opened bag, the Contractor may be asked to submit to the Engineer a sample of seed from the seed bag (1-2 cups) at the time of seeding.

SEEDING SEASON

The appropriate seeding seasons are:

Spring: April 1 - May 15

Fall: October 1 - December 1 for dormant seeding

PERMANENT SEED MIX(ES)

Calculating Pure Live Seed (PLS)

Quantities specified are PURE LIVE SEED. Greater quantities of ordered seed may be required to achieve actual specified seeding rates.

Pure Live Seed (PLS) is defined as a percentage calculated by multiplying the percent of pure seed by the percent of viable seed (total germination, hard seed, and dormant seed). For example:

If a seed label indicates 90% purity, 78% germination, 10% hard seed, and 2% dormancy, it is calculated to be 90% x [78 + 10 + 2]% = 81% PLS.

Therefore, each pound of PLS would need 1 pound / 0.81 = 1.2 pounds of seed with a 90% purity and 90% total germination.

ITEM 765.553 (Continued)

Seed Mix shall be as specified below. Ecotypes and cultivars shall be as close to Massachusetts as possible and appropriate to the site conditions.

Botanical Name	Common Name	% PLS by Weight
Grass		
Sorghastrum nutans NY Eco	Indiangrass NY Ecotype	14.00%
Schizachyrium scoparium	Little Blue Stem	14.00%
Elymus riparius	Riverbank Wild Rye	10.00%
Elymus virginicus	Virginia Wild Rye	10.00%
Panicum clandestinum 'Tioga'	Deer Tongue 'Tioga'	9.00%
Andropogon gerardii NY Eco	Big Bluestem NY Eco	8.00%
Carex vulpinoidea	Fox Sedge	7.00%
Panicum virgatum	Switchgrass	3.00%
Juncus effusus	Soft Rush	2.00%
Agrostis perennans	Upland Bentgrass	2.00%
Scirpus atrovirens	Green Bulrush	1.00%
		80.00%
Herb/Forb		
Chamaecrista fasciculata	Partridge Pea	3.00%
Verbena hastata	Blue Vervain	3.00%
Asclepias incarnata	Swamp Milkweed	3.00%
Heliopsis helianthoides	Ox-Eye Sunflower	2.00%
Eupatorium perfoliatum	Boneset	2.00%
Aster umbellatus	Flat Topped White Aster	1.00%
Aster prenanthoides	Zig Zag Aster	1.00%
Aster puniceus	Aster – Swamp	1.00%
Aster novae-angliae	New England Aster	1.00%
Eupatorium maculatum	Joe-pye Weed	1.00%
Monarda fistulosa	Wild Bergamot	1.00%
Vernonia noveboracensis	New York Ironweed	1.00%
		20.00%
Seeding Rate: 20 lbs PLS/Acre		**100.00%**

Application Rate

WETLAND RIPARIAN MIX: 20 lbs/acre PLS.

ITEM 765.553 (Continued)

Any species substitutions shall be with a species having similar characteristics and function. Substitutions must be approved by MassDOT Landscape Design Section per the documentation submittal process.

50% Increase Adjustment for Field Conditions

Seeding under the following conditions requires a 50% increase in the permanent mix at the time of construction:

- Seeding out of season

  OR

- Seeding after Compost Blanket has been applied (unless already increased for out of season).

METHOD OF MEASUREMENT

Item 756.553, Wetland Riparian Mix will be measured for payment by the POUND of Pure Live Seed delivered and accepted by the Engineer.

BASIS OF PAYMENT

Item 756.553, Wetland Riparian Mix will be paid at the contract unit price per POUND of Pure Live Seed delivered and accepted by the Engineer, upon approval of all Seed Submittal Documentation.

Overseeding required to correct poor germination or establishment shall be incidental to the Item.

ITEM 765.553 (Continued)

NATIVE SEED WORKSHEET

Project Description: _____ Project No: _____

Contractor: _____ Contract No: _____

Seed Mix Number & Description: _____

Contractor: Complete Prior To Ordering

Pounds of Seed Required Per Contract:

_____lbs./acre for _____Acre(s) OR _____ SY

Additional 50% increase if required (out of season or seeding over compost blanket):

_____**lbs. Total Seed Required**

Calculated Quantity for **P**ure **L**ive **S**eed (PLS[1]):

_____ **Total Pounds PLS**

Engineer: Verification at Time of Application

Number pounds delivered to site[2]: _____ Date(s): _____

Actual Seed Bag Tag/s Received or photo documented by Engineer: _____

[1] *PLS=% pure seed x % viable seed (total germination, hard seed, and dormant seed).*
[2]*Quantity delivered should match pounds* ***Total Pounds PLS*** *and* ***Verification of Seed Delivery****. Pounds should be shown on each Seed Tag.*

ITEM 765.553 (Continued)

SUPPLIER VERIFICATION OF SEED DELIVERY FOR MASSDOT PROJECTS

Date_____

We hereby certify that (*Seed Supplier*): _____

Furnished to (*Contractor*): _____

For use on: (*Project Description*) _____

Project #: _____ Contract #: _____

Pounds of Pure Live Seed: _____

Of Mix (*Description*): _____

Lot Number _____

The material was delivered on (*Date*)_____.

The labels and contents meet all State and Federal regulations. The mixture consists of the following species, including cultivars (as applicable) and ecotype region, and at the following percentages (may be attached separately):

Name (print): _____ Title: _____

Supplier: _____

Signature and Seal: _____

ITEM 765.635 NATIVE SEEDING AND ESTABLISHMENT SQUARE YARD

The Work under this Item shall conform to the relevant provisions of Subsections 765 and 767 of the Standard Specifications and the following:

The work shall consist of seeding, mowing, and other care to establish a stand of grass in the areas shown on the plans or as required by the Engineer. For the purposes of these specifications, the term "grass" shall apply to all the forbs, grasses, sedges, and rushes included in the materials.

QUALIFICATIONS

Seeding shall be done by a company having a minimum of five years of experience with native seed establishment. Prior to beginning work, the seeding Contractor shall furnish proof of qualifications to the Engineer for approval. Proof of qualifications shall include providing documentation (photos and contacts) to demonstrate knowledge and expertise with native seeding and establishment and proof of having completed successful native seeding projects.

SEEDING SEASON

Seeding seasons for native mixes are April 1 - May 15 and October 1 - December 1 for dormant seeding. Written approval must be obtained for seeding outside the seeding season and, if approved, the permanent seed rate shall be increased by 50%.

Seeding season for cover crops shall be grain oats January 1 – July 31 and grain rye August 1 – December 1.

MATERIAL AND SUBMITTALS

Seed Mixes and Submittals shall be per the Item(s) for permanent and annual (cover crop) seed mixes.

Compost Blanket, if used, shall meet the material and submittal requirements for that Item.

Hydromulch shall be wood fiber or straw applied per the Standard Specifications and at the rates specified below and per the manufacturer.

A certified statement shall be furnished, prior to start of work, to the Engineer by the Contractor as to the number of pounds of hydromulch, tackifier, and seed, per 100 gallons of water and as applicable to products used. This statement should also specify the number of square yards of seeding that can be covered with the solution specified above.

ITEM 765.635 (Continued)

Fertilizer

No fertilizers shall be applied.

Water

Water, including hose and all other watering equipment required for the work, shall be furnished by the Contractor to the site at no additional cost. Water shall be suitable for irrigation and free from ingredients harmful to plant life. All plants injured or work damaged due to the lack of water or the use of too much water shall be the Contractor's responsibility to correct.

SEEDING

Hand broadcast method shall be used for all areas smaller than half an acre and when specified on the plans for areas over half an acre.

Seeding shall occur within 72 hours of placement of loam and final grading, or the Contractor shall propose a reasonable, alternative schedule that shall be approved by the Engineer.

Surface Preparation

No seeding or soil preparation shall be done if soils are muddy or dry and compacted. Bare soils shall be raked to remove large stiff clods, lumps, brush, roots, stumps, litter and other foreign matter. Ruts and depressions shall be filled with additional loam or compost and the soil shall be re-graded to a relatively smooth finish corresponding to the required grades.

When seeding over existing or compacted soil or soil that has sat bare for more than 30 days, surface will be prepared by tilling or raking to a minimum depth of 2 inches prior to seeding and prior to Compost Blanket application (when applied).

Surface preparation shall be compensated for under loam placement or topsoil rehandled and spread as appropriate to the project.

Jute or coir mesh, when specified in the contract, shall be placed after seeding and per the Standard Specifications and the manufacturer’s instruction.

Surface preparation shall be approved by the Engineer prior to seeding.

ITEM 765.635 (Continued)

Seeding over Various Substrates

Loam: Seeding shall occur within 72 hours of loam placement to prevent loss of topsoil. Seed shall be manually broadcast for areas less than half an acre (each area, not cumulative area) and when specified on the plans. Broadcasting shall be immediately followed by hydromulching as specified below. When not specified on the plans, larger areas may be hydroseeded as specified below.

Compost Blanket: Compost Blanket shall be applied as specified under that Item. Seed should be hand broadcast at the same time as compost application to ensure a thin cover of compost over seed.

When seeding is done after application of Compost Blanket the rate shall be increased by 50%. If the Compost Blanket is applied after December 1, seed shall be broadcast or hydroseeding over the compost in the Spring and the rate increased by 50% specified under Seed Application.

Compost Mulch over Modified Rock: Compost Mulch and seed shall be applied as specified under that Item. No hydromulch is required.

Cover Crop

Cover crop shall be used when seeding out of season, when specified with the permanent native seed mix under that Item, and as required to prevent erosion until the permanent seed establishes. A cover crop should not be used with a steep slope mix or other permanent mix which already contains either cereal rye or oats in the composition of the mix. A cover crop is not necessary for wetland seeding and is not typically necessary for soil stabilization when seeding in conjunction with a compost blanket application.

Seed Application

All seed shall be mulched as specified herein.

Seed application shall be by broadcast seeding or by hydroseeding as described below.

Broadcast Seeding

Seed shall be broadcast spread using a cyclone or whirlwind seeder or hand broadcast. Small or light-seeded species such as bluestem may be mixed with approved filler to achieve an even distribution. Seed shall not be broadcast when wind velocities are greater than 15 mph.

ITEM 765.635 (Continued)

Broadcast seeding shall be undertaken in two separate passes at ninety degrees to each other. One-half the seeding rate shall be applied in each direction (horizontally and vertically). To ensure seed to soil contact with broadcasting of seed, seeding shall be followed by rolling or tracking with equipment approved by the Engineer.

Broadcast seed shall be mulched with weed-free straw mulch unless seeding is done as part of Compost Blanket in which case it shall be as specified above under seeding with Compost Blanket application. Hydromulching shall be as specified under Hydromulching.

Hydroseeding and Hydromulching

Hydroseed and mulching shall be per the manufacturer's directions and as follows.

Hydroseeding shall only be used for sites over half an acre in size or with permission of the Engineer.

Tank and hoses shall be cleaned from all previous hydroseeding and hydromulching projects. Seed shall be mixed into the slurry immediately before application and slurry applied within 30 minutes after seeds have been placed in the tank. Once seed has been placed in the tank, tank shall be agitated only enough to mix the seeds and keep slurry from separating.

A 2-step process shall be used for seeding in conjunction with hydromulch. Seed shall be applied with 500 lbs/acre of hydromulch in the first pass. A second pass with 1,000 lbs/ acre of hydromulch shall be applied in a second pass. Each pass shall be applied in a different direction.

Once the seed has been added to the tank mixture a one-hour time limit is set for spreading the mixture on the soil. Once the one hour has passed the excess mixture must be discarded.

For broadcast seeding, hydromulch shall be applied immediately following seeding at a rate of 1,000 lbs/acre. Tank shall be cleaned from any previous hydroseeding.

CARE DURING GERMINATION AND ESTABLISHMENT

Contractor shall care for seeded areas as necessary for successful germination. Care will include watering and weed control as necessary to achieve establishment of the specified seeded species after one growing season as specified below.

The Contractor shall maintain the stand of grasses to ensure healthy growth of the seeded species. Work shall include mowing or weed whacking for weed control, watering if necessary, and removal of invasive plants.

ITEM 765.635 (Continued)

Watering shall be sufficient to achieve soil moisture to a depth of 2 inches or more and such moisture is uniform. Method of watering shall not erode or damage soil or grassed surfaces.

General Weed Control: Unless otherwise directed, mowing shall be as specified under Mowing for Weed Control for seed establishment. Weeds shall be mowed prior to weeds setting seed (by the end of July unless otherwise approved).

Control of Invasive and Aggressive Weeds: Invasive and aggressive weeds, including but not limited to mugwort, ragweed, knapweed, foxtail, crabgrass, and chicory must be cut or treated prior to going to seed. Herbicide treatment must be coordinated with MassDOT. Undesired species (such as chicory) introduced due to use of incorrect seed mix shall be removed at the Contractor's expense.

MOWING FOR WEED CONTROL

Mowing for weed control shall be completed after weeds have sprouted and show leaf and bud growth, but prior to setting seed, generally between July 7th and August 1st, unless directed otherwise by the MassDOT Landscape Architect and the Engineer.

Mowing height shall be as needed for weed control, generally to a height of 8 inches and not below 4 inches, unless directed otherwise. Mowing shall be with a brush hog mower, string trimmer, or other approved equipment. Conventional lawn mowers which cannot achieve the appropriate cut shall not be used.

Contractor shall give 48-hour notice prior to mowing work. Mowing shall only occur in dry sunny weather. Litter pickup should occur prior to mowing in all areas. If required, cut grass shall be raked and removed. Litter pickup and raking and removal of grass shall be incidental to the work.

Mowing equipment shall be approved by the Engineer prior to work.

OVER-SEEDING

Areas of bare ground greater than 2-3 feet in diameter shall be over-seeded with the specified mix during the appropriate season for seeding. Where required for overseeding mowing shall be as close to the soil as possible. Soil that is compacted shall be raked or otherwise roughened prior to over-seeding.

Over-seeding rates and methods shall be those specified above under Materials and Methods. Following over-seeding, soil shall be lightly tamped to ensure seed to soil contact and areas shall be mulched with straw mulch and watered with a fine mist to moisten soil to a depth of at least 2 inches.

Over-seeding, mulch, watering, and all work for over-seeding shall be incidental.

ITEM 765.635 (Continued)

DETERMINING SATISFACTORY GRASS ESTABLISHMENT

A well-established stand of the specified seeded species as determined by the Engineer and the MassDOT Landscape Architect will be required for Final Acceptance. The expectation is that an acceptable number and variety of the desired permanent seeded species (not the cover crop) will be visible. Generally:

- A minimum of 75% coverage by the specified permanent seeded species after one growing season. Of that percentage, generally, depending on the mix species:
    - At least 3 types of the permanent seeded grass species shall be visible.
    - At least 3 species of wildflowers shall be visible.
- There will be no significant gaps or bare soil (generally 2-3 feet in diameter or greater).
- There will be no more than 25% coverage by weed species.
- All soil shall be stabilized and there shall be no channeling or erosion.
- There will be no invasive or aggressive species within the stand at the time of acceptance.
- There shall be no evidence of seed from non-native mixes (i.e., clover) due to failure to clean the hydroseeding tank or using incorrect mix.

Invasive and aggressive weeds (such as mugwort, ragweed, knapweed, and chicory) must be cut or treated prior to going to seed for Interim Acceptance. Herbicide treatment must be coordinated with MassDOT.

A warm-season grass mix with perennials will not have uniform growth. A uniform stand of grass may indicate use of an incorrect mix.

ACCEPTANCE OF SEEDING AND ESTABLISHMENT WORK

Conditional Acceptance shall be based on proper application of seed as specified herein.

Interim Acceptance of Care: Seeding will be inspected by mid-July to assess germination and Establishment conditions as described above. When necessary for Interim Acceptance, areas shall be mowed prior to weed species producing seed and as specified above under Weed Control. *Areas requiring weed control that are not mowed prior to weed seed dispersal will not be approved for Interim Acceptance.* Seeding that shows good germination and is determined by the Engineer and Landscape Architect to not require weed control at time of inspection shall be accepted for Interim Acceptance payment.

ITEM 765.635 (Continued)

Final Acceptance of Establishment shall be given upon satisfactory Establishment as described above.

If the seeded area fails to meet the requirements of Establishment by the end of the growing season, Contractor shall propose and implement remediations and site shall be inspected during the following growing season after July 1st. All remediation shall be at the Contractor's expense.

METHOD OF MEASUREMENT

Item 765.635, Native Seeding and Establishment will be measured for payment by the SQUARE YARD, complete in place.

BASIS OF PAYMENT

Item 765.635, Native Seeding and Establishment will be paid at the Contract unit price per SQUARE YARD upon Conditional, Interim, and Final Acceptances as described above. This price shall include all submittals, seeding, rolling to ensure seed-to-soil contact, weed control other than mowing, water, over-seeding, labor, materials, equipment, and all incidental costs required to complete the work of establishing a satisfactory stand of grass.

Native seed and cover crop mixes shall be compensated under the respective Items.

Site preparation, including raking, tilling, removal of debris and stones, and other work to prepare the site for seeding shall be compensated under loam placement or topsoil rehandled and spread as relevant to the project. If used, Compost Blanket shall be compensated under the respective Item.

Schedule of payment shall be as follows:

- 30% upon Conditional Acceptance
- 20% upon Interim Acceptance of Care, except this amount will be reduced to zero and final payment will be reduced accordingly when areas requiring weed control are not mowed as specified in the Interim Acceptance criteria
- 50% upon Final Acceptance of Establishment

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.

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:

ITEM 767.121 (Continued)

- 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 required by the Engineer at the Contractors expense.

ITEM 799.755 PLANTING – TUBELINGS ON ROCK SLOPE EACH

The work to be done under this Item shall conform to the relevant provisions of Subsection 771 of the Standard Specifications and the following:

MATERIAL

Planter Tubes: Planter tubes shall be six-inch (6") diameter cardboard tubes typically used as concrete forms. Tube length shall be greater than proposed depth of rock slope treatment. Tube shall be perforated with one half inch (1/2") holes a minimum of six inches (6") on center throughout the length of the tube. The purpose of the holes is to ensure flow of moisture throughout the tube.

Planter Tube Stakes: shall be wood or metal stakes, able to secure tubes in a fixed position to a subgrade bedding layer, as rock layer(s) are being placed.

Planting Medium: Planting medium shall be three parts Loam, one part compost, one ounce (1 oz) fertilizer NPK 4:1:3 ratio, slow-release N, mixed thoroughly per tube.

Tubelings: (rooted cuttings) shall be five inch (5") deep plug cells and shall have a minimum of twelve inch (12") stem height. Tubelings shall be dependent on availability, with final mix determined by the Landscape Architect and/or Wetland Specialist. Species shall be native, appropriate for conditions.

Quantity	Scientific Name	Common Name	Size
21	*Salix discolor*	Pussy Willow	Tubeling
21	*Salix nigra*	Black Willow	Tubeling

CONSTRUCTION METHODS

General:

Planting Season: Tubelings shall be planted from Mar 21 through Jun 15 and/or Sep 15 through Nov 15.

Planting Elevation on Rock Slope: The observed high-water elevation shall be used as determinate of lowest elevation of planting or seeding on rock slope. Planting and/or seeding shall extend from that elevation to top of bank and beyond, as shown on the Drawings. The Contractor shall consult with the Engineer and/or MassDOT Landscape Architect should questions arise.

Pre-Planting Preparation: The purpose of the planter tubes is to ensure that the tubelings planting locations are in place, prior to the placement of rip-rap and modified rockfill. Note that planting and seeding shall only occur above the elevation of observed high water (OHW).

ITEM 799.755 (Continued)

Planter tubes shall be placed in a diamond configuration, plus or minus three feet (3') on center, from OHW to top of slope. Tube bottom shall be trimmed to match slope angle, providing a stable base to the subsurface layer. The Contractor shall stake tubes in an upright position, prior to the placement of rip-rap and modified rock, so that tubes are not displaced during stone placement.

The Contractor shall carefully pack rock. Following rock placement, planter tubes shall be trimmed to just below grade and backfilled to grade with planting medium.

Planting: Tubeling shall be planted in the approximate center of the tube filled with planting medium. Placement of the tubeling mix shall be random.

Following planting, the Contractor shall apply compost and seed over modified rock as specified under Item 751.765, COMPOST AND SEED OVER MODIFIED ROCK.

METHOD OF MEASUREMENT

Item 799.755 will be measured for payment per EACH tubeling planted and accepted by the Engineer.

BASIS OF PAYMENT

Item 799.755 will be paid at the Contract unit price per EACH, which price shall be considered full compensation for furnishing all materials, labor, equipment, tools and incidentals required to complete the work.

Concrete Form Tubes and Planting medium shall be considered incidental to this work.

Compost and Seed over Modified Rock shall be paid separately under Item 751.765.

ITEM 983.2 **RIPRAP** **CUBIC YARD**

The work to be done under this Item shall conform to the relevant provisions of Subsection 983 of the Standard Specifications and the following:

The work done under this Item shall consist of placing riprap at the bridge and river bank locations as shown on the plans. The riprap shall consist of Class VIII (8), with D50 ranges (28"-35"), conforming to the following design parameters. Upon completion of placing the riprap, the Contractor shall clean his work area to the satisfaction of the Engineer.

Class	% of Rock Equal or Smaller by Count, Dx	Range of Intermediate Dimensions, (2) inches	Range of Rock Mass, (3) pounds
8	100	54 – 66	12,800 – 23,400
	85	38 – 47	4,450 – 8,450
	50	28 – 35	1,800 – 3,500
	15	19 – 25	560 – 250

(1) Gradation includes spalls and rock fragments to provide a stable, dense mass.

(2) The intermediate dimension is the longest straight-line distance across the rock that is perpendicular to the rock's longest axis on the rock face with the largest projection plane.

(3) Rock mass is based on a specific gravity of 2.65 and 85 percent of the cubic volume as calculated using the intermediate dimension.

METHOD OF MEASUREMENT

Item 983.2, Riprap will be measured for payment per CUBIC Yard installed complete in place.

Item 983.2, Riprap will be paid at the Contract unit price per CUBIC YARD, which price shall constitute full compensation for all labor, tools, equipment, materials, appurtenances and incidental costs required to complete the work.

ITEM 983.522 STREAMBED RESTORATION LUMP SUM

This work shall consist of restoring the riverbed where disturbance takes place in the project area within the limits of work. Work will primarily include removing, stockpiling, and replacing riverbed material at the subject crossing structure. The streambed restoration shall replicate the existing natural channel bed outside the work area in terms of material, roughness, shape, profile, and appearance. The ultimate product will, to the extent possible, replicate the function and appearance of the natural cobble stream channel, as illustrated in the accompanying memorandum *Westhampton 610768, Perry Hill Road Extension over North Branch Manhan River, Bankfull Width Measurement* prepared by SLR Consulting, dated May 20, 2024.

The Contractor shall coordinate with his/her sub-Contractors to ensure all required equipment is available on-site to complete the work in this manner. The streambed restoration is required to comply with environmental permits issued for the project.

MassDOT Environmental Services will provide a Fluvial Geomorphologist (Geomorphologist) to provide review of the final design and on-site assistance during streambed restoration construction to ensure the restoration is constructed as required by these Special Provisions and in accordance with permit requirements.

At least 30 days prior to the commencement of construction, the Contractor shall coordinate with David Paulson (MassDOT Wildlife Unit Supervisor, (508) 389-6366 / david.j.paulson@state.ma.us) to set up an initial (virtual or in person) meeting with MassDOT's Geomorphologist, Contractor, and Resident Engineer. At this meeting, the Geomorphologist will provide an overview of the restoration work. The Contractor should be prepared to discuss the anticipated means, methods, and schedule.

Process Approval:

In lieu of a mockup, the Contractor shall schedule an additional onsite meeting to discuss the streambed restoration with the Geomorphologist and respective parties from MassDOT. The Geomorphologist shall be onsite during the initial streambed restoration. The Contractor shall provide the Geomorphologist adequate access to observe, direct, and inspect the channel restoration work throughout the duration of the removal, stockpile, and reinstallation of the existing streambed material.

ITEM 983.522 (Continued)

MATERIAL

The top 18 inches of streambed material excavated from the existing streambed shall be removed and stockpiled to facilitate reinstallation and replication of the natural streambed. The excavated streambed material below the top 2 feet shall be stockpiled and reused to fill the voids in the proposed riprap placed below the top streambed restoration layer.

In the event that the excavated material is not suitable or there is not enough available suitable material, additional streambed restoration material shall be locally sourced that matches the composition of the existing native riverbed.

Approximate Stream Bed Surface Material Size Distribution

Particle*	Amount (%)
Boulder	15
Cobble	30
Coarse Gravel	30
Fine Gravel	20
Sand	5

The streambed material shall be approved by the Resident Engineer and Geomorphologist prior to use.

Related Items

Modified Rockfill shall conform to the requirements of Item 986. and shall be paid for under that Item.

Riprap Stone shall conform to the requirements of Item 983. and shall be paid for under that Item.

CONSTRUCTION

The streambed material shall be reinstalled over riprap (MassDOT Item 983.), as depicted on the plans, to an average thickness of 18 inches. The initial placement of streambed material shall fill/choke the voids in the underlying riprap. Fill voids by shaking stone with the teeth of an excavator bucket, hand tamping with metal tamping rods, and by spraying water to settle fines between large stones. Plate compactors shall not be used. 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.

ITEM 983.522 (Continued)

Reinstallation of the stockpiled streambed material shall be placed on top of the riprap to restore streambed habitat and fish passage. The streambed materials shall be installed during normal low water conditions behind cofferdams in accordance with the environmental permits.

Completion

Once all material has been placed in the stream channel and approved by the Geomorphologist and Resident Engineer, the Contractor shall remove the cofferdams in such a way as 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 shall maintain the general configuration of the existing streambed bedform and there shall be minimal subsurface flow upon final inspection by the Resident Engineer and Geomorphologist. The project must be passable by fish and other aquatic organisms following construction. Terrestrial wildlife must be able to walk along the riverbank.

The streambed restoration to be measured for payment will be the complete and accepted work for restoration of the streambed within the limits shown on the Plans as approved by the Resident Engineer and Geomorphologist.

BASIS OF PAYMENT

Item 983.522, Streambed Restoration will be paid at the contract LUMP SUM price, which price will constitute full compensation for excavating, stockpiling, transporting, and placing the material specified and for furnishing all labor, tools, equipment, testing, and incidentals necessary to complete the work.

The Geomorphologist will be provided by MassDOT at no cost to the Contractor.

ITEM 983.522 (Continued)

Memorandum

SLR

To: Courtney Walker, Michael Joa, Melissa Lenker, MassDOT

From: Noah Slovin and Roy Schiff

SLR International Corporation

cc: Tim Dexter and David Paulson, MassDOT

Date: May 20, 2024

Project No. 13869.00044

RE: Westhampton 610768
Perry Hill Road Extension over North Branch Manhan River
Bankfull Width Measurement

Introduction

The bridge carrying Perry Hill Road Extension over the North Branch Manhan River in Westhampton, Massachusetts is proposed to be replaced (Figure 1).

Figure 1: Bridge Location (Google Earth)

1

ITEM 983.522 (Continued)

The North Branch Manhan River flows southeast, to the south of Kings Highway. The channel turns southward and then back east as it approaches Perry Hill Road Extension; the river then bends toward the south again as it runs under the Perry Hill Road Extension Bridge (Figure 2).

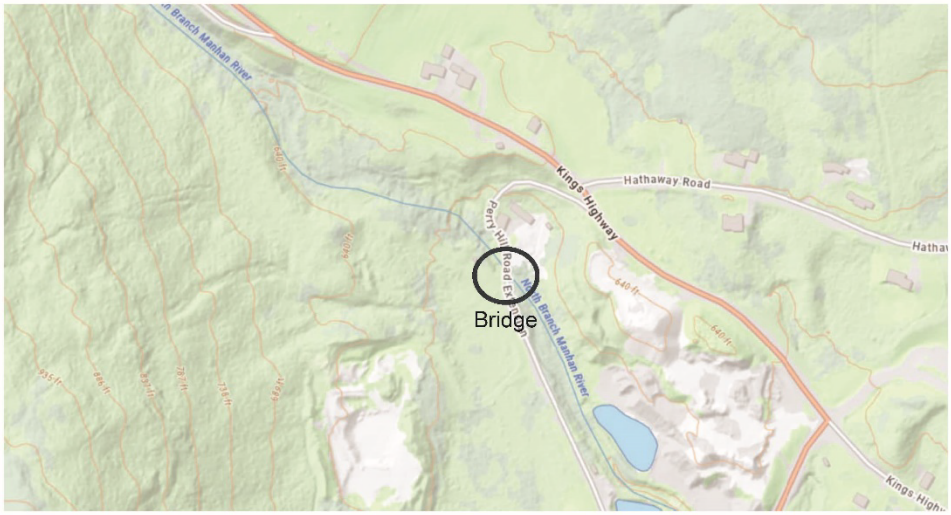


Figure 2: Bridge Location (MassMapper)

This memorandum summarizes a site visit to measure bankfull channel width and perform an initial geomorphic assessment of the North Branch Manhan River near the project site.

According to USGS StreamStats, the estimated bankfull channel width at the crossing is 29.3 feet and the depth is 1.6 feet (Bent and Waite, 2013). The project site's drainage area is approximately 4.3 square miles. The predicted 100-year flow at the site is 168 cubic feet per second (Zarriello, 2017).

Field Observations

SLR visited the project site on May 14, 2024. The site visit was conducted on a sunny day during normal flows. The hydraulic opening of the existing structure was measured to be 18 feet wide and 8 feet high.

More than approximately 300 feet upstream of the bridge, the river is straight with a cobble and boulder bed (Figure 3). The channel then runs over a large bedrock outcropping and flows over wide cascades for about 200 feet (Figure 4). The channel then returns to a mostly cobble and boulder channel just upstream of the crossing (Figure 5).

ITEM 983.522 (Continued)

Figure 3: Upstream "Reference" Reach (looking downstream)

Figure 4: Bedrock Cascade Approximately 200 feet Upstream from the Bridge

ITEM 983.522 (Continued)

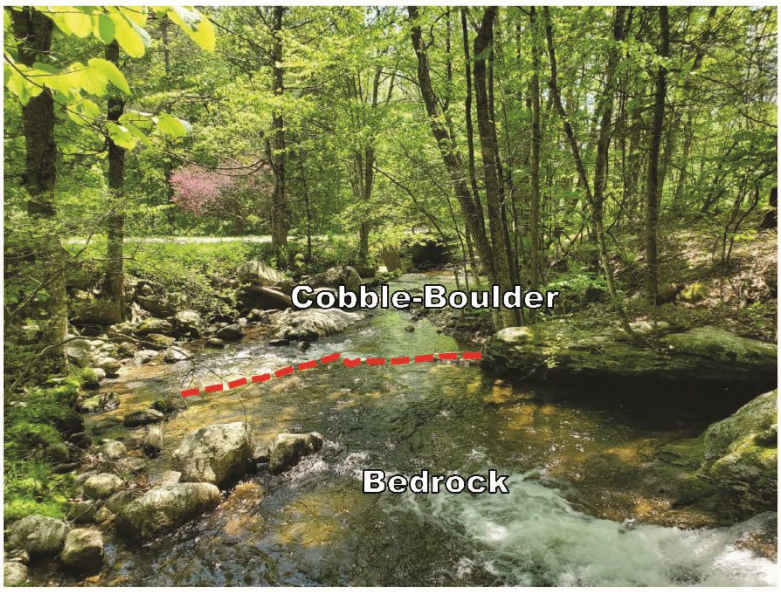


Figure 5: View of Bedrock Transitioning to Cobble and Boulder (looking downstream towards the bridge)

At the bridge and continuing downstream, the river flows through a broad valley; however, the channel is straightened and constrained between Perry Hill Road Extension and the sand and gravel operation on the left bank (Figure 6). Minor bank erosion was observed both upstream and downstream of the bridge.

ITEM 983.522 (Continued)

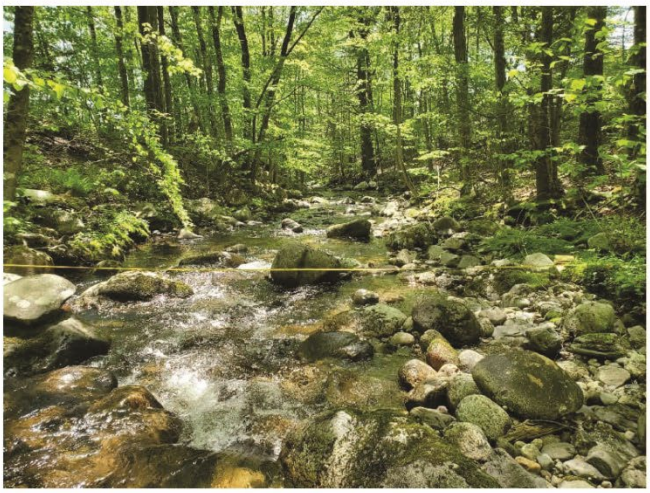


Figure 6: Channel Downstream of Bridge (downstream view)

Erosion and channel down-cutting were observed at the upstream end of the left bridge abutment (Figure 7). The right bank is heavily fortified with a large boulder wall (Figure 8). Within the bridge, cobbles and boulders were present on the left half of the channel, while the right half is eroded to bedrock. The channel widens on the right bank at the downstream end of the bridge with some erosion evident on the right bank (Figure 9).

Figure 7: Left Bank Failure Upstream of Bridge

ITEM 983.522 (Continued)

Figure 8: Upstream Face of the Existing Bridge

Figure 9: Downstream Right Bridge Abutment

ITEM 983.522 (Continued)

About 25 feet south of the bridge on Perry Hill Road Extension a drainage culvert carries water under the road and a small seasonal channel joins the North Branch Manhan River just downstream of the bridge.

The existing bridge is not aligned with the river channel, reducing the effective width of the crossing.

Bankfull Measurements

Bankfull measurements were collected upstream and downstream of the bridge (Table 1). Because of the bedrock outcroppings immediately upstream of the bridge, upstream measurements were taken further upstream than the bedrock to match the channel setting at the bridge. The bankfull indicators used during measurement included sediment deposits, bank slope changes, and perennial vegetation. In general, the channel was found to have good floodplain access upstream of the site, and moderate floodplain access downstream. The channel appears to be somewhat confined downstream.

Based on field measurements, the design bankfull width is 32 feet. To achieve the 1.2 times bankfull width standard, the bridge opening width should be 38.4 feet.

Table 1: Bankfull Width Measurements Near the Subject Bridge

Location	Bankfull Width (feet)	Notes
US #1 – 1,000 ft upstream	33.5	Boulder and cobble bed. Coarse gravel sidebar and perennials on the right bank. Minor erosion on left bank.
US #2 – 500 ft upstream	30.0	Boulder and cobble bed. Floodplain along the left bank. Steeper right bank.
US #0 – 300 ft upstream	28.0	Excludes floodplain chute that may be active at bankfull; large tree down in cross section. Poor quality.
DS #3 – 200 ft downstream	34.0	Boulder and cobble. Gravel sidebar. Floodplain along both banks.
DS #1 – 400 ft downstream	25.0	Boulder, cobble, and coarse gravel. Slightly confined river and widening.
DS #2 – 500 ft downstream	30.0	Boulder, cobble, and coarse gravel. No floodplain. Straightened and slightly confined.
Design Bankfull Width	**32.0**	

Bed Material

An estimate of the particle size distribution was observed approximately 100 feet downstream of the bridge by observing the percent breakdown of sediment particles in a typical square meter of streambed (Table 2).

ITEM 983.522 (Continued)

Table 2: Sediment Particle Size

Pebble Size	Approximate Percent of Bed
Sand	5%
Fine Gravel	20%
Coarse Gravel	30%
Cobble	30%
Boulder	15%

Within the bridge (Figure 10), the left half of the bed is scoured to bedrock, and the right half is made up of cobbles and boulders that match the channel conditions upstream and downstream.

Figure 10: Upstream View Through the Bridge

Design Suggestions

- Bankfull width = 32 feet
- Effective structure width ~ 38.4 feet
- Bedrock and boulder channel create stable conditions, even with the currently undersized structure
- Perform streambed restoration by placing boulders and cobbles in the bridge to match upstream and downstream conditions

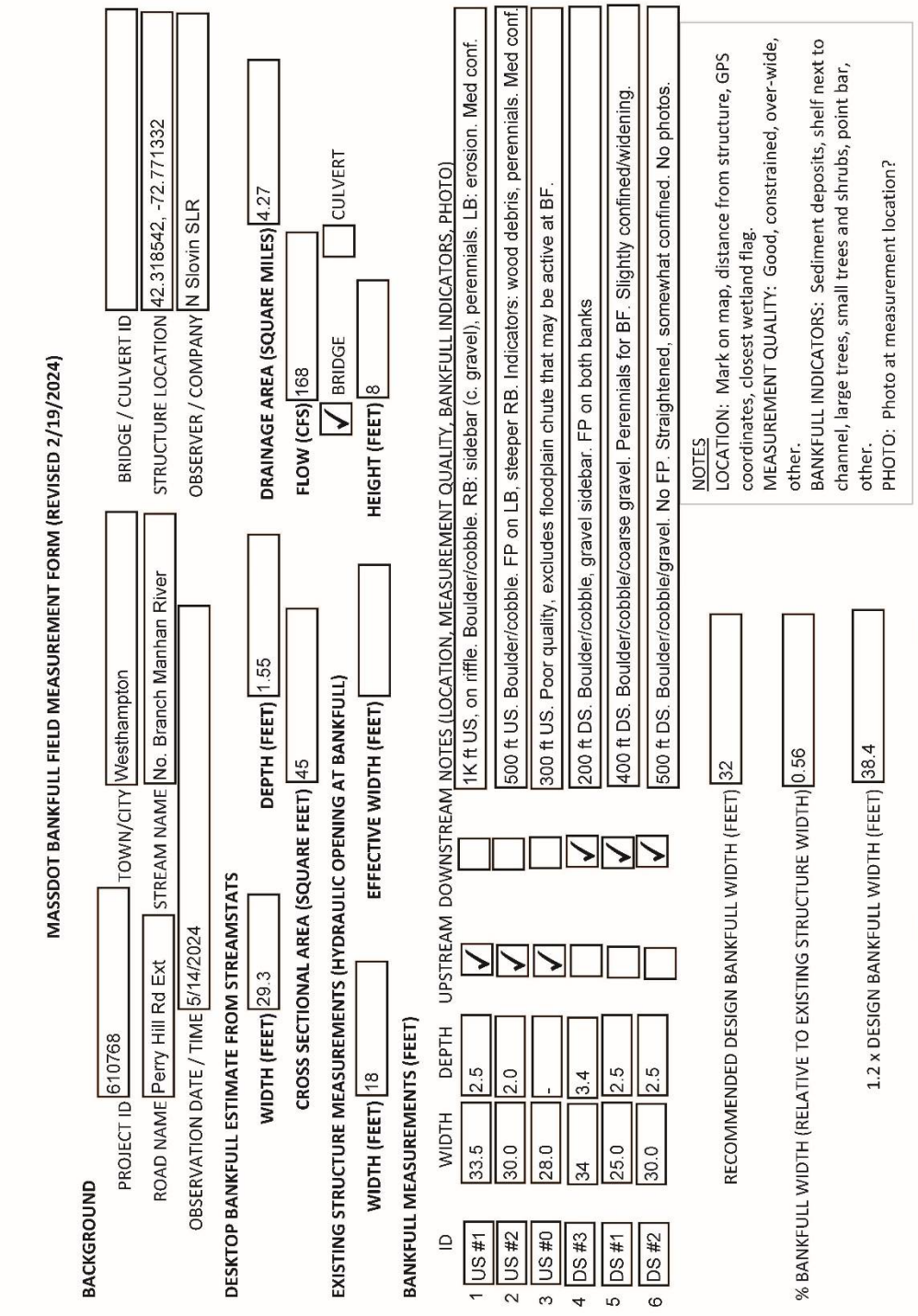
ITEM 983.522 (Continued)

References

Bent, G. C. and A. M. Waite, 2013. Equations for Estimating Bankfull Channel Geometry and Discharge for Streams in Massachusetts (U.S. Geological Survey Scientific Investigations Report 2013–5155). U.S. Geological Survey.

Zarriello, P. J., 2017. Magnitude of Flood Flows at Selected Annual Exceedance Probabilities for Streams in Massachusetts (Https://Doi.Org/10.3133/Sir20165156). U.S. Geological Survey Scientific Investigations Report 2016–5156.

ITEM 983.522 (Continued)



MASSDOT BANKFULL FIELD MEASUREMENT FORM (REVISED 2/19/2024)

BACKGROUND

PROJECT ID: 610768 | TOWN/CITY: Westhampton | BRIDGE / CULVERT ID:
ROAD NAME: Perry Hill Rd Ext | STREAM NAME: No. Branch Manhan River | STRUCTURE LOCATION: 42.318542, -72.771332
OBSERVATION DATE / TIME: 5/14/2024 | OBSERVER / COMPANY: N Slovin SLR

DESKTOP BANKFULL ESTIMATE FROM STREAMSTATS

WIDTH (FEET): 29.3 | DEPTH (FEET): 1.55 | DRAINAGE AREA (SQUARE MILES): 4.27
CROSS SECTIONAL AREA (SQUARE FEET): 45 | FLOW (CFS): 168 | ☑ BRIDGE ☐ CULVERT

EXISTING STRUCTURE MEASUREMENTS (HYDRAULIC OPENING AT BANKFULL)

WIDTH (FEET): 18 | EFFECTIVE WIDTH (FEET): | HEIGHT (FEET): 8

BANKFULL MEASUREMENTS (FEET)

	ID	WIDTH	DEPTH	UPSTREAM	DOWNSTREAM	NOTES (LOCATION, MEASUREMENT QUALITY, BANKFULL INDICATORS, PHOTO)
1	US #1	33.5	2.5	☑	☐	1K ft US, on riffle. Boulder/cobble. RB: sidebar (c. gravel), perennials. LB: erosion. Med conf.
2	US #2	30.0	2.0	☑	☐	500 ft US. Boulder/cobble. FP on LB, steeper RB. Indicators: wood debris, perennials. Med conf.
3	US #0	28.0	-	☑	☐	300 ft US. Poor quality, excludes floodplain chute that may be active at BF.
4	DS #3	34	3.4	☐	☑	200 ft DS. Boulder/cobble, gravel sidebar. FP on both banks
5	DS #1	25.0	2.5	☐	☑	400 ft DS. Boulder/cobble/coarse gravel. Perennials for BF. Slightly confined/widening.
6	DS #2	30.0	2.5	☐	☑	500 ft DS. Boulder/cobble/gravel. No FP. Straightened, somewhat confined. No photos.

RECOMMENDED DESIGN BANKFULL WIDTH (FEET): 32

% BANKFULL WIDTH (RELATIVE TO EXISTING STRUCTURE WIDTH): 0.56

1.2 x DESIGN BANKFULL WIDTH (FEET): 38.4

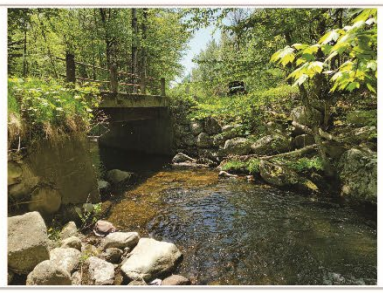
MEASUREMENT METHOD: ☐ Laser range finder ☑ Tape measure ☐ Survey

NOTES
LOCATION: Mark on map, distance from structure, GPS coordinates, closest wetland flag.
MEASUREMENT QUALITY: Good, constrained, over-wide, other.
BANKFULL INDICATORS: Sediment deposits, shelf next to channel, large trees, small trees and shrubs, point bar, other.
PHOTO: Photo at measurement location?

ITEM 983.522 (Continued)

MAP

PHOTOS



ITEM 991.1 **CONTROL OF WATER - STRUCTURE NO. W-27-028 (CEQ)** **LUMP SUM**

The work under this Item shall conform to the relevant provisions of Subsections 140.60 and 950 of the Standard Specifications and the following:

The work to be done under this Item consists of all work required for the control of water when placing riprap, installation of embankment protection, substructure removal and construction of the new structures as shown on the plans, specified herein or as directed by the Engineer. The work shall include the furnishing, installing, maintenance and removal that may be required in performing the work for controlling the water, temporary cofferdam and the water diversion system.

The work shall also include all materials, equipment and labor needed to construct, install, maintain and remove temporary control of water systems, sedimentation basins, cofferdam, pumping operations, installation of earth berms, sandbags, temporary cofferdam, sumps, filter fabrics, weirs, stone, and all other means to collect, settle, and discharge water back into the waterways during construction. As part of the work under this Item, it is the responsibility of the Contractor to determine the need and extent of dewatering required.

The operations of Control of Water shall not cause the accumulation of siltation nor have any adverse effect to the water or the environment.

The temporary control of water systems includes water flow diversion and sedimentation and erosion control needed for the control of water and not paid for under Item 767.121. The temporary control of water systems shall be non-permanent and shall not harm the ecology of the river, land under water, and surrounding land, and shall be comprised of sandbag cofferdams, such as steel plates, trench box or other approved impervious curtains, and dewatering to facilitate construction activities.

The work shall include designing, constructing, maintaining, removing and legally disposing as applicable the temporary cofferdam and dewatering systems required to construct, protect and maintain all new and adjacent facilities project wide. These include, but are not limited to, new and existing structures, drainage and water quality areas, demolition work, utilities, roadways, and the Limits of Disturbance identified on the Plans and as stipulated by the permit agencies.

The Contractor shall determine the locations where temporary cofferdam and dewatering systems are required in order to undertake the proposed work and submit shop drawings in accordance with this Special Provision and the Contract Documents. At a minimum and at any location where the excavation and/or dewatering extends into the zone of influence of a facility, the Contractor shall submit a design for the proposed systems or submit supporting calculations and/or evidence that clearly demonstrate that temporary cofferdam and dewatering system(s) is/are not required. The zone of influence is defined as an imaginary line extending horizontally two feet from the bottom edge of the facility and down on a 2HorizontaI:1VerticaI (2H:1V) slope

All material used for the temporary cofferdam, whether new or used, shall be sound, and free from strength impairing defects. Steel plate (if used) shall be ASTM A36 minimum. The Engineer may reject materials regarded to be unsound.

ITEM 991.1 (Continued)

Obstructions: The Contractor is responsible for the removal or clearing of obstructions along the temporary cofferdam system alignment to the depth of proposed temporary structure. Pre-trenching and/or probing along the alignment of the temporary cofferdam or implementing other procedures to remove obstructions in advance of temporary cofferdam System construction may be required.

SUBMITTALS

Prior to the commencement of any work at the site, the Contractor shall submit to the Engineer for review and approval, a detailed plan for water control, including the construction of the water control system, temporary cofferdam and a sequence of footing placement with a timetable and details specific to the construction. The submittals shall include working drawings and calculations detailing the methods and materials proposed to account for all anticipated loads and construction conditions necessary to permit the work while maintaining a safe work area and protecting property from damage.

The Water Control Plan shall include a Sedimentation and Erosion Control Plan and a Water Flow Diversion and Containment Plan. The plans shall be adequate in detail to define specifics regarding materials, sizes, connections and incidental Items associated with the work. The furnishing of such plans shall not serve to relieve the Contractor's responsibility for the safety of the work or his/her responsibility for the successful completion of the project. The proposed plans submitted shall be designed and stamped by a Professional Engineer Registered in the Commonwealth of Massachusetts.

Sedimentation and Erosion Control Plan: The Contractor shall submit to the Engineer, plans and details of the intended sedimentation treatment basin system that will be used along with dewatering techniques, and its location at the bridge site. All discharge resulting from dewatering activities shall be directed to temporary sedimentation treatment basins at locations approved by the Engineer. At no time shall said discharge be directly released into the river or wetland basins. The proposed plan shall include methods and equipment necessary to discharge water from the sedimentation treatment basins. Sedimentation treatment basins shall be sized appropriately to adequately dewater from the proposed work zone while allowing sufficient time for sediments to settle out of the water, and with a depth such that a minimum of 18 inches of freeboard is maintained throughout its use.

Water Flow Diversion and Containment Plan: The Contractor shall submit plans and details along with a complete description showing the proposed control of water and dewatering plan to the

Engineer for his approval prior to the start of the work. The proposed plan shall include methods and equipment necessary to perform the work and shall include water discharge methods and equipment to bring water from the work zone to sedimentation treatment basin.

The Contractor shall submit for approval the drawings and calculations of the proposed temporary cofferdam system, stamped by a Professional Structural Engineer registered in the Commonwealth of Massachusetts. No work shall proceed until the system has been reviewed and approved by the Engineer. and shall include the following:

ITEM 991.1 (Continued)

1. Detailed calculations of analyses and designs to be employed.

2. A detailed narrative describing the proposed construction and construction sequence for the temporary works systems. The narrative shall detail the sequencing of the cofferdam and dewatering systems construction, including the installation phase, pre-excavation, excavation, permanent below-grade structure construction and dewatering process for each temporary works system.

The Contractor shall make his/her own evaluation of existing conditions and water flow, the effects of his/her proposed temporary works and construction methods and shall provide design for all loads and construction conditions necessary to permit construction of the specified structures while maintaining public safety and protecting completed work and all third-party property from damage due to construction operations. The Contractor shall also provide a description and details of the intended methods to prevent debris, including airborne particles, from entering the river during the entire project duration.

The Contractor shall design temporary cofferdam and dewatering systems such that:

1. Bottom of excavation groundwater level is controlled and potentially lowered to that level to permit construction work to be always performed in-the-dry and on stable subgrade or to that level as directed by the Engineer.

2. Dewatering discharge employs appropriate filter design to prohibit subgrade soil fines from migrating and potentially degrading excavation subgrade strength and stability, and potentially causing discharge water environmental concerns,

3. Dewatering discharge is consistent with permit requirements

4. Designs are consistent with sounds dewatering Engineering practice, with back-up redundant components to ensure consistent and continuous operation once initiated and until no longer needed or as directed by the Engineer.

CONSTRUCTION METHODS

The work to be done under this heading shall include placing and removing the control of water structures and cofferdam at locations determined by the Contractor and approved by the Engineer. This work shall include dewatering to conduct the work. The dewatering discharge shall be directed to a temporary sedimentation treatment basin. Where sandbags are used, the bags shall not decay nor rip or tear during the installation, its service life within the waterway, or during the removal process. The Contractor shall not disturb the stream bed prior to placing the water diversion devices and temporary cofferdam, in order to avoid migration of silts and sands further downstream. The Contractor is responsible for researching the seasonal flow characteristics of the river to determine appropriate water diversion details.

ITEM 991.1 (Continued)

Watertightness and control: The Contractor shall seal the inside face of any temporary cofferdam system as necessary to provide a reasonably watertight system. The Contractor shall limit water entering through the system joints, tremie seal (if a tremie is used), and/or exposed bottom of excavation so as not to degrade subgrade conditions and damage the permanent work. All water entering the excavation, including water from rainfall, surface water runoff, and from groundwater sources, shall be removed from the excavation to prevent unstable conditions and damage to construction. If water is determined by the Engineer to have damaged the permanent work, the Contractor is required to make repairs to the permanent work, to the satisfaction of the Engineer and at no additional cost to the State. If such repairs cannot be made, then the damaged works shall be removed and replaced with new construction, at no additional cost to the State.

Measures to control the discharge of sediment or pollutants into the water resource areas shall include, but not be limited to the following:

1. Site construction areas outside the buffer zones and on relatively flat ground.

2. Schedule the work within the resource areas to avoid periods of anticipated high water (i.e. spring floods) and inclement weather.

3. Management of construction operations involving hazardous materials, such as refueling and maintenance of equipment within the resource areas.

4. Installation and continuous maintenance of water control measures throughout the project.

5. Treatment of all discharge resulting from dewatering activities through a sedimentation/detention basin to control turbidity. At no time shall the discharge from dewatering activities be directly released into a resource area.

Control of water structures shall be located within the project limits shown on the Contract Drawings. Locations of sedimentation/retention basins will be determined by the Contractor based on the selected methods of construction. Placement of the basins shall be in an upland area that is within the existing right of way.

All dewatering and related water control work shall be conducted in such a manner as to prevent siltation or contamination of the waterway. At a minimum, the settling basin shall be constructed of an earthen berm lined with geotextile fabric and surrounded by staked hay bales. The basin shall meet or exceed the following criteria:

1. The size and location of the basin shall be determined based on the size of the Contractor's pump and the anticipated flows for the river and the need to perform the footing work in the dry.

2. The outlet/weir of the dewatering basin 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 basin.

ITEM 991.1 (Continued)

3. The Contractor shall not allow any sediment within the settling basin to accumulate to a depth of greater than 12 inches at any point in the basin, nor shall the water level be allowed to rise to a height of more than 24 inches.

4. The sedimentation treatment basin shall be designed with a minimum of 18 inches of freeboard, which must be maintained at all times.

5. The Contractor shall inspect the settling basin(s) at least twice daily when in operation.

6. Damages shall be repaired immediately.

7. The settling basin outlet shall be cleaned daily.

8. The sediments within the settling basin shall be disposed of as approved by the Engineer.

Upon completion of water control, the materials and equipment used to maintain the cofferdam(s) and sedimentation treatment basin(s) shall become the property of the Contractor and shall be removed to the limits shown on the Contract Drawings by the Contractor from the site. The area affected shall be restored to its natural condition in a manner subject to the Engineer's approval.

BASIS OF PAYMENT

Item 991.1, Control of Water — Structure No. W-27-028 (CEQ) will be paid for at the Contract LUMP SUM price, which price shall be full compensation for the design of the water control systems including temporary cofferdam, as well as all equipment, materials, appurtenance, and labor needed for the installation, maintenance, removal, dewatering, disposal of the materials used for water control, and disposal of any siltation materials caused by the pumping operation.

All costs required for permits, transport, special handling, inspection, testing, etc., shall be included in the Contract LUMP SUM price, which shall also include all labor, materials, equipment, tools, and incidental costs required to complete the work.

Associated work to prevent damage to adjacent areas shall be considered incidental to payment for this Item.

ITEM 994.011 TEMPORARY PROTECTIVE SHIELDING OUTSIDE FASCIA BEAMS BRIDGE NO. W-27-028 (OTA) LUMP SUM

ITEM 994.012 TEMPORARY PROTECTIVE SHIELDING BETWEEN FASCIA BEAMS BRIDGE NO. W-27-028 (OTA) LUMP SUM

The work done under these Items consists of furnishing, installing, maintaining, removing and disposing of a protective shielding system on and under the bridge. The shielding shall protect river and personnel on and under the bridge from falling or flying debris during the concrete deck removal and during construction of the temporary utility support and new structure. The Contractor shall submit calculations and detailed drawings of the proposed shielding to the Engineer for approval. These calculations and drawings shall be stamped by a Professional Engineer registered in Massachusetts.

The Contractor shall be required to shield the entire existing structure over the river below.

The shielding shall conform to the following:

1. Shielding shall be in place prior to start of deck removal.

2. Shielding shall not lessen the existing vertical clearance under the bridge.

3. Shielding shall extend the full length of the bridge and a sufficient distance above and beyond the deck overhang at the fasciae.

4. Shielding shall have all spaces along the perimeter and at the seams sealed to prevent dust and debris from escaping.

5. Shielding shall be designed to safely withstand all loads that it will be subjected to. 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 also the maximum size of deck area being excavated (i.e. 1 ft x 1 ft Jackhammered sections or 6 ft x 2 ft wet saw cut sections).

6. Shielding shall be installed or removed only upon approval of the Engineer.

ITEMS 994.011 & 994.012 (Continued)

The Contractor may utilize the bottom flanges of the existing beams as supports for the Protective Shielding. However, the Contractor shall not be permitted to weld onto, drill into, or cut in the tensile zone areas of any existing structural beams without prior MassDOT's approval.

All materials used in the shielding system shall become the property of the Contractor and shall be removed from the site at the completion of the project.

BASIS OF PAYMENT

Item 994.011 Temporary Protective Shielding Outside Fascia Beams Bridge No. W-27-028 (OTA) will be paid as that portion of the Shielding system to the outside of the fascia beams, one LUMP SUM complete and in place.

Item 994.012 Temporary Protective Shielding Between Fascia Beams Bridge No. W-27-028 (OTA) will be paid as that portion of the Shielding system in between the fascia beams, one LUMP SUM complete and in place.

Payment under these Items shall be at their respective contract LUMP SUM prices which prices shall be full compensation for all labor, materials, equipment, tools, and incidentals necessary to complete the work.

Payments will be made as follows:

1. The first payment of 70% of the Lump Sum bid price of these Items will be made upon completion of the installation of the shielding system to the satisfaction and approval of the Engineer.

2. The second payment of 30% of the Lump Sum bid price for these Items will be made upon the removal and satisfactory disposal of the shielding system from the project.

ITEM 995.01 BRIDGE STRUCTURE, BRIDGE NO. W-27-028 (CEQ) LUMP SUM

The work under this Item shall conform to the relevant provisions of Subsection 995 of the Standard Specifications and the following:

Work under this Item shall include all materials, equipment and labor needed to construct the following:

- Precast Three-Sided Concrete Culvert including Reinforcing, bar splicers, raised curbing & joint materials to connect the precast segments
- Steel Reinforcement for Structures (Epoxy Coated)
- Concrete (Cast-in-Place) for Copings, Wingwalls and Footings
- Approach Slabs (Cast-in-Place)
- Precast Highway Guardrail Transition (Precast)
- Membrane Waterproofing Spray Applied
- Bridge Railing
- Damp-proofing

The work does not include any Items listed separately in the proposal. Payment for materials shown on the Plans as being part of this bridge structure or which may be incidental to its construction and are not specifically included for payment under another Item, shall be considered incidental to the work performed under this Item and shall be included in the unit price of the component of which they are a part.

The following work shall be paid for under separate pay Items: Class B Rock Excavation, Gravel Borrow, Demolition of Bridge No. W-27-028, Reinforced Concrete Excavation, Bridge Excavation, Gravel Borrow for Backfilling Structures and Pipes, Balance Stone Wall Removed and Rebuilt, Dumped Riprap, Personal Protection Level C Upgrade, Temporary Protective Shielding Outside Fascia Beams Bridge No. W-27-028 (OTA), Temporary Protective Shielding Between Fascia Beams Bridge No. W-27-028 (OTA). Control of Water Structure No. W-27-028 (CEQ); and other work specified elsewhere in the proposal and for which payment is provided elsewhere in the contract.

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 for Partial Payment.”

ITEM 995.01 (Continued)

PRECAST THREE SIDED CULVERT
PRECAST HIGHWAY GUARDRAIL TRANSITION

A. General

The work under this Heading consists of fabricating, transporting and installing Precast Three-Sided Culvert and Precast Highway Guardrail Transition 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.

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.

ITEM 995.01 (Continued)

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.
(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.

ITEM 995.01 (Continued)

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 specified 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 $Ti \geq 50°F$.
(b) Immediately after placement to verify that $Ti \geq 50°F$ 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.

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.

ITEM 995.01 (Continued)

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 Subsection 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.

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)				

ITEM 995.01 (Continued)

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.

8. Certificate of Compliance.

The Fabricator shall provide a Certificate of Compliance in accordance with Standard Specifications, Division I, Subsection 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)

ITEM 995.01 (Continued)

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 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 activities prior to notifying MassDOT RMS of the scheduled start date:

(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.

ITEM 995.01 (Continued)

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.

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.

ITEM 995.01 (Continued)

(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.

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.

ITEM 995.01 (Continued)

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.

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).

ITEM 995.01 (Continued)

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% ≤ AC ≤ 8%	Quality Control
Temperature (°F)	AASHTO T 309	Per AASHTO	50°F ≤ °F ≤ 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.

(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.

ITEM 995.01 (Continued)

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. 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.

ITEM 995.01 (Continued)

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 (7th 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
(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.)

ITEM 995.01 (Continued)

(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 Culvert.

The Contractor shall submit design computations for the three-sided culvert bridge elements 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.

ITEM 995.01 (Continued)

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 Subsection 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.

ITEM 995.01 (Continued)

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.

ITEM 995.01 (Continued)

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.

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.

723 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.

ITEM 995.01 (Continued)

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

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

ITEM 995.01 (Continued)

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.

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

ITEM 995.01 (Continued)

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.

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.

ITEM 995.01 (Continued)

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.

ITEM 995.01 (Continued)

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.

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 ft2/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 occurred, 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.

ITEM 995.01 (Continued)

(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.

(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

ITEM 995.01 (Continued)

(d) 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

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.

ITEM 995.01 (Continued)

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.

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

ITEM 995.01 (Continued)

(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.

ITEM 995.01 (Continued)

(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:

(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.

ITEM 995.01 (Continued)

Field construction staff shall verify that the Resident Engineer has accepted all Precast Concrete Bridge Elements prior to installation.

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 a 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 a 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:

(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.

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.

ITEM 995.01 (Continued)

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.

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 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.

ITEM 995.01 (Continued)

(c) 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.

(d) 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.

(e) Details of all equipment that shall be employed for the construction of the bridge.

(f) Methods of providing temporary support of the elements. Include methods of adjusting and securing the element after placement.

(g) Vertical Adjustment Assemblies to be used as a means of setting precast concrete footings to the correct elevations.

(h) 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.

(i) Methods for curing grout.

(j) Proposed methods for installing non-shrink grout and the sequence and equipment for the grouting operation.

(k) 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.

ITEM 995.01 (Continued)

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.

E. Three-Sided Culvert.

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 Subsections 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;

ITEM 995.01 (Continued)

(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.

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 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.

COMPENSATION

A. Basis of Payment.

The furnishing, fabricating, and erecting of all Precast Concrete Bridge Elements for the structure shall be paid for at the contract unit price EACH, under the Lump Sum Item 995., complete in place.

B. Payment Items.

Precast Three Sided Culvert	EA
Precast Highway Transition Guardrail	EA

ITEM 995.01 (Continued)

SCHEDULE OF BASIS FOR PARTIAL PAYMENTS

Within ten (10) days after the receipt of a 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. W-27-028 (CEQ). 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 the 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. W-27-028 (CEQ). 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.	UNIT	UNIT PRICE	TOTAL
904.3	5000 PSI 3/4 IN.,685 HP CEMENT CONCRETE	110	CY		
910.1	STEEL REINFORCEMENT FOR STRUCTURES - EPOXY COATED	15,000	LB		
965.	MEMBRANE WATERPROOFING FOR BRIDGE DECKS	580	SF		
970.	DAMP-PROOFING	1400	SY		
975.1	METAL BRIGE RAILING (3 RAIL), STEEL (TYPE S3-TL4)	110	FT		
999.2	PRECAST HIGHWAY GUARDRAIL TRANSITION	4	EA		
999.3	PRECAST THREE-SIDED CULVERT	1	EA		
TOTAL COST OF ITEM 995.01 =					

*** END OF DOCUMENT ***

DOCUMENT A00802

DETAIL SHEETS

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

Order No._____

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
TEN PARK PLAZA - BOSTON, MA

—PRELIMINARY ESTIMATE OF QUANTITIES — DETAIL SHEETS—

CITY/TOWN: Westhampton
STA.: 1+50 to 3+75
Type of Project: Bridge Replacement

YEAR: 2024
ROAD: Perry Hill Road Ext
CLASS: Local
DATE: December 19, 2024

Earth Excavation: 70 Cu. Yards
Ordinary Borrow: 15 Cu. Yards
Gravel for Surfacing: 87 Cu. Yards
Gravel Borrow: 13 Cu. Yards
Loam Borrow: 28 (for roadsides) Cu. Yards

PROPOSED GRAVEL ROADWAY **AREA = 415 SY**

Surface: 6” Gravel for Surfacing (3/4” Minus – Specification M1.03.1 mod)

PROPOSED HMA DRIVEWAY **AREA = 10 SY**

Surface: 1.5” Superpave Surface Course 9.5 (SSC-9.5)
Intermediate: 2.5” Superpave Surface Course 12.5 (SSC-12.5)

ITEM 103. TREE REMOVED – DIAMETER UNDER 24 INCHES

STA 2+16, 14’ RT
STA 2+90, 12’ RT
STA 2+83, 15’ LT

ITEM 127.1 REINFORCED CONCRETE EXCAVATION

To be used for removal of existing bridge related structures (end walls, abutments, footings, etc.).

ITEM 144. CLASS B ROCK EXCAVATION

To be used where rock is encountered for construction of new culvert footings and wingwalls.

ITEM 150. ORDINARY BORROW

General fill below loam areas.

ITEM 151. GRAVEL BORROW

For use between gravel roadway surface and top of bridge culvert.

Plan No.'s _____
Profile No.'s _____
Calculation Book No.’s _____

Estimated by MWC
Checked by _____
Submitted by _____

Project File No. 610768

—PRELIMINARY ESTIMATE OF QUANTITIES — DETAIL SHEET—

PERRY HILL ROAD EXT OVER NORTH BRANCH MANHAN RIVER

TOWN-CITY: WESTHAMPTON **YEAR: 2024**

DATE: Dec 19, 2024

ITEM 504. **GRANITE CURB TYPE VA4 - STRAIGHT**

STA 1+98 to STA 2+11, 7.5' RT
STA 2+93 to STA 3+06, 7.5' LT
STA 2+70 to STA 2+83, 7.5' RT

ITEM 509. **GRANITE TRANSITION CURB FOR PEDESTRIAN RAMPS - STRAIGHT**

STA 2+26 to STA 2+32, 7.5' LT
STA 1+91 to STA 1+89, 7.8' RT
STA 3+06 to STA 3+13, 7.5' LT
STA 2+83 to STA 2+90, 7.5' RT

ITEM 632.4 **INDIVIDUAL POST REMOVED AND DISCARDED**

STA 2+12, 8' RT
STA 2+21, 8' RT
STA 2+28, 8' RT
STA 2+35, 8' LT
STA 2+65, 8' RT
STA 2+75, 10' RT
STA 2+73, 7' LT
STA 2+80, 7' LT

ITEM 657. **TEMPORARY FENCE**

TTC Plan: Northerly and Southerly side of bridge.

ITEM 685. **STONE MASONRY WALL IN CEMENT MORTAR**

Near NE bridge abutment, side slope area.

ITEM 702. **HOT MIX ASPHALT FOR DRIVEWAY**

STA 2+11 to STA 2+25, LT

ITEM 751. **LOAM FOR ROADSIDES**

Included for general use in all disturbed areas (bridge construction, roadway construction, grading, etc.).

ITEM 751.7 **COMPOST BLANKET**

Included for use in all loam and native seeding areas (not over modified rockfill).

ITEM 751.765 **COMPOST AND SEED OVER MODIFIED ROCK**

Included for use over installed modified rockfill areas (as shown on plans).

Project File No. 610768

—PRELIMINARY ESTIMATE OF QUANTITIES — DETAIL SHEET—

PERRY HILL ROAD EXT OVER NORTH BRANCH MANHAN RIVER

TOWN-CITY: WESTHAMPTON **YEAR: 2024**

DATE: Dec 19, 2024

ITEM 765. **SEEDING**

For use in yard in front of House #35.

ITEM 765.553 **WETLAND RIPARIAN MIX**

Included for general use in all disturbed areas (bridge construction, roadway construction, grading, etc.).

ITEM 765.635 **NATIVE SEEDING AND ESTABLISHMENT**

To be used in conjunction with Item 765.553.

ITEM 769. **PAVEMENT MILLING MULCH UNDER GUARDRAIL**

SE of bridge structure.
NW of bridge structure.
NE of bridge structure.

ITEM 799.775 **PLANTING – TUBELINGS ON ROCK SLOPE**

Included for use in modified rockfill areas.

ITEM 853.1 **PORTABLE BREAKAWAY BARRICADE TYPE III**

Perry Hill Road Ext – at intersection with Perry Hill Road
Perry Hill Road Ext – at intersection with Kings Highway
Perry Hill Road Ext – limits of work at both sides of bridge project.

ITEM 853.2 **TEMPORARY BARRIER (TL-2)**

TTC Plan: Northerly and Southerly side of bridge.

ITEM 983.2 **RIPRAP**

To be used in riprap areas upstream and downstream of bridge, per MassDOT Hydraulic Study Report (dated August 10, 2023).

ITEM 983.522 **STREAMBED RESTORATION**

To be used in areas near bridge for riprap.

*** THIS PAGE IS LEFT BLANK INTENTIONALLY ***

DOCUMENT A00805

NORTHERN LONG-EARED BAT (NLEB)

SUMMER PRESENCE/ABSENCE SURVEY

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

TETRA TECH

November 8, 2023

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

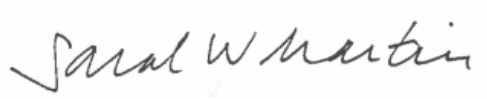
Project	Northern Long-eared Bat (NLEB) Presence/Absence Acoustic Survey and Bridge Assessment(s)
MassDOT Project #	610768
MassDOT Project Title	Westhampton-Bridge Replacement , W-27-028, Perry Hill Road over North Brook of Manhan River
Town	Westhampton
Surveyor Name/Firm	Nicholas Boulanger / Tetra Tech, Inc.
Detector Operation Dates	June 15-18, 2023
Acoustic Survey Results	**NLEB NOT DETECTED**
Acoustic Survey Results	**MYLE NOT DETECTED**
Acoustic Survey Results	**MYLU DETECTED**
Acoustic Survey Results	**PESU NOT DETECTED**
Bridge Assessment Dates	June 15, 2023
Bridge Assessment Results	**Signs of Bats Not Detected at Bridge**

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 MassDOT Project No. 610768, Westhampton-Bridge Replacement, W-27-028, Perry Hill Road over North Brook of Manhan River, in Westhampton, Massachusetts. Acoustic detectors deployed by Tetra Tech, Inc. did not detect the presence of NLEB. Two (2) bat passes were initially classified as the federally threatened NLEB by analysis software, and zero (0) were subsequently determined to have been inaccurately identified as such during our qualitative assessment. Sixteen (16) bat passes were initially classified as the state endangered little brown bat (*Myotis lucifugus*), and 2 (two) were confirmed as such during our qualitative assessment. One (1) bat pass was initially classified as the state endangered eastern small-footed bat (*Myotis leibii*), and zero (0) were confirmed as such during our qualitative assessment. One (1) bat pass was initially classified as the state endangered tricolored bat (*Perimyotis subflavus*), and zero (0) were confirmed as such during our qualitative assessment.

This report also contains the results of the assessment of the bridge on Perry Hill Road Extension that crosses the North Brook of Manhan River. No bats (dead or alive), staining, or bat sounds were detected at this bridge. This bridge does not appear to provide a cave-like environment. For the reasons stated above, it is determined that this bridge is not used by bats.

Sincerely,



Sarah Watts Martin

Attachments: Northern Long-Eared Bat Presence/Probable Absence Acoustic Survey and Bridge Assessment Report, Westhampton- Bridge Replacement, W-27-028, Perry Hill Road Over North Brook of Manhan River, MassDOT Project No. 610768

Northern Long-Eared Bat Presence/Probable Absence Acoustic Survey and Bridge Assessment Report

Westhampton- Bridge Replacement, W-27-028, Perry Hill Road Over North Brook of Manhan River

MassDOT Project No. 610768

Prepared for:

Massachusetts Department of Transportation
Highway Division
Ten Park Plaza, Room 7360
Boston, MA 02116-3973

Prepared by:

Tetra Tech, Inc.
451 Presumpscot Street
Portland, ME 04103
www.tetratech.com

November 2023

EXECUTIVE SUMMARY

This report conveys results of the survey assessing presence/probable absence and bridge conditions for the northern long-eared bat (*Myotis septentrionalis*, NLEB) during the summer for Massachusetts Department of Transportation (MassDOT) Westhampton - Bridge Replacement, W-27-028, Perry Hill Road over North Brook of Manhan River (MassDOT Project No. 610768) located in Westhampton, Massachusetts. Tetra Tech, Inc. (Tetra Tech) deployed one acoustic detector that did not detect the presence of NLEB. The analysis software did identify two bat passes as NLEB, however, manual vetting of bat passes did not indicate presence of the NLEB. Tetra Tech reviewed other *Myotis* calls (i.e., little brown bat [*Myotis lucifugus*]) to further verify detection of NLEB. The survey confirmed presence of five species at the Project: big brown bat (*Eptesicus fuscus*), eastern red bat (*Lasiurus borealis*), hoary bat (*Lasiurus cinereus*), silver-haired bat (*Lasionycteris noctivagans*), and little brown bat.

The assessment of conditions at the Perry Hill Road Bridge (W-27-028) were found to have places potentially suitable for roosting bats; however, the survey did not find any evidence of roosting bats.

This report summarizes the methods and result of the acoustic survey and bridge assessment. Appendix A includes an aerial map of the Project and detector location along with photographs illustrating site conditions and microphone orientation. Appendix B includes copies of the completed Phase 1 Summer Habitat Assessment form(s) for the Project. Appendix C is a summary of Maximum Likelihood Estimates (MLE), Appendix D includes the bridge assessment form and photographs of the bridge conditions, and Appendix E provides resumes for relevant staff members involved with the Project.

Table of Contents

List of Tables

List of Figures

List of Appendices

1.0 Project Description

This report conveys results of the survey assessing presence/probable absence and bridge conditions for northern long-eared bat (*Myotis septentrionalis*, NLEB) during the summer for Massachusetts Department of Transportation (MassDOT) Westhampton - Bridge Replacement, W-27-028, Perry Hill Road over North Brook of Manhan River (MassDOT Project No. 610768) located in Westhampton, Massachusetts. (Project; Figure 1). The linear area affected is 0.6 miles. The Project area is a small bridge on a rural, dirt road (Perry Hill Road Extension) that crosses the North Brook of Manhan River. The Project area occurs in a predominately forested area interspersed with low density residential and commercial development. Within 3 miles of the Project, there are a number of large, contiguously forested parcels that are in state and municipal ownership. Public lands near the Project include Dead Branch State Forest (700 acres, 3 miles northwest), Mineral Hills Conservation Area (370 acres, 3 miles east), and Brewer Brook Wildlife Management Area (456 acres, 3 miles north). There are also several large parcels within 2 miles of the Project that are in conservation restriction, protected watershed supply, or owned and managed by a non-governmental organization or land trust. Open water sources are primarily rivers and streams (e.g., North Brook of Manhan River, Meadow Brook, Turkey Brook, and Sodom Brook) along with a few small ponds, including those associated with a sand-mining operation adjacent to the Project area and Pine Island Lake 1.3 miles north.

2.0 Methods

2.1 Presence/Probable Absence Survey

The survey to assess NLEB summer presence/probable absence at the Project accorded with the 2023 U.S. Fish and Wildlife Service (USFWS) *Range-wide Indiana Bat Summer Survey Guidelines for Indiana Bat and Northern Long-eared Bat* (Guidelines) (USFWS 2023). This survey followed a two-phased approach: Phase 1 included the desktop and field-based habitat assessments, and Phase 2 included the acoustic survey. Tetra Tech deployed a full-spectrum acoustic detector during Phase 2, and the resulting data were processed by use of Kaleidoscope Pro version 5.4.0 (Wildlife Acoustics, Inc.). Qualified Tetra Tech personnel conducted all phases of the survey. Specific roles are summarized in Table 1, and resumes of relevant staff are provided in Appendix E.

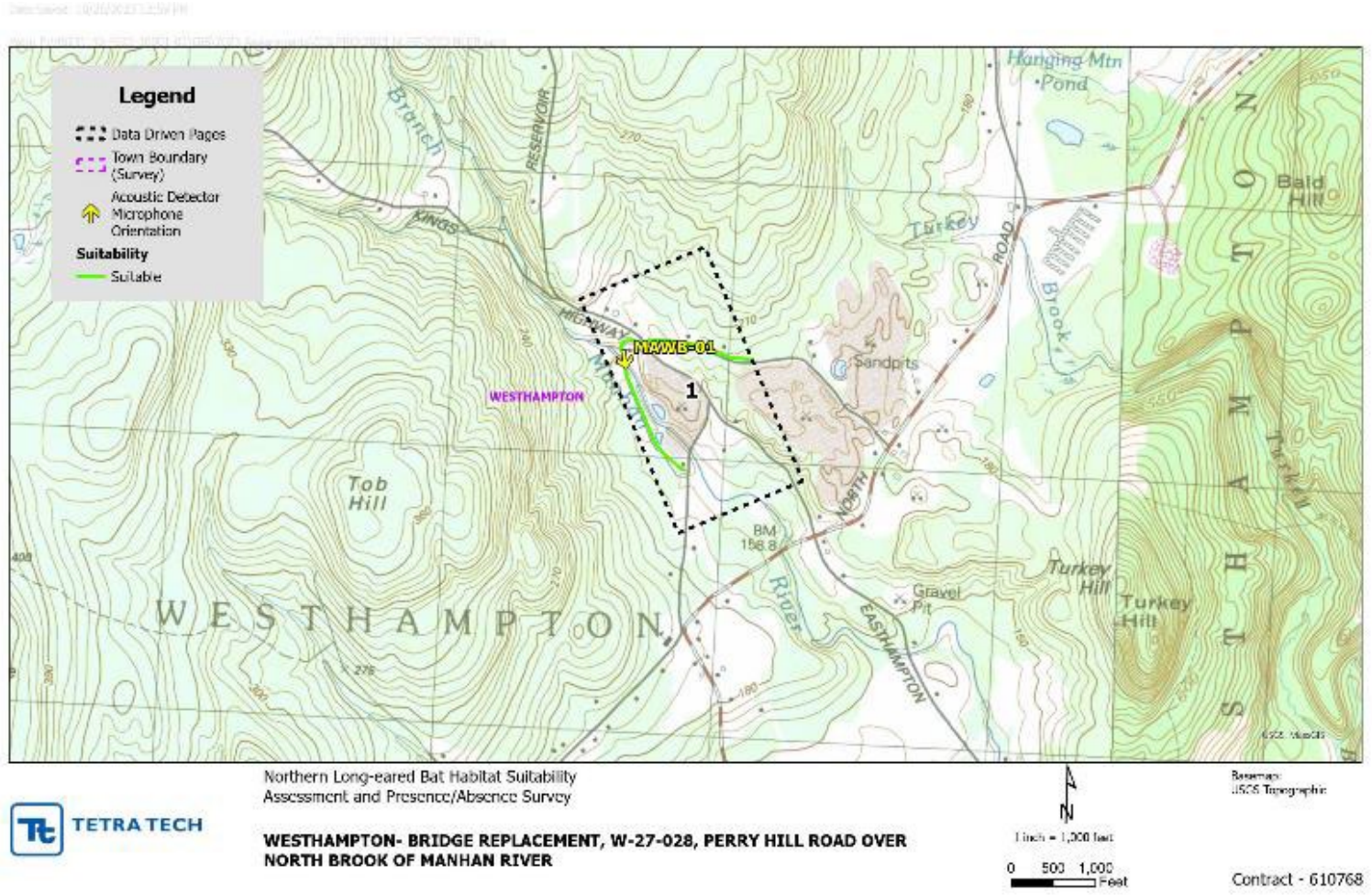


Figure 1. Location of the acoustic detector deployed at Bridge Replacement, W-27-028, Perry Hill Road over North Brook of Manhan River (MassDOT Project #610768), Westhampton (June 2023)

Table 1. Survey personnel, NLEB acoustic presence/probable absence survey, Bridge Replacement, W-27-028, Perry Hill Road over North Brook of Manhan River (MassDOT Project #610768), Westhampton (June 2023)

Personnel	Desktop Analysis	Field Assessment	Bridge Inspection	Detector Deployment	Acoustic Analysis	Qualitative Analysis
Nicholas Boulanger Wildlife Biologist	X	X		X		
Ken Deshais Senior Project Scientist		X	X			
Kinsale McGrath Environmental Scientist		X	X			
Baxter Seguin Wildlife Biologist					X	X

2.1.1 Habitat Assessment

The following sections describe the desktop and field-based habitat assessments of summer presence of the NLEB at the Project.

Desktop Assessment

Prior to field work, Tetra Tech performed a desktop land cover analysis to identify suitable NLEB habitat within the proposed Project area (Figure 1). Tetra Tech reviewed aerial photography and Google Earth imagery to identify areas of possible use by the NLEB for foraging and roosting during the maternity and migration seasons. Determination of these areas was based on forest patch size, proximity to closed-canopy forests, and landscape features that bats may use to commute between roosting and foraging habitats (e.g., forested tracts, wetlands, and streams). All relatively contiguous forested lands that were not highly fragmented by residential or commercial developments were considered suitable NLEB habitat, and all densely populated or developed stretches were determined to be unsuitable (USFWS 2023) (see Figure 1 and Figures in Appendix A).

The Guidelines indicate requirement for linear projects of a minimum of one detector per kilometer of suitable habitat for four detector-nights (USFWS 2023). Therefore, one detector station was necessary for this linear project with 1 kilometer (0.6 miles) of suitable habitat.

Field-based Assessment

On June 15, 2023, Tetra Tech conducted a site visit to describe and verify presence of NLEB habitat identified during the desktop analysis, deploy one full-spectrum acoustic detector, and conduct a Phase 1 Summer Habitat Assessment. A general habitat description is provided in Table 2. The completed Phase 1 Summer Habitat Assessment is included in Appendix B.

Table 2. Detector station description and survey dates, Bridge Replacement, W-27-028, Perry Hill Road over North Brook of Manhan River (MassDOT Project #610768), Westhampton (June 2023)

Detector Station	Suitable NLEB Habitat	Description	GPS Coordinates	Microphone Orientation (degrees)	Survey Nights
MAWB-01	Yes	Detector placed on a dirt road surrounded by dense forested area; a medium-sized stream, North Brook of Manhan River, runs under a bridge nearby; snags detected in adjacent forest	42.31840667 -72.77124667	172	6/15–6/18/2023

2.1.2 Acoustic Survey

The following sections discuss the various aspects of the acoustic surveys.

Detector Type

Tetra Tech used a Wildlife Acoustics Song Meter-4 BAT ultrasonic bat detector (Wildlife Acoustics, Inc., Massachusetts, USA) equipped with a SMM-U2 microphone over the duration of the survey. The detector was set to record from an hour before sunset to an hour after sunrise (approximately 7:30 PM–6:11 AM) in full-spectrum mode, and files were saved in .WAV format on internal SD cards. The detector was fully waterproof and powered by internal D cell batteries. Tetra Tech tested the detector and microphone prior to deployment using a Wildlife Acoustics Ultrasonic Calibrator to confirm equipment was functioning properly and device sensitivity was within the manufacturer's suggested thresholds. A "chirp test" with the Ultrasonic Calibrator confirmed that all connections were sound, and the microphone registered high-frequency noise once the detector was set. Tetra Tech performed this test again at demobilization to ensure the microphone was functioning while deployed. Tetra Tech reviewed log files when the unit was recovered to verify proper functioning over the duration of the survey.

Detector Deployment

Tetra Tech micro-sited the detector in suitable habitat within the Project area to facilitate sampling of potential habitats in accordance with the Guidelines. The detector was deployed on June 15, 2023 and retrieved on June 19, 2023.

The microphone was mounted at a minimum height of 9 feet above ground to avoid ground vegetation and elevate the cone of detection. Orientation of the microphone was along suspected flight paths to increase the number of call pulses and quality of recordings. Therefore, microsite conditions determined specific orientation. Appendix A includes station conditions and photographs.

Weather Requirements

For valid survey results, the Guidelines specify weather requirements during the first 5 hours after sunset of each detector-night as follows: temperatures remain above 50 degrees Fahrenheit, no precipitation exceeds 30 minutes, and sustained wind speed is less than 9 miles/hour. Tetra Tech

reviewed hourly weather history from the weather station closest to the Project that provide data on temperature, precipitation rate, and precipitation accumulation (Weather Underground 2023).

Acoustic Analysis

Tetra Tech analyzed the recorded data according to the Guidelines. Data were filtered and analyzed via Kaleidoscope Pro version 5.4.0, by use of the classifier "Bats of North America 5.4.0" for species of bats in Massachusetts at the 0 Balanced "Neutral" sensitivity level. Signals of interest ranged from 16–120 kilohertz, lasting 2–500 milliseconds, with a minimum of two call pulses. Conversions of full-spectrum .WAV files to zero-crossing proceeded by use of a division ratio of eight. Tetra Tech subsequently used SonoBat v 4.2.0 to manually review all files auto-classified as NLEB, eastern small-footed bat (*Myotis leibii*), little brown bat (*Myotis lucifugus*), and tricolored bat (*Perimyotis subflavus*). Eastern small-footed bats, little brown bats and tricolored bats were included in qualitative analysis because of their protected status under the Massachusetts Endangered Species Act. All bat passes were reviewed during any night with a significant NLEB MLE value. Indiana bat is listed as endangered at both the federal and state levels. However, the species has not been documented in Massachusetts since 1939 (MassWildlife 2019a), and Massachusetts is not within the putative range for the species (USFWS 2023). Therefore, Indiana bat presence is very unlikely, and the species was not included as a potential species in the analysis.

Tetra Tech manually reviewed a subsample of files auto-classified as big brown bat (*Eptesicus fuscus*), eastern red bat (*Lasiurus borealis*), silver-haired bat (*Lasionycteris noctivagans*), and hoary bat (*Lasiurus cinereus*) to confirm presence of species. Bat passes auto-classified as "No ID" indicated that the program recognized the recording as a bat but could not identify it to the species level. These "No ID" auto-classifications were filtered by characteristic frequency (Fc), and those with an Fc greater than or equal to 35 kilohertz were labeled "unidentified high frequency bat species" and those less than 35 kilohertz were labeled "unidentified low frequency bat species." Results were summarized by station and by night.

2.2 Bridge Assessment

On June 15, 2023, Tetra Tech conducted a site visit to assess the bridge on Perry Hill Road Extension (W-27-028) that crosses the North Brook of Manhan River for the presence of characteristics that have the potential to provide bat habitat. The assessment followed the guidance for completing the USFWS's Bridge/Culvert and Structure Bat Assessment Form (Appendix D in USFWS 2022). The bridge assessment included a visual and auditory inspection for flying and roosting bats along with indirect evidence (guano, staining) and identifying favorable characteristics (cracks, expansion joints) for roosting.

3.0 Results

3.1 Presence/Probable Absence Survey

3.1.1 Habitat Assessment

The desktop and field-based habitat assessments revealed approximately 1 kilometer of suitable NLEB habitat. The Project is surrounded by mature, predominately hardwood forest on either side

of Perry Hill Road Extension interrupted by low-density residential and commercial development to the north and east. A sand-mining quarry occurs at the southern end of the Project limits.

3.1.2 Acoustic Survey

Based on the results of the habitat assessment, Tetra Tech deployed one detector that operated from June 15 through June 18, 2023 for a total of 4 detector-nights. Weather conditions were met during all 4 nights of the survey (Table 3).

Table 3. Summary of weather information during the first 5 hours of each survey night, Bridge Replacement, W-27-028, Perry Hill Road Over North Brook of Manhan River (MassDOT Project #610768), Westhampton (June 2023)

Survey Night	Temperature Range (°Fahrenheit)	Wind Range (mph)	Precipitation (inches)	Qualifying Night
June 15	64–69	0–6	0	Yes
June 16	59–62	0–2	0	Yes
June 17	57–61	0–4	Trace	Yes
June 18	54–66	0–5	0	Yes

Interpreting results solely according to the number of species' bat passes by software auto-classification can be misleading due to varying levels of confidence in the classifications. Therefore, MLEs were applied to determine likelihood of species presence by incorporation of known error rates for each species classifier within the software. Of the eight bat species that currently occur in Massachusetts, MLEs indicated the likely presence of four species in the Project Area, i.e., big brown bat, eastern red bat, hoary bat, and eastern small-footed bat (Table 4).

Table 4. Summary of species presence by Kaleidoscope Pro and Manual Vetting, Bridge Replacement, W-27-028, Perry Hill Road Over North Brook of Manhan River (MassDOT Project #610768), Westhampton (June 2023)

Species	MLE Prediction[1]	Qualitative Analysis	Overall Evaluation
Big brown bat	**Present**	**Present**	**Present**
Eastern red bat	**Present**	**Present**	**Present**
Hoary bat	**Present**	**Present**	**Present**
Silver-haired bat	Absent	**Present**	**Present**
Eastern small-footed bat	**Present**	Absent	Absent
Little brown bat	Absent	**Present**	**Present**
Northern long-eared bat	Absent	Absent	Absent
Tricolored bat	Absent	Absent	Absent
1. Based on probability of presence for any site on any night. See Appendix C for complete listing of MLEs by site/night.			

Manual review of bat passes by experienced biologists usually is the most accurate method of species identification. Manual review confirmed the presence of big brown bat, eastern red bat, and hoary

bat and added silver-haired bat (Table 4). Eastern small-footed bat was not confirmed, and little brown bat was confirmed during manual vetting. NLEB was not confirmed during manual vetting.

The detector recorded 386 bat passes on nights from June 15 through June 18, 2023 (Table 5). The detector was functional over the duration of deployment. Kaleidoscope Pro analysis software classified 2 bat passes as NLEB, 1 bat pass as tricolored bat, 1 bat pass as eastern small-footed bat, and 16 bat passes as little brown bat. Further, manual vetting did not confirm the presence of NLEB, tricolored, or eastern small-footed bat, but did confirm the presence of little brown bat. All other species listed in Table 4 above were subsampled to confirm species presence.

Based on this survey, five species were confirmed present at the Project, with most of the activity from big brown bat at 41 percent, eastern red bat at 19 percent, hoary bat at 4 percent, silver-haired bat at 2 percent, and little brown bat at <1 percent (Table 5).

3.2 Bridge Assessment

The bridge on Perry Hill Road Extension (W-27-028) that crosses the North Brook of Manhan River was inspected on June 15, 2023. The bridge is a concrete and steel structure; the deck is concrete with steel girders, and the end walls are concrete with large stones resting on top. The concrete has a rough surface and imperfections. The inspection found several crevices between the end walls and deck that may provide potential roosting places for bats. The stones on top of the end walls also have crevices potentially suitable for roosting. However, there was no visible or audible evidence of bat presence; and staining and guano were not observed. In summary, there was no evidence that bats currently use the bridge. The completed Habitat Assessment, Bridge/Structure Bat Assessment Form, and photographs of the bridge are provided in Appendix D.

Table 5. Summary of bat passes recorded, Bridge Replacement, W-27-028, Perry Hill Road Over North Brook of Manhan River (MassDOT Project #610768), Westhampton (June 2023)

Station	Date	Big brown bat	Eastern red bat	Hoary bat	Silver-haired bat	Little brown bat	NLEB	Tricolored bat	Unid. high-frequency bat	Unid. low-frequency bat	Grand Total
MAWB-01	6/15/2023	52	54	5	4	1			23	30	169
	6/16/2023	33	11	3	1				12	12	72
	6/17/2023	39	4	1		1			6	15	66
	6/18/2023	33	6	8	1				11	20	79
	Station total	**157**	**75**	**17**	**6**	**2**	**0**	**0**	**52**	**77**	**386**

4.0 Conclusion

Kaleidoscope Pro software determined 2 bat passes to be NLEB, however, manual vetting of these and all other *Myotis* passes did not confirm the presence of NLEB. Given there were no acoustic detections of NLEBs during this survey that conformed to the summer survey protocol (Guidelines), activities associated with the Project are unlikely to negatively impact the NLEB. There are three records of NLEB hibernacula located approximately 18 miles west of the Project (MassWildlife 2019b). Avoiding tree removal activities when possible may improve foraging and roosting opportunities for this species.

Additionally, presence was not confirmed for two other state endangered species, i.e., eastern small-footed bat and tricolored bat. However, the presence of little brown bat was confirmed. Both little brown bat and tricolored bat have experienced significant regional population declines due to white-nose syndrome (Frick et al. 2010, USFWS 2021). The Massachusetts Division of Fisheries and Wildlife (MassWildlife) recommends protection of all hibernacula (MassWildlife 2015, 2019a, c, d). Under the Massachusetts Endangered Species Act, all listed species are protected from activities that would destroy habitat and thus directly or indirectly cause mortality or disrupt critical behaviors. Listed species are specifically protected from activities that disrupt breeding, feeding, or migration (M.G.L c.131A; 321 CMR 10.00).

The detector station was located proximal to the bridge that crosses the North Brook of Manhan River. Five species were detected at the Project during the acoustic survey, with most of the activity represented by big brown bat at 41 percent, eastern red bat at 19 percent, hoary bat at 4 percent, silver-haired bat at 2 percent, and little brown bat at <1 percent (Table 5). The Project's bat activity rate was low (on average 97 bat passes per night). Bats detected were likely using the available forest and stream corridor for foraging. Bats often forage over water in forested habitat (Broders et al. 2001, Krusic et al. 1996, Nelson and Gillam 2016). Bats, particularly reproductive females, spend the day in roosts with high temperatures causing them to lose water during the hot summer months (Johnson and Gates 2008). Often, a drinking water source is the first location visited to replenish evaporated water before they start evening foraging. Given the extent of available habitat proximal to the Project, the limited amount of clearing planned is expected to have little effect on suitable habitat.

The assessment of the bridge on Perry Hill Road Extension that crosses the North Brook of Manhan River has places that may be suitable for roosting bats. However, the assessment found no evidence that bats currently use the bridge.

5.0 References

Broders, H.G., D.F. McAlpine, G.J. Forbes. 2001. Status of the Eastern Pipistrelle (*Pipistrellus subflavus*)(Chiroptera: Vespertilionidae) in New Brunswick. Northeast Naturalist 8:331–336.

Frick W.F., J.P. Pollock, A.C. Hicks, K.E. Langwig, D.S. Reynolds, G.C. Turner, C.M. Butchkoski, and T.H. Kunz. 2010. An Emerging disease causes regional population collapse of a common North American bat species. Science 329: 697–682.

Hill, J.E., and J.D. Smith. 1984. Bats: A natural history. Comstock Publishing, London and University of Texas Press Dallas.

Johnson, J.B., and J.E. Gates. 2008. Spring migration and roost selection of female *Myotis leibii* in Maryland. Northeastern Naturalist 15: 453–460.

Krusic, R.A., M. Yamasaki, C.D. Neefus, and P.J. Pekins. 1996. Bat habitat use in White Mountain National Forest. Journal of Wildlife Management 60: 625–631.

Massachusetts Division of Fisheries and Wildlife (MassWildlife). 2015. Tricolored bat fact sheet. Available online at: https://www.mass.gov/doc/tricolored-bat/download. Accessed September 2023.

_____2019a. Indiana bat fact sheet. Available online at : https://www.mass.gov/doc/indiana-bat/download. Accessed September 2023.

_____. 2019b. Northern long-eared bat locations online viewer. Natural Heritage and Endangered Species Program, Westborough, Massachusetts. June 12. NHESP No. Long-eared Bat Locations (arcgis.com). Accessed September 2023.

_____. 2019c. Little brown bat fact sheet. Available online at.: https://www.mass.gov/doc/little-brown-bat/download. Accessed September 2023.

_____. 2019d. Northern long-eared bat fact sheet. Available online at.: https://www.mass.gov/doc/northern-long-eared-bat/download. Accessed September 2023.

_____. 2020. List of endangered, threatened, and special concern species. Natural Heritage & Endangered Species Program, Westborough, Massachusetts. 10 January. https://www.mass.gov/info-details/list-of-endangered-threatened-and-special-concern-species. Accessed September 2023.

Nelson, J.J., and E.H. Gillam. 2016. Selection of foraging habitat by female little brown bats (*Myotis lucifugus*). Journal of Mammalogy 98: 222–231.

U.S. Fish and Wildlife Service (USFWS). 2021. Species status assessment (SSA) report for the tricolored bat (*Perimyotis subflavus*), version 1.1. Northeast Region, Hadley, Massachusetts. December.

_____. 2022. User's guide for the range-wide programmatic consultation for Indiana bat and northern long-eared bat, version 5. Prepared in cooperation with Federal Highway Administration, Federal Railroad Administration, and Federal Transit Administration. March.

Available online at: https://www.fws.gov/media/users-guide-range-wide-programmatic-consultation-indiana-bat-and-northern-long-eared-bat. Accessed September 2023.

_____. 2023. Indiana Bat online interactive range map. Available online at: https://www.fws.gov/species/indiana-bat-myotis-sodalis/map. Accessed September 2023.

_____. 2023. Range-wide Indiana bat summer survey guidelines. U.S. Fish and Wildlife Service, Region 3, Bloomington, Minnesota. March. Available online at: https://www.fws.gov/sites/default/files/documents/USFWS_Range-wide_IBat_%26_NLEB_Survey_Guidelines_2023.05.10_0.pdf. Accessed September 2023.

Weather Underground. 2023. Weather history for Bob's Weather, Easthampton, MA (KMAEASTH68). Available online at: https://www.wunderground.com/dashboard/pws/KMAEASTH68/. Accessed November 2023.

APPENDIX A: DETECTOR STATION MAP AND PHOTOGRAPHS


Legend
Data Driven Pages
Town Boundary (Survey)
Acoustic Detector Microphone Orientation
Suitability
Suitable
MAWB-01
WESTHAMPTON
1
KINGS HIGHWAY
Northern Long-eared Bat Habitat Suitability Assessment and Presence/Absence Survey
TETRA TECH
WESTHAMPTON- BRIDGE REPLACEMENT, W-27-028, PERRY HILL ROAD OVER NORTH BROOK OF MANHAN RIVER
1 inch = 200 feet
0 100 200
Feet
Basemap: MassGIS Aerial 2021
DDP Number: 1
Contract - 610768

Photo No.: 1

Station: MAWB-01

Direction: North

Date: 6/15/2023

Comments: Detector is placed facing south along a dirt road surrounded by dense forested area. A medium sized stream, North Brook of Manhan River, runs under a bridge in proximity to the detector.

Photo No.: 2

Station: MAWB-01

Direction: East

Date: 6/15/2023

Comments: Detector is placed facing south along a dirt road surrounded by dense forested area. A medium-sized stream, North Brook of Manhan River, runs under a bridge in proximity to the detector.

Photo No.: 3

Station: MAWB-01

Direction: South

Date: 6/15/2023

Comments: Detector is placed facing south along a dirt road surrounded by dense forested area. A medium-sized stream, North Brook of Manhan River, runs under a bridge in proximity to the detector.

Photo No.: 4

Station: MAWB-01

Direction: West

Date: 6/15/2023

Comments: Detector is placed facing south along a dirt road surrounded by dense forested area. A medium-sized stream, North Brook of Manhan River, runs under a bridge in proximity to the detector.

Photo No.: 5

Station: MAWB-01

Direction: Unknown

Date: 6/15/2023

Comments: Detector is placed facing south along a dirt road surrounded by dense forested area. A medium-sized stream, North Brook of Manhan River, runs under a bridge in proximity to the detector. Photo shows a snag in proximal to the detector.

Photo No.: 6

Station: MAWB-01

Direction: Unknown

Date: 6/15/2023

Comments: Detector is placed facing south along a dirt road surrounded by dense forested area. A medium-sized stream, North Brook of Manhan River, runs under a bridge in proximity to the detector. Photo shows a snag in proximal to the detector.

Photo No.: 7

Station: MAWB-01

Direction: Unknown

Date: 6/15/2023

Comments: Detector is placed facing south along a dirt road surrounded by dense forested area. A medium-sized stream, North Brook of Manhan River, runs under a bridge in proximity to the detector. Photo shows a cavity in a tree proximal to the detector.

Photo No.: 8

Station: MAWB-01

Direction: Unknown

Date: 6/15/2023

Comments: Detector is placed facing south along a dirt road surrounded by dense forested area. A medium-sized stream, North Brook of Manhan River, runs under a bridge in proximity to the detector. Photo shows stream proximal to the detector.

APPENDIX B. COMPLETED PHASE 1 SUMMER HABITAT ASSESSMENT

PHASE 1 SUMMER HABITAT ASSESSMENTS

NORTHERN LONG-EARED BAT HABITAT ASSESSMENT DATASHEET

Project Name: Westhampton

Date: 6/15/2023

Township/Range/Section: Westhampton, MA

Lat Long/UTM/ Zone: 42.318377°, -72.771228°

Surveyor: Nicholas Boulanger

Brief Project Description

This project entails a bridge replacement on Perry Hill Road over the North brook of the Manhan River). The project contains approximately 1.1km of suitable habitat and one bridge within the Project Area.

Project Area

	Total Acres	Forest Acres	Open Acres
Project	1.1km	1.1km	

	Completely cleared	Partially cleared (will leave trees)	Preserve acres- no clearing
Proposed Tree Removal (ac)		UNK	UNK

Vegetation Cover Types

Pre-Project	Post-Project
Dense forest on either side of the road, interrupted by low-density residential developments on the north and east end of the project; a quarry on the southern end of the project limits woodland to the opposite side of the road. Dominant tree species include aspen, maple, and white oak.	Similar.

Landscape within 5 mile radius

Flight corridors to other forested areas?

Numerous.

Describe Adjacent Properties (e.g. forested, grassland, commercial or residencial development, water sources)

Mostly forested and residential development. There is a quarry or construction site immediately east of the site. Pine Island Lake 2km north.

Proximity to Public Land

What is the distance (mi.) from the project area to forested public lands (e.g., national or state forests, national or state parks, conservation areas, wildlife management areas)?

Chesterfield Gorge State Forest: 7mi northwest
Mineral Hills Conservation Area: 3 miles east
Brewer Brook Wildlife Management Area: 3 miles north

PHASE 1 SUMMER HABITAT ASSESSMENTS

Use additional sheets to assess discrete habitat types at multiple sites in a project area
Include a map depicting locations of sample sites if assessing discrete habitats at multiple sites in a project area
A single sheet can be used for multiple sample sites if habitat is the same

Sample Site Description
Sample Site No.(s): _____ MAWB-01

Water Resources at Sample Site				
Stream Type (# and length)	Ephemeral	Intermittent	Perennial	Describe existing condition of water sources:
			1 (>2mi)	
Pools/Ponds (# and size)	2 (1 acre)	Open and accessible to bats?		Medium size creek under bridge near detector. North Branch Manhan River.
		yes		
Wetlands (approx. ac.)	Permanent	Seasonal		
	0	0		

Forest Resources at Sample Site				
Closure/Density	Canopy (> 50 ')	Midstory (20-50')	Understory (<20')	1=1-10%, 2=11-20%, 3=21-40%, 4=41-60%, 5=61-80%, 6=81=100%
	2	4		
Dominant Species of Mature Trees				
% Trees w/ Exfoliating Bark				
Size Composition of Live Trees (%)	Small (3-8 in)	Med (9-15 in)	Large (>15 in)	
No. of Suitable Snags				

Standing dead trees with exfoliating bark, cracks, crevices, or hollows. Snags without these characteristics are not considered suitable.

IS THE HABITAT SUITABLE FOR NORTHERN LONG-EARED BATS?_____

Additional Comments:

Attach aerial photo of project site with all forested areas labeled and a general description of the habitat

Photographic Documentation: habitat shots at edge and interior from multiple locations; understory/midstory/canopy; examples of potential suitable snags and live trees; water sources

APPENDIX C. MAXIMUM LIKELIHOOD ESTIMATES (MLE) SUMMARY

Table C-1. Summary of Maximum Likelihood Estimates (MLEs) for species presence by Kaleidoscope Pro 5.4.0 for Bridge Replacement, W-27-028, Perry Hill Road Over North Brook of Manhan River (MassDOT Project #610768), Westhampton (June 2023). Significant MLE scores are highlighted in gray.

Station	Date	Big brown bat	Eastern red bat	Hoary bat	Silver-haired bat	Eastern small-footed bat	Little brown bat	Northern long-eared bat	Tricolored bat
MAWB-01	6/15/2023	0.00	0.00	0.02	1.00	1.00	0.42	0.31	1.00
	6/16/2023	0.00	0.00	0.39	1.00	0.00	0.45	0.18	1.00
	6/17/2023	0.00	0.00	1.00	1.00	1.00	0.08	1.00	1.00
	6/18/2023	0.00	0.00	0.00	1.00	1.00	1.00	1.00	1.00

APPENDIX D. BRIDGE/STRUCTURE BAT ASSESSMENT FORM AND BRIDGE PHOTOGRAPHS

PHASE 1 SUMMER HABITAT ASSESSMENTS

NORTHERN LONG-EARED BAT HABITAT ASSESSMENT DATASHEET

Project Name: Westhampton

Date: 6/15/2023

Township/Range/Section: Westhampton, MA

Lat Long/UTM/ Zone: 42.318377°, -72.771228°

Surveyor: Nicholas Boulanger

Brief Project Description

This project entails a bridge replacement on Perry Hill Road over the North brook of the Manhan River). The project contains approximately 1.1km of suitable habitat and one bridge within the Project Area.

Project Area

	Total Acres	Forest Acres	Open Acres
Project	1.1km	1.1km	

	Completely cleared	Partially cleared (will leave trees)	Preserve acres- no clearing
Proposed Tree Removal (ac)			

Vegetation Cover Types

Pre-Project	Post-Project

Landscape within 5 mile radius

Flight corridors to other forested areas?

Describe Adjacent Properties (e.g. forested, grassland, commercial or residencial development, water sources)

Proximity to Public Land

What is the distance (mi.) from the project area to forested public lands (e.g., national or state forests, national or state parks, conservation areas, wildlife management areas)?

PHASE 1 SUMMER HABITAT ASSESSMENTS

Use additional sheets to assess discrete habitat types at multiple sites in a project area

Include a map depicting locations of sample sites if assessing discrete habitats at multiple sites in a project area
A single sheet can be used for multiple sample sites if habitat is the same

Sample Site Description
Sample Site No.(s): _____ MAWB-01

Water Resources at Sample Site				
Stream Type (# and length)	Ephemeral	Intermittent	Perennial	Describe existing condition of water sources:
			1 (>2mi)	
Pools/Ponds (# and size)	2 (1 acre)	Open and accessible to bats?		Medium size creek under bridge near detector. North Branch Manhan River.
		yes		
Wetlands (approx. ac.)	Permanent	Seasonal		
	0	0		

Forest Resources at Sample Site				
Closure/Density	Canopy (> 50 ')	Midstory (20-50')	Understory (<20')	1=1-10%, 2=11-20%, 3=21-40%, 4=41-60%, 5=61-80%, 6=81=100%
	2	4		
Dominant Species of Mature Trees				
% Trees w/ Exfoliating Bark				
Size Composition of Live Trees (%)	Small (3-8 in)	Med (9-15 in)	Large (>15 in)	
No. of Suitable Snags				

Standing dead trees with exfoliating bark, cracks, crevices, or hollows. Snags without these characteristics are not considered suitable.

IS THE HABITAT SUITABLE FOR NORTHERN LONG-EARED BATS?_____

Additional Comments:

Attach aerial photo of project site with all forested areas labeled and a general description of the habitat

Photographic Documentation: habitat shots at edge and interior from multiple locations; understory/midstory/canopy; examples of potential suitable snags and live trees; water sources

APPENDIX D: Bridge/Structure Bat Assessment Form

Bridge/Structure Bat Assessment Form Instructions

- This form will be completed to document bat occupancy or bat use of bridges, culverts, and other structures. This form shall be submitted to the appropriate personnel within the DOT and USFWS for recordkeeping (or uploaded into the Information, Planning, and Consultation (IPaC) Determination Key for use of the Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana Bat and Northern Long-Eared Bat) prior to conducting: any activities below the deck surface either from the underside or from above the deck surface that bore down to the underside; any activities that could impact expansion joints; any activities involving deck removal on bridges; or any activities involving structure demolition for bridges, culverts, and/or other structures.
- Assessments must be completed within two (2) years of conducting any work (see the above bullet), regardless of whether assessments have been conducted in the past. Assessments must be completed in appropriate weather conditions, suitable for the assessor to observe common signs of bat use.
- Evidence of bat use may include visual observation (live and/or dead), presence of guano, presence of staining, audible observation, and/or odor observation. Presence of one or more indicators is sufficient evidence that bats may be using the bridge, culvert, and/or other structure.
- If bat use of a bridge, culvert, and/or other structure is noted, additional studies may be undertaken during bat active season to identify the specific bat species utilizing the structure, or protected bat species presence can be assumed, in order to comply with threatened and endangered species regulations. Bat active season dates, typically between April and November, vary regionally and by species, so assessors should consult with their local USFWS Field Office for more specific active season dates.
- For use of the Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana Bat and Northern Long-Eared Bat – If the bridge/structure is 1,000 feet or more from suitable bat habitat[1] (e.g., an urban or agricultural area without suitable foraging habitat or corridors linking the bridge to suitable foraging habitat), check the appropriate box and fill out the table below. **No further assessment is required.**

Date & Time of Assessment	**DOT Project #**	**Route/Facility Carried**	**County**
6/15/23 2:45pm	610768	Perry Hill Ext. Rd Westhampton	Hampshire
Federal Structure ID	**Structure Coordinates** (latitude and longitude)	☐ This bridge/structure is 1,000 feet or more from suitable bat habitat[2] Name:_____ Signature:_____	
W-27-028	42.318599, -72.771308		

- Any questions pertaining to assessments or this form should be directed to the local USFWS Field Office.

[1] Refer to the USFWS's summer survey guidance for the definition of suitable habitat (http://www.fws.gov/midwest/endangered/mammals/inba/inbasummersurveyguidance.html).

[2] This condition is only for use of the Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana Bat and Northern Long-Eared Bat

Bridge/Structure Bat Assessment Form

Date & Time of Assessment: 6/15/23 2:30pm	DOT Project Number: 610768	Route/Facility Carried: Perry Hill Ext.	County: Hampshire
Federal Structure ID: W-27-028	Structure Coordinates (latitude and longitude): 42.318599 -72.771308	Structure Height (approximate): 8ft	Structure Length: 22ft

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

- ○ Box
- ○ Pipe/Round
- ○ Other:

Other Structure

- ○

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

- ☐ 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: sand/gravel mine

Areas Assessed (check all that apply)

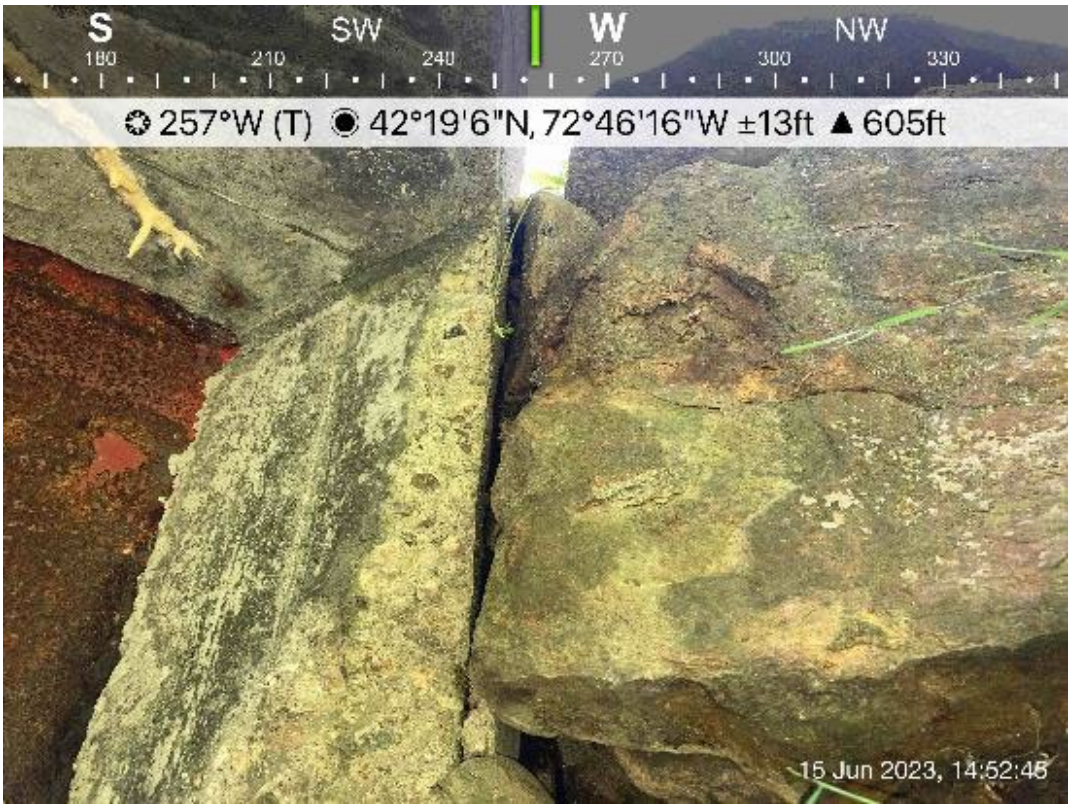
Check all areas that apply. If an area is not present in the structure, check the "not present" box.
Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.

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	☐ 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: Kinsale mccorath

Signature: [signature]

Photographs of Bridge (W-27-028) that spans North Brook of Manhan River on Perry Hill Road Extension in Westhampton


S
SW
W
NW
180
210
240
270
300
330
257°W (T) 42°19'6"N, 72°46'16"W ±13ft 605ft
15 Jun 2023, 14:52:46


SW
W
NW
N
210
240
270
300
330
0
294°NW (T) 42°19'6"N, 72°46'16"W ±13ft 596ft
15 Jun 2023, 14:52:35


SE
S
SW
W
120
150
180
210
240
270
192°S (T) 42°19'6"N, 72°46'17"W ±13ft ▲589ft
15 Jun 2023, 14:51:41


SE
S
SW
W
120
150
180
210
240
270
189°S (T) 42°19'6"N, 72°46'17"W ±16ft ▲594ft


NW
N
NE
E
330
0
30
60
90
120
37°NE (T) 42°19'7"N, 72°46'17"W ±78ft 582ft
15 Jun 2023, 14:50:55


NW
N
NE
E
330
0
30
60
90
120
35°NE (T) 42°19'6"N, 72°46'17"W ±45ft 579ft
15 Jun 2023, 14:50:50


W
NW
N
NE
240
270
300
330
0
30
60
330°NW (T) 42°19'6"N, 72°46'16"W ±45ft ▲582ft
15 Jun 2023, 14:42:05


NE
E
SE
S
SW
60
90
120
150
180
210
138°SE (T) 42°19'6"N, 72°46'16"W ±13ft ▲591ft
15 Jun 2023, 14:44:33

APPENDIX E. RELEVANT STAFF RESUMES

TETRA TECH

Baxter Seguin
Bat Biologist

EXPERIENCE SUMMARY

Baxter Seguin is a wildlife biologist with over 10 years of experience in projects in various states including Maine, New York, Ohio, Virginia, New Jersey, and Nebraska. He has a broad background in environmental science and wildlife research. He has a particular emphasis in mammalogy with a primary focus on bat biology and ecology. He has been especially involved with bat acoustic monitoring and data analysis. Before joining Tetra Tech Mr. Seguin played a lead role in implementing the NABat program throughout the state of Nebraska to determine long term trends in population and habitat usage of bats. More recently Mr. Seguin has provided data analysis and report writing according to the U.S. Fish and Wildlife Service guidelines related to bats for development projects throughout the northeast.

CORPORATE PROJECT EXPERIENCE

Wildlife Biologist, 2023
Presence/Absence Surveys, Various Projects in VA
Conducted northern long-eared bat presence/absence surveys and habitat assessments according to USFW 2023 Northern Long-Eared Bat Summer Survey Guidelines. Prepared reports and conducted manual vetting of acoustic data and summarized data for projects throughout the state of Virginia.

Wildlife Biologist, 2023
Bat Acoustic Survey, Wind Project in MT
Developed a bat acoustics report for a wind and solar development project in Montana. Acoustics consisted of 4 detectors that collected data for a year using SM4 bat detectors. Conducted autoclassification using Kaleidoscope Pro and manually vetted bat passes for each species detected at the site using Sonobat 4.

Wildlife Biologist, 2023
Bat Acoustic Survey, Wind Project in KS
Bat acoustic survey for a 300 turbine wind energy development project in Kansas. Analyzed data from a total of 6 bat detectors were deployed for most of 2022. Conducted autoclassification using Kaleidoscope Pro and manually vetted bat passes for each species detected at the site using Sonobat 4.

Wildlife Biologist, 2023
Bat Acoustic Survey, Wind Farm, CO
Determined site selection for bat acoustic detectors for a proposed wind farm in Northeastern Colorado.

Wildlife Biologist, 2022
MassDOT, NLEB presence/Absence and Habitat Assessments, Various Road and Bridge Improvement Projects, MA
Conducted northern long-eared bat presence/absence surveys and habitat assessments according to USFW 2022 Indiana Bat and Northern Long-Eared Bat Summer Survey Guidelines. Prepared reports and summarized

EDUCATION

MSc, Natural Resource Science, University of Nebraska-Lincoln, 2019

BA, Environmental Studies, Green Mountain College, 2013

AREA OF EXPERTISE

Bat Acoustic Analysis

Bat Mist Netting

Habitat Analysis

GIS

REGISTRATIONS/ CERTIFICATIONS

40 Hour HAZWOPER; 2015

8 Hour HAZWOPER oil spill response; 2015

Wilderness First Responder; 2015

TRAINING

Bat Acoustics Training and Analysis Course; 2017

OFFICE

Portland, OR

YEARS OF EXPERIENCE

10

YEARS WITHIN FIRM

1

data for projects throughout the state of Massachusetts. Conducted autoclassification and manual vetting of bat echolocation data.

Wildlife Biologist, 2022
RiDOT, NLEB Presence/Absence and Habitat Assessments, Various Road and Bridge Improvement Projects, RI
Conducted northern long-eared bat presence/absence surveys and habitat assessments according to USFW 2022 Indiana Bat and Northern Long-Eared Bat Summer Survey Guidelines. Prepared reports and summarized data for projects throughout the state of Rhode Island. Conducted autoclassification and manual vetting of bat echolocation data.

Wildlife Biologist, 2022
Bat Acoustic Survey, Wind Project, CO
Acoustic survey for predevelopment of a 365 turbine wind farm in Colorado. Acoustics consisted of 4 detectors that collected data for most of 2022 using SM4 bat detectors. Conducted autoclassification using Kaleidoscope Pro and manually vetted bat passes for each species detected at the site using Sonobat 4.

PREVIOUS EXPERIENCE

Nebraska and Wyoming NABat Coordinator, 2016-2020

Nebraska Fish and Wildlife Research Unit, Nebraska Game and Parks Commission, Lincoln,NE

As NABat Coordinator, designed and implemented Nebraska specific NABat program through out the state. Supervised and coordinated over 30 individuals across the program. Conducted all acoustic analysis on bat echolocation data.

Bat Acoustic Specialist, 2016-2020

Nebraska Game and Parks Commisson, Chadron, NE

As bat acoustic specialist, provided bat acoustic analysis for projects in the northeastern corner of Nebraska. Provided acoustic analysis training to various Nebraska Game and Parks and U.S. Forest Service employees. Gave budgetary and research recommendations for the region regarding bat research and protection. Presented bat related research to public entities and potential state collaborators.

Bat Field Technician, 2013 and 2015

Biodiversity Research Institute, Portland, ME

As bat field technician, conducted summer bat surveys for Indiana bat (*Myotis sodalist*) and northern long-eared bat (*Myotis septentrionalis*) in multiple states. Conducted mist netting, ground and airplane radio telemetry, and stationary acoustic surveys. Worked in national parks, private land, and military bases.

OTHER INFORMATION (ADDITIONAL TRAINING, PUBLICATION(S), AWARD(S), ETC.)

PUBLICATIONS & PRESENTATIONS

Hogan, K.F.E., Fogarty, D.T., Ellerman, H., Fill, C., Morales, D., Seguin, B., Uden, D., Allen, C. 2022. Rangelands in a fragmented grass-dominated landscape are vulnerable to tree invasion from roadsides. Biological Invasions. Lincoln, NE.

Seguin, B. 2019. Implementing the north American bat monitoring program in Nebraska: An assessment of Nebraska bats with an emphasis on citizen science. M.S. Thesis, University of Nebraska-Lincoln.

TETRA TECH

Nicholas Boulanger
Bat Field Technician

EXPERIENCE SUMMARY

Nicholas Boulanger is a field technician with three years of experience in wildlife biology, with an emphasis on bat monitoring projects. Before joining Tetra Tech, Nicholas played a critical role in a significant post-construction wind fatality monitoring project evaluating the potential of different curtailment methods to reduce impacts on migrating bats.

CORPORATE PROJECT EXPERIENCE

Field Technician, August 2023
Sun Tribe Solar Boston Hill Presence/Absence and Habitat Assessments, VA

Conducted northern long-eared bat and Indiana bat presence/absence surveys and habitat assessments according to USFW 2023 Indiana Bat and Northern Long-Eared Bat (NLEB) Summer Survey Guidelines. Selected deployment locations for bat detectors in cooperation with local landowners.

Field Technician, August 2023
Sun Tribe Solar Cumberland Presence/Absence and Habitat Assessments, VA

Conducted northern long-eared bat and Indiana bat presence/absence surveys and habitat assessments according to USFW 2023 Indiana Bat and Northern Long-Eared Bat (NLEB) Summer Survey Guidelines. Selected deployment locations for bat detectors in cooperation with local landowners.

Field Technician, July 2023
Empire Offshore Wind Presence/Absence and Habitat Assessment, Island Park, NY

Conducted northern long-eared bat presence/absence surveys and habitat assessments according to USFW 2023 Indiana Bat and Northern Long-Eared Bat (NLEB) Summer Survey Guidelines. Prepared GIS data.

Field Technician, July 2023
RIDOT, NLEB Presence/Absence and Habitat Assessments, Various Road and Bridge Improvement Projects, RI

Conducted northern long-eared bat presence/absence surveys and habitat assessments according to USFW 2023 Indiana Bat and Northern Long-Eared Bat (NLEB) Summer Survey Guidelines. Prepared reports and summarized data for projects throughout the state of Rhode Island.

Field Technician, June 2023
MassDOT, NLEB Presence/Absence and Habitat Assessments, Various Road and Bridge Improvement Projects, MA

Conducted northern long-eared bat presence/absence surveys and habitat assessments according to USFW 2023 Indiana Bat and Northern Long-Eared Bat (NLEB) Summer Survey Guidelines. Prepared reports and summarized data for projects throughout the state of Massachusetts.

EDUCATION

MS, Environmental Science & Policy, University of Wisconsin-Green Bay, 2020

BS, Conservation Biology, University of Wisconsin-Madison, 2016

AREA OF EXPERTISE

Wildlife Biology

Acoustic Surveys

Bat Monitoring

TRAINING

CPR and First Aid, 2023

Acoustic ID of Northeastern Bat Species, 2021

OFFICE

Portland, ME

YEARS OF EXPERIENCE

3

YEARS WITHIN FIRM

<1

Field Technician, June 2023
APV Virginia Beach Presence/Absence and Habitat Assessment, Virginia Beach, VA

Conducted northern long-eared bat presence/absence surveys and habitat assessments according to USFW 2023 Indiana Bat and Northern Long-Eared Bat (NLEB) Summer Survey Guidelines.

Field Technician, May/June 2023
Woodridge Solar Presence/Absence and Habitat Assessments, VA

Conducted bat presence/absence surveys and habitat assessments according to USFW 2023 Indiana Bat and Northern Long-Eared Bat (NLEB) Summer Survey Guidelines.

Field Technician, May/June 2023
Dominion Beldale Solar Presence/Absence and Habitat Assessments, VA

Conducted bat presence/absence surveys and habitat assessments according to USFW 2023 Indiana Bat and Northern Long-Eared Bat (NLEB) Summer Survey Guidelines.

Field Technician, May/June 2023
Dominion Finneywood Solar Presence/Absence and Habitat Assessments, VA

Conducted bat presence/absence surveys and habitat assessments according to USFW 2023 Indiana Bat and Northern Long-Eared Bat (NLEB) Summer Survey Guidelines.

Field Technician, May/June 2023
Dominion Laurel Branch Solar Presence/Absence and Habitat Assessments, VA

Conducted bat presence/absence surveys and habitat assessments according to USFW 2023 Indiana Bat and Northern Long-Eared Bat (NLEB) Summer Survey Guidelines.

Field Technician, May 2023
Bluepoint Wind Acoustic Bat Survey, Brooklyn, NY

Installed bat detector on an ocean vessel for monitoring offshore bat activity.

Field Technician, May 2023
Flickertail Wind LIC, Acoustic Bat Survey, Carrington, ND

Deployed long-term acoustic monitoring stations for bats. Prepared GIS data.

Field Technician, March 2023
White Oak Wind, Acoustic Bat Survey, King County, TX

Deployed long-term acoustic monitoring stations for bats, including MET tower microphone deployment.

Field Technician, March 2023
CVOW Commercial Project

Performed QAQC for acoustic data collected during the 2022 field season.

PREVIOUS EXPERIENCE

Site Leader, May 2022 – Dec 2022
Bat Conservation International, Orient, IA

Managed a major post-construction fatality monitoring project researching bats and wind energy. Coordinated with wind energy facility site staff and local landowners to facilitate carcass searches proceeded on schedule. Identified carcasses found to species, sex and age, and estimated time of death. Set up and maintained thermal camera arrays, acoustic detectors, and weather stations with accompanying solar power installations. Oversaw the safety of search crews and monitored weather hazards and pesticide exposure risks.

TETRA TECH

Kenneth A. Deshais, CPSS

Senior Project Scientist

EXPERIENCE SUMMARY

Mr. Deshais is a Senior Project Scientist with 29 years of experience conducting environmental assessments in the eastern United States. As a permitting and wetland specialist, he prepares permits in accordance with local, state and federal regulations, and presents findings to permitting authorities. Mr. Deshais is also responsible for soil and vegetation investigations, construction supervision, erosion and sediment control planning, resource area identification and wildlife habitat evaluations. In addition, he completes investigations and reports for stormwater management, land use/zoning, impact evaluation and mitigation planning projects.

RELEVANT EXPERIENCE

Geotechnical Support Services, Massachusetts Water Resources Authority (MWRA), Boston, MA, 2022 to Present. Permit Specialist for the Metropolitan Water Tunnel Program (MWTP) Geotechnical Support Services contract. The MWTP includes 14 miles of deep rock tunnels and surface connections to provide critical redundancy to the water supply in the Boston area. Responsible for project permitting including Massachusetts Wetlands Protection Act and Massachusetts Department of Conservation and Recreation Access permitting.

Stormwater Pollution Prevention Plan Review, MassDOT – District 5, 2021 to 2022. Performed peer review of Stormwater Pollution Prevention Plans (SWPPP) pursuant to the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Construction Activities (CGP) for projects throughout the District. Reviews included checks for compliance with the 2017 and 2022 CGPs.

Rushy Marsh Farm Expansion, Cotuit, MA, 2014 to Present. As Senior Project Scientist, providing environmental permitting support for the proposed expansion of an operating farm within a coastal community on Cape Cod. The project includes several buildings and facility renovations on property that extends from the coastal banks of Nantucket Sound inland to the tidal estuary of Fullers Marsh.

Boulder Brook Drainage Improvements, MassDOT, Wellesley, MA, 2023. MassDOT recently awarded the first project under its new Resiliency Program to Tetra Tech, the design of drainage improvements along Route 9 and culvert replacements over Boulder Brook. Senior Project Scientist supporting the evaluation of the preferred alternative. The preferred design alternative for the culvert replacements developed more than a decade ago by Tetra Tech will be reevaluated using current precipitation and streamflow data adjusted for climate change and applying current environmental regulations and wetland resource area conditions.

Education

MS, Soil Science, University of Massachusetts, 1995

BS, Environmental Science, University of Massachusetts, 1992

BS, Wildlife Management, University of Massachusetts, 1987

Registrations/Affiliations

Soil Science Society of America Certified Professional Soil Scientist (CPSS) No. 15285

EPA NPDES Construction General Permit Certified Site Inspector

Society of Soil Scientist of Southern New England Registered Professional Soil Scientist

Association of Massachusetts Wetland Scientists

Soil Science Society of America

Society of Wetland Scientists

Society of Soil Scientists of Southern New England, Special Assistant to the Board (2003-2004); Alternate Board Member (2001-2002)

Grafton Planning Board (1999)

Monson Conservation Commission, (1992-1996)

Office

Marlborough, MA

Years' Experience/with firm

29/28

Contact

Kenneth.Deshais@tetratech.com

MassDOT Highway Division, NLEB Presence/Absence Habitat Assessment and Detector Deployment, Various Road and Bridge Improvement Projects, MA. 2018 to Present. Assist with and deploy detectors, conduct habitat assessments, and bridge inspections at multiple location throughout the state according USFWS Indiana Bat and Northern Long-Eared Bat Summer Survey Guidelines. Summarized and wrote technical memorandums.

Middlesex Turnpike Phase 3 Project, MassDOT, Bedford and Billerica, MA, 2019 to 2020. Senior Project Scientist responsible for providing Environmental Monitor services in accordance with conditions of the Variance issued by MassDEP pursuant to the regulations of the Massachusetts Wetlands Protection Act.

Green Line Extension Project, Massachusetts Bay Transportation Authority (MBTA), Cambridge, Somerville, Medford, MA, 2017 to Present. Senior Project Scientist responsible for the development of the Project's Stormwater Pollution Prevention Plan (SWPPP) pursuant to the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Construction Activities. Provide oversight of the Contractor's compliance with the SWPPP throughout the approximately three-mile project corridor.

I-495/I-90 Interchange Improvements, MassDOT Highway Division, Hopkinton and Westborough, MA, 2016 to Present. Senior Project Scientist for improvements to the I-495/I-90 interchange within an Area of Critical Environmental Concern (ACEC) and impacts to state designated Outstanding Resource Waters. Tetra Tech evaluated natural resources of the project area, confirmed the wetland delineation, compiled data for certification of vernal pools, prepared environmental review and permitting documents; contributing to the development of the design of the highway and bridge preferred alternative. Responsible for the preparation of the Project's Conceptual Wetland Mitigation Plan for the preferred alternative and review of the Design-Builder submittals for compliance with project permits and specifications.

Ashlar Park - Redevelopment of Former Quincy Hospital, FoxRock Properties, 114 Whitwell, Quincy, MA, 2018 to Present. Tetra Tech is providing site design, permitting and environmental assessment and remediation services, and a traffic impact and access study for redevelopment of the former Quincy Medical Center. Senior Project Scientist responsible for the development of the Project's Stormwater Pollution Prevention Plan (SWPPP) pursuant to the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Construction Activities for the construction of an approximately 450 residential units.

Boston Children's Hospital, FoxRock Properties, Weymouth, MA, 2020 to Present. Scientist/Permit Specialist on the Tetra Tech team providing environmental, civil, traffic and permitting services for an 80,000- sf Medical Office Building. Responsible for wetland delineation and preparation of a Notice of Intent pursuant to the Massachusetts Wetlands Protection Act and the Weymouth Wetlands Protection and Regulations. Developed the Project's SWPPP pursuant to the U.S. Environmental Protection Agency's NP DES General Permit for Discharges from Construction Activities and obtained a Massachusetts Department of Environmental Protection BRP WM 15-NPDES SPPP for Construction General Permits Discharging to Outstanding Resource Waters.

Bay State Wind Offshore Wind Farm, Dong Energy, MA and RI, 2017 to 2020. Senior Project Scientist for wetland reconnaissance and for the onshore transmission cable routes and wetland resource identification and delineation for preferred cable route and onshore substation location. Prepared existing wetland resource assessment report for the and impact analysis for inclusion in the Project's COP.

Wetland Delineation, Solar Energy Facilities, Bright Lite Energy, Various Locations, MA, 2017 to 2018. Project Scientist for wetland delineation and classification for various solar projects in Orange and Brookfield.

Wetland Delineation, Solar Energy Facilities, Bright Lite Energy, Various Locations, NY, 2019. Project Scientist for wetland reconnaissance of over 335 acres of agricultural field and forest in Tully.

Wetland Delineation, Solar Energy Facilities, CT, 2019. Wetland/Soil Scientist responsible for wetland delineation confirmation/sign for a 460-acre site.

Wetland Mitigation Monitoring Woods Memorial Bridge Replacement and Transportation Improvements, MassDOT, Medford, MA, 2016 to 2021. Senior Project Scientist responsible for conducting annual monitoring and preparation of annual reports and the final assessment report in compliance with the United States Army Corps of Engineers permit, the Massachusetts Department of Environmental Protection's Water Quality Certification, and the Medford Conservation Commission permit requirements.

Statewide Impaired Waters Support Services, MassDOT Highway Division, 2013 to Present. Supporting a multi-year contract to provide MassDOT with a range of wetland and stormwater compliance measures including the design and permitting of stormwater BMPs under the Impaired Waters Program, National Pollutant Discharge Elimination System (NPDES) permit compliance and reporting activities, Illicit Discharge Detection and Elimination (IDDE), Construction Oversight and general Stormwater Consulting and Environmental Services. Responsible for soil and vegetation investigations, wetlands delineation and preparation of permits in accordance with local, state and federal regulations.

Statewide On-Call Environmental Services, MassDOT Highway Division, 2011 to Present. Supporting a multi-year contract for MassDOT that involved anything from routine roadway projects to major transportation improvement projects. Assignments supported under this contract included impaired water bodies watershed assessments, stormwater Best Management Practice (BMP) design plans, construction specifications and special provisions; preparation of environmental permit applications including Massachusetts Environmental Policy Act (MEPA) documentation, state and federal wetlands permits, and Chapter 91 Waterways licenses and permits; and public outreach including meetings with federal and state agencies, city/town officials and community groups. Responsible for soil and vegetation investigations, wetlands delineation and preparation of permits in accordance with local, state and federal regulations, and construction compliance inspections.

Route 18 Corridor Widening, MassDOT Highway Division, 2002 to Present. Wetlands Scientist for wetland resource area investigation, wetland mitigation design, and wildlife habitat evaluation of properties within an approximate five-mile section of Route 18. The project required a variance from wetlands regulations. Due to the inability to mitigate wetlands within the project limits, an off-site wetland mitigation site was identified, and approvals obtained from the U.S. Army Corps of Engineers and the Massachusetts Department of Environmental Protection. Responsible for review of Contractor's submittals for compliance with project permits and specifications.

River's Edge Mixed Use Development, Preotle, Lane & Associates, Ltd., Medford, Malden and Everett, MA, 2005 to 2018. Provided wetland mitigation design and wetland mitigation post-construction monitoring for the 32-acre River's Edge mixed-use business park. This regional redevelopment project will include 1.8M-sf of commercial and residential buildings along the Malden River. Phase 1 consists of 220 units of residential housing and 441,600 square feet of new office/research and development space in three buildings on 30 acres. The project created 7.6 acres of public parkland and restored 1.7 acres of wetlands along the Malden River. Assisted in obtaining state approvals from the DEP Wetlands and Waterways Divisions, MEPA and the Massachusetts Water Resources Authority. An Individual Water Quality Certification was also obtained from the DEP Wetlands Division for the wetland fill and wetland mitigation plan. Assisted with MEPA documentation including the Environmental Notification Form (ENF), EIR, and numerous Notices of Project Change. Federal permits included US Army Corp of Engineers (ACOE) Individual Permits for the wetland fill, mitigation design and the removal of an abandoned barge that was located within the Federal Channel of the Malden River. Barge removal and all work within the Federal Channel of the river was closely coordinated with the ACOE Navigation Division. Senior Project Scientist responsible for the development of the Project's Stormwater Pollution Prevention Plan (SWPPP) pursuant to the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Construction Activities.

MWRA Compliance Sampling, Sterling Suffolk Racecourse, LLC, Suffolk Downs East Boston and Revere, MA, 2012 to 2020. Responsible for conducting monthly compliance sampling of process wastewater for a Massachusetts Water Resources Authority Sewer Use Discharge Permit issued to the facility. Sampling includes obtaining manual composite samples for 13 parameters and grab samples for two parameters.

Stormwater Permitting and Compliance Services, Sterling Suffolk Racecourse, LLC, East Boston and Revere, MA, 2008 to 2020. Lead Permitting Specialist for obtaining a National Pollutant Discharge Elimination System (NPDES) Individual Permit for stormwater discharges associated with a Concentrated Animal Feeding Operation at Suffolk Downs Racecourse. Responsible for developing a Nutrient Management Plan (Stormwater Pollution Prevention/Management Plan) for the approximately 1,000-horse facility, performing wet and dry weather sampling of eight outfalls, data compilation, and negotiations with the US Environmental Protection Agency (EPA) and the Massachusetts DEP.

Longfellow Bridge Rehabilitation Project, MassDOT Highway Division, Boston/Cambridge, MA, 2013 to 2018. Environmental Permitting Lead for the Longfellow Bridge Restoration Design/Build Project. Oversaw compliance with federal, state and local environmental permits, including: Massachusetts Wetlands Protection Act Order of Conditions (OOC) issued by the Boston Conservation Commission; Massachusetts Wetlands Protection Act Superseding Order of Conditions (SOC) issued by the Massachusetts Department of Environmental Protection (MassDEP); United States Army Corps of Engineering Permit; MassDEP's Chapter 91 Licenses for the pedestrian bridge in Boston and stormwater feature in Cambridge; and U.S. Coast Guard permit for work within the navigational channel. Work also included the development of a construction term Stormwater Pollution Prevention Plan (SWPPP) pursuant to the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Construction Activities, and the development of a Water Quality Monitoring Plan for monitoring the pH of the Charles River during masonry work conducted within the splash zone of the bridge piers. Conducted weekly and post-storm inspections of the project area and submitting monthly compliance reports to MassDEP. Providing environmental compliance reviews and sign-offs of project design documents.

Belle Isle Marsh Boardwalk, Sterling Suffolk Racecourse, LLC, East Boston, MA, 2013 to 2017. Project Scientist responsible for site selection of an approximately 100-foot long helical pile supported boardwalk over a freshwater wetland at the Massachusetts Department of Conservation and Recreation's (DCR) Belle Isle Marsh Reservation. Prepared an Environmental Notification Form pursuant to the Massachusetts Environmental Policy Act, a DEP Water Quality Certification application, a Notice of Intent in accordance with the Massachusetts Wetlands Protection Act, and a DCR Construction/Access Permit application, Provided environmental compliance and construction oversight during project implementation.

Wetland Delineation, TransCanada Energy LLC, Burrillville, RI, 2015. Project Scientist responsible for wetland delineation and classification for the approximately 60-acre site.

Wetland Delineations, Soltage, LLC, Various Sites Eastern MA, 2015. Project Scientist responsible for wetland delineation for various solar array projects to be located at landfills in East Bridgewater, Randolph and Plainville.

I-93 and Route 110/Route 113 Interchange Reconstruction Project, MassDOT Highway Division, Methuen, MA, 2008 to 2018. Wetlands delineation for the widening of I-93 and the construction of a new interchange, six interchange ramps, and improved bike/pedestrian facilities. Project included a variance from Massachusetts Wetlands Protection Act Regulations for design of a 13-acre wetland mitigation area to compensate for unavoidable project impacts. The plan featured 5.3 acres of Bordering Vegetated Wetlands creation/restoration including 2.4 acres of forested habitat, 1.7 acres of scrub/shrub habitat, 1.1 acres of emergent habitat, 0.1 acres of riverine habitat, and 555 linear feet of recreated waterway bank.

I-95/Whittier Bridge Improvements, MassDOT Highway Division, Newburyport, Amesbury, Salisbury, MA, 2009 to November 2018. Supported the EIR for the reconstruction of a 4-mile segment of I-95 and the replacement of Whittier Bridge over the Merrimack River. Whittier Bridge is one of 14 projects selected nationwide by the Obama Administration to be expedited through the permitting and environmental review process. Involved in preparation of MEPA ENF, a combined NEPA EA and a MEPA EIR, and permits, leading to a design/build RFP package. Key issues relating to the joint filings included rare species, wetlands, historic and archaeological resources, and water supply protection. EA/EIR and permit applications were prepared under a tight timeframe to meet the Accelerated Bridge Program (ABP) schedule.

Spot Pond Preliminary Design and Owner's Representative Services, MWRA, Stoneham, MA, 2010 to 2012. As part of the CDM Project Team, assisting with wetlands permitting in support for the design/build of the Spot Pond Storage Facility.

Stormwater Improvement Project, Sterling Suffolk Racecourse, LLC, Suffolk Downs East Boston and Revere, MA, 2011 to 2012. Owner's Representative for the construction of the approximately $3.2 million stormwater improvement project including over 5,000 linear feet of process water drains, 15,000 linear feet of storm drain, 4,200 linear feet of force main, a 307,000 cubic foot holding pond, and pump station.

Draft Environmental Impact Report Framingham Campus Master Plan, Genzyme Corporation, Framingham and Southborough, MA, 2011. Project Scientist responsible for the preparation of a DEIR for Genzyme's Framingham Campus Master Plan which includes 397,000 square feet of research and development space, 164,000 square feet of manufacturing space, 360,000 square feet of office space, demolition of 186,500 square feet of existing buildings, and 2,390 new parking spaces.

Reconstruction of Route 7, ConnDOT, Danbury and Ridgefield, CT, 2005 to 2012. Project Scientist for mitigation of roadway widening impacts consisting of approximately 3.5 acres of wetland creation, enhancement and restoration related to the reconstruction of Route 7 between Route 35 and Starrs Plain Road. Provided inspection of all mitigation site planting operations and plantings. Services also included providing documentation per permit conditions and commitments and preparing monitoring reports to the USACE.

US Route 7 Bypass, Brookfield, ConnDOT, CT, 2006 to 201. Project Scientist for environmental planning services and regulatory permitting assistance for the mitigation of roadway impacts involving approximately 3.60 acres of wetland creation, enhancement and restoration, and 230 linear feet of riparian enhancement.

Officers Training Center Project, United States Navy, Naval Station Newport, RI, 2010. Project Scientist responsible for wetland delineation related to a design-build contract for a 133,700 gsf, 3-story, $76M barracks building that will house 464 OTC students in 116 "2+2" room modules for the NAVFAC Mid-Atlantic division.

Union Point, South Shore Tri-Town Development Corporation, Weymouth, Rockland, and Abington, MA, 1999 to 2010. Performed wetland delineation associated with the redevelopment of the 1,450-acre South Weymouth Naval Air Station, and supported the EIR and permitting for infrastructure improvements along a 5-mile section of Route 18.

Greenbush Commuter Rail Design/Build Project, MBTA, South Shore, MA, 2002 to 2010. Project Scientist responsible for coordinating environmental permitting and natural resource impact evaluations for the 18.5-mile rail construction project. Provided support to MBTA in acquiring wetland and endangered species permits, and securing NPDES stormwater permits for the design/builder. Lead Scientist for impact analysis associated with increasing tidal flushing to the approximately 68-acre Home Meadows complex in Hingham. Provided design and construction supervision of 4.6 acres of freshwater wetland and 6.5 acres of salt marsh creation, and identified adverse effects on aquatic resources including erosion control, sediment retention from surface water, cofferdam installation and removal and dewatering activities. Supervised wetland resource area studies, including removal of wetland soils from areas to be filled, storage of excavate, transportation of soils and plant materials, and planting and monitoring of wetland replication areas. Since permits were obtained prior to final design for this design/build project, also responsible for reviewing the final design and certifying permit compliance. Prepared multiple Stormwater Pollution Prevention Plans (SWPPP), and on a routine basis, provided stormwater pollution prevention training to employees of Cashman/Balfour Beatty (CBB) and associated subcontractors. Oversaw CBB's implementation of erosion and sediment control throughout the 3.5-year construction period.

Blue Hills Covered Storage, MWRA, Quincy, MA, 1997 to 2010. Prepared an Expanded Environmental Notification Form and the Single and Final Environmental Impact Reports outlining the potential impacts of the 20-million-gallon storage system in the Blue Hills Reservoir within the Blue Hills Reservation. Responsible for preparing a US Army Corps of Engineers Individual Permit application, DEP Water Quality Certification application, and other applications in accordance with the Massachusetts Wetlands Protection Act, including a Notice of Intent, Request for Superseding Order of Conditions, and Request for Variance. Reviewed contractor's

design documents, including the SWPPP for the approximately 18-acre construction site. Also provided expert witness testimony on behalf of the MWRA in defense of a Massachusetts Wetland Protection Act Variance issued by the DEP for the project. Testimony included preparation of pre-filed direct testimony, preparation of written rebuttal to appellant's pre-filed written testimony, and verbal testimony in response to appellant's cross-examination. Testimony focused on wetland resource area identification, impact assessment and mitigation alternatives.

Federal Correctional Institution, US Department of Justice, Bureau of Prisons, Berlin, NH, 2007 to 2009. As part of the Bell-Heery Joint Venture, Lead Scientist for the design of four wetland restoration areas and four vernal pools to provide mitigation for impacts to wetlands associated with the construction of the correctional facility. Responsible for annual post construction monitoring of the wetland mitigation areas to assess long-term viability and the project's impact to wetlands. The 700-acre site includes a medium security facility, a minimum security camp, a utility/warehouse building complex, a 16-station firing range and training center, a water pump station, a wastewater processing system, a 3,600-foot access road and off-site transportation improvements.

Expert Witness Testimony for Land Taking, MBTA, Norfolk, MA, 2009. Provided expert witness testimony in Norfolk Superior Court on behalf of the MBTA in defense of a land taking claim. Testimony focused on wetland resource area identification, including degraded/non-degraded riverfront area and maximum buildable area.

Gillette Stadium and Economic Development Area, New England Patriots, Foxborough, MA, 1999 to 2007. Developed application materials and multiple SWPPPs for the NPDES General Permit for Stormwater Discharges from Construction Activities and implementation of erosion and sediment controls. Lead Scientist responsible for the relocation and day lighting of approximately 1,000 feet of the Neponset River, including characterization of existing conditions and construction supervision. Completed MEPA review and all environmental permitting for the 68,000-seat stadium, and parking and infrastructure improvements to the 300-acre stadium site. Conducted MEPA review using an expanded ENF and single EIR, and received a Phase One Waiver for stadium structure construction.

Natural Resource Inventory and Stewardship Plan for Fresh Pond Reservation, City of Cambridge, Cambridge, MA, 2002. Provided support for permitting and environmental services associated with a Natural Resource Inventory and Stewardship Plan for the Fresh Pond Reservation in Cambridge. The purpose of the project was to catalogue the natural resources at the reservation, identify issues that are potentially impacting the resources, and provide recommendations for protection or enhancement of the resources. Resources investigated included vegetation cover types, wetlands, streams and shorelines, wildlife and endangered and threatened species.

Southbridge Business Center, Southbridge, MA, 2002. Served as the permitting lead responsible for the development of permit application materials in compliance with the NPDES Multi-Sector General Permit (MSGP) for stormwater discharges associated with industrial activities. The application and compliance materials addressed site inventory, discharges, pollution prevention measures, sampling, compliance inspections and record keeping requirements for the 14 buildings and 22-outfall site. Sectors addressed in the MSGP application and compliance materials included sectors X (Printing and Publishing), Y (Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries), AA (Fabricated Metal Products), and AC (Electronic, Electrical, Photographic and Optical Goods).

Proposed Stockbridge–Munsee Casino, Trading Cove, Sullivan County, NY, 2001. Project Scientist responsible for wetland delineation on the approximately 333 acre site and preparation of a Wetland Delineation Report submitted to the U.S. Army Corps of Engineers New York District.

Relocation of Route 57, MassDOT Highway Division, Agawam and Southwick, MA, 1998 to 2000. Responsible for the technical aspects of wetlands replication and environmental permitting for the relocation of Route 57. This project was to include 2.5 miles of four-lane divided highway, three major bridges, an animal passageway, noise barriers and a diamond ramp. The wetland impacts were to be among the largest proposed in the state.

Preliminary Screening Report, Water Supply Plan, Connecticut Water Department, Bristol, CT, 1999. Identified potential impacts to the natural and cultural environment associated with four of the Water Department's Water Supply Plan alternatives. The assessment included field inspection and review of existing information. Under review were wetlands and water quality, floodplain, wildlife, air quality, noise and traffic as well as historic, archaeological and cultural considerations.

Close, Jensen and Miller, PC, Wethersfield, CT, 1998. Environmental Scientist for evaluation of a proposed truss bridge construction and staging site within the Connecticut River floodplain. Performed an existing data search and wetland resource area investigations.

Yearly Operational Plan for Vegetation, MassDOT Highway Division, MA, 1998. Environmental Scientist for the preparation of a Yearly Operational Plan for the maintenance and control of vegetation within the Authority's right-of-way. Responsible for the designation of vegetation control methods, design and implementation of flagging methods to designate sensitive areas within the right-of-way, and identification of sensitive areas within the right-of-way.

Environmental Impact Report and Permitting, I-93/Route 129 Interchange Project, MassDOT Highway Division, Wilmington and Reading, MA, 1997 to 1998. Project Scientist for the Environmental Impact Report and permitting for the I-93/Route 129. This project was proposed to impact over one acre of wetlands and require a variance from the DEP, as well as an Individual Permit from the USACE. Particularly sensitive issues included project's impact on adjacent town water supplies and potential drainage pattern changes to the Ipswich River, which has become stressed from excessive water withdrawal.

Wastewater Facility Plan, Metropolitan District Commission, West Boylston and Holden, MA, 1995 to 1998. Environmental Scientist responsible for review of the potential adverse and beneficial impacts of the project's approximately 72 miles of sanitary sewer and 23 pumping stations on the watershed of the Wachusett Reservoir. Review and compilation of additional information regarding the alternatives and their proposed impact on secondary growth, traffic and transportation, land use, recreation, and open space. Of particular concern was the protection of the Wachusett Reservoir and its watershed. Preparation of federal, state and local permits.

Wetland Restoration Plan, US Postal Service (USPS), MA, 1997. Environmental Scientist for the restoration of approximately 15,000 square feet of altered vegetated wetland. Responsible for the characterization of soil and vegetation of the adjacent undisturbed wetland areas and the development of a wetland restoration plan, including specification of soils and vegetation. Supervised the implementation of the restoration plan, including dewatering of soils and vegetation planting.

Environmental Assessment, USPS, Northeast Area, US, 1996 to 1997. Environmental Scientist for assessment impacts associated with the implementation of alternative fueled vehicles pursuant to the National Environmental Policy Act. Researched and reported on various cost impacts such as conversion, maintenance, operational and infrastructure costs. Reviewed and assessed the feasibility of various alternative technologies including compressed natural gas, liquid petroleum gas, methanol-based fuels, electric technology, and reformulated gasoline fuels. Planned and coordinated task force meetings and document preparation.

Brightman Street Bridge Replacement Project, MassDOT Highway Division, Fall River and Somerset, MA, 1995 to 1997. Environmental Scientist for environmental permitting for the relocation of the Brightman Street Bridge. Responsible for the review of natural resources within the project area, including soils, vegetation and wildlife. Evaluation of impacts to inland and tidal resources and preparation of permit applications. Responsible for the mitigation design, including site selection based on soil and hydrologic characteristics; and excavation, soil and vegetation specification.

Walnut Hill Water Treatment Plant, MWRA, Marlborough MA, 1994 to 1997. Environmental Scientist responsible for evaluations of site alternatives for the MWRA's water treatment facility. Conducted soil, vegetation, and resource area investigations for three alternative sites ranging from 120 to 235 acres. This project included a natural resource impact evaluation of the proposed 60-acre facility in addition to an approximately 12-mile sewer easement. In addition, prepared permits for geotechnical borings and construction of the sewer line.

Included in the permitting process was the development of a SWPPP and mitigation plans for the proposed impacts to Class A waters.

Compliance Analysis, MBTA, Boston, MA, 1996. Environmental Scientist for the evaluation and cost of compliance analysis of biodiesel fuel for buses to meet the requirements of 40 CFR 85.1403. Responsibilities included project coordination, research, development of alternatives, review of sub-consultant materials, and report writing/compilation.

Vegetated Wetlands Delineation Workshop, MADEP, East Hampton, MA, 1996. Instructed on the interpretation, discussion and presentation of the revised (June 1995) state methodology for delineating bordering vegetated wetlands. Specific discussions included review of criteria to be used for the delineation and the characterization of vegetative, soil, and hydrologic indicators of wetlands.

Combined Sewer Overflow Project, City of Fall River, Fall River, MA, 1996. Environmental Scientist for the development of a wetland restoration plan associated with the Combined Sewer Overflow project. Responsibilities included an impact evaluation, specification of soil and vegetation, construction procedures, an erosion and sediment control plan, and scheduling for the mitigation of this 0.5-acre project.

Environmental Permitting, MassDOT Highway Division (formerly Massachusetts Turnpike Authority), Brimfield, MA, 1996. Environmental Scientist for the permitting of a maintenance vehicle ramp. Conducted impact evaluation, wetland mitigation planning, permitting process, and regulatory coordination.

South Shore Plaza Expansion, Corporate Property Investors, Braintree, MA, 1995 to 1996. Environmental Scientist for the permitting associated with a retail development and its approximately 1.52-acre impact to federal jurisdictional wetlands. Responsible for an impact evaluation, according to the US Army Corps of Engineers New England Division's Highway Methodology Workbook Supplement (1995). Developed a wetland mitigation plan consisting of construction sequencing and timing, erosion and sediment control, mitigation area siting, recommended vegetation and soil materials.

Environmental Assessment, USPS, MA, CT, and NY, 1994 to 1996. Environmental Scientist for the siting of several new postal facilities. Responsibilities included resource area identification, impact evaluation, mitigation planning, hazardous waste site assessments, and report preparation.

Biological Assessment, Massachusetts Port Authority, Shawsheen River, Hanscom Air Force Base, Bedford, MA, 1995. Environmental Scientist for the biological assessment of approximately one-half mile of the Shawsheen River. This assessment was conducted following methods outlined in the US Environmental Protection Agency's Rapid Bioassessment Protocol I – Benthic Macro Invertebrates, performed to evaluate the apparent health of the ecosystem. The assessment included the characterization of river substrate and banks, aquatic and terrestrial vegetation, water quality, aquatic macro invertebrate populations, and habitat use by other wildlife species.

I-495/ I-90 Interchange Improvements, MassDOT Highway Division, 1995. Environmental Scientist responsible for construction supervision of this interchange improvement project which added lanes exit and entrance ramps at the toll plaza. Supervised an erosion and sediment control plan adjacent to a designated Massachusetts Area of Critical Environmental Concern.

New England Regional Soils Monitoring Project, 1992 to 1995. Soil Scientist responsible for site selection of experimental plot locations, involving the identification of soil drainage classes, parent material, and associated landforms. Produced detailed standard Natural Resource Conservation Service (NRCS) soil descriptions. Collected and analyzed soil samples according to standard NRCS procedures. Measured and interpreted in situ soil parameters such as redox potential, matric potential, temperature, groundwater level, and groundwater iron content. Described and documented vegetation characteristics according to methods stated in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

Massachusetts Title 5 Site Evaluators Training Course, 1993. Soil Scientist responsible for the discussion and interpretation of morphological and physical properties of soils and their relation to the effectiveness of on-site sewage disposal systems.

MBTA Vegetation Management Plan and Yearly Operational Plan, 1992. Environmental Scientist for the Vegetation Management Plan (VMP) and Yearly Operational Plan (YOP). VMP responsibilities included the designation of methods and rationale for the control of vegetation, development of operational guidelines for applicators relative to herbicide use, development of a remedial plan to address spills and related accidents, and the development of an integrated pest management program. YOP responsibilities included the designation of vegetation control techniques, identification of target vegetation, development of flagging methods to indicate sensitive areas within the right-of-way, and procedures and locations for handling, mixing, and loading of herbicides, and oversight of herbicide applications.

Metropolitan District Commission, Belchertown, MA, 1986. Assistant Wildlife Biologist whose responsibilities consisted of wildlife management practices, habitat classification mapping. Controlled nuisance wildlife, such as beaver and deer. Performed small mammal census and avian surveys as well as analysis of forest cutting damage.

Student Conservation Association at Moosehorn Wildlife Refuge, Baring, ME, 1985. Performed wildlife management practices including restoration of broken forest structure and maintenance of migratory waterfowl impoundments. Invoked capture, banding, and telemetry of woodcock. Conducted rehabilitation of injured birds and supervised Youth Conservation Corps workers.

TETRA TECH

Kinsale McGrath

Environmental Scientist

EXPERIENCE SUMMARY

Ms. McGrath is an Environmental Scientist at Tetra Tech who supports environmental assessment and local, state, and federal permitting for a variety of public and private client projects.

Education

BS, Environmental Science, Worcester State University, 2019

Area of Expertise

Environmental assessment and permitting

Registrations/ Affiliations

Society of Wetland Scientist

Massachusetts Association of Conservation Commissions (MACC)

Association of Massachusetts Wetland Scientists (AMWS)

Training/Certifications

Hazardous Waste and Emergency Response (HAZWOPER), 40-Hour OSHA Training

Construction Safety and Health, 10-Hour OSHA Training

Office

Marlborough, MA

Years of Experience

Three

Years within firm

Three

Contact

Kinsale.McGrath@tetratech.com

RELEVANT EXPERIENCE

I- 90 Superstructure Replacements Woodland, Cordaville, Parkerville, and Flanders Roads, MassDOT Highway Division, Southborough and Westborough, MA, 2020 to Present. The "Acceler-8" project seeks to replace eight bridges on I-90. Assisted with wetland delineation and completion of Stormwater Pollution Prevention Plan (SWPPP) pursuant to the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Construction Activities. Responsible for collection of wetland delineation points and entering data into the Collector Application for ArcGIS. Responsible for filing MassDEP WM15-NPDES Notice of Intent Application.

MassDOT Highway Division, NLEB Presence/Absence Habitat Assessment and Detector Deployment, Various Road and Bridge Improvement Projects, MA, 2021 to Present. Assist with and deploy detectors, conduct habitat assessments, and bridge inspections at multiple location throughout the state according USFWS Indiana Bat Summer Survey Guidelines. Summarized and wrote technical memorandums.

I-495/I-90 Interchange Improvements, MassDOT Highway Division, Hopkinton and Westborough, MA, 2020 to Present. Wetland Scientist for improvements to the I-495/I-90 interchange within an Area of Critical Environmental Concern (ACEC) and impacts to state designated Outstanding Resource Waters. Tetra Tech evaluated natural resources of the project area, confirmed wetland delineation, inventoried vernal pools (both previously certified and potential), prepared environmental review and permitting documents, and continue contribution to the development of the design of the highway and bridge preferred alternative. Responsible for water level monitoring in wetlands and preparing a response matrix for MassDEP's request for additional information.

Redevelopment of Former Quincy Hospital, FoxRock Properties, 114 Whitwell, Quincy, MA, 2020 to Present. Responsible for assisting with the preparation of the Stormwater Pollution Prevention Plan (SWPPP) pursuant to the U.S. Environmental Protection Agency's National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Construction Activities. Responsible for filing the EPA NETCGP: NET-NPDES Stormwater Construction General Permit.

200 Libbey Industrial Parkway, Weymouth, MA FoxRock 200 Libbey, LLC, 2020 to Present. Responsible for filing MassDEP WPA Form 3 Notice of Intent and the Weymouth Wetlands Protection Ordinance and assisting with preparing the Notice of Intent (NOI) for work within the buffer zone to bordering vegetated wetland (BVW) and bank. Assisted with wetland delineation and data collection for the Collector Application for ArcGIS.

I-90 Allston Multimodal Project, MassDOT Highway Division, Allston/Brighton, MA, 2020 to Present. Environmental Scientist for the $1.9B I-90/Allston Multimodal Improvement Project. Tetra Tech is providing conceptual development, traffic analysis, environmental documentation and permitting, and highway and bridge design services. Prepared a matrix that outlines graphic submittal statuses and creating NEPA DEIS Chapter Review Summary submittals outline. Responsible for quality assurance and quality control for response to comments made on the Draft Environmental Impact Report (DEIR) and Notice of Project Change. Responsible for quality assurance and quality control on Hazardous Material Assessment.

Sohier Street, Route 3A, Cohasset, MA, 2020. Assisted with wetland delineation and responsible for data collection on the Collector Application for ArcGIS and on the Ecobot App.

River's Edge Mixed Use Development, Preotle, Lane & Associates, Ltd., Medford, Malden and Everett, MA, 2020. Responsible for creating ArcGIS file showcasing vegetation delineation in a wetland mitigation area associated with MassDOT's Woods Memorial Bridge project.

DOCUMENT A00810

MassDOT Herbicide Use Report

Proposal No. 610768-129332

MassDOT Herbicide Use Report

Date Submitted:

Use multiple sheets for multiple application techniques or sites as needed.

Contractor Performing Work:

Project or Contract No:

Town/s:

Associated Route:

Project Description:

MDAR ALERT*:

Treatment Description:

Area Treated (as applicable)

Acres: **Sq Yds:** **Miles:**

Weeds Targeted:

Gallons Formula Used:

Application Method:

Date/Time Began:

Date/Time End:

Product Used:

Name: _____	Name: _____	Name: _____
EPA Reg. No: _____	EPA Reg. No: _____	EPA Reg. No: _____
% Active Ingredient	% Active Ingredient	% Active Ingredient
Dry: _____	Dry: _____	Dry: _____
Liquid: _____	Liquid: _____	Liquid: _____
Formulation (dilution rate): _____	Formulation (dilution rate): _____	Formulation (dilution rate): _____

Additional products used (surfactants, etc.) or other information:

Applicators: **License Numbers:**

* Please note:
EDRR Species (MAM, Hogweed, Pepperweed, Kudzu, etc.)
Tree of Heaven 1) stands of >20 trees; 2) >5 trees near nursery, landscape company, or highway rest area where trucks stop

Upon completion, please submit form to MassDOT District Engineer and Landscape Design Section in Boston office.

07/18/2018

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

Temporary Traffic Control

Typical Details and
Massachusetts Guidelines
for MassDOT, Municipalities,
Utilities, and Contractors

SHEET INDEX (1 OF 3)

SHEET INDEX (2 OF 3)

STATIONARY OPERATIONS (CONT.) **PAGE**

MOBILE OPERATIONS

SHEET INDEX (3 OF 3)

INTRODUCTION

This guide has been prepared to assist in the planning and installing of temporary traffic controls in maintenance, utility, or short-term construction work areas (work lasting 10 hours or less). This guide serves to assist with the many decisions that must be made for each work site. Special planning for traffic control is necessary on a case by case basis because conditions can vary widely among work locations. **Since this guide cannot cover every situation, representative illustrations covering typical short-term construction, maintenance, and utility operations are presented**.

All typical traffic control device setups illustrated should be considered as guides. The traffic control devices that are shown, the arrangement or position of the devices, and the distances prescribed in the tables are based on the Federal Highway Administration's (FHWA) Manual on Uniform Traffic Control Devices (MUTCD) and the Massachusetts Amendments to the MUTCD (MA Amendments), but these illustrations only present minimum standards. The provision of safe work zones for all roadway users and roadway workers affected by these activities is paramount. Traffic controls may be expanded or improved upon whenever deemed necessary. Traffic movement through the work site all traffic control devices shall be periodically observed and inspected at all locations.

If necessary, Part 6 of the MUTCD and the MA Amendments, Chapter 17 (Work Zone Management) of MassDOT's Project Development & Design Guide, and the “Traffic Engineering and Safety Section” of the MassDOT web site: (https://www.massdot.state.ma.us/highway/Departments/TrafficandSafetyEngineering.aspx), as well as MassDOT District offices can provide additional guidance, information, and suggestions for work zone setups.

RESPONSIBILITIES FOR TRAFFIC CONTROL

Short-term construction, maintenance, and utility work on or near the roadway creates a potentially hazardous situation, typically requiring the use of temporary traffic controls. These controls are important to protect both work crews and the road users. It is the responsibility of each maintenance foreman to establish and maintain safe and effective controls.

Usually the supervisor, working with the crew, plans the traffic control procedures for proposed work sites. The foreman is responsible for re-questing, storing, and maintaining all traffic control devices necessary for their crews.

The foreman is responsible for placing the devices according to these guidelines. They must inspect each installation and observe traffic flow through the area. The foreman is generally authorized to make adjustments to the original installations that, in their judgment, are necessary to improve the control of traffic and establish greater safety.

All necessary traffic control devices must be installed before work begins and properly maintained during the work period. They must also be removed as soon as they are no longer relevant to the roadway conditions.

In situations such as night time road or lane closures, detours, or other unusual conditions on state highways, the District Traffic Maintenance Engineer (DTME) should be advised. If the DTME is absent, the section foreman shall follow the instructions of the District Maintenance Engineer.

TRAFFIC CONTROL DEVICES

Traffic control devices regulate the movement of road users, warn of unexpected or unusual roadway conditions, and inform them how to maneuver safely through or around the work area. All signs, channelizing devices, barricades, and other miscellaneous traffic control devices should work together to guide traffic safely and efficiently. Common temporary traffic control devices are outlined and described below.

Signs

Temporary traffic control zone (TTCZ) signs are the primary means of providing information and directions to roadway users. All signs must be retroreflective per MassDOT's latest standard.

Warning signs call attention to unexpected conditions and to situations that might not be readily apparent to road users on or adjacent to a roadway. Warning signs alert road users to conditions that might call for a reduction of speed or an action in the interest of safety and efficient traffic operations. Nearly all warning signs for construction and work areas have black legends and borders on a fluorescent orange background.

Regulatory signs shall be used to inform road users of selected traffic laws or regulations and indicate the applicability of the legal requirements. Regulatory signs typically have black legends and borders on a white background.

Channelizing Devices

When used properly, traffic cones, reflectorized plastic drums, and barricades guide traffic through the work area along an appropriate travel path. It takes roadway users a certain distance along the roadway to safely move away from the upcoming active work site. These transition distances are based on the following taper length (L) formulas:

L = $WS^2/60$ for speeds of 40 mph or less; or

L = WS for speeds of 45 mph or more; where

- L = minimum length of taper in feet,
- S = posted speed limit or typical travel speed in miles per hour prior to the work, and
- W = width of lane closure in feet.

The spacing of channelizing devices (in feet) is approximately equal to the existing speed of traffic (in mph).

Warning Lights

Rotating beacons and other flashing lights mounted on work vehicles, signs, or channelizing devices help alert roadway users to the work area. They may also be used to warn roadway users of hazards within the work area. The first 10 drums in any taper shall be equipped with sequential flashing lights.

Arrow Boards

Arrow boards are a special type of sign that are highly visible work zone warning devices. They are particularly effective on highways, where both speed and volume are high. Arrow boards in the non-directional, CAUTION, mode (four corner flashing) may be used to indicate that a shoulder is closed. Arrow boards in the arrow mode shall only be used when a travel lane is dropped on a multi-lane road and one lane of traffic must merge with another. All arrow boards should be located at the beginning of each lane or shoulder closure taper without extending outside of it. Arrow boards shall flash at a rate of 25 to 40 flashes per minute. Arrow boards shall not be used to indicate a lane shift.

BASIC REQUIREMENTS

In every work situation, the temporary traffic control setup must: Give roadway users sufficient advance warning of the work area; advise roadway users of the proper actions to take and travel paths to follow; and provide protection to roadway users, workers, and the work area. These three general requirements can be met as outlined below.

Provide Advance Warning

Warning devices along the approaches to a work area alert roadway Users to changes to road and operating conditions. Roadway users are usually alerted to these dangers via a sign or series of signs installed in the same order as the roadway user generally would expect to see them on long-term construction projects.

The initial project limit sign is usually a general warning such as “ROAD WORK 1500 FT”. Other operational warning signs then provide the roadway user with more specific information about the situation. A minimum of three advance warning signs (the initial project limit sign and two operational warning signs) is recommended when work is located on the traveled way. Warning lights and flags can be used to attract attention to the signs. A highly visible work area helps reinforce the advance warnings.

Advise and Direct Travelers

Operational warning signs provide information to the road-way user such as the type of work being performed, special conditions to watch for, or actions to take. These include signs such as, SHOULDER WORK, RIGHT LANE CLOSED, DETOUR 500 FT, ROAD CLOSED to THRU TRAFFIC, POLICE OFFICER AHEAD, etc. All of these signs must be located far enough in advance of the work area that the roadway user has sufficient time to react to them appropriately. For projects in Urban Areas, see detail: Typical Device Spacing for minimum sign spacing.

Protect Travelers, Workers, and the Work Area

The primary protection of any work area is its own visibility. Traffic cones, reflectorized plastic drums, portable breakaway barricades, etc. are used to make the work area visible and separate workers from traffic.

Other devices, such as flashing lights, flags, delineators, temporary lighting, and portable changeable message signs (PCMS) can be used to provide additional emphasis and visibility.

Workers must protect themselves by being alert to their work situation, wearing safety vests and hard hats, and by facing traffic whenever possible.

Work vehicles can also add protection when they are equipped with truck mounted attenuators, rotating beacons, flashing lights, flashing arrow boards, etc. and are parked between workers and oncoming traffic. However, workers should not position themselves between two closely parked vehicles. No private personal vehicles are allowed within the work site.

PLANNING GUIDELINES

Decisions regarding selection of work area traffic control devices require a knowledge and understanding of the specifics of each work zone. As there may be vast differences between situations, three main variables need to be considered prior to determining the need for, or the selection of, traffic control devices: 1) location of work, 2) type of roadway, and 3) speed of traffic.

Compiling information about these variables will help with planning a safe work area control. Each of these variables is explained below.

Location of Work

The choice of traffic controls needed for a short-term construction, maintenance, or utility operation depends upon the work zone's location. As a general rule, the closer the active work site is to the roadway, the more control devices are needed. Work can take place:

- Away from the shoulder or edge of pavement. No special devices are needed if work is confined to an area 15 or more feet from the edge of the shoulder. A general warning sign, such as ROAD WORK AHEAD, should be used if workers and equipment must occasionally move closer to the roadway.
- On or near the shoulder/ edge of pavement. This area should be signed as if work were on the road itself, since it is part of the roadway users' recovery area. Advance warning and operational signs are needed, as well as channelization devices to direct traffic and keep the work area visible to roadway users.
- On the median of a divided highway. Work in this location may require traffic control in both directions of traffic. Advance warning and channelization devices should be used if the median is narrow.
- On the roadway. This condition requires detailed protection for workers and sufficient warning to roadway users. Advance warning must provide a general message that work is taking place as well as information about specific hazards and specific actions the roadway user must take.

TYPE OF ROADWAY

The characteristics of the roadway also have an important influence on the selection of work area traffic control. The roadway, itself, may present special hazards. You should plan for maximum protection, using the worst hazard present as your guide to signing the work area. Some general considerations are described below for road conditions.

One-way roads: A one-way road requires signage on both sides of the road if it carries two or more lanes in one direction, ensuring roadway users in all lanes are alerted and informed.

Two-way roads:

- **Undivided:** Two-way, undivided roads will usually require controls for both directions of traffic. When the active work site is well off the roadway, controls for the opposite lane may be eliminated.
- **Divided:** Work on divided multi-lane roadways can often be handled as work along a one-way road (i.e. signs are provided along both sides of the roadway along the direction affected). If the work is in the median, both directions of traffic must be controlled, and both approaches should be double signed (i.e. have all 3 advance warning signs on both sides of each direction).

EFFECTS OF SPEED ON WORK ZONES

Speed is an important consideration in the use of work area traffic control devices. As a general rule, the greater the speed of traffic approaching a work area, the greater the size, number, and spacing of control devices.

Size. The standard size for most warning signs is 36 x 36 inches on conventional roadways and 48 x 48 inches on freeways and expressways. Signs larger than the standard 36 x 36 inches may be desirable on high-speed conventional roads.

Position. Install signs far enough in advance of the work area so the roadway users have time to react to them (see charts associated with diagrams for spacing).

OTHER FACTORS

Sight Obstructions. To ensure safety, work areas must be visible. Assess the placement of the temporary traffic control devices by driving through the area, and determine if the devices can be easily seen and provide sufficient time for roadway users to react in a safe manner. Extra precaution should be enacted in areas where horizontal or vertical curves may obstruct a roadway user's clear view of road activities ahead.

Police/Flaggers. It should be noted that the MUTCD does not require police/flaggers for stationary setups. If police/flaggers are used, a police/flagger ahead sign should be used in advance of any point where the police/flagger is stationed to control road users.

PROCEDURES FOR WORK AREA TRAFFIC CONTROL

1. PLAN YOUR WORK

Inspect location of work area and its surroundings.

Analyze:

- Location of work in relation to the traveled way, intersecting road-ways, driveways, and sight distances;
- Type of roadway and traffic involved; and
- Volume and speed of traffic.

Meet and discuss the work and necessary traffic control with the crew.

Study representative illustrations in this guide to develop a temporary traffic control plan (TTCP).

Other Considerations:

- Base your traffic control plan on the premise that all roadway users are unfamiliar with the area.
- The closer the work area location is to traffic, the more controls are needed.
- Plan for maximum protection.
- Select and inspect the temporary control devices needed (including all warning signs), if they are not in good condition, REPLACE THEM!
- Then collect and transport them to the work site.
- Determine their proper placement.
- Install signs and other traffic control devices prior to allowing personnel or equipment onto the roadway.
- Make sure signs are reflective, accurate, clean, and meet specifications. Completely cover any existing permanent signs that will conflict with the messages of the new work area control signs.

2. INSTALLING/REMOVING TEMP. TRAFFIC CONTROL DEVICES

Care must be exercised when installing and removing temporary traffic control (TTC) devices. The traffic control needed to perform the operation safely is dictated by the location on the roadway the operation will occur: in a shoulder or a lane, in the left lane or right, etc. In all cases, installing TTC begins and ends as a mobile operation.

A shadow vehicle with a truck mounted attenuator (TMA) shall be used to protect workers installing and removing TTC devices on all roadways with a posted speed limit of 45 MPH or greater as directed by the engineer. TTC devices shall not be installed or removed from a shadow vehicle with a TMA. TTC devices shall be installed or removed from a work operation vehicle only and a shadow vehicle with a TMA shall be used to protect the workers installing or removing the devices.

PROCEDURES FOR WORK AREA TRAFFIC CONTROL (CONT.)

3. INSTALL TRAFFIC CONTROL DEVICES AT WORK SITE

FOR LOWER SPEED (≤ 40 MPH) ROADWAYS:

1) All devices shall be installed in order with the flow of traffic.

2) Where one direction of traffic is being affected, the first sign installed should be the sign farthest from the work site, and on the same side as the work.

3) Where two directions of traffic are affected, install signs for opposing traffic first, starting with the sign farthest from the work area. When signs for opposing traffic have been installed, install signs on the same side as the work area, again beginning with the sign farthest from the active work site.

4) Once signs are in place, other traffic control devices shall be installed in the same manner as the signs.

FOR HIGHER SPEED (≥ 45 MPH) ROADWAYS:

1) All devices shall be installed in order with the flow of traffic.

2) Install all advance warning signs, beginning with the ROAD WORK XXX (W20-1) sign and ending with the END ROAD WORK/DOUBLE FINES END (MA-R2-10E) sign.

3) Install all signs beginning with the opposite side which will be closed (for a right lane closure; first, install all signs on the left side (shoulder) and then install all signs on the right side (shoulder). No signs shall be erected on the roadway unless delineated by traffic control devices.

4) If required, install shoulder taper as the mobile operation advances.

5) Install arrow board on the shoulder prior to the merging taper or as close to the beginning of the merging taper as possible.

6) Install channelizing devices to form a merging taper. Use of a shadow vehicle with a TMA during installation is required on roads with speed limits of 45 MPH or greater or as directed by the Engineer.

7) Install traffic control devices along the buffer space at the appropriate spacing.

8) Continue placing devices along the work space at the appropriate spacing.

9) Install devices for the termination area as necessary.

10) Place the shadow vehicle with a TMA in advance of the first work crew or hazard approached by motorists. Multiple shadow vehicles may be required based on the number of lane and shoulder closures implemented.

4. INSPECT WORK AREA SIGNING AND CONTROL DEVICES

1) Assess the placement of the temporary traffic control devices by driving through the work area. All approaches to the work zone should be checked.

2) Ensure roadway users will have sufficient time to read signs and react in a safe manner.

PROCEDURES FOR WORK AREA TRAFFIC CONTROL (CONT.)

3) Check visibility of entire work area. If approaching roadway users can't see the work area well, or if they can't see ahead to traffic that may already be queued on the approach because of the work, additional traffic control devices should be deployed.

4) Check to ensure the proper temporary traffic control devices are positioned to protect workers from traffic (where possible).

5) Ensure all workers wear safety vests, hard hats, and all other necessary safety equipment. All worker safety gear should be in good condition. All reflective gear should be clean and highly visible in the dark.

6) Record in the log book the number and location of all signs and devices.

Considerations:

- Work area signs should never be blocked from view or obscured by vegetation, existing signs, or other obstructions.
- Flags, flashing lights, and edge line traffic cones can be used to improve visibility.

5. REMOVE TRAFFIC CONTROL DEVICES AT WORK SITE

All workers and equipment should be clear from work site BEFORE removing signs and other devices.

FOR LOWER SPEED (≤ 40 MPH) ROADWAYS:

1) Remove signs and other devices within the delineated area when work is complete.

2) Remove other traffic control devices in the reverse order in which they were installed

3) Remove signs in the reverse order in which they were installed (i.e. sign closest to the work area to be removed first).

4) When the operation is complete, uncover any existing permanent signs covered in Step 2.

5) Record in the log book the time at which the signs were removed.

FOR HIGHER SPEED (≥ 45 MPH) ROADWAYS:

All TTC devices for a stationary lane closure on a multi-lane roadway, except advance warning signs, should be removed against the flow of traffic in the following sequence:

1) Remove the channelizing devices starting from the end of the activity area working back to the widest part of the merging taper.

2) A shadow vehicle with TMA shall be positioned to protect workers removing devices and work backwards as the setup is removed from the roadway.

PROCEDURES FOR WORK AREA TRAFFIC CONTROL (CONT.)

3) Place the removal vehicle on the shoulder, and remove the channelizing devices from the merging taper by hand onto the work vehicle.

4) Remove the arrow board once traffic is clear and it is safe to do so.

5) Circle back and moving with the flow of traffic, remove the advance warning signs starting with the opposite side from previous lane closure first.

6) At no time shall workers run across the multilane roadway to remove signs on both sides of the road simultaneously.

7) Record in the log book the time at which the signs were removed

RAMP FACILITIES

At all times it is necessary to control the on and off-ramp traffic during the installation and breakdown of traffic control devices. Use of temporary traffic slow-downs or rolling roadblocks is recommended to allow for the safety of workers handing temporary traffic control devices on ramp facilities. A shadow vehicle with a TMA shall be used to protect the workers installing or removing the devices. At no time shall the work operation vehicle be used as the shadow vehicle with the TMA.

USE OF THIS GUIDE

Illustrations showing minimum standards for short-term construction, maintenance, and utility operations are arranged in this guide by type of operation. The users of this guide should compare all illustrated examples and examine their differences. After gathering information about the work zones using the general guidelines as outlined, proceed as follows:

1) Turn to the Index. Consider the type of operations and the type of roadway upon which work will occur.

2) Select the figure that most closely matches the conditions where you plan to work. Remember that all diagrams represent minimum standards.

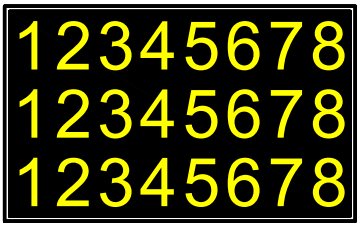
3) Read the title of the illustration to ensure that it is appropriate to your location. Study the layout of traffic control devices and read all notes.

4) Consult the appropriate tables, as directed on each illustration to determine taper length and proper spacing of signs. Notice that distances change when speeds change. Also note that these are guidelines, only, and they must be adapted to your specific work area.

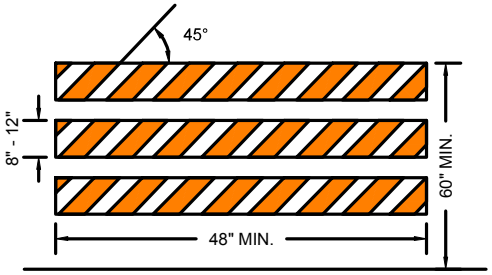
5) Use the **"PROCEDURES FOR WORK AREA TRAFFIC CONTROL"** for assistance in completing all necessary steps to provide effective and safe work area traffic control.

massDOT Massachusetts Department of Transportation Highway Division PAGE 10	Work Zone Safety Standard Details and Drawings	FIGURE 1 TYPICAL TRAFFIC CONTROL DEVICES NOT TO SCALE

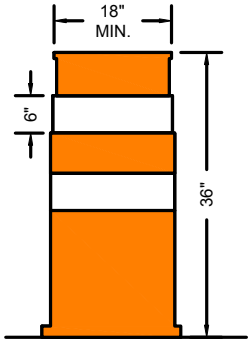
SIGN



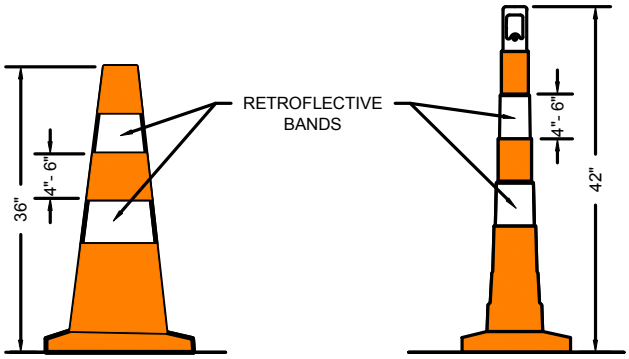
PORTABLE CHANGEABLE MESSAGE SIGN (PCMS)



TYPE III BARRICADE

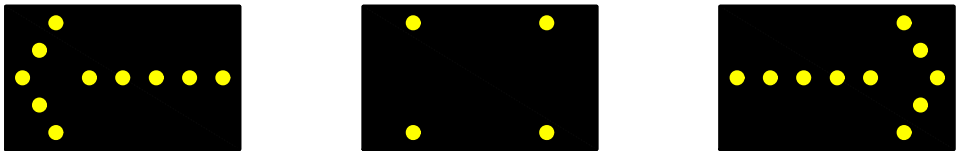


DRUM



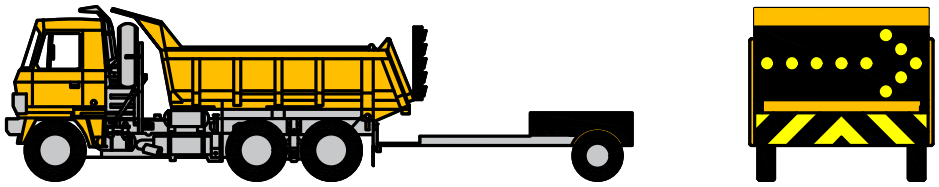
CONES

Cones may be used for all daytime operations. For night work, drums should be used to form the taper(s) and cones can be used along the tangent section of the work setup.



LEFT CAUTION RIGHT

ARROW BOARD (WITH MODE)



TRUCK MOUNTED ATTENUATORS

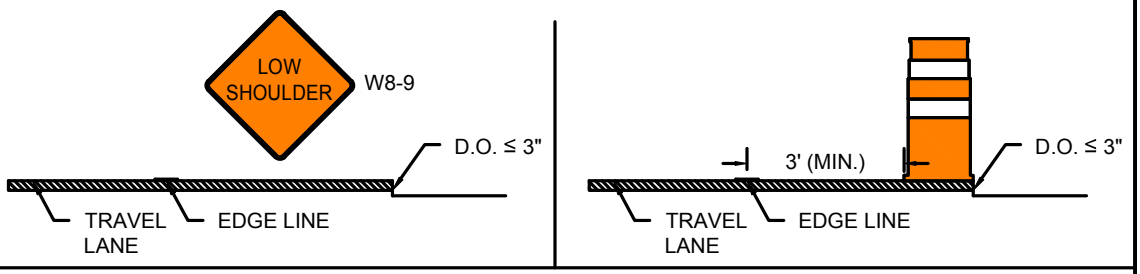
Truck Mounted Attenuators (TMA) shall be positioned between the start of the work area and the end of the designated buffer zone. The TMAs are to be positioned in each temporarily closed lane. This includes shoulders (≥8 feet) whether combined with a travel lane closure or being closed alone. These TMA conditions are required on roadways with speeds of 45 MPH or greater. TMAs can be used on other roadways at the discretion of the engineer. TMAs shall be used for the deployment and removal of all traffic control devices, including all advance warning signs.

SHORT-TERM PAVEMENT EDGE DROP-OFFS

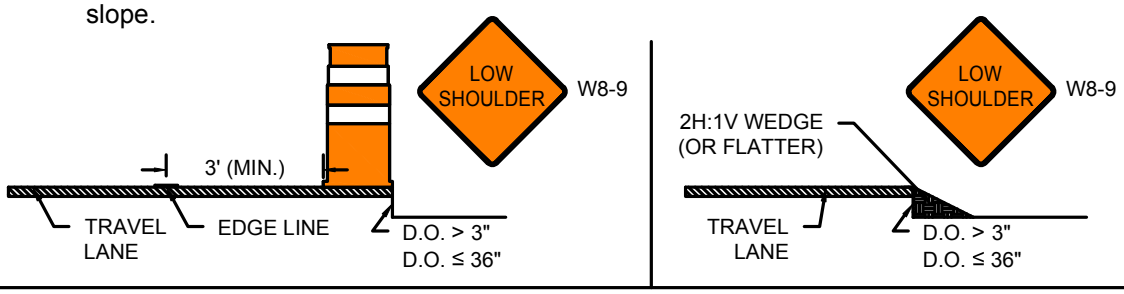
Note that this guidance is adopted from the Roadside Design Guide*, 4th Edition.*

Pavement drop-offs may occur during paving, excavation, and other construction activities. Drop-offs create hazards for vehicles if not properly mitigated. The following applies for all roads with speed limits greater than 30 mph; for roads with speed limits of 30 mph or less, treatments for pavement edge drop-offs are at the discretion of the Engineer. Drop-offs between adjacent, open travel lanes should not exceed 2", and any drop-off in excess of 3" should not be left unattended without one of these mitigation measures applied.

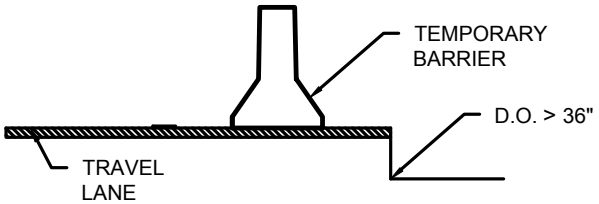
- Shoulder drop-offs 3" or less adjacent to a shoulder or active travel lane should be mitigated by:
  - ✓ A W8-9 (LOW SHOULDER) sign in advance of and at regular intervals throughout the treatment; or
  - ✓ The placement of drums on the traffic side of the drop-off.



- Shoulder drop-offs greater than 3" but less than or equal to 36" should be mitigated by:
  - ✓ A W8-9 (LOW SHOULDER) sign in advance of and at regular intervals throughout the treatment and the placement of drums on the traffic side off the drop-off, offset at least 3' from the travel lane; or
  - ✓ A W8-9 (LOW SHOULDER) sign in advance of and at regular intervals throughout the treatment and the placement of a temporary wedge of material along the face of the drop-off. The wedge should consist of stable material placed on a 2H:1V or flatter slope.



- Shoulder drop-offs greater than 36" must be protected by temporary barrier.



massDOT Massachusetts Department of Transportation Highway Division

PAGE 11

Work Zone Safety Standard Details and Drawings

FIGURE 2
PAVEMENT EDGE
DROP-OFF GUIDANCE
NOT TO SCALE

massDOT Massachusetts Department of Transportation Highway Division PAGE 12	Work Zone Safety Standard Details and Drawings	TYPICAL DEVICE SPACING

POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)	CHANNELIZATION DEVICES (DRUMS OR CONES)			
		TRAVEL LANE CLOSURE LENGTH (L) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	500 / 500 / 500	320	305	20	55
45-55	500 / 1000 / 1000	660	495	40	40
60-65	1000 / 1600 / 2600	780	645	40	50

* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

MINIMUM SPACING OF ADVANCE WARNING SIGNS FOR URBAN ROADWAYS	
ROAD TYPE	DISTANCE BETWEEN SIGNS
URBAN (LOW SPEED)	100 FT
URBAN (HIGH SPEED)	350 FT

NOTES

1. 40 FT = 10 FT PAVEMENT MARKING + 30 FT SKIP

LEGEND


WORK ZONE


CHANNELIZATION DEVICE

FLASHING ARROW BOARD


PORTABLE CHANGEABLE MESSAGE SIGN


TRUCK MOUNTED ATTENUATOR

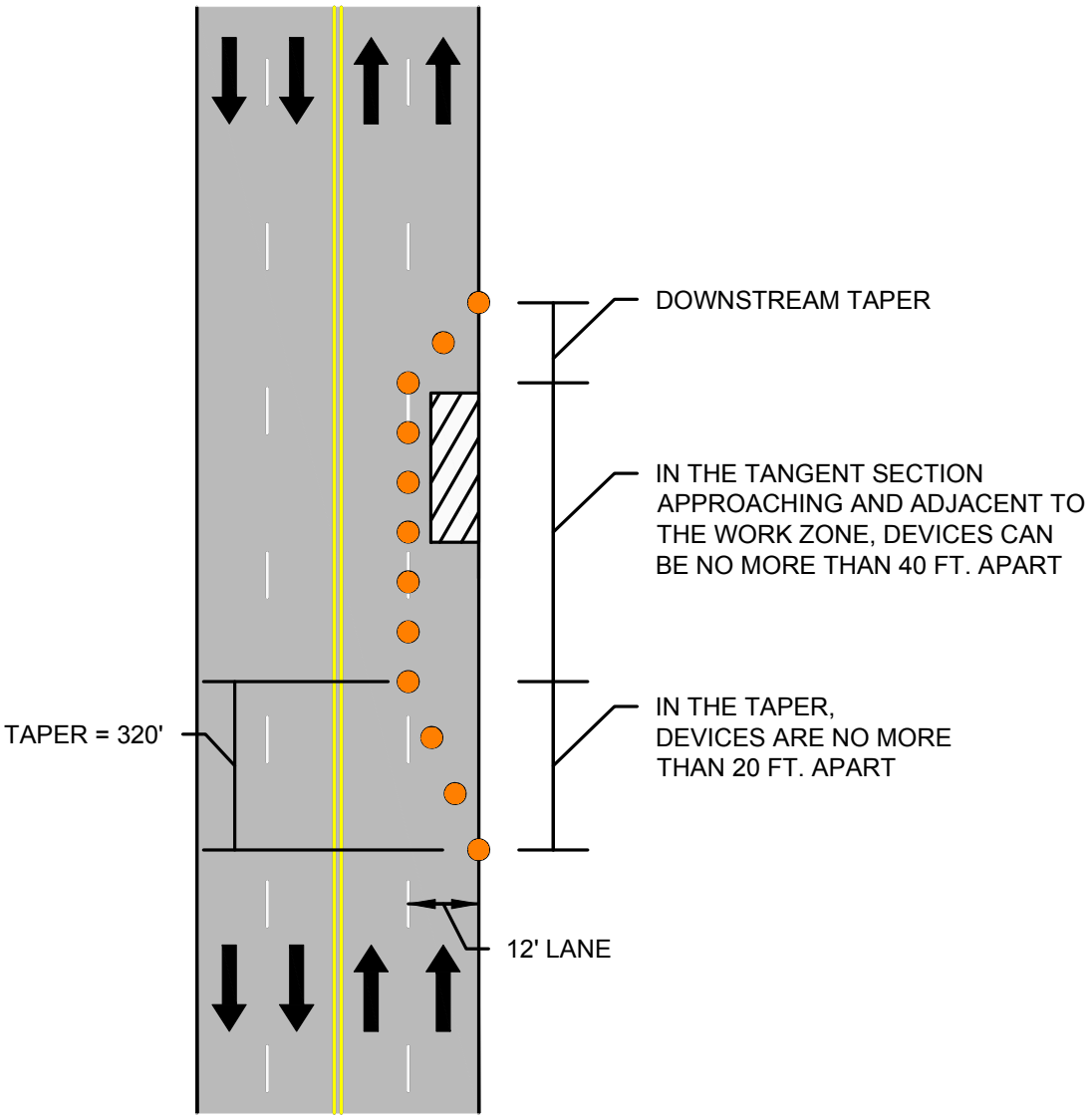
RADAR SPEED FEEDBACK BOARD

POLICE DETAIL OR UNIFORMED FLAGGER

TEMPORARY PORTABLE RUMBLE STRIP

TYPE III BARRICADE

NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division PAGE 13	Work Zone Safety Standard Details and Drawings	FIGURE 3 TYPICAL DEVICE SPACING (AT 30 MPH)

Guidance for Flagging Operations

NOTE:
A flagger shall always be aware of their surroundings and have a good escape route. A flagger shall never be positioned directly beside or against construction equipment. When a flagger is required to direct traffic in an area where the escape route is partially blocked by a traversable obstruction such as a guardrail, the flagger shall be physically capable of traversing that obstruction. Prior to commencing a project, the supervisor in charge shall review the project, including guardrail areas, for safe flagging stations. The supervisor in charge shall clearly communicate with the flagger(s), indicating any locations where they cannot safely perform their duties.

Each flagger shall be equipped with the following high visibility clothing, signaling, and safety devices:

1) A white protective hard hat with a minimum level of reflectivity per the requirements of ANSI, Type I, Class E&G;
2) A clean, unfaded, untorn lime/yellow reflective safety vest and pants meeting the requirements of ANSI 107 Class 3 with the words "Traffic Control" on the front and rear panels in minimum two (2) inch (50 millimeter) high letters;
3) A 24 inch "STOP/SLOW" traffic paddle conforming to the requirements of Part 6E.03 of the Manual on Uniform Traffic Control Devices (MUTCD), a weighted, reflectorized red flag, flagger station advance warning signage, and two-way radios capable of providing clear communication within the work zone between flaggers, the Contractor, and the Engineer. The traffic paddle shall be mounted on a pole of sufficient length to be seven feet above the ground as measured from the bottom of the paddle;
4) A working flashlight with a minimum of 15,000 candlepower and a six inch red attachable wand, a whistle with a working lanyard, and a First Aid kit that complies with the requirements of ANSI Z308.1; and
5) An industrial/safety type portable air horn that complies with the requirements of the U.S. Coast Guard.

A "STOP/SLOW" paddle should be the primary hand-signaling device. It shall have an octagonal shape on a rigid handle. Flag use should be limited to emergency situations.

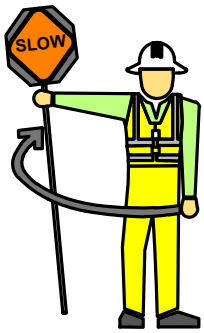
TO STOP TRAFFIC

Properly Trained Flaggers

- Give clear messages to drivers.
- Allow distance for drivers to react.
- Coordinate with other flaggers.
- Use standard signaling methods.

Properly Equipped Flaggers

- Use approved stop/slow paddles.
- Use approved safety apparel.
- Use retroreflective equipment.
- Use hand held radios, as needed.
- All flaggers shall wear safety apparel that meets ANSI Class 3 requirements. The combination of vest and pants is required.



TO LET TRAFFIC PROCEED

Proper Flagging Stations

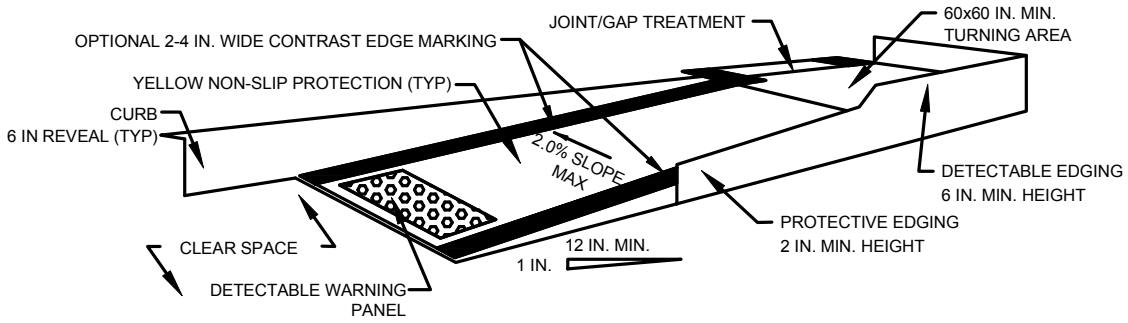
- Good approach sight distance.
- Highly visible to traffic.
- Stand alone away from other machinery and people.
- Stand on right edge of pavement or shoulder- proceed to centerline only when first vehicle has come to stop.
- Have a good escape route.

TO ALERT AND SLOW TRAFFIC

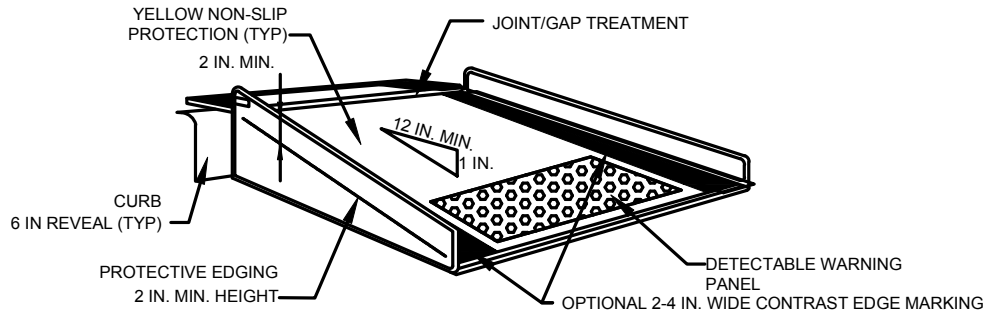
Proper Advance Warning Signs

- Always use warning signs.
- Allow for reaction distance from signs.
- Remove signs if no longer necessary or not flagging.
- Use free hand in up-and-down motion to help slow traffic.

massDOT Massachusetts Department of Transportation Highway Division PAGE 16	Work Zone Safety Standard Details and Drawings	FIGURE 4 TYPICAL PEDESTRIAN DEVICES (1 OF 2) NOT TO SCALE



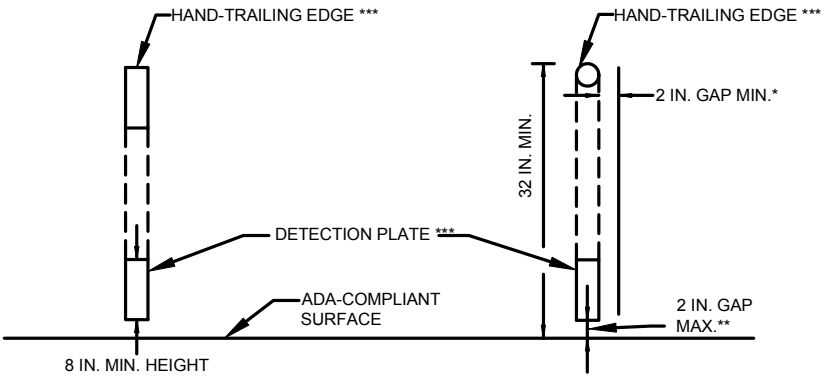
TEMPORARY CURB RAMP-PARALLEL TO CURB



TEMPORARY CURB RAMP-PERPENDICULAR TO CURB

NOTES:

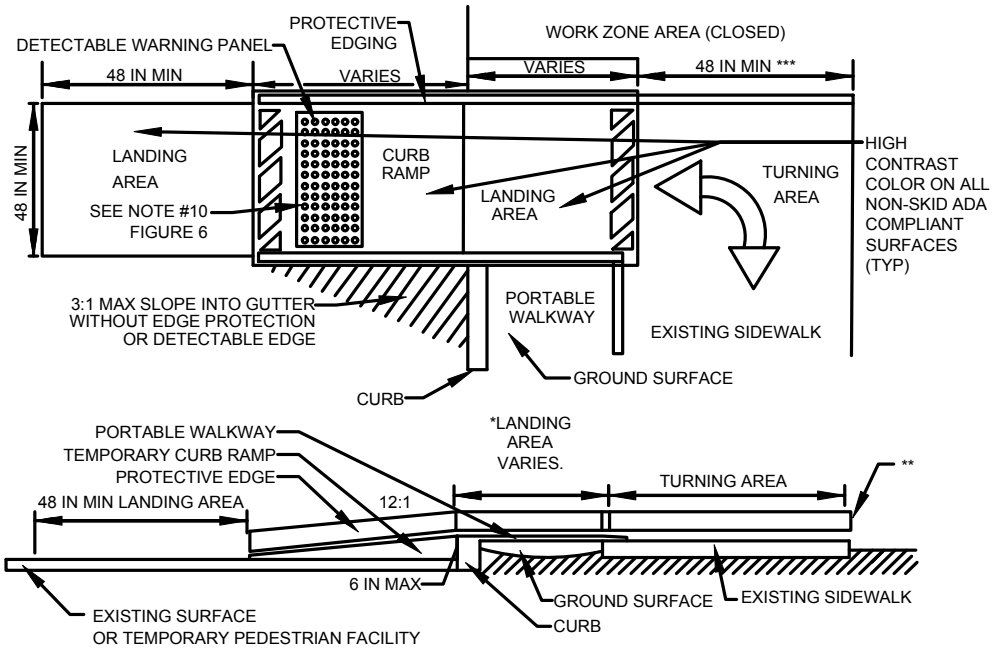
1. CURB RAMPS SHALL BE 60 IN. MINIMUM WIDTH WITH A FIRM, STABLE, AND NON-SLIP SURFACE.
2. PROTECTIVE EDGING WITH A 2 IN. MINIMUM HEIGHT SHALL BE INSTALLED WHEN THE CURB RAMP OR LANDING PLATFORM HAS A VERTICAL DROP OF 6 IN. OR GREATER OR HAS A SIDE APRON SLOP STEEPER THAN 1:3 (33%). PROTECTIVE EDGING SHOULD BE CONSIDERED WHEN THE CURB RAMPS OR LANDING PLATFORMS HAVE A VERTICAL DROP OF 3 IN. OR MORE.
3. PROTECTABLE EDGING WITH 6 IN. MINIMUM HEIGHT AND CONTRASTING COLOR SHALL BE INSTALLED ON ALL CURB RAMP LANDINGS WHERE THE WALKWAY CHANGES DIRECTION (TURNS).
4. THE CURB RAMP WALKWAY AND LANDING AREA SURFACE SHALL BE OF A SOLID CONTINUOUS CONTRASTING COLOR ABUTTING UP TO THE EXISTING SIDEWALK.
5. CURB RAMPS AND LANDINGS SHOULD HAVE A 1:50 (2%) MAX CROSS-SLOPE.
6. CLEAR SPACE OF 48x48 IN. MINIMUM SHALL BE PROVIDED ABOVE AND BELOW THE CURB RAMP.
7. WATER FLOW IN THE GUTTER SYSTEM SHALL HAVE MINIMAL RESTRICTION.
8. LATERAL JOINTS OR GAPS BETWEEN SURFACES SHALL BE LESS THAN 0.5 IN. WIDTH.
9. CHANGES BETWEEN SURFACE HEIGHTS SHOULD NOT EXCEED 0.5 IN. LATERAL EDGES SHOULD BE VERTICAL UP TO 0.25 IN. HIGH, AND BEVELED AT 1:2 BETWEEN 0.25 IN. AND 0.5 IN. HEIGHT.
10. IF A TEMPORARY PEDESTRIAN RAMP LEADS TO A CROSSWALK, THEN A DETECTABLE WARNING PAD MUST BE ADHERED TO THE BASE OF THE RAMP. IF IT LEADS TO A PROTECTED PEDESTRIAN BYPASS THAT DOES NOT CONFLICT WITH VEHICULAR TRAFFIC, THEN A PAD SHALL NOT BE INSTALLED ON THE RAMP.



CROSS SECTION VIEW

PEDESTRIAN CHANNELIZING DEVICE

* THERE SHALL BE A 2 INCH GAP BETWEEN THE HAND-TRAILING EDGE AND ITS SUPPORT.
** A MAXIMUM 2 INCH GAP BETWEEN THE BOTTOM OF THE BOTTOM RAIL AND THE SURFACE MAY BE USED TO PROVIDE DRAINAGE.
*** THE HAND-TRAILING EDGE AND DETECTION PLATE SHALL BE CONTINUOUS THROUGHOUT THE LENGTH OF THE PATH SUCH THAT A PEDESTRIAN USER WITH A LONG CANE CAN FOLLOW IT.



TEMPORARY CURB RAMP

* LANDING AREA USED TO OVERLAP NON-ADA COMPLIANT SURFACES.
** DETECTABLE EDGE REMOVED IF A CONTINUOUS SIDEWALK.
*** 60 IN. IF AN OBSTRUCTION IS AT BACK OF SIDEWALK.

massDOT Massachusetts Department of Transportation Highway Division

PAGE 17

Work Zone Safety Standard Details and Drawings

FIGURE 5
TYPICAL PEDESTRIAN DEVICES
(2 OF 2)
NOT TO SCALE

massDOT Massachusetts Department of Transportation Highway Division PAGE 18	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS TWO LANE UNDIVIDED ROADWAY HALF OF ROADWAY CLOSED WORK NEAR CURVE

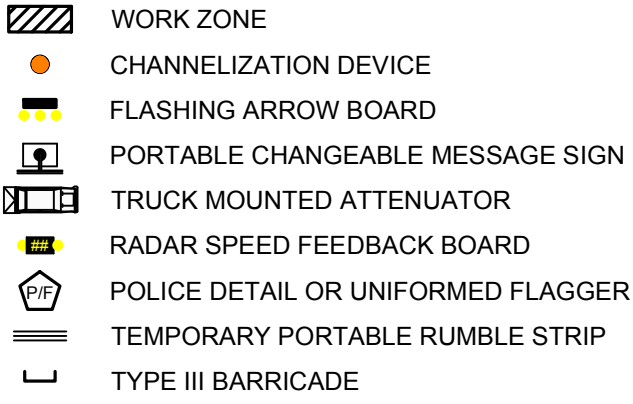
POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)	CHANNELIZATION DEVICES (DRUMS OR CONES)			
		TRAVEL LANE CLOSURE LENGTH (L) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	500 / 500 / 500	50	100	20	30
45-55	500 / 1000 / 1000	100	150	40	20

* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

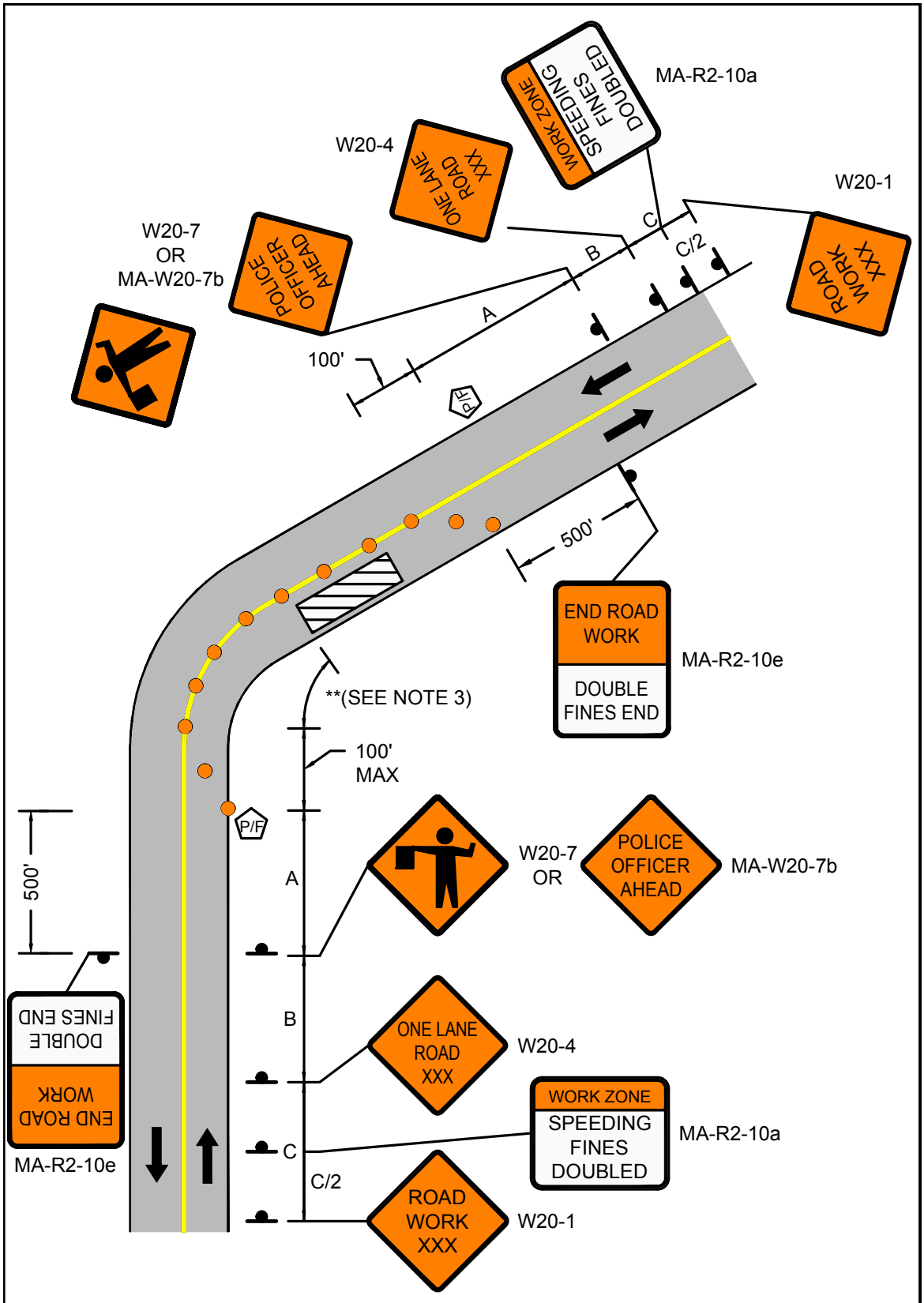
NOTES

1. IF POLICE DETAIL/UNIFORMED FLAGGER SUPPORT IS REQUIRED, PROVIDE TWO UNITS.
2. MA-R2-10a LOCATED AT C/2.
3. ** = EXTEND ENOUGH SO TAPER IS BEFORE CURVE

LEGEND



NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division PAGE 19	Work Zone Safety Standard Details and Drawings	FIGURE 6 STATIONARY OPERATIONS TWO LANE UNDIVIDED ROADWAY HALF OF ROADWAY CLOSED WORK NEAR CURVE

massDOT Massachusetts Department of Transportation Highway Division PAGE 20	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS TWO LANE UNDIVIDED ROADWAY HALF OF ROADWAY CLOSED

POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)	CHANNELIZATION DEVICES (DRUMS OR CONES)			
		TRAVEL LANE CLOSURE LENGTH (L) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	500 / 500 / 500	50	100	20	30
45-55	500 / 1000 / 1000	100	150	40	20

* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

POSTED REGULATORY OR WORK ZONE SPEED	SEPARATION BETWEEN RUMBLE STRIPS
36-mph to 55-mph	15-feet
35-mph and under	10-feet

NOTES

1. IF POLICE DETAIL/UNIFORMED FLAGGER SUPPORT IS REQUIRED, PROVIDE TWO UNITS.
2. MA-R2-10a LOCATED AT C/2.
3. ** OPTIONAL AT THE ENGINEER'S DISCRETION.
4. *** SHALL BE DEPLOYED IF RUMBLE STRIPS ARE PRESENT.

LEGEND


WORK ZONE


CHANNELIZATION DEVICE

FLASHING ARROW BOARD


PORTABLE CHANGEABLE MESSAGE SIGN


TRUCK MOUNTED ATTENUATOR

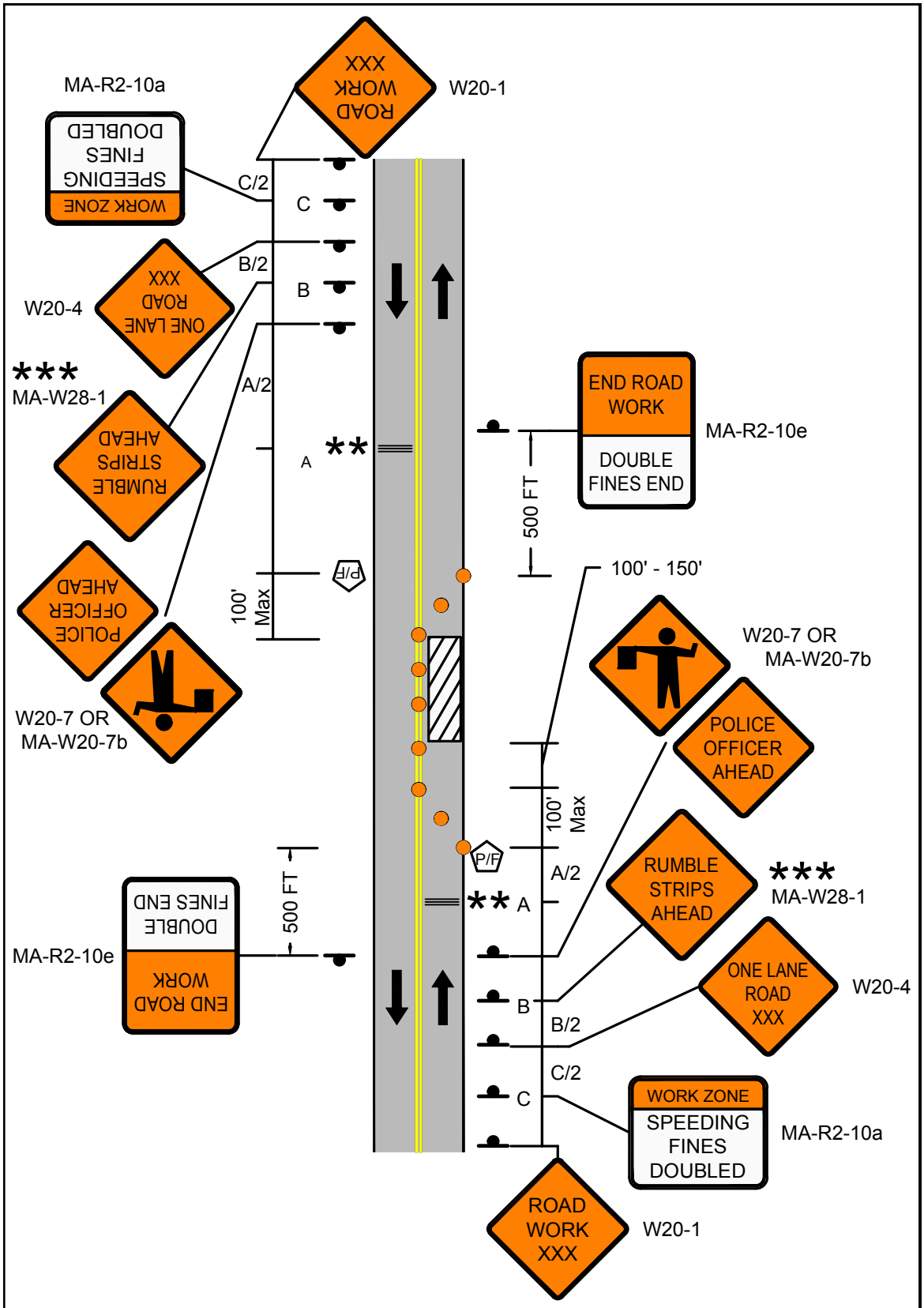
RADAR SPEED FEEDBACK BOARD

POLICE DETAIL OR UNIFORMED FLAGGER

TEMPORARY PORTABLE RUMBLE STRIP

TYPE III BARRICADE

NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division PAGE 21	Work Zone Safety Standard Details and Drawings	FIGURE 7 STATIONARY OPERATIONS TWO LANE UNDIVIDED ROADWAY HALF OF ROADWAY CLOSED

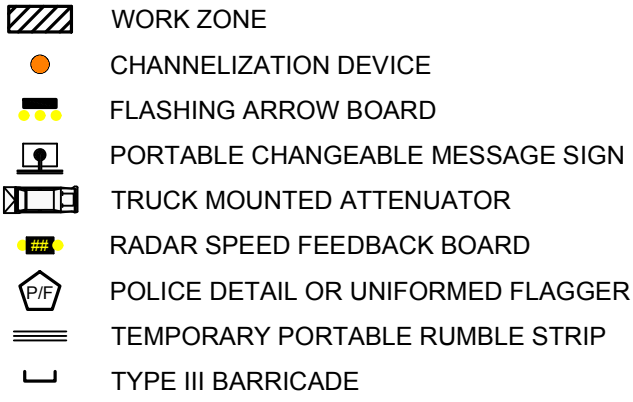
massDOT Massachusetts Department of Transportation Highway Division PAGE 22	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS TWO LANE UNDIVIDED ROADWAY SHOULDER CLOSED

POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)	CHANNELIZATION DEVICES (DRUMS OR CONES)			
		SHOULDER TAPER LENGTH (L/3) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	500 / 500 / 500	110	305	20	45
45-55	500 / 1000 / 1000	220	495	40	30
60-65	1000 / 1600 / 2600	260	645	40	35

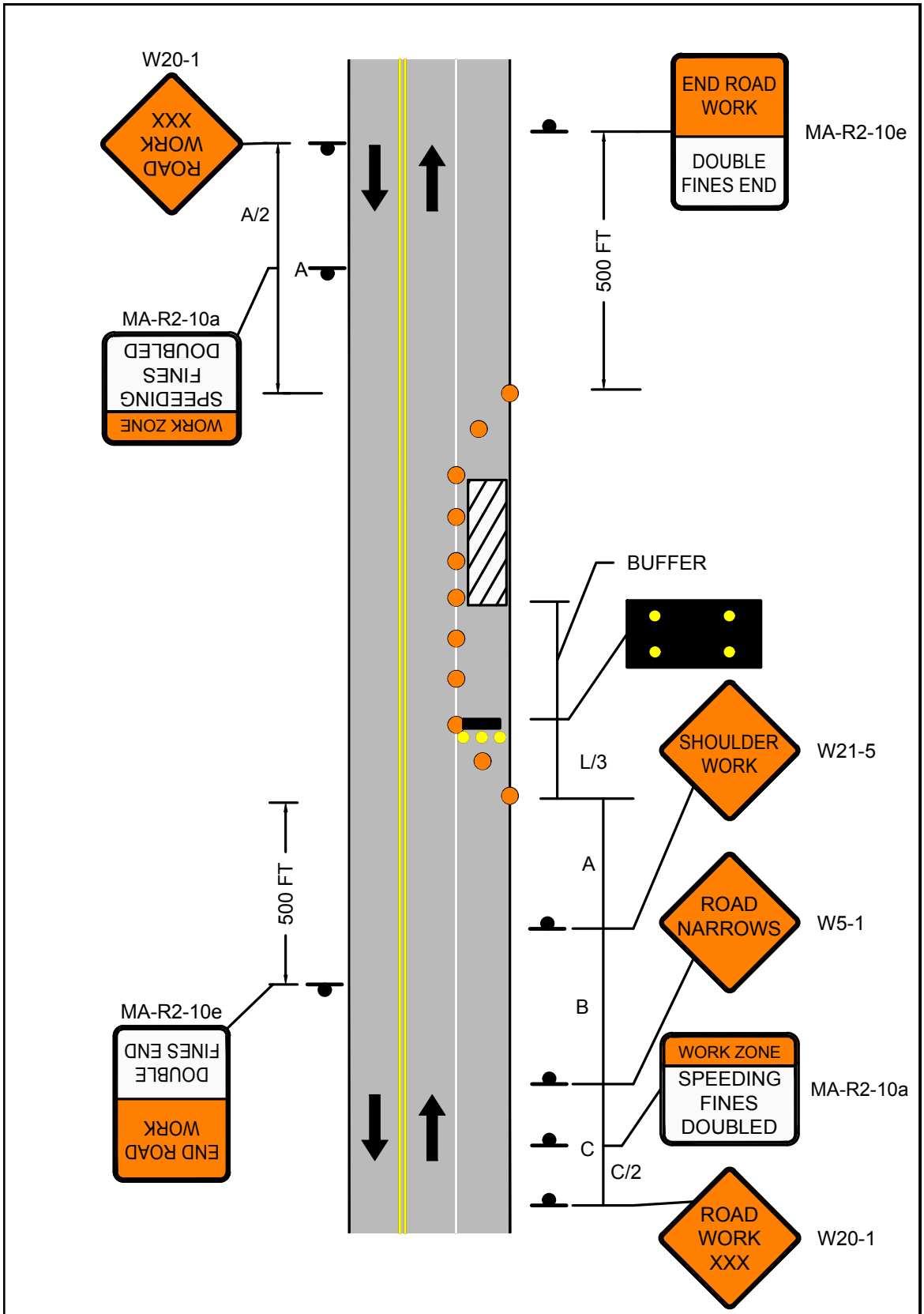
* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

NOTES
1. MA-R2-10a at C/2 and A/2.

LEGEND



NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division PAGE 23	Work Zone Safety Standard Details and Drawings	FIGURE 8 STATIONARY OPERATIONS TWO LANE UNDIVIDED ROADWAY SHOULDER CLOSED

massDOT Massachusetts Department of Transportation Highway Division PAGE 24	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS TWO LANE UNDIVIDED ROADWAY WITH TRAVERSABLE SHOULDER HALF OF ROADWAY CLOSED MAINTAIN TWO-WAY TRAFFIC

POSTED SPEED LIMIT (MPH)	CHANNELIZATION DEVICES (DRUMS OR CONES)				
	SHOULDER TAPER LENGTH (L/3) (FT)	TRAVEL LANE SHIFT LENGTH (L/2) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	110	160	305	20	125
45-55	220	330	495	40	100
60-65	260	390	645	40	115

* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)
25-40	500 / 500 / 500
45-55	500 / 1000 / 1000
60-65	1000 / 1600 / 2600

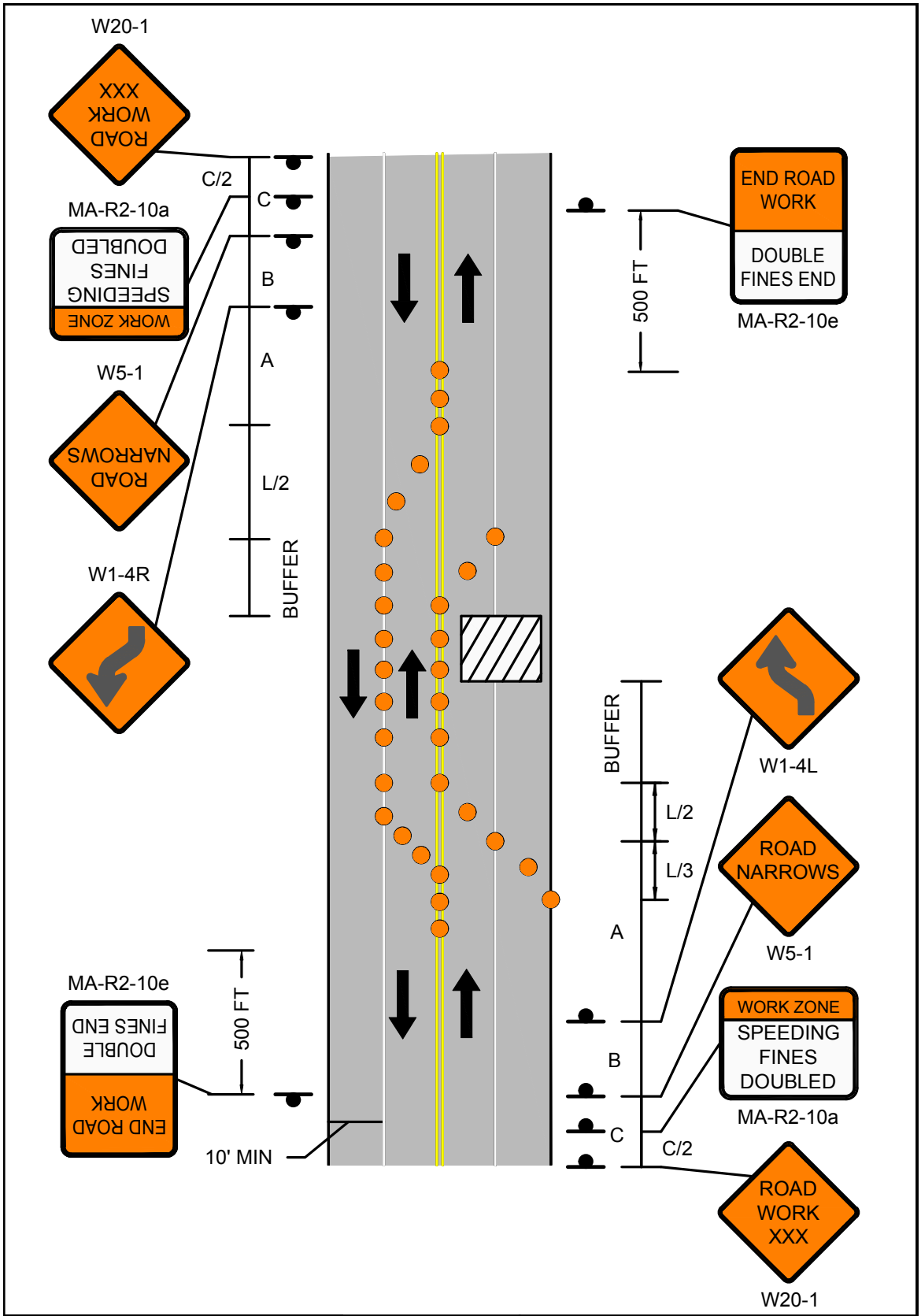
NOTES

1. MA-R2-10a LOCATED AT C/2.

LEGEND

- WORK ZONE
- CHANNELIZATION DEVICE
- FLASHING ARROW BOARD
- PORTABLE CHANGEABLE MESSAGE SIGN
- TRUCK MOUNTED ATTENUATOR
- RADAR SPEED FEEDBACK BOARD
- POLICE DETAIL OR UNIFORMED FLAGGER
- TEMPORARY PORTABLE RUMBLE STRIP
- TYPE III BARRICADE

NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division

PAGE 25

Work Zone Safety Standard Details and Drawings

FIGURE 9
STATIONARY OPERATIONS
TWO LANE UNDIVIDED ROADWAY
WITH TRAVERSABLE SHOULDER
HALF OF ROADWAY CLOSED
MAINTAIN TWO-WAY TRAFFIC

massDOT Massachusetts Department of Transportation Highway Division PAGE 26	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS FOUR LANE UNDIVIDED ROADWAY RIGHT LANE CLOSED

POSTED SPEED LIMIT (MPH)	CHANNELATION DEVICES (DRUMS OR CONES)				
	SHOULDER TAPER LENGTH (L/3) (FT)	TRAVEL LANE CLOSURE LENGTH (L) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	110	320	305	20	60
45-55	220	660	495	40	50
60-65	260	780	645	40	55

* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)
25-40	500 / 500 / 500
45-55	500 / 1000 / 1000
60-65	1000 / 1600 / 2600

NOTES

1. MA-R2-10a LOCATED AT A/2 AND C/2.
2. ** OPTIONAL AT THE ENGINEER'S DISCRETION.

LEGEND


WORK ZONE


CHANNELIZATION DEVICE

FLASHING ARROW BOARD


PORTABLE CHANGEABLE MESSAGE SIGN


TRUCK MOUNTED ATTENUATOR

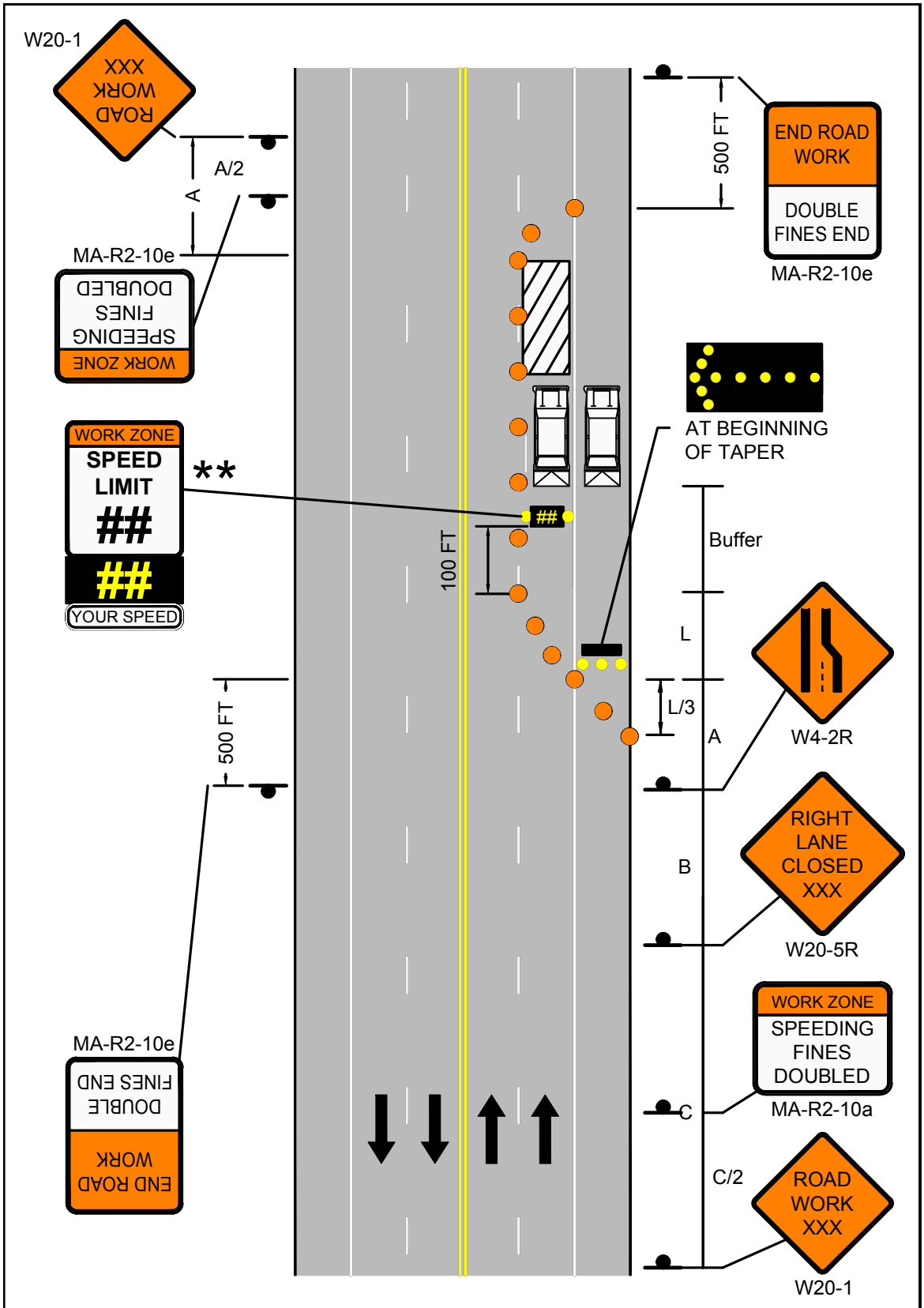
RADAR SPEED FEEDBACK BOARD

POLICE DETAIL OR UNIFORMED FLAGGER

TEMPORARY PORTABLE RUMBLE STRIP

TYPE III BARRICADE

NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division

PAGE 27

Work Zone Safety Standard Details and Drawings

FIGURE 10
STATIONARY OPERATIONS
FOUR LANE UNDIVIDED ROADWAY
RIGHT LANE CLOSED

massDOT Massachusetts Department of Transportation Highway Division PAGE 28	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS FOUR LANE UNDIVIDED ROADWAY LEFT LANE CLOSED

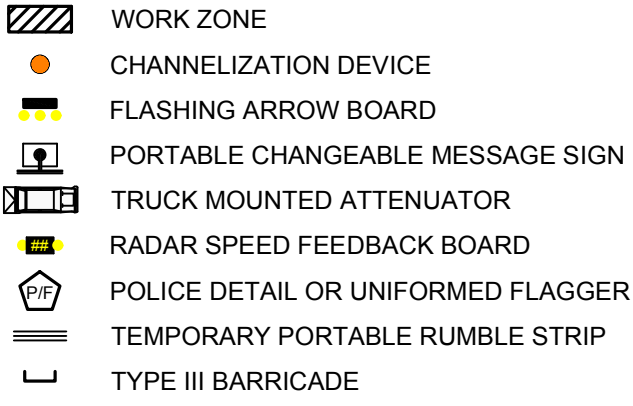
POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)	CHANNELIZATION DEVICES (DRUMS OR CONES)			
		TRAVEL LANE CLOSURE LENGTH (L) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	500 / 500 / 500	320	305	20	105
45-55	500 / 1000 / 1000	660	495	40	80
60-65	1000 / 1600 / 2600	780	645	40	100

* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

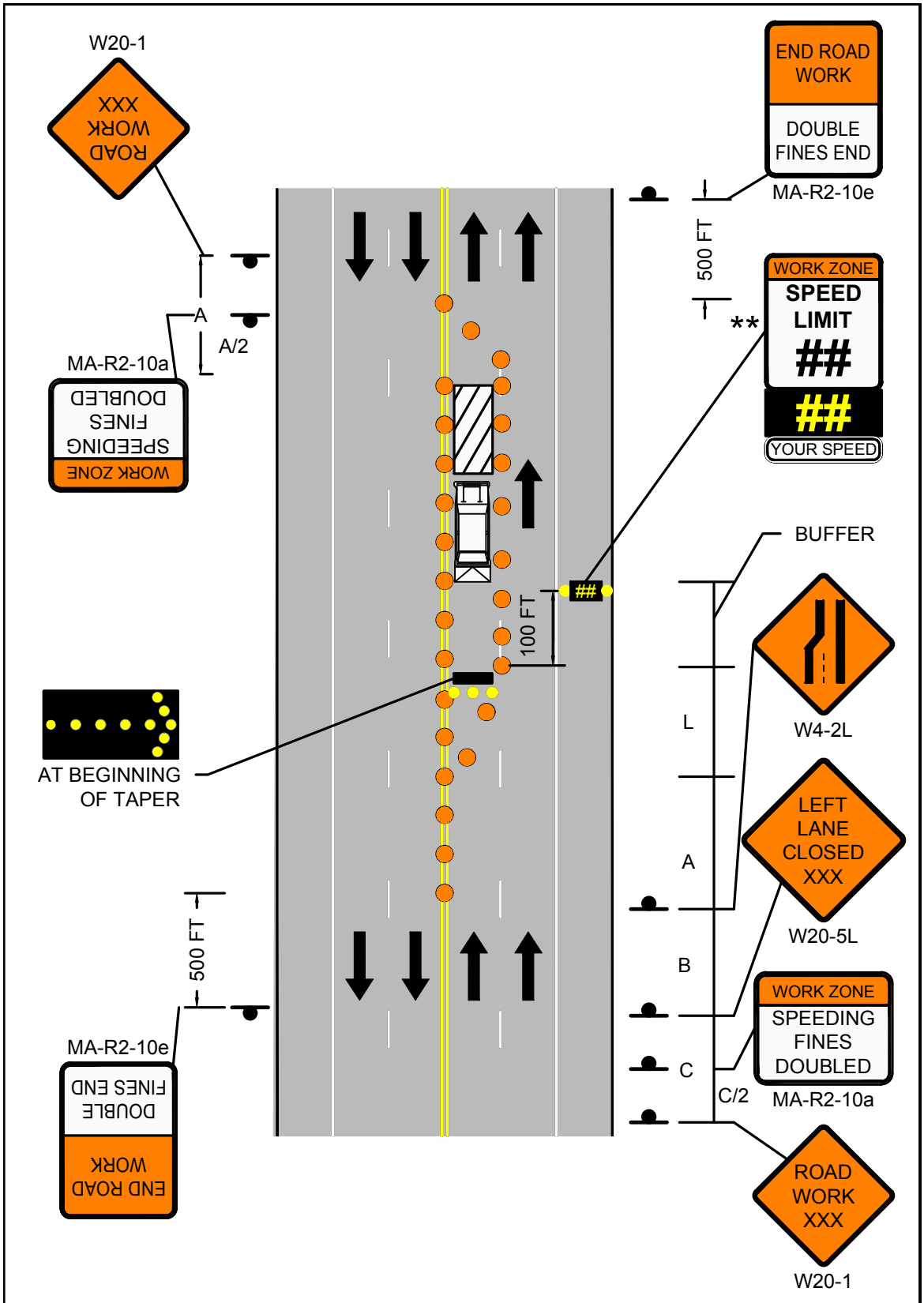
NOTES

1. MA-R2-10a LOCATED AT A/2 AND C/2.
2. ** OPTIONAL AT THE ENGINEER'S DISCRETION. 2' OFFSET FROM EDGE OF TRAVEL LANE TO RADAR SPEED FEEDBACK BOARD IS REQUIRED. BOARD MAY BE MOVED FULLY OR PARTIALLY OFF PAVED SHOULDER, IF REQUIRED.

LEGEND



NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division PAGE 29	Work Zone Safety Standard Details and Drawings	FIGURE 11 STATIONARY OPERATIONS FOUR LANE UNDIVIDED ROADWAY LEFT LANE CLOSED

massDOT Massachusetts Department of Transportation Highway Division PAGE 30	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS FOUR LANE UNDIVIDED ROADWAY HALF OF ROADWAY CLOSED

POSTED SPEED LIMIT (MPH)	CHANNELIZATION DEVICES (DRUMS OR CONES)					
	SHOULDER TAPER LENGTH (L/3) (FT)	TRAVEL LANE CLOSURE LENGTH (L) (FT)	TRAVEL LANE SHIFT LENGTH (L/2) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	110	320	160	305	20	140
45-55	220	660	330	495	40	120
60-65	260	780	390	645	40	140

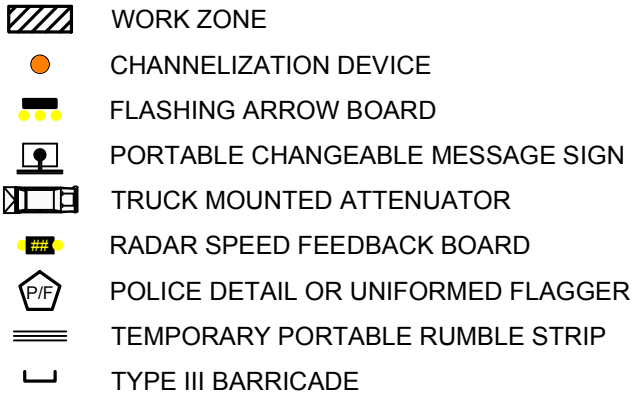
* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)
25-40	500 / 500 / 500
45-55	500 / 1000 / 1000
60-65	1000 / 1600 / 2600

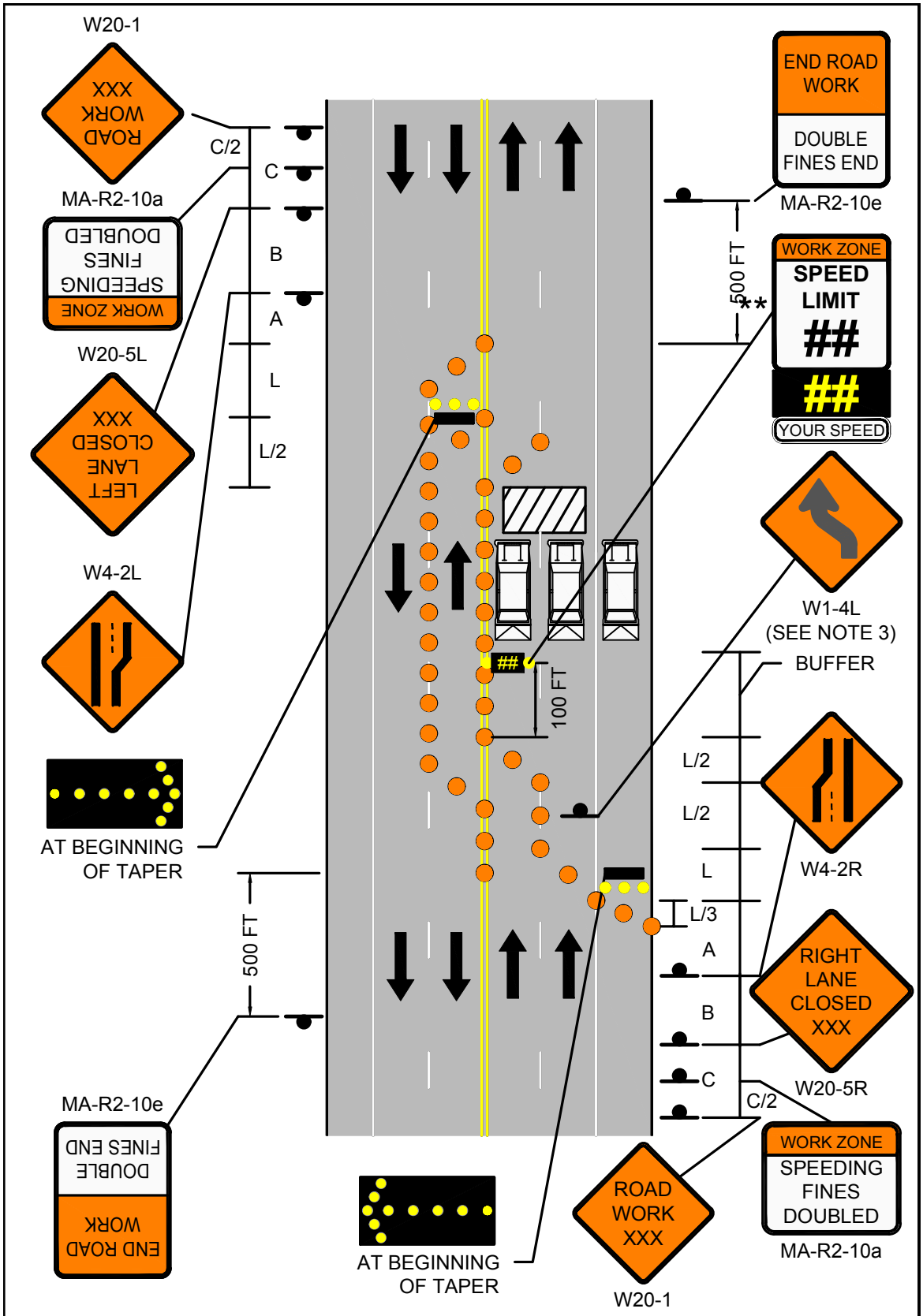
NOTES

1. MA-R2-10a LOCATED AT C/2.
2. ** OPTIONAL AT THE ENGINEER'S DISCRETION.
3. W1-4L SHALL BE PLACED AT THE MIDDLE OF THE TANGENT.

LEGEND



NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division PAGE 31	Work Zone Safety Standard Details and Drawings	FIGURE 12 STATIONARY OPERATIONS FOUR LANE UNDIVIDED ROADWAY HALF OF ROADWAY CLOSED

massDOT Massachusetts Department of Transportation Highway Division PAGE 32	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY RIGHT LANE CLOSED

POSTED SPEED LIMIT (MPH)	CHANNELIZATION DEVICES (DRUMS OR CONES)				
	SHOULDER TAPER LENGTH (L/3) (FT)	TRAVEL LANE CLOSURE LENGTH (L) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	110	320	305	20	60
45-55	220	660	495	40	50
60-65	260	780	645	40	55

* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)
25-40	500 / 500 / 500
45-55	500 / 1000 / 1000
60-65	1000 / 1600 / 2600

NOTES

1. MA-R2-10a LOCATED AT C/2.
2. ** OPTIONAL AT THE ENGINEER'S DISCRETION.

LEGEND


WORK ZONE


CHANNELIZATION DEVICE

FLASHING ARROW BOARD


PORTABLE CHANGEABLE MESSAGE SIGN


TRUCK MOUNTED ATTENUATOR

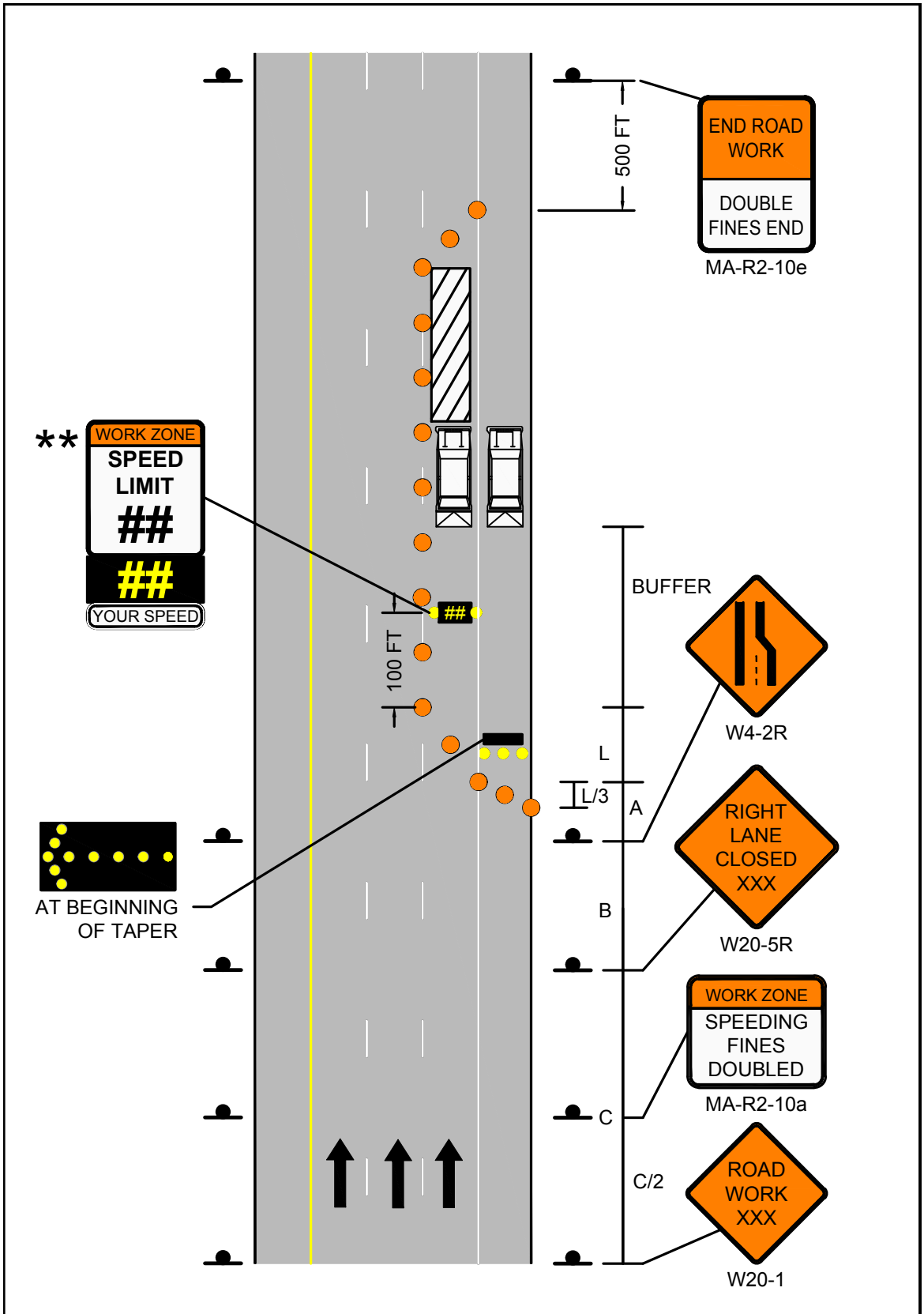
RADAR SPEED FEEDBACK BOARD

POLICE DETAIL OR UNIFORMED FLAGGER

TEMPORARY PORTABLE RUMBLE STRIP

TYPE III BARRICADE

NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division PAGE 33	Work Zone Safety Standard Details and Drawings	FIGURE 13 STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY RIGHT LANE CLOSED

massDOT Massachusetts Department of Transportation Highway Division PAGE 34	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY LEFT LANE CLOSED

POSTED SPEED LIMIT (MPH)	CHANNELIZATION DEVICES (DRUMS OR CONES)				
	SHOULDER TAPER LENGTH (L/3) (FT)	TRAVEL LANE CLOSURE LENGTH (L) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	110	320	305	20	60
45-55	220	660	495	40	50
60-65	260	780	645	40	55

* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)
25-40	500 / 500 / 500
45-55	500 / 1000 / 1000
60-65	1000 / 1600 / 2600

NOTES

1. MA-R2-10a LOCATED AT C/2.
2. ** OPTIONAL AT THE ENGINEER'S DISCRETION.

LEGEND


WORK ZONE


CHANNELIZATION DEVICE

FLASHING ARROW BOARD


PORTABLE CHANGEABLE MESSAGE SIGN


TRUCK MOUNTED ATTENUATOR

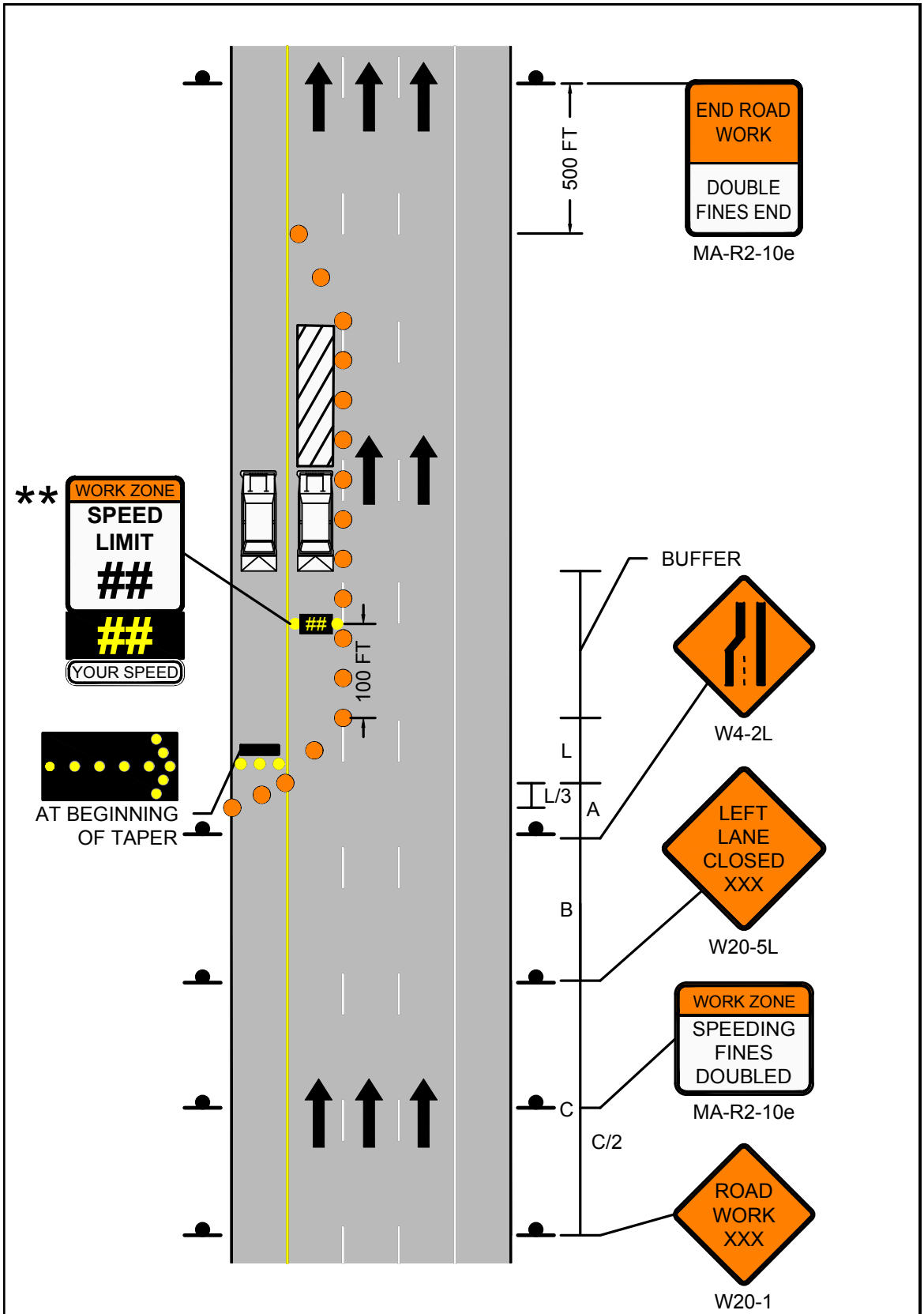
RADAR SPEED FEEDBACK BOARD

POLICE DETAIL OR UNIFORMED FLAGGER

TEMPORARY PORTABLE RUMBLE STRIP

TYPE III BARRICADE

NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division PAGE 35	Work Zone Safety Standard Details and Drawings	FIGURE 14 STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY LEFT LANE CLOSED

massDOT Massachusetts Department of Transportation Highway Division PAGE 36	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY CENTER LANE OR RIGHT/CENTER LANES CLOSED

POSTED SPEED LIMIT (MPH)	CHANNELIZATION DEVICES (DRUMS OR CONES)					
	SHOULDER TAPER LENGTH (L/3) (FT)	TRAVEL LANE CLOSURE LENGTH (L) (FT)	TANGENT LENGTH BETWEEN TAPERS T (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	110	320	640	305	20	110
45-55	220	660	1320	495	40	100
60-65	260	780	1560	645	40	115

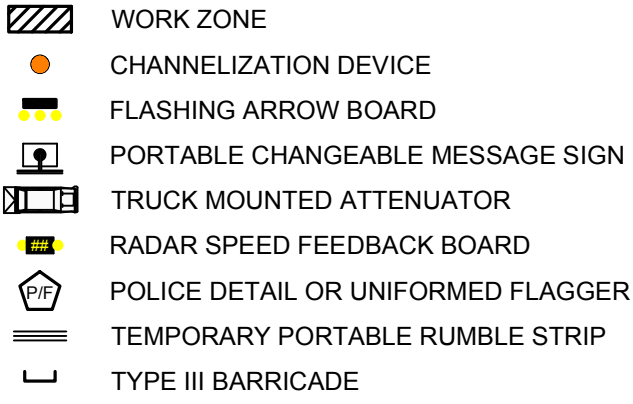
* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)
25-40	500 / 500 / 500
45-55	500 / 1000 / 1000
60-65	1000 / 1600 / 2600

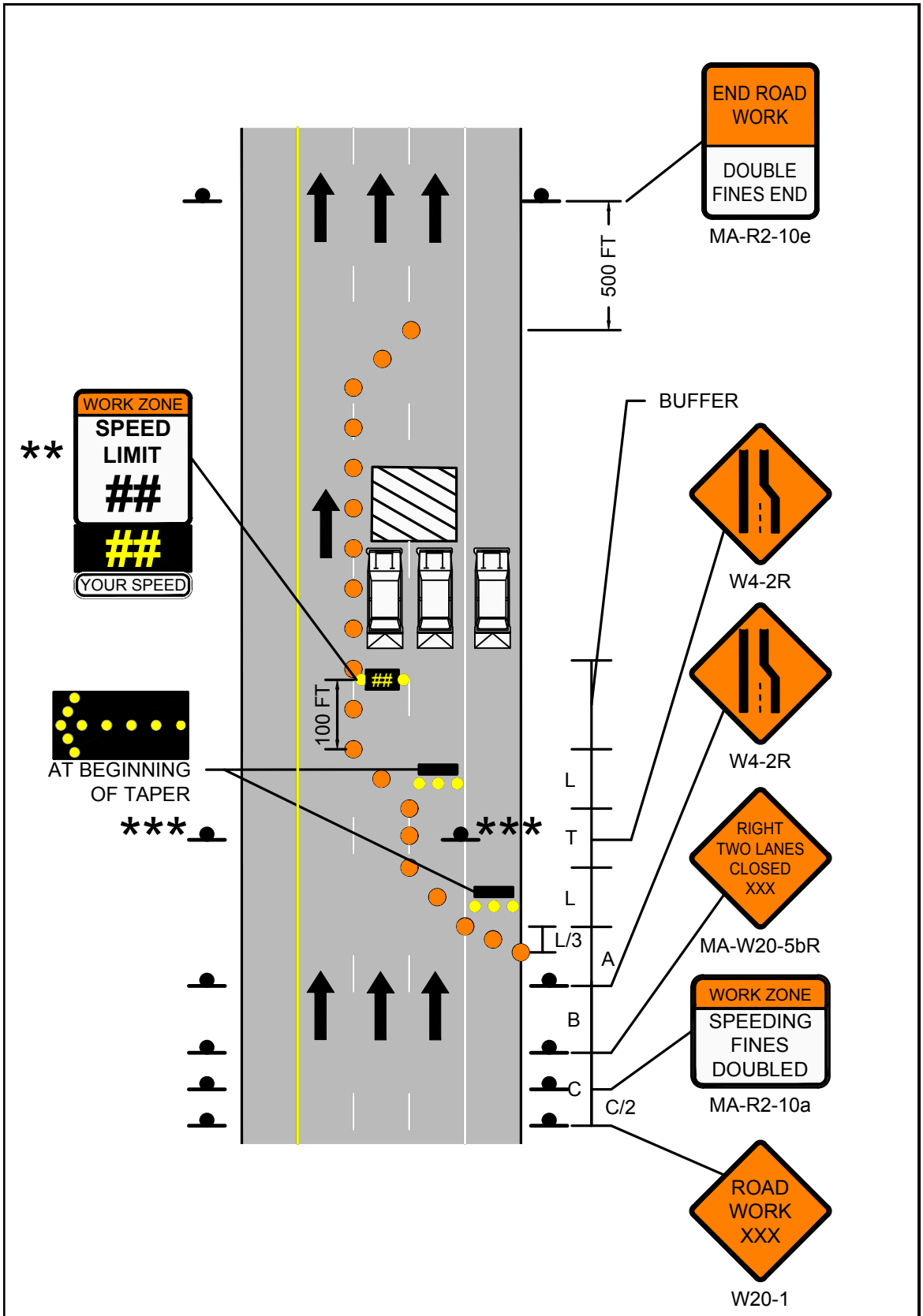
NOTES

1. MA-R2-10a LOCATED AT C/2.
2. ** OPTIONAL AT THE ENGINEER'S DISCRETION.
3. *** THIS SET OF SIGNS SHALL BE LOCATED AT T/2.

LEGEND



NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division PAGE 37	Work Zone Safety Standard Details and Drawings	FIGURE 15 STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY CENTER LANE OR RIGHT/CENTER LANES CLOSED

massDOT Massachusetts Department of Transportation Highway Division PAGE 38	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY CENTER LANE OR LEFT/CENTER LANES CLOSED

POSTED SPEED LIMIT (MPH)	CHANNELIZATION DEVICES (DRUMS OR CONES)					
	SHOULDER TAPER LENGTH (L/3) (FT)	TRAVEL LANE CLOSURE LENGTH (L) (FT)	TANGENT LENGTH BETWEEN TAPERS T (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	110	320	640	305	20	110
45-55	220	660	1320	495	40	100
60-65	260	780	1560	645	40	115

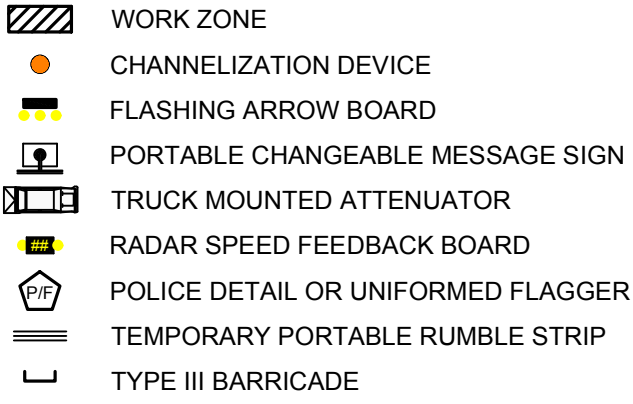
* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)
25-40	500 / 500 / 500
45-55	500 / 1000 / 1000
60-65	1000 / 1600 / 2600

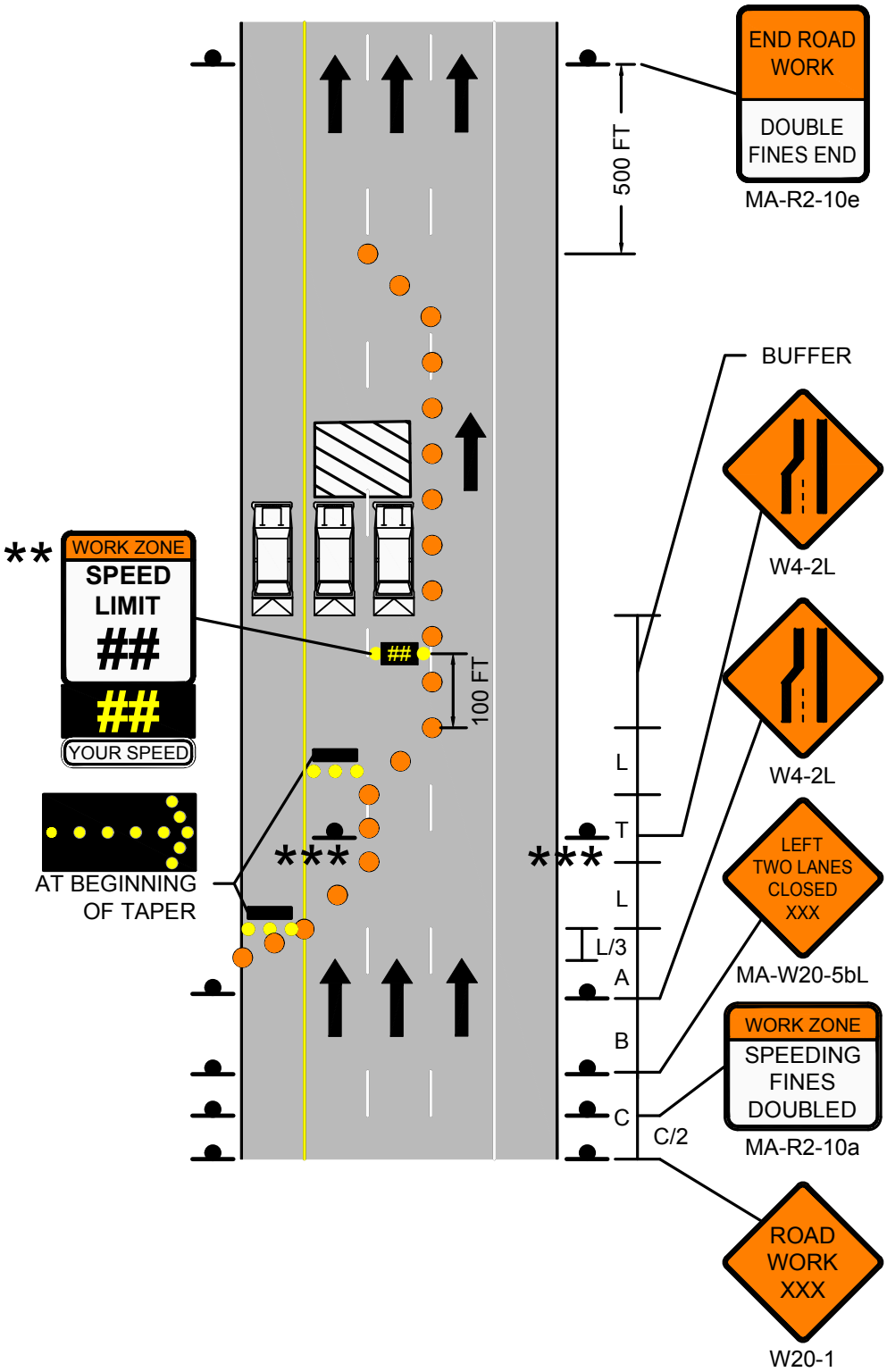
NOTES

1. MA-R2-10a LOCATED AT C/2.
2. ** OPTIONAL AT THE ENGINEER'S DISCRETION.
3. *** THIS SET OF SIGNS SHALL BE LOCATED AT T/2.

LEGEND



NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division PAGE 39	Work Zone Safety Standard Details and Drawings	FIGURE 16 STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY CENTER LANE OR LEFT/CENTER LANES CLOSED

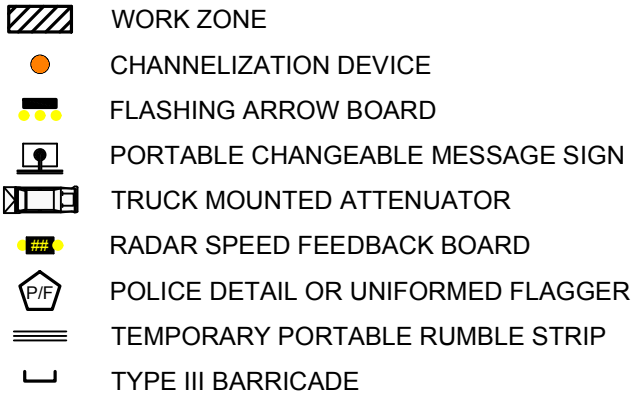
massDOT Massachusetts Department of Transportation Highway Division PAGE 40	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY RIGHT SIDE OF OFF RAMP CLOSED

POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)	CHANNELIZATION DEVICES (DRUMS OR CONES)			
		TRAVEL LANE SHIFT LENGTH (L/2) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	500 / 500 / 500	160	305	20	45
45-55	500 / 1000 / 1000	330	495	40	35

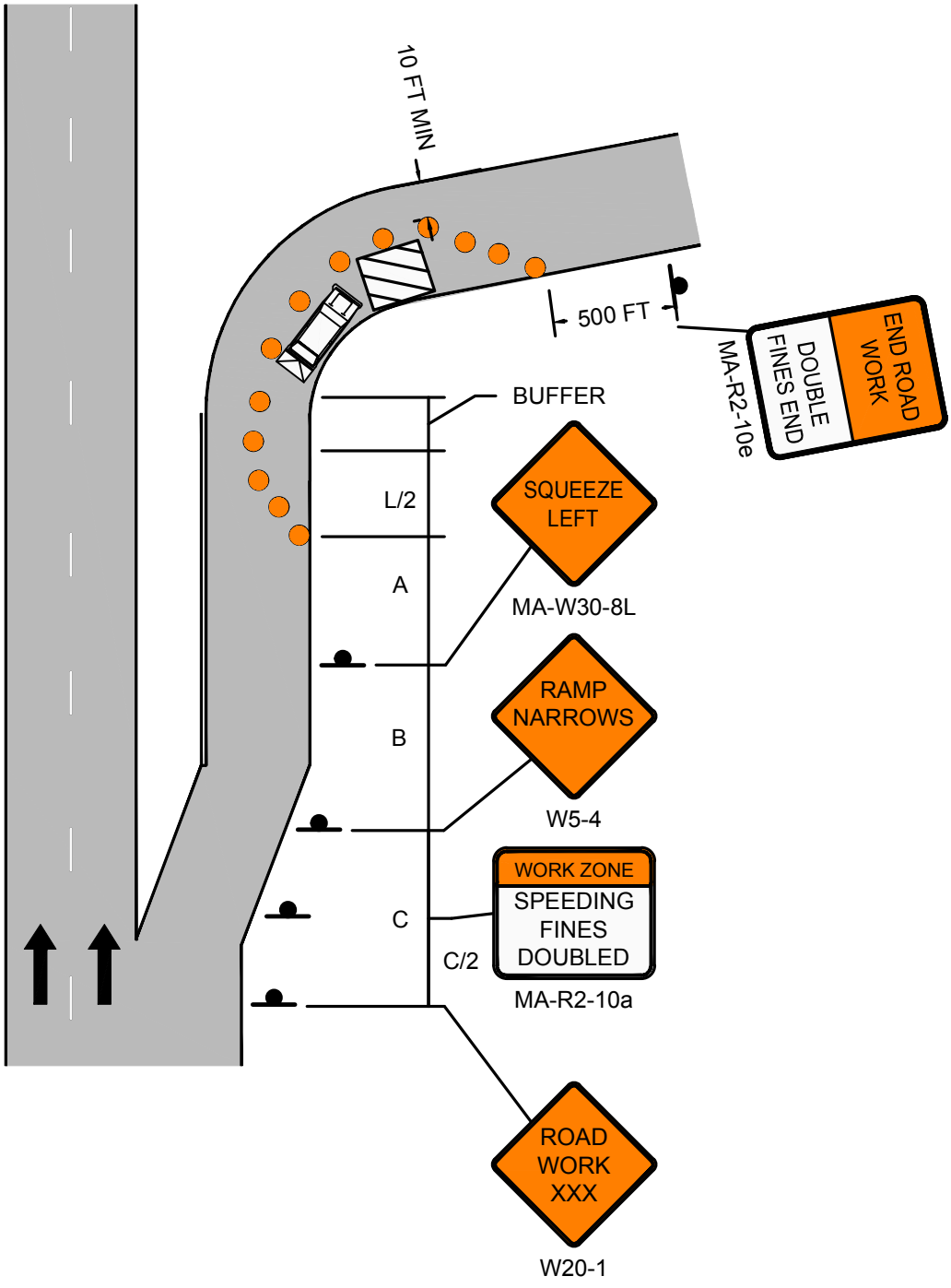
* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

NOTES
1. MA-R2-10a LOCATED AT C/2.

LEGEND



NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division PAGE 41	Work Zone Safety Standard Details and Drawings	FIGURE 17 STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY RIGHT SIDE OF OFF RAMP CLOSED

massDOT Massachusetts Department of Transportation Highway Division PAGE 42	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY LEFT SIDE OF OFF RAMP CLOSED

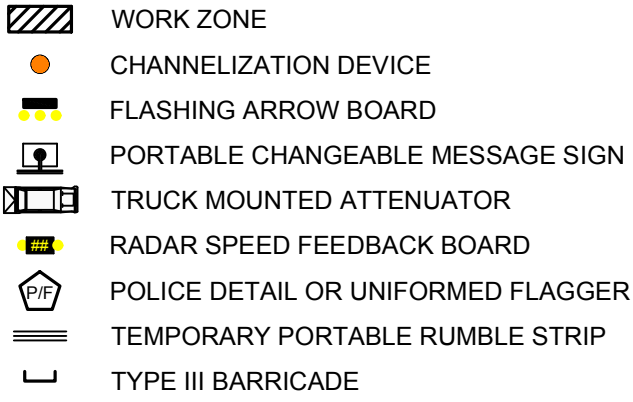
POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)	CHANNELIZATION DEVICES (DRUMS OR CONES)			
		TRAVEL LANE SHIFT LENGTH (L/2) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	500 / 500 / 500	160	305	20	45
45-55	500 / 1000 / 1000	330	495	40	35

* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

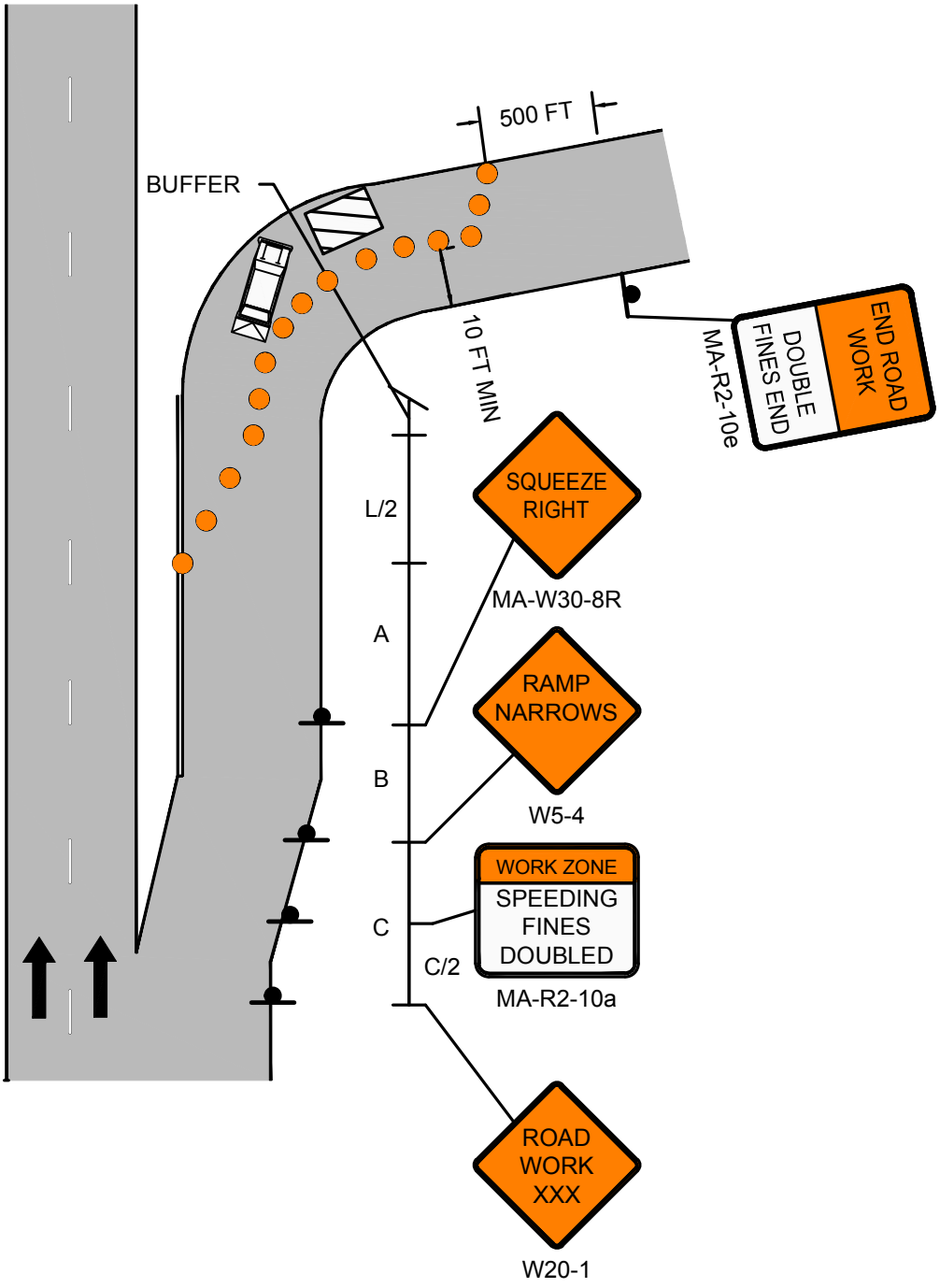
NOTES

1. MA-R2-10a LOCATED AT C/2.

LEGEND



NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division	Work Zone Safety Standard Details and Drawings	FIGURE 18 STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY LEFT SIDE OF OFF RAMP CLOSED PAGE 43

massDOT Massachusetts Department of Transportation Highway Division PAGE 44	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY ROADWORK BEYOND ON RAMP

POSTED SPEED LIMIT (MPH)	CHANNELIZATION DEVICES (DRUMS OR CONES)				
	SHOULDER TAPER LENGTH (L/3) (FT)	TRAVEL LANE CLOSURE LENGTH (L) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	110	320	305	20	175
45-55	220	660	495	40	135
60-65	260	780	645	40	155

* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)
25-40	500 / 500 / 500
45-55	500 / 1000 / 1000
60-65	1000 / 1600 / 2600

NOTES

1. MA-R2-10a LOCATED AT C/2.

LEGEND


WORK ZONE


CHANNELIZATION DEVICE

FLASHING ARROW BOARD


PORTABLE CHANGEABLE MESSAGE SIGN


TRUCK MOUNTED ATTENUATOR

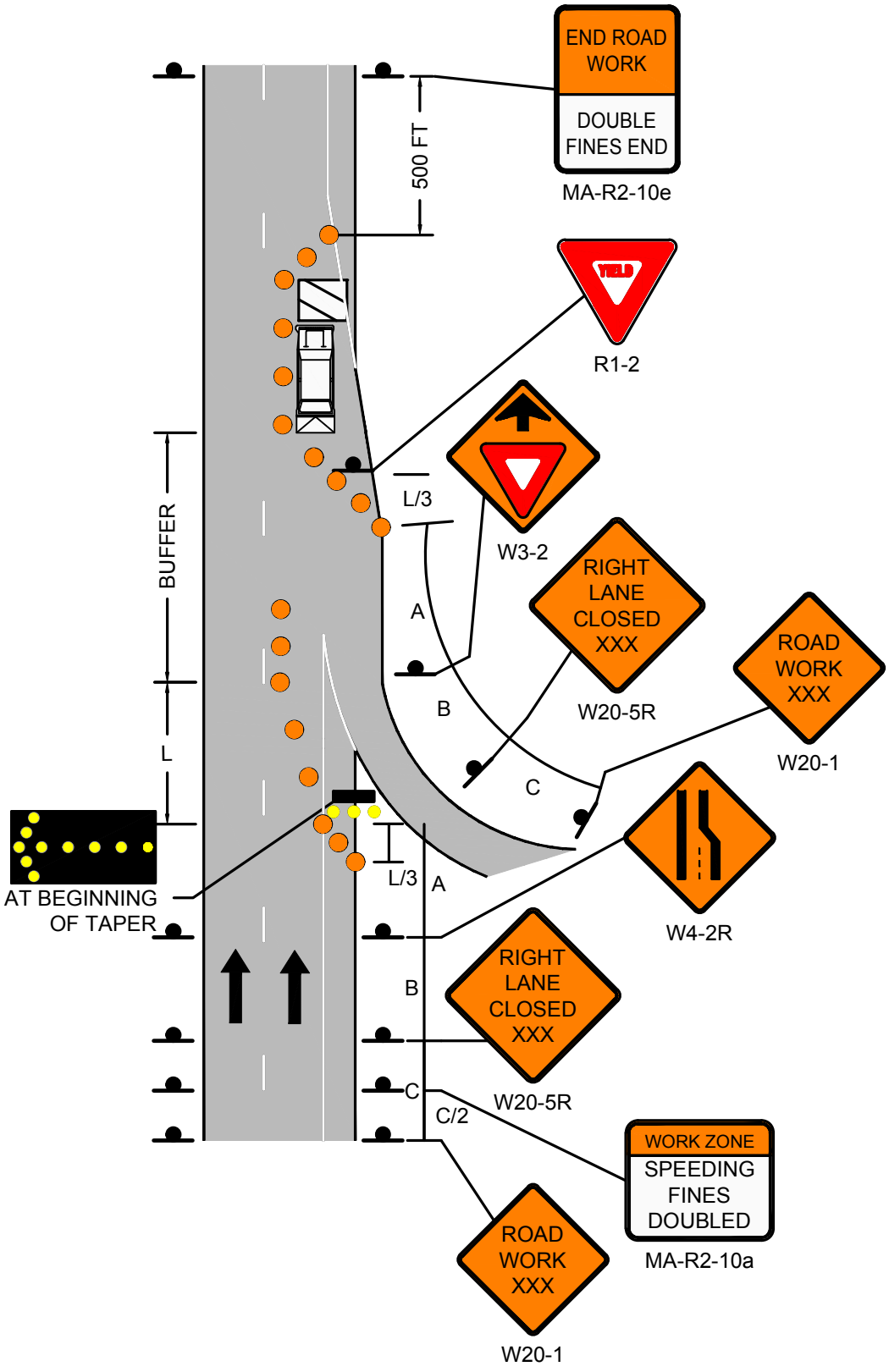
RADAR SPEED FEEDBACK BOARD

POLICE DETAIL OR UNIFORMED FLAGGER

TEMPORARY PORTABLE RUMBLE STRIP

TYPE III BARRICADE

NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division PAGE 45	Work Zone Safety Standard Details and Drawings	FIGURE 19 STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY ROADWORK BEYOND ON RAMP

massDOT Massachusetts Department of Transportation Highway Division PAGE 46	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY ROADWORK BEYOND OFF RAMP

POSTED SPEED LIMIT (MPH)	CHANNELIZATION DEVICES (DRUMS OR CONES)					
	SHOULDER TAPER LENGTH (L/3) (FT)	TRAVEL LANE CLOSURE LENGTH (L) (FT)	TRAVEL LANE SHIFT LENGTH (L/2) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	110	320	160	305	20	70
45-55	220	660	330	495	40	55
60-65	260	780	390	645	40	65

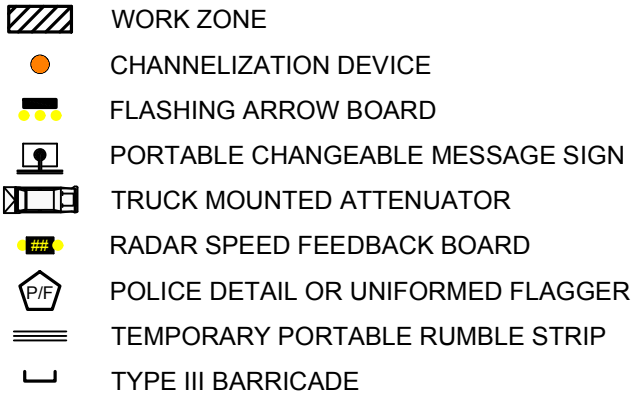
* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)
25-40	500 / 500 / 500
45-55	500 / 1000 / 1000
60-65	1000 / 1600 / 2600

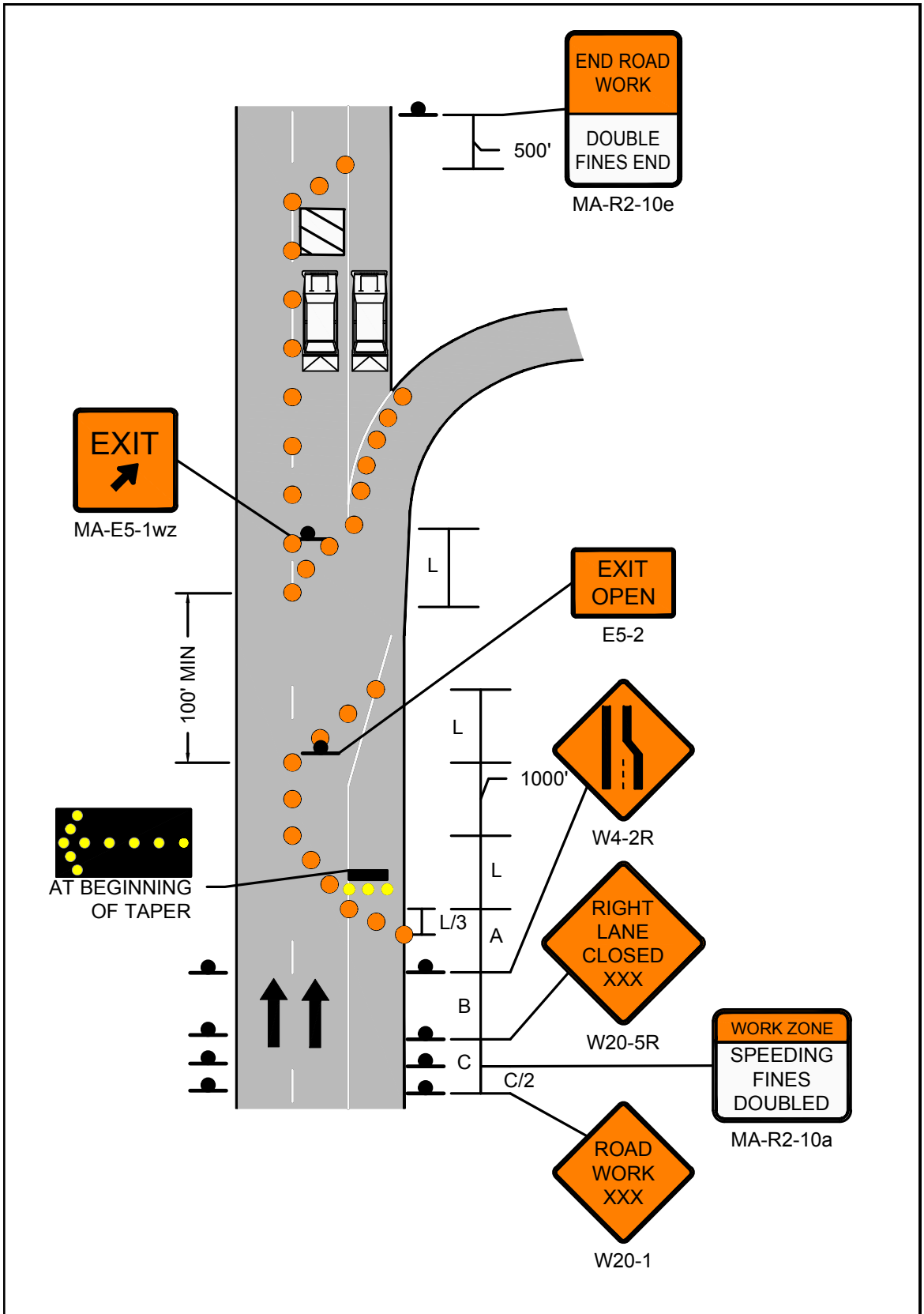
NOTES

1. MA-R2-10a LOCATED AT C/2.

LEGEND



NOT TO SCALE



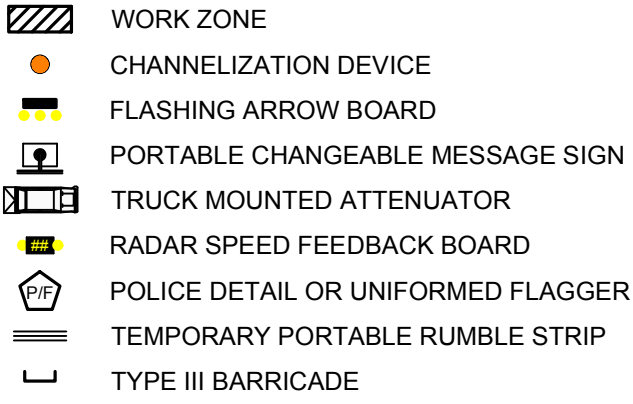
massDOT Massachusetts Department of Transportation Highway Division PAGE 47	Work Zone Safety Standard Details and Drawings	FIGURE 20 STATIONARY OPERATIONS MULTILANE DIVIDED ROADWAY ROADWORK BEYOND OFF RAMP

massDOT Massachusetts Department of Transportation Highway Division PAGE 48	Work Zone Safety Standard Details and Drawings	MULTILANE DIVIDED ROADWAY TYPICAL RAMP CLOSURE

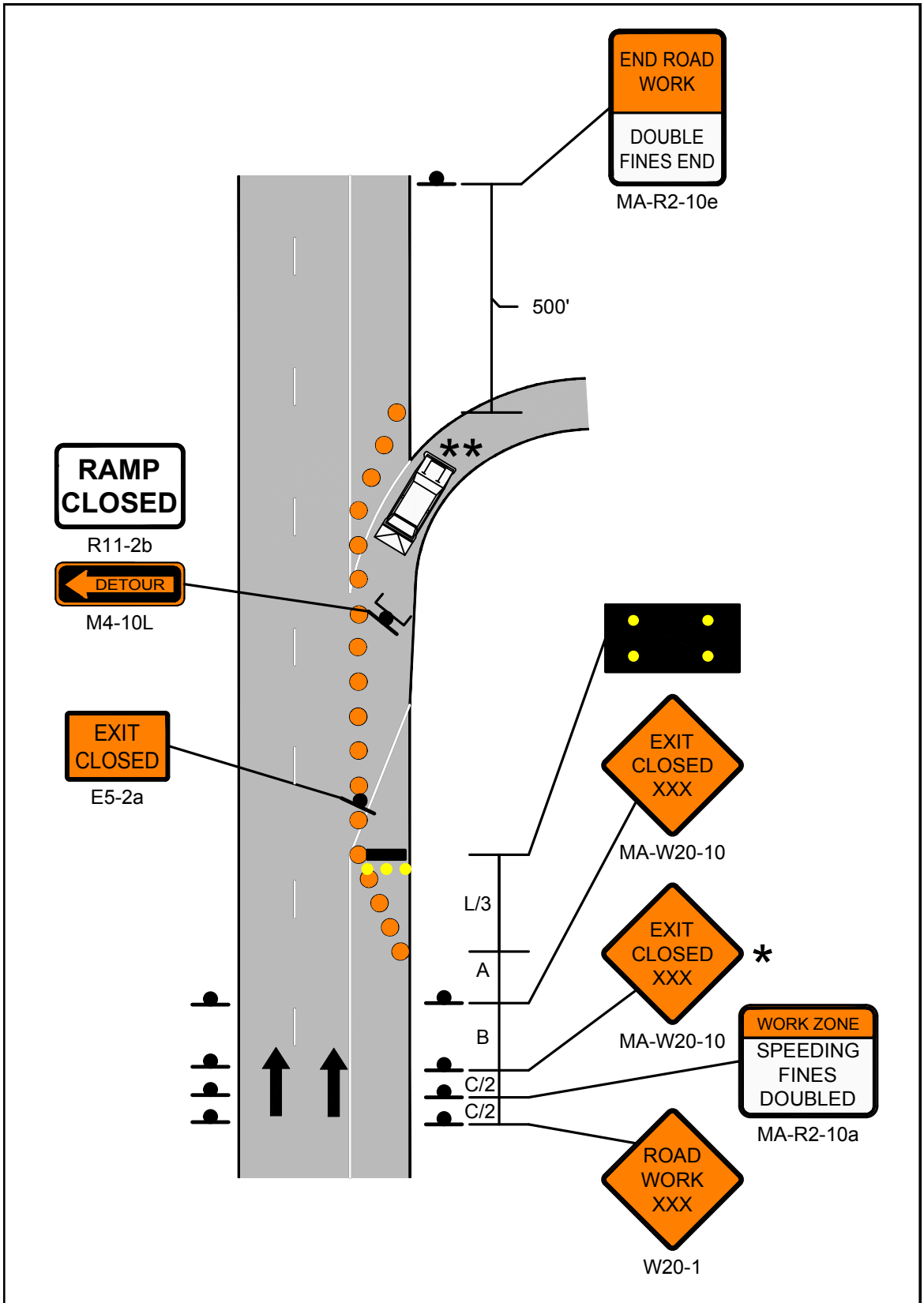
POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)	CHANNELIZATION DEVICES (DRUMS OR CONES)			
		SHOULDER TAPER LENGTH (L/3) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES
25-40	500 / 500 / 500	110	305	20	45
45-55	500 / 1000 / 1000	220	495	40	30
60-65	1000 / 1600 / 2600	260	645	40	35

NOTES
1. MA-R2-10a LOCATED AT C/2.
2. * NOT REQUIRED IF RIGHT LANE IS CLOSED IN ADVANCE OF EXIT.
3. ** OPTIONAL AT ENGINEER'S DISCRETION.

LEGEND



NOT TO SCALE



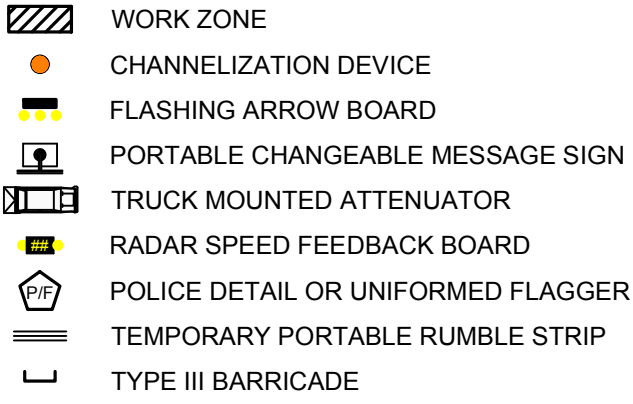
massDOT Massachusetts Department of Transportation Highway Division PAGE 49	Work Zone Safety Standard Details and Drawings	FIGURE 21 MULTILANE DIVIDED ROADWAY TYPICAL RAMP CLOSURE

massDOT Massachusetts Department of Transportation Highway Division PAGE 50	Work Zone Safety Standard Details and Drawings	MULTILANE DIVIDED ROADWAY TYPICAL CLOVERLEAF RAMP CLOSURE

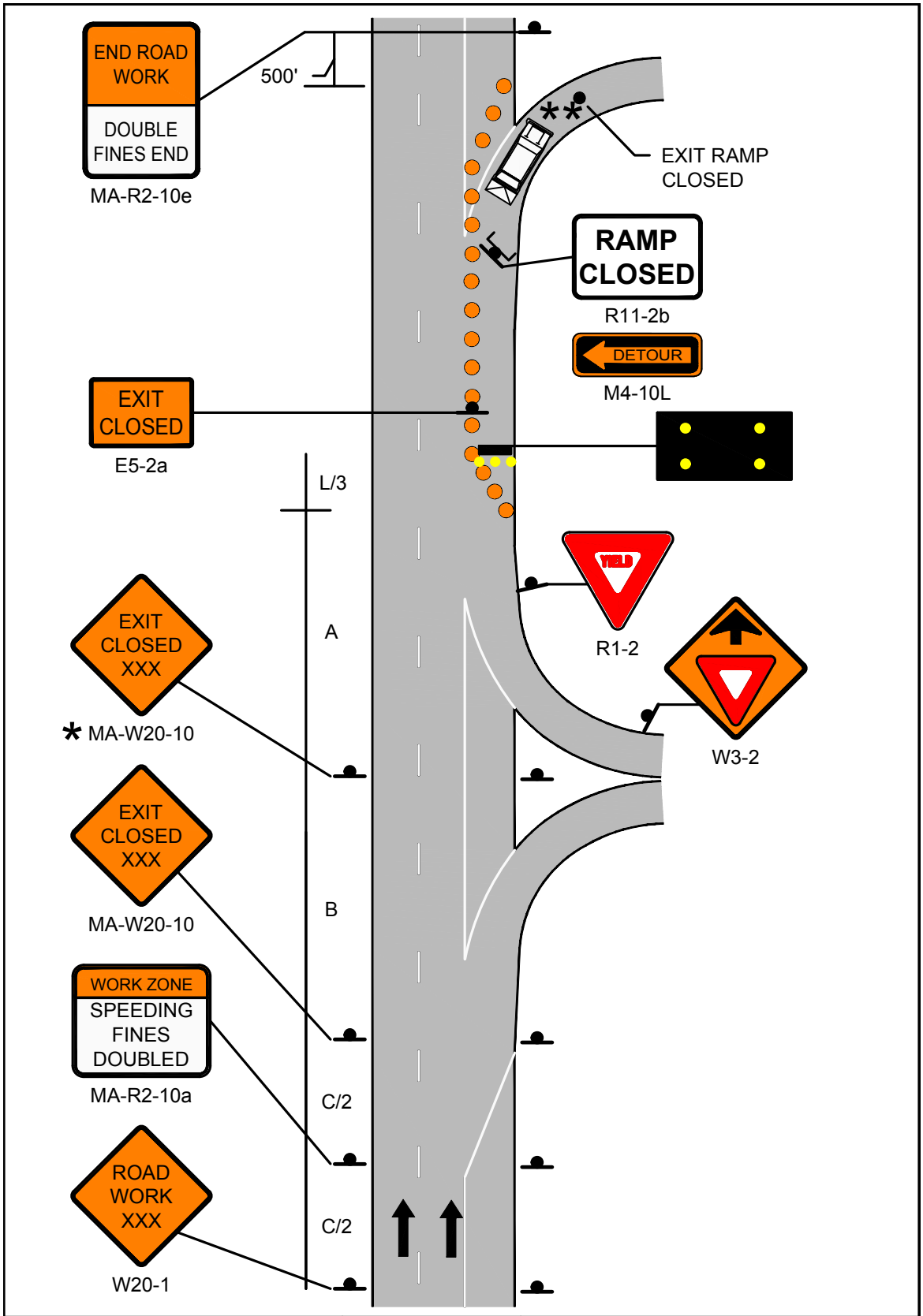
POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)	CHANNELIZATION DEVICES (DRUMS OR CONES)			
		SHOULDER TAPER LENGTH (L/3) (FT)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES
25-40	500 / 500 / 500	110	305	20	45
45-55	500 / 1000 / 1000	220	495	40	30
60-65	1000 / 1600 / 2600	260	645	40	35

NOTES
1. MA-R2-10a LOCATED AT C/2.
2. * NOT REQUIRED IF RIGHT LANE IS CLOSED IN ADVANCE OF EXIT.
3. ** OPTIONAL AT ENGINEER'S DISCRETION.

LEGEND



NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division PAGE 51	Work Zone Safety Standard Details and Drawings	FIGURE 22 MULTILANE DIVIDED ROADWAY TYPICAL CLOVERLEAF RAMP CLOSURE

massDOT Massachusetts Department of Transportation Highway Division PAGE 52	Work Zone Safety Standard Details and Drawings	MULTILANE DIVIDED ROADWAY TYPICAL RAMP CLOSURE ADVANCE SIGNING

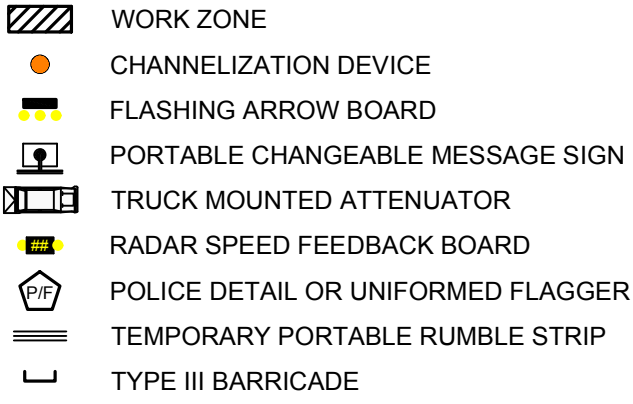
NOTES

1. IF THE CLOSED RAMP IS LOCATED DOWNSTREAM FROM THE PROPOSED DETOUR ROUTE/RAMP, A PCMS SHALL BE POSITIONED AT A SUFFICIENT DISTANCE IN ADVANCE OF THE DETOUR ROUTE/RAMP AND SHOULD STATE WHICH RAMP IS CLOSED AND WHICH SHALL BE USED FOR THE DETOUR.

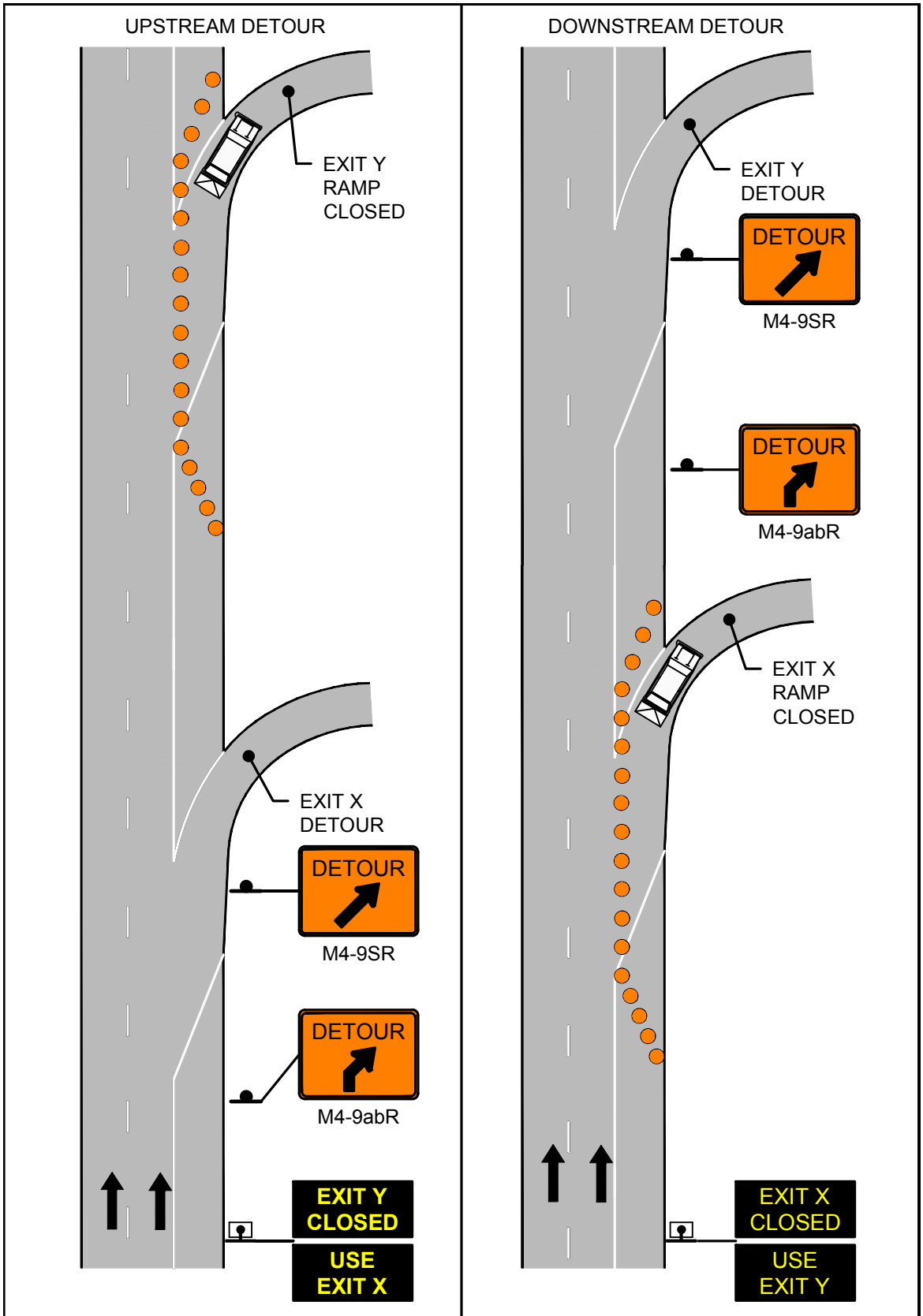
2. IF THE CLOSED RAMP IS LOCATED UPSTREAM FROM THE PROPOSED DETOUR ROUTE/RAMP, A PCMS SHALL BE POSITIONED PRIOR TO THE CLOSED RAMP AND SHOULD STATE WHICH RAMP IS CLOSED AND WHICH SHALL BE USED FOR THE DETOUR.

3. A SUFFICIENT NUMBER OF DETOUR SIGNS (M4-9 SERIES) SHOULD BE DEPLOYED TO PROPERLY DIRECT DETOURED TRAFFIC. SIGN SPACING SHALL BE AT THE DIRECTION OF THE ENGINEER.

LEGEND



NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division

PAGE 53

Work Zone Safety
Standard Details
and Drawings

FIGURE 23
MULTILANE DIVIDED ROADWAY
TYPICAL RAMP CLOSURE
ADVANCE SIGNING

massDOT Massachusetts Department of Transportation Highway Division PAGE 54	Work Zone Safety Standard Details and Drawings	FIGURE 24-1 MULTILANE DIVIDED ROADWAY PLACEMENT OF TEMPORARY PORTABLE RUMBLE STRIPS SHEET 1 OF 2

POSTED REGULATORY OR WORK ZONE SPEED	SEPARATION BETWEEN RUMBLE STRIPS
Above 55-mph	20-feet
36-mph to 55-mph	15-feet
35-mph and under	10-feet

POSTED SPEED LIMIT (MPH)	SPACING FOR ADVANCE WARNING SIGNS (FT) (A,B,C)	TANGENT LENGTH BETWEEN TAPERS (T) (FT)
25-40	500 / 500 / 500	640
45-55	500 / 1000 / 1000	1320
60-65	1000 / 1600 / 2600	1560

NOTES

1. THE INTENTION OF THESE DETAILS IS ONLY TO DEPICT THE PLACEMENT OF TEMPORARY PORTABLE RUMBLE STRIPS (TPRS) IN RELATIONSHIP TO THE TAPER AND THE BUFFER OF A SINGLE- OR MULTI-LANE CLOSURE. THE DEPICTION OF THE NUMBER AND SPACING OF ALL OTHER TRAFFIC CONTROL DEVICES IS NOT TO SCALE. REFER TO OTHER DETAILS FOR LANE CLOSURES FOR THE PLACEMENT AND NUMBER OF ALL OTHER TRAFFIC CONTROL DEVICES.
2. THESE DETAILS ONLY DEPICT RIGHT LANE CLOSURES. LEFT LANE CLOSURES SHOULD UTILIZE A MIRROR IMAGE OF THESE SETUPS, STARTING WITH CLOSURE OF THE LEFTMOST LANE.
3. * THIS TPRS ARRAY IS OPTIONAL AT THE ENGINEER'S DISCRETION. IF USED, IT SHOULD BE PLACED ADJACENT TO THE BUFFER.
4. DETAILS SHOW THE MINIMUM NUMBER OF TPRS REQUIRED. ADDITIONAL MAY BE USED IF CONDITIONS WARRANT.

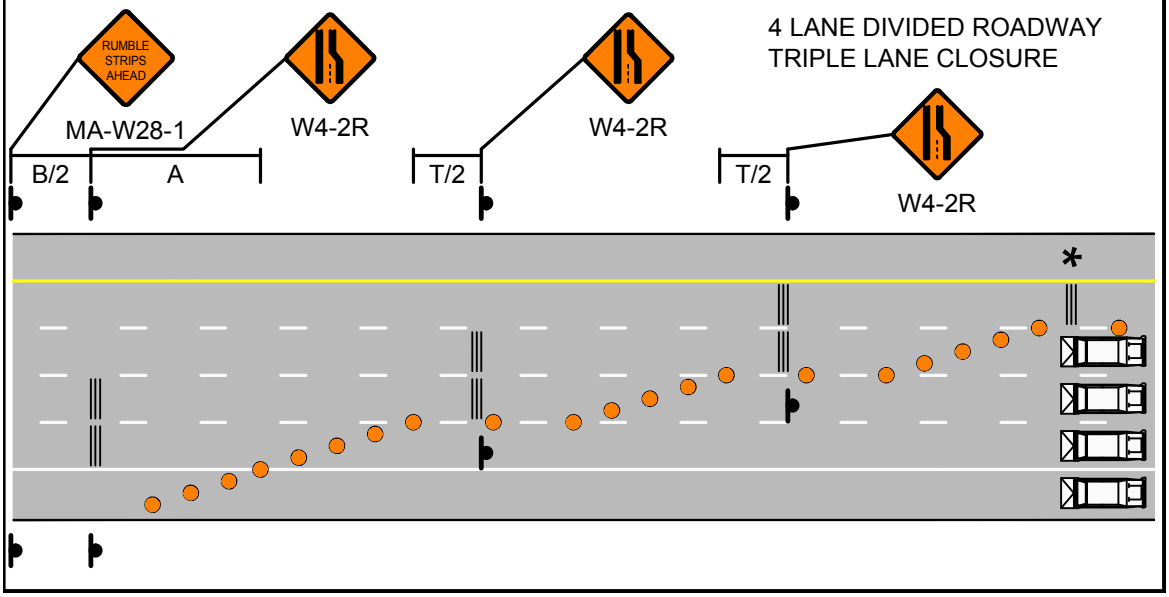
LEGEND

CHANNELIZATION DEVICE

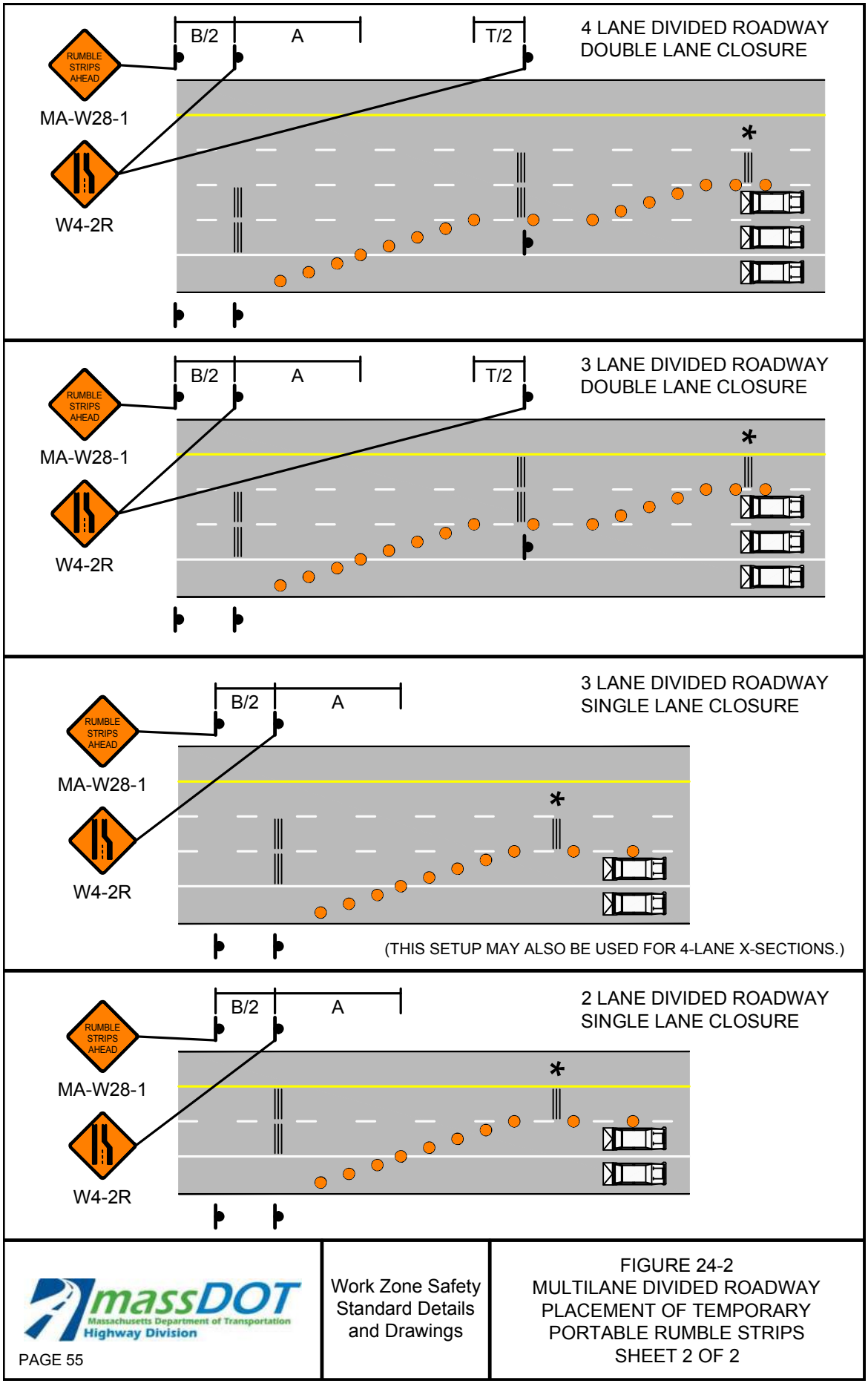
TRUCK MOUNTED ATTENUATOR

TEMPORARY PORTABLE RUMBLE STRIP

NOT TO SCALE



4 LANE DIVIDED ROADWAY
TRIPLE LANE CLOSURE



massDOT Massachusetts Department of Transportation Highway Division

PAGE 55

Work Zone Safety Standard Details and Drawings

FIGURE 24-2
MULTILANE DIVIDED ROADWAY
PLACEMENT OF TEMPORARY
PORTABLE RUMBLE STRIPS
SHEET 2 OF 2

Notes for Mobile Operations

- Unless otherwise stated, these notes shall apply to all Mobile Operation setups.
- Additional, setup-specific notes may be found on individual sheets.

1. The Supervisor shall travel the designated roadway prior to scheduling the work to ensure that sufficient and appropriate traffic control devices will be available. Special consideration shall be exercised to ensure that appropriate traffic controls be placed in areas that will have limited visibility of the work areas or any associated traffic queues.

2. Vehicles used for these operations shall be made highly visible with appropriate equipment such as flashing lights, rotating beacons, flags, signs, flashing arrow boards, and/or portable changeable message signs. Any signs mounted to these vehicles shall not obscure the visibility of other devices.

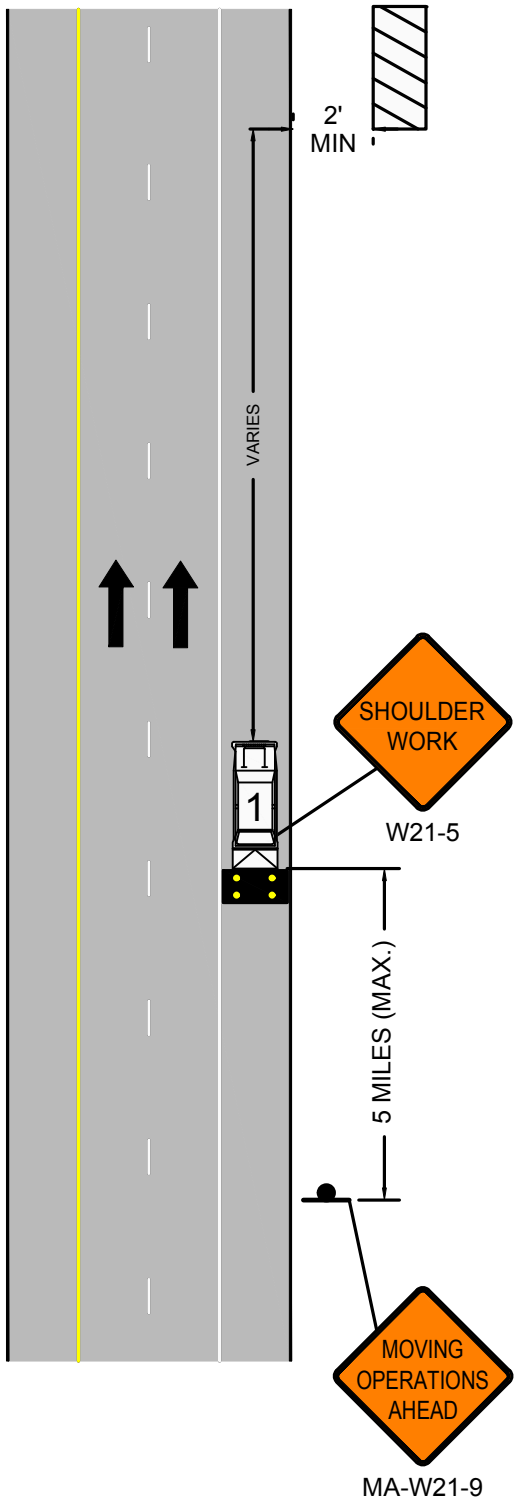
3. All vehicles shown may not be required based upon roadway conditions. However, when needed and practical, additional shadow vehicles and equipment to warn and protect motorists and workers should be used. Based upon roadway conditions, the addition of a police detail with cruiser may be used for additional protection or warning for the traveling public.

4. The distance between the work and shadow vehicle(s) may vary according to the terrain and other factors. Shadow vehicles are used to warn traffic of the operations ahead. Whenever adequate sight distance exists, the shadow vehicle(s) should maintain the minimum appropriate distance and maintain the same speed to prevent non-work related vehicles from entering the work convoy. If this formation cannot be maintained then additional traffic control devices should be deployed in advance of any vertical or horizontal curves that may restrict the sight distance of an oncoming vehicle to either the work vehicle or associated traffic queue.

5. All shadow vehicles shall be equipped with a truck or trailer mounted attenuator (TMA) and a flashing arrow board.

6. Signs should be covered or turned from view when work is not in progress.

7. Portable changeable message signs may be used in lieu of MA-W21-9 signs and any signs mounted directly to a shadow vehicle.



LEGEND

WORK ZONE

SHADOW VEHICLE

FLASHING ARROW BOARD
(WITH STATUS)

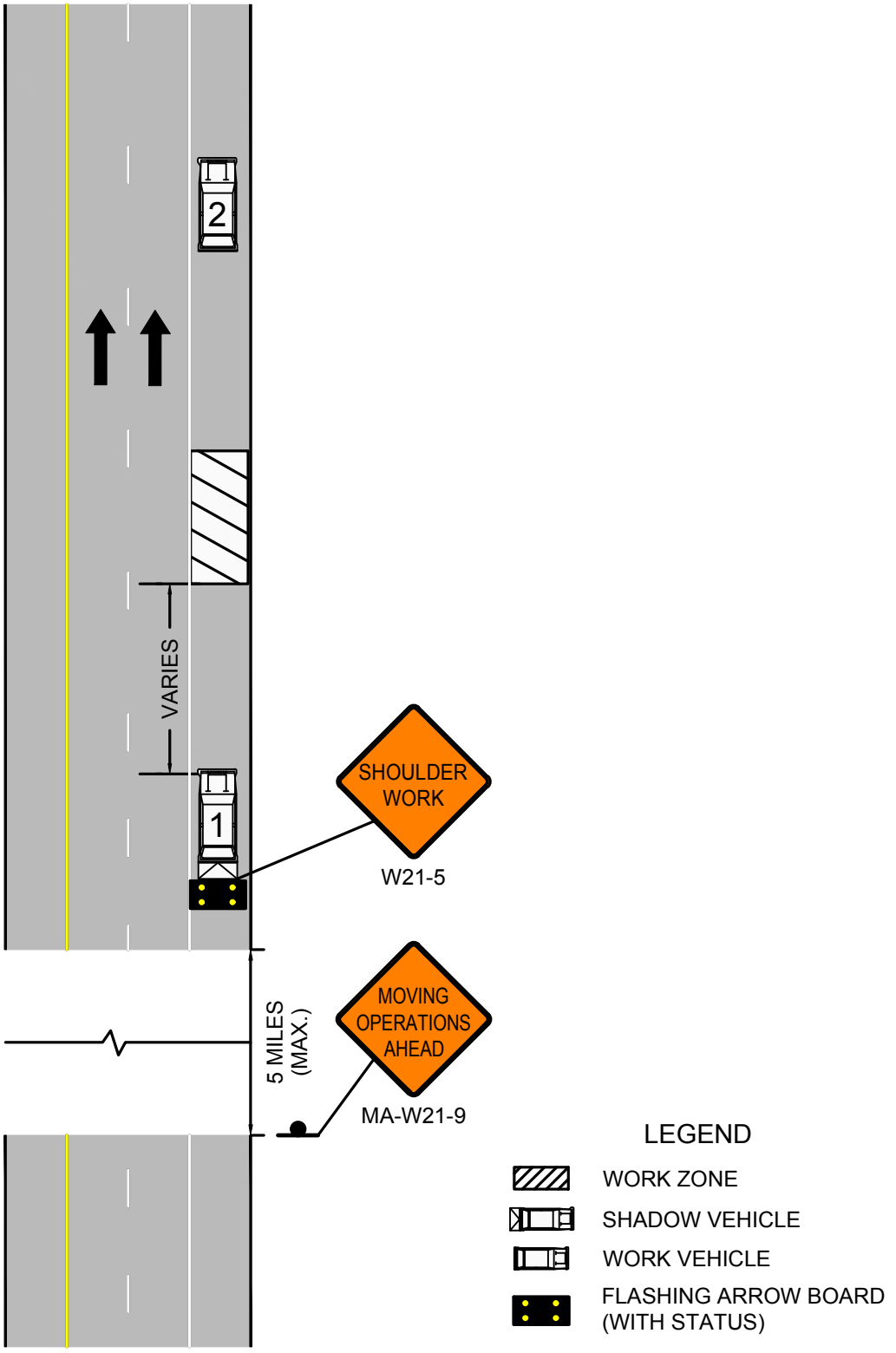
NOT TO SCALE

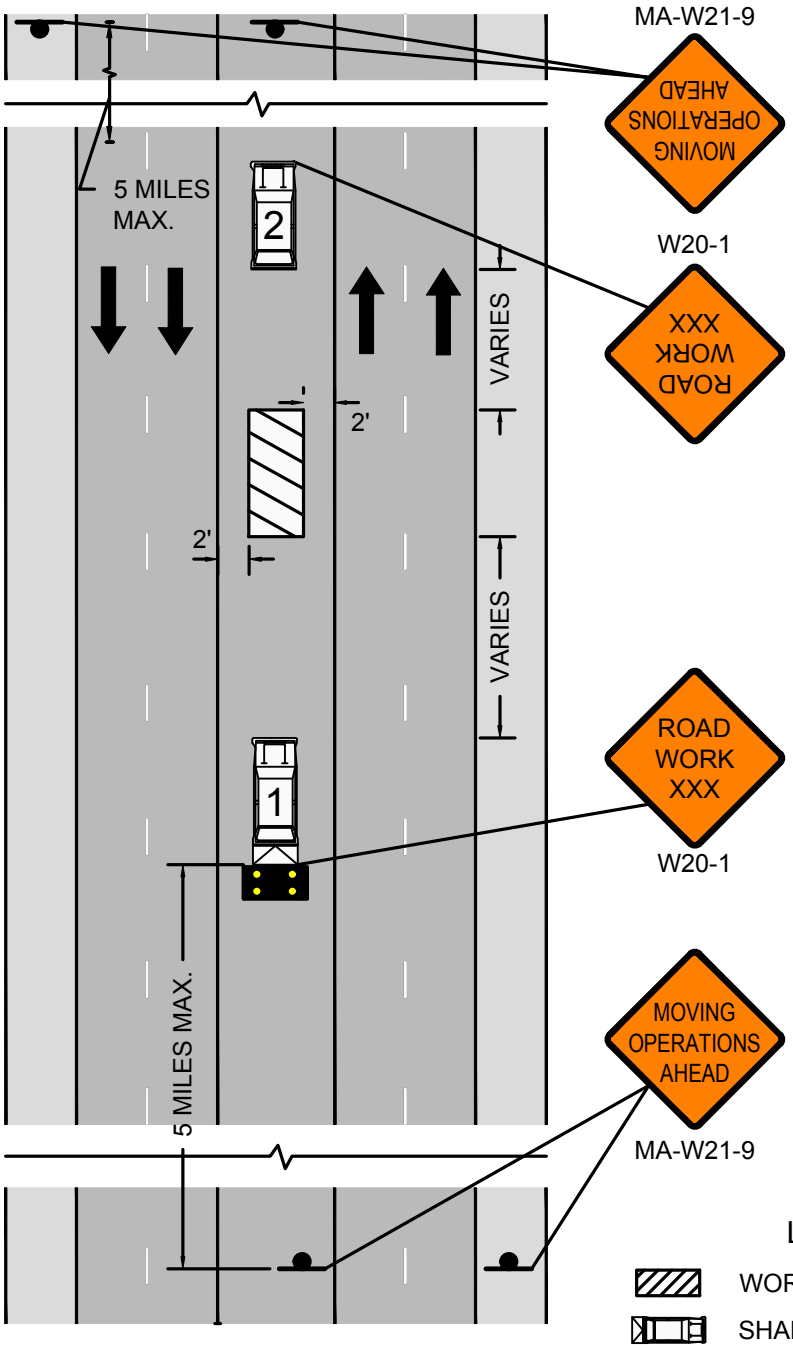
NOTES

1. IF THE WORK AREA IS SUFFICIENTLY AWAY FROM THE EDGE OF ROADWAY (20' MINIMUM) THEN SIGNS AND VEHICLES MAY NOT BE REQUIRED.

massDOT Massachusetts Department of Transportation Highway Division PAGE 57	Work Zone Safety Standard Details and Drawings	FIGURE 25 MOBILE OPERATIONS ANY ROADWAY BEYOND RIGHT SHOULDER

massDOT Massachusetts Department of Transportation Highway Division PAGE 58	Work Zone Safety Standard Details and Drawings	FIGURE 26 MOBILE OPERATIONS ANY ROADWAY SHOULDER





LEGEND

- WORK ZONE
- SHADOW VEHICLE
- WORK VEHICLE
- FLASHING ARROW BOARD (WITH STATUS)

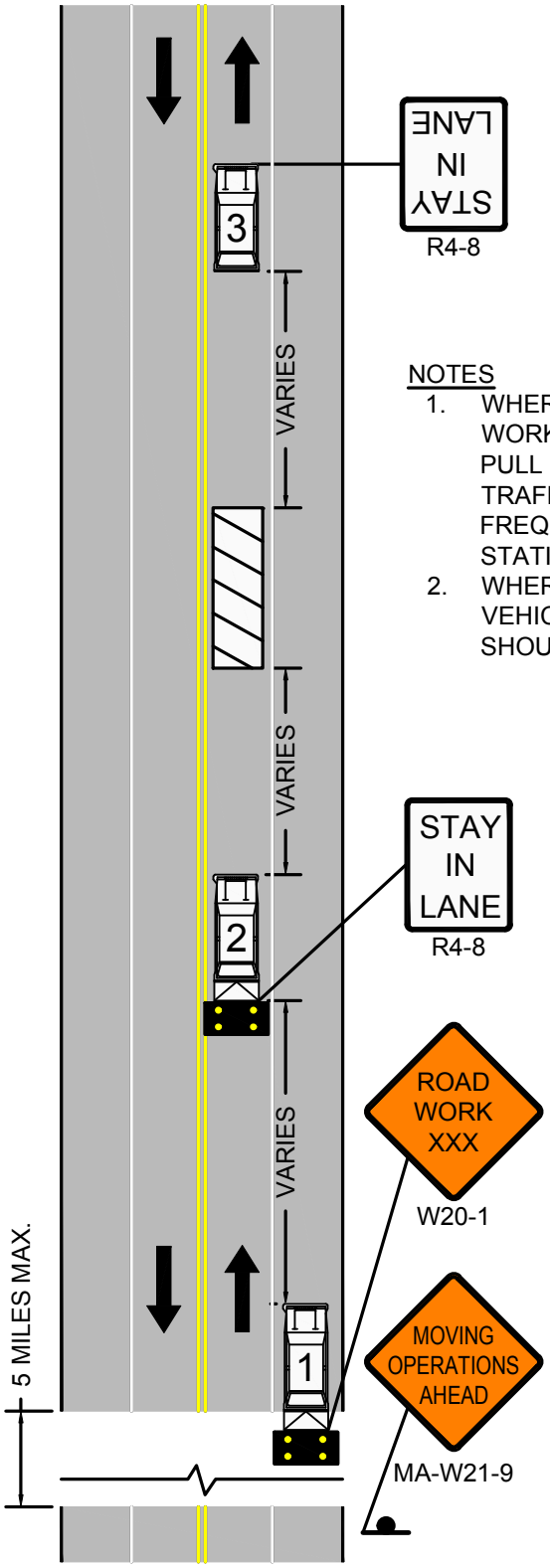
NOT TO SCALE

NOTES

1. IF THE 2' OFFSET CANNOT BE MAINTAINED, A SHORT-TERM STATIONARY SETUP SHOULD BE USED.

massDOT Massachusetts Department of Transportation Highway Division PAGE 59	Work Zone Safety Standard Details and Drawings	FIGURE 27 MOBILE OPERATIONS DIVIDED ROADWAY MEDIAN WORK

massDOT Massachusetts Department of Transportation Highway Division PAGE 60	Work Zone Safety Standard Details and Drawings	FIGURE 28 MOBILE OPERATIONS UNDIVIDED TWO LANE ROADWAY HALF OF ROADWAY CLOSED



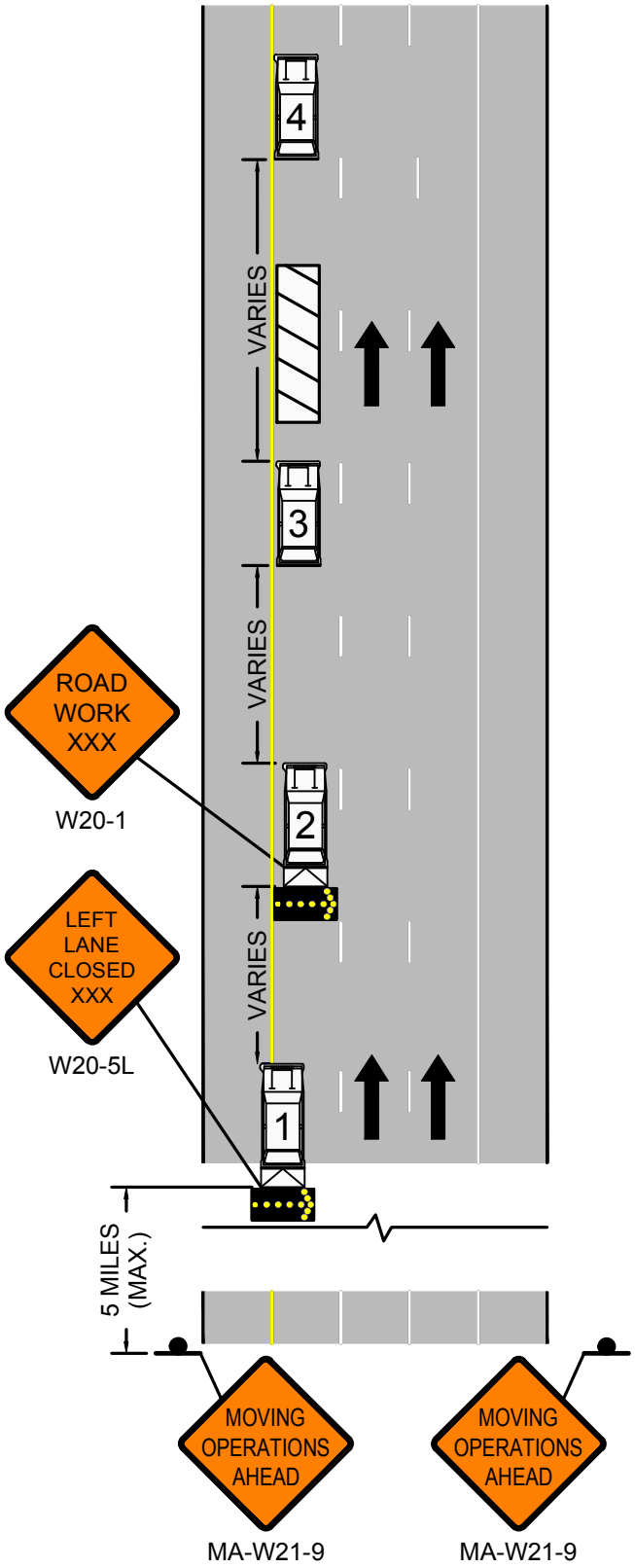
NOTES

1. WHERE PRACTICAL AND WHEN NEEDED, THE WORK AND SHADOW VEHICLE(S) SHOULD PULL OVER PERIODICALLY TO ALLOW TRAFFIC TO PASS. IF THIS CANNOT BE DONE FREQUENTLY, THEN AN ALTERNATE STATIONARY SETUP SHALL BE DEPLOYED.
2. WHERE A WIDE SHOULDER EXISTS, SHADOW VEHICLE #1 SHOULD DRIVE ON THE SHOULDER.

LEGEND

- WORK ZONE
- SHADOW VEHICLE
- WORK VEHICLE
- FLASHING ARROW BOARD (WITH STATUS)

NOT TO SCALE



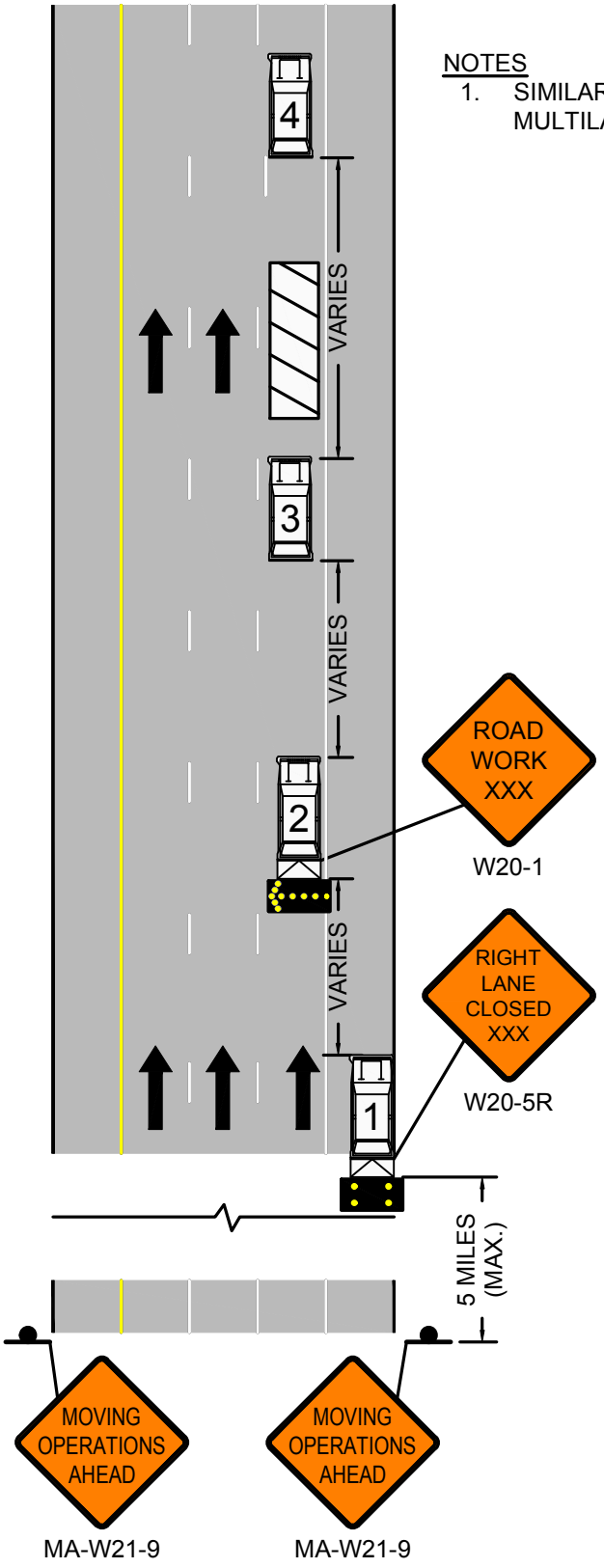
LEGEND

- WORK ZONE
- SHADOW VEHICLE
- WORK VEHICLE
- FLASHING ARROW BOARD (WITH STATUS)

NOT TO SCALE

massDOT Massachusetts Department of Transportation Highway Division PAGE 61	Work Zone Safety Standard Details and Drawings	FIGURE 29 MOBILE OPERATIONS MULTILANE DIVIDED ROADWAY LEFT LANE

massDOT Massachusetts Department of Transportation Highway Division PAGE 62	Work Zone Safety Standard Details and Drawings	FIGURE 30 MOBILE OPERATIONS MULTILANE DIVIDED ROADWAY RIGHT LANE



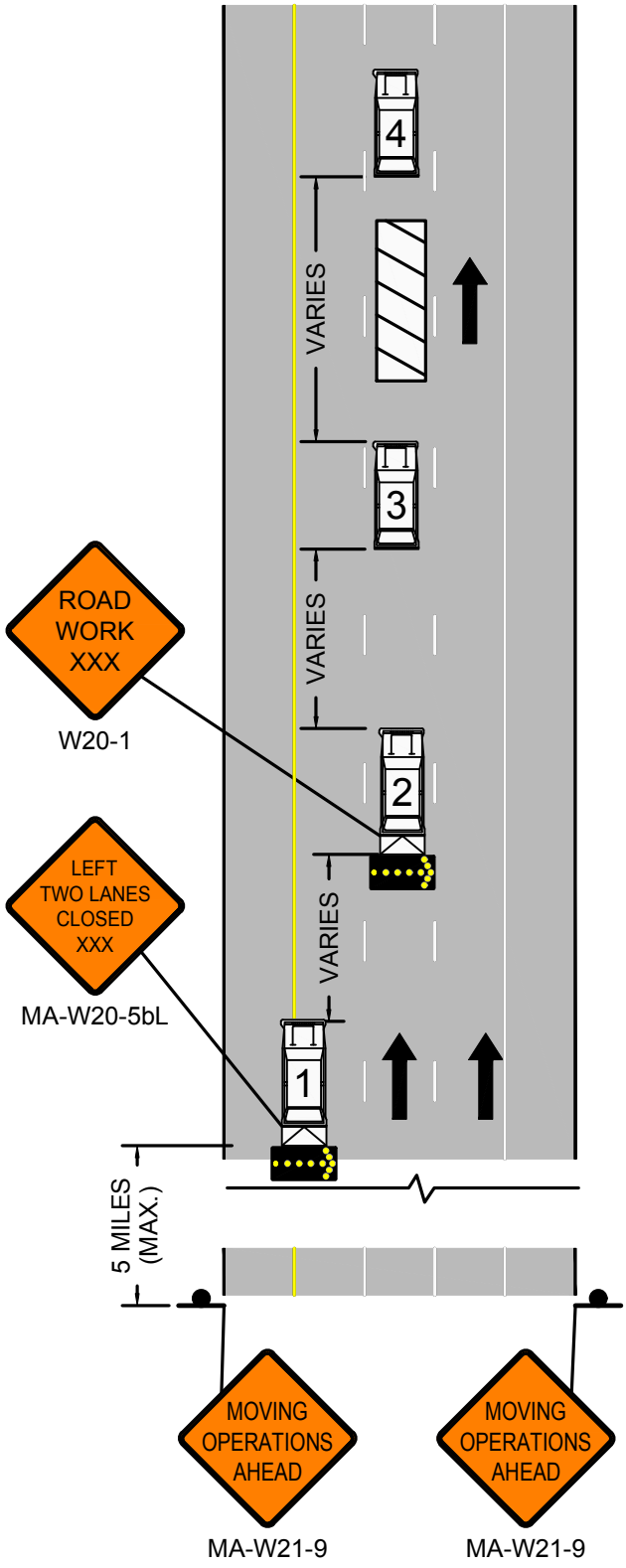
NOTES

1. SIMILAR SETUP MAY BE USED FOR A MULTILANE UNDIVIDED HIGHWAY.

LEGEND

- WORK ZONE
- SHADOW VEHICLE
- WORK VEHICLE
- FLASHING ARROW BOARD (WITH STATUS)

NOT TO SCALE



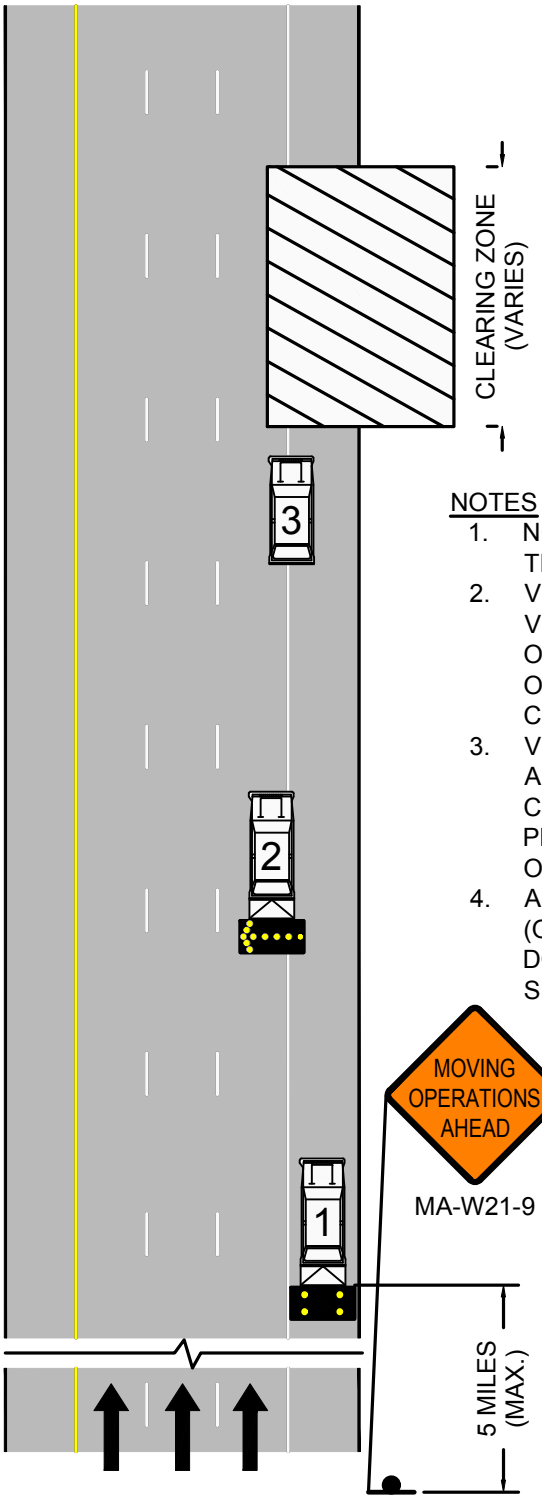
LEGEND

- WORK ZONE
- SHADOW VEHICLE
- WORK VEHICLE
- FLASHING ARROW BOARD (WITH STATUS)

NOT TO SCALE

massDOT Massachusetts Department of Transportation Highway Division PAGE 63	Work Zone Safety Standard Details and Drawings	FIGURE 31 MOBILE OPERATIONS MULTILANE DIVIDED ROADWAY CENTER LANE

massDOT Massachusetts Department of Transportation Highway Division PAGE 64	Work Zone Safety Standard Details and Drawings	FIGURE 32 MOBILE OPERATIONS POST-STORM CLEANUP OPERATION



NOTES

1. NO OTHER NOTES ARE APPLICABLE TO THIS DETAIL.
2. VEHICLE #3 IS A SNOW/DEBRIS REMOVAL VEHICLE AND SHALL ALWAYS BE AWARE OF THE SURROUNDINGS. MORE THAN ONE VEHICLE MAY BE USED IN THE CLEARING ZONE.
3. VEHICLE #1 SHOULD BE EQUIPPED WITH A PCMS, A TMA, AND STAY IN VISUAL CONTACT WITH VEHICLE #3 WHILE PROVIDING AMPLE WARNING TO ONCOMING TRAFFIC.
4. A POLICE DETAIL WITH BLUE LIGHTS (OPTIONAL) SHALL REMAIN DOWNSTREAM OF VEHICLE #1 IN THE SHOULDER.

LEGEND

- WORK ZONE
- SHADOW VEHICLE
- WORK VEHICLE
- FLASHING ARROW BOARD (WITH STATUS)

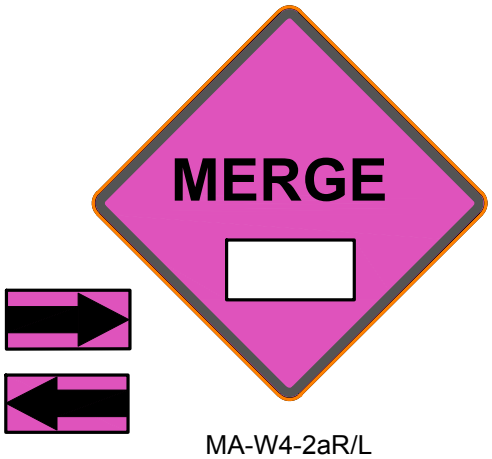
NOT TO SCALE

Notes for Traffic Emergency or Incident Operations

- The goal is to increase awareness of during traffic emergencies or incidents.
- These signs are to be used to differentiate from the traditional construction work zone and an emergency or incident.
- Upon arrival MassDOT First Responders shall assess the magnitude of the scene to determine if the incident is likely to last an hour or more in duration which would trigger the requirement to use these signs.
- Place the "Emergency Ahead" sign on the same side of the road as the incident, if possible, for up to an hour. Emergency response signs should be put up for all incidents and emergencies as soon as possible.
- Place the emergency sign 500 to 1000 feet before the first channelization devices.
- As an incident evolves this sign would be used as a secondary sign with all other emergency controls put in place.
- Only use "MERGE" signs where applicable (Not on 2 lane roads).
- Use MERGE signs on Multi-lane Roads to move traffic away from the incident and keep them in a safe lane.
- Place the MERGE sign about 500 feet before the closure.
- If additional signs are available, they should be placed accordingly as a sign informing people coming in the other direction or on the opposite side of the roadway.
- Use 12 emergency cones spaced 40 to 80 feet apart to form a taper and protect the scene.
- Sequential flashing lights/flares may be used in lieu of or to supplement cones.
- During a major incident that will last for a long duration, the EMERGENCY AHEAD sign should be moved back before an intersecting road or ramp to alert travelers and give them an option of using an alternate route. (Be sure all other devices are in place before moving this sign).

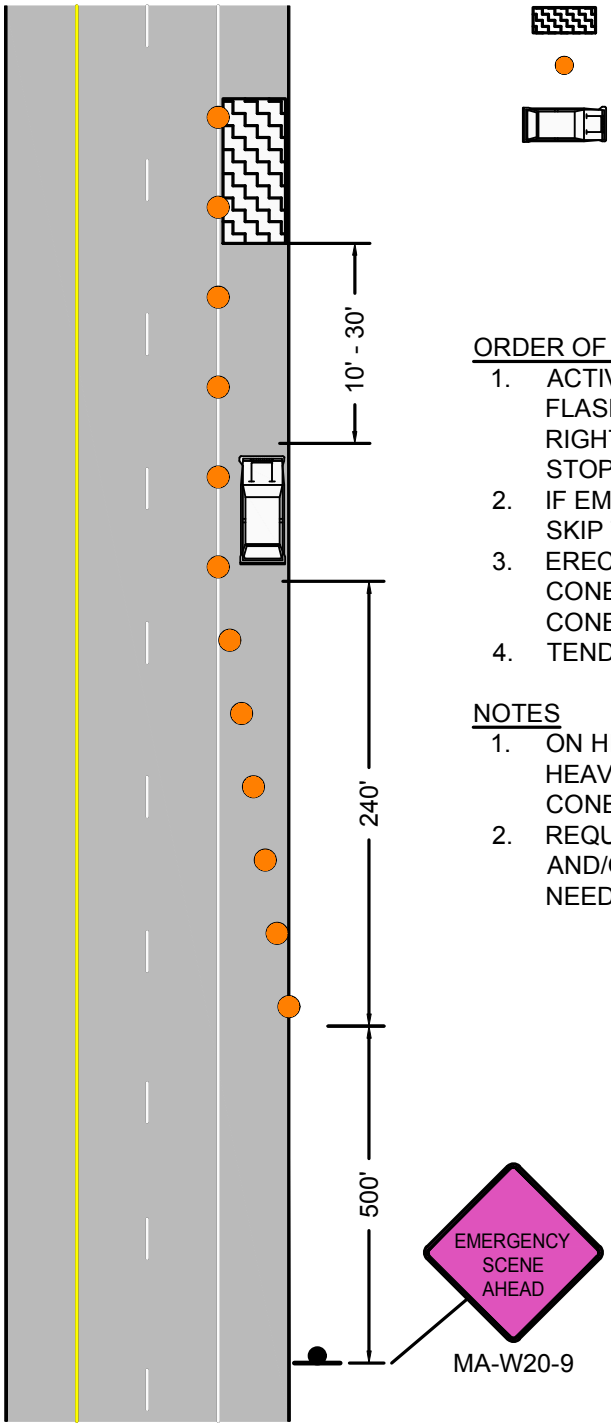
Standard Emergency Signs (36"x36" or 48"x48")

MA-W20-9



MA-W4-2aR/L

massDOT Massachusetts Department of Transportation Highway Division PAGE 66	Work Zone Safety Standard Details and Drawings	FIGURE 33 EMERGENCY RESPONSE ANY ROADWAY SHOULDER ENCROACHMENT



LEGEND

EMERGENCY AREA

CHANNELIZATION DEVICE

EMERGENCY RESPONSE VEHICLE

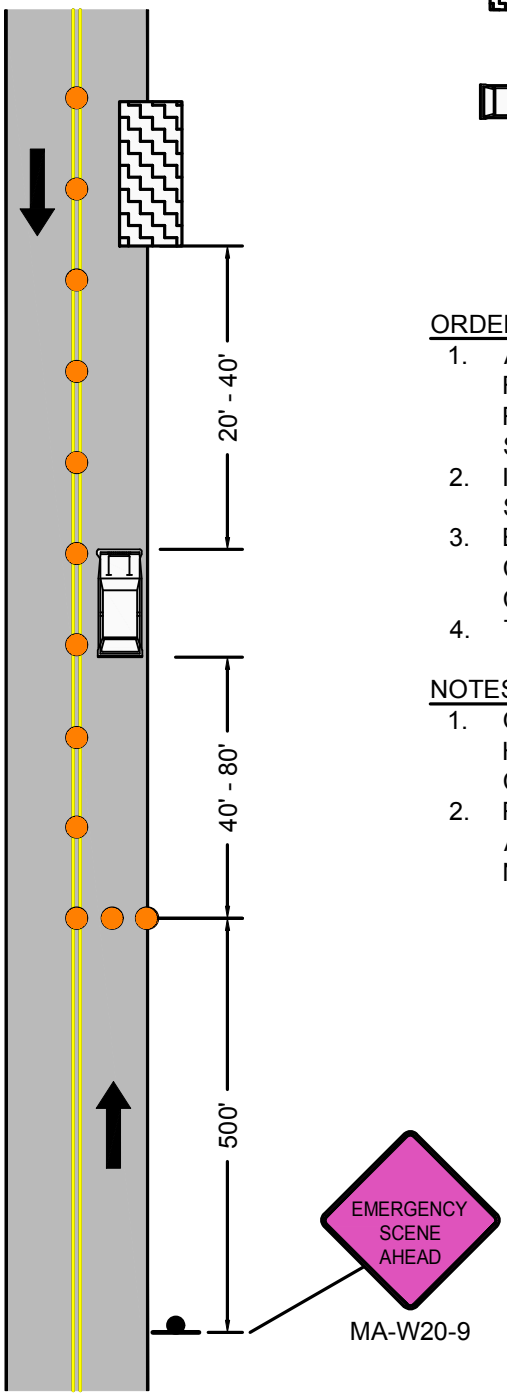
NOT TO SCALE

ORDER OF RESPONSE ACTIVITIES

1. ACTIVATE HAZARD WARNING LIGHTS AND FLASHERS. PULL VEHICLE OVER TO THE RIGHT EDGE OF TRAVEL LANE BEFORE STOPPING.
2. IF EMERGENCY INVOLVES AN INJURY, SKIP TO STEP 4 THEN RETURN TO STEP 3.
3. ERECT SIGNS AND PLACE TRAFFIC CONES. USE 40' SPACING BETWEEN CONES.
4. TEND TO EMERGENCY/INCIDENT.

NOTES

1. ON HILLY TERRAIN, SHARP CURVES, IN HEAVY TRAFFIC, OR WITH HIGH SPEEDS, CONE SPACING MAY BE DOUBLED TO 80'.
2. REQUEST ADDITIONAL ASSISTANCE AND/OR TRAFFIC CONTROL DEVICES, IF NEEDED.



LEGEND

EMERGENCY AREA

CHANNELIZATION DEVICE

EMERGENCY RESPONSE VEHICLE

NOT TO SCALE

ORDER OF RESPONSE ACTIVITIES

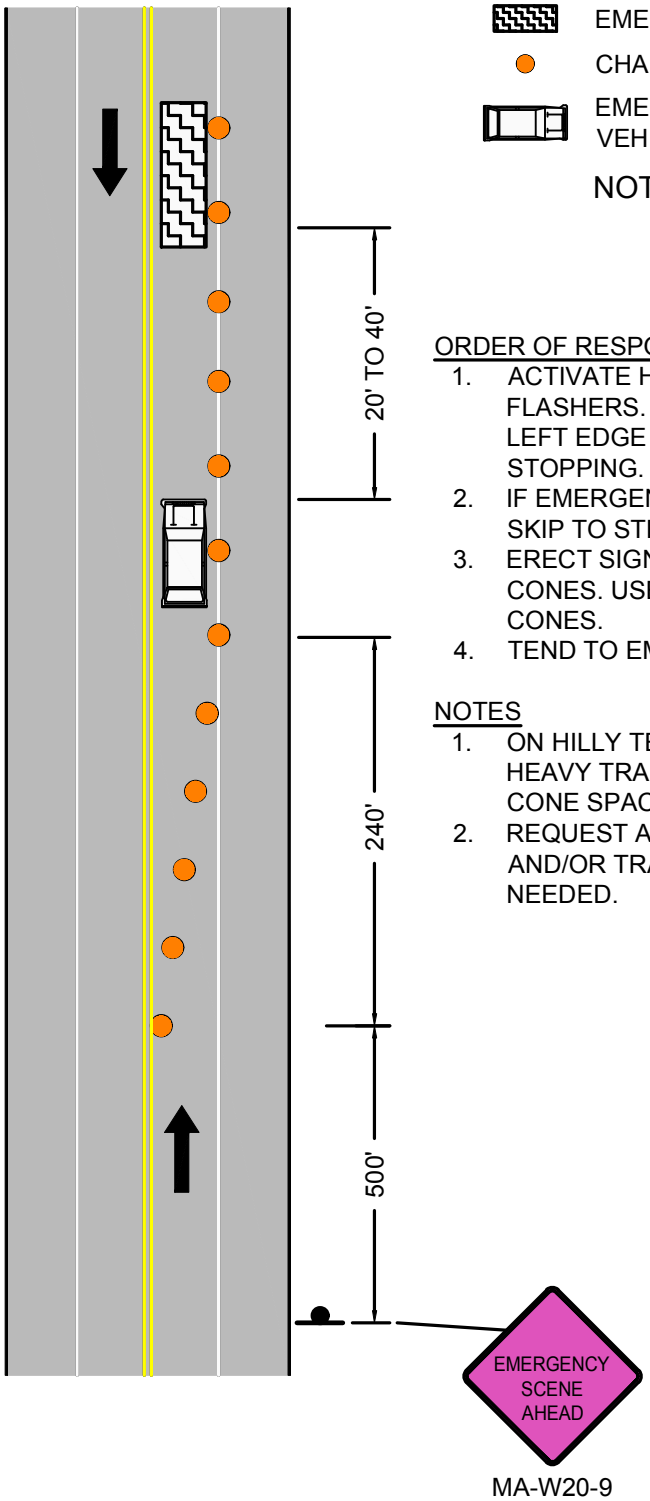
1. ACTIVATE HAZARD WARNING LIGHTS AND FLASHERS. PULL VEHICLE OVER TO THE RIGHT EDGE OF TRAVEL LANE BEFORE STOPPING.
2. IF EMERGENCY INVOLVES AN INJURY, SKIP TO STEP 4 THEN RETURN TO STEP 3.
3. ERECT SIGNS AND PLACE TRAFFIC CONES. USE 40' SPACING BETWEEN CONES.
4. TEND TO EMERGENCY/INCIDENT.

NOTES

1. ON HILLY TERRAIN, SHARP CURVES, IN HEAVY TRAFFIC, OR WITH HIGH SPEEDS, CONE SPACING MAY BE DOUBLED TO 80'.
2. REQUEST ADDITIONAL ASSISTANCE AND/OR TRAFFIC CONTROL DEVICES, IF NEEDED.

massDOT Massachusetts Department of Transportation Highway Division PAGE 67	Work Zone Safety Standard Details and Drawings	FIGURE 34 EMERGENCY RESPONSE TWO LANE ROADWAY NO SHOULDER TRAVEL LANE ENCROACHMENT

massDOT Massachusetts Department of Transportation Highway Division PAGE 68	Work Zone Safety Standard Details and Drawings	FIGURE 35 EMERGENCY RESPONSE TWO LANE ROADWAY TRAVERSABLE SHOULDER SINGLE LANE ENCROACHMENT



LEGEND

- EMERGENCY AREA
- CHANNELIZATION DEVICE
- EMERGENCY RESPONSE VEHICLE

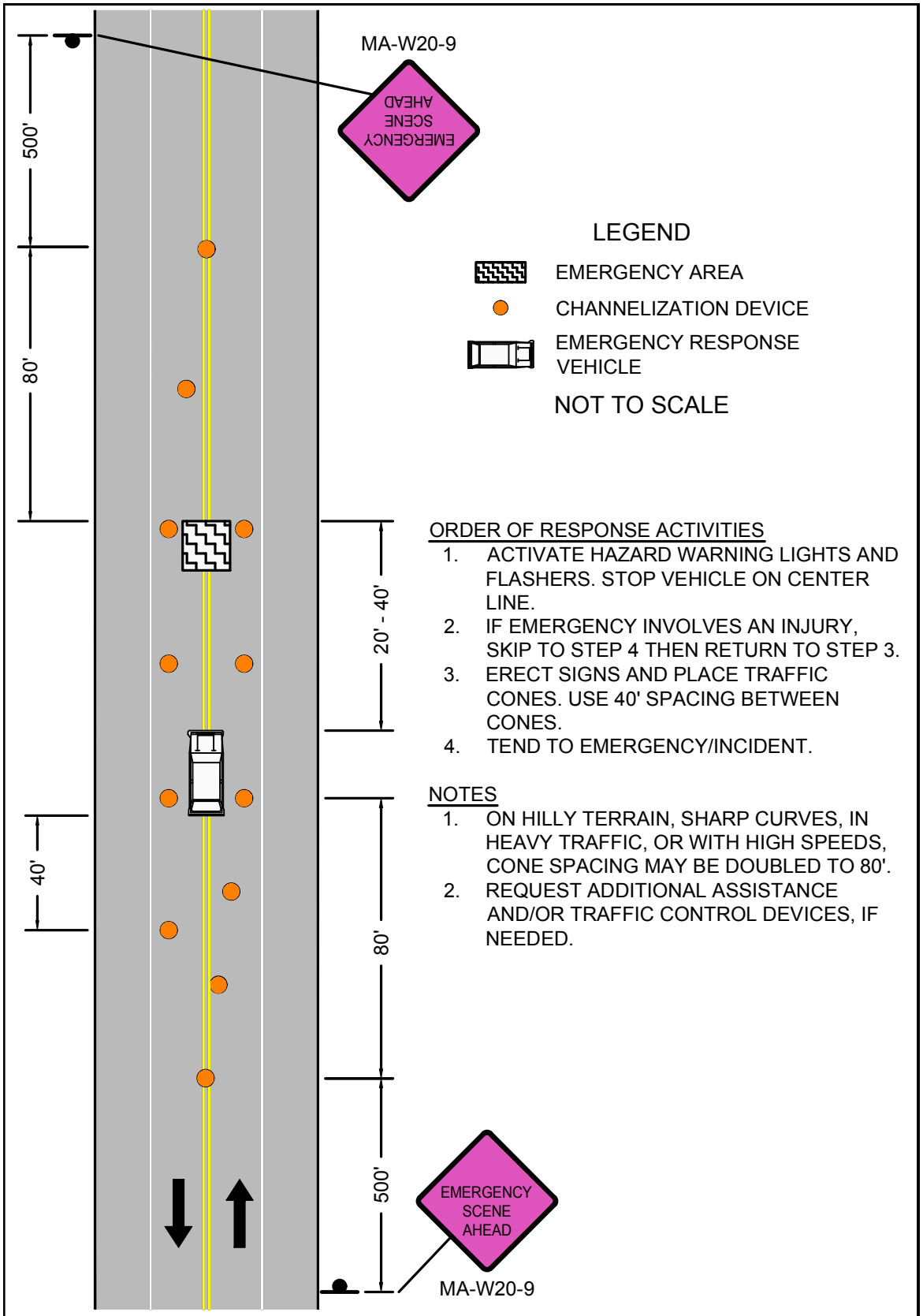
NOT TO SCALE

ORDER OF RESPONSE ACTIVITIES

1. ACTIVATE HAZARD WARNING LIGHTS AND FLASHERS. PULL VEHICLE OVER TO THE LEFT EDGE OF TRAVEL LANE BEFORE STOPPING.
2. IF EMERGENCY INVOLVES AN INJURY, SKIP TO STEP 4 THEN RETURN TO STEP 3.
3. ERECT SIGNS AND PLACE TRAFFIC CONES. USE 40' SPACING BETWEEN CONES.
4. TEND TO EMERGENCY/INCIDENT.

NOTES

1. ON HILLY TERRAIN, SHARP CURVES, IN HEAVY TRAFFIC, OR WITH HIGH SPEEDS, CONE SPACING MAY BE DOUBLED TO 80'.
2. REQUEST ADDITIONAL ASSISTANCE AND/OR TRAFFIC CONTROL DEVICES, IF NEEDED.



ORDER OF RESPONSE ACTIVITIES

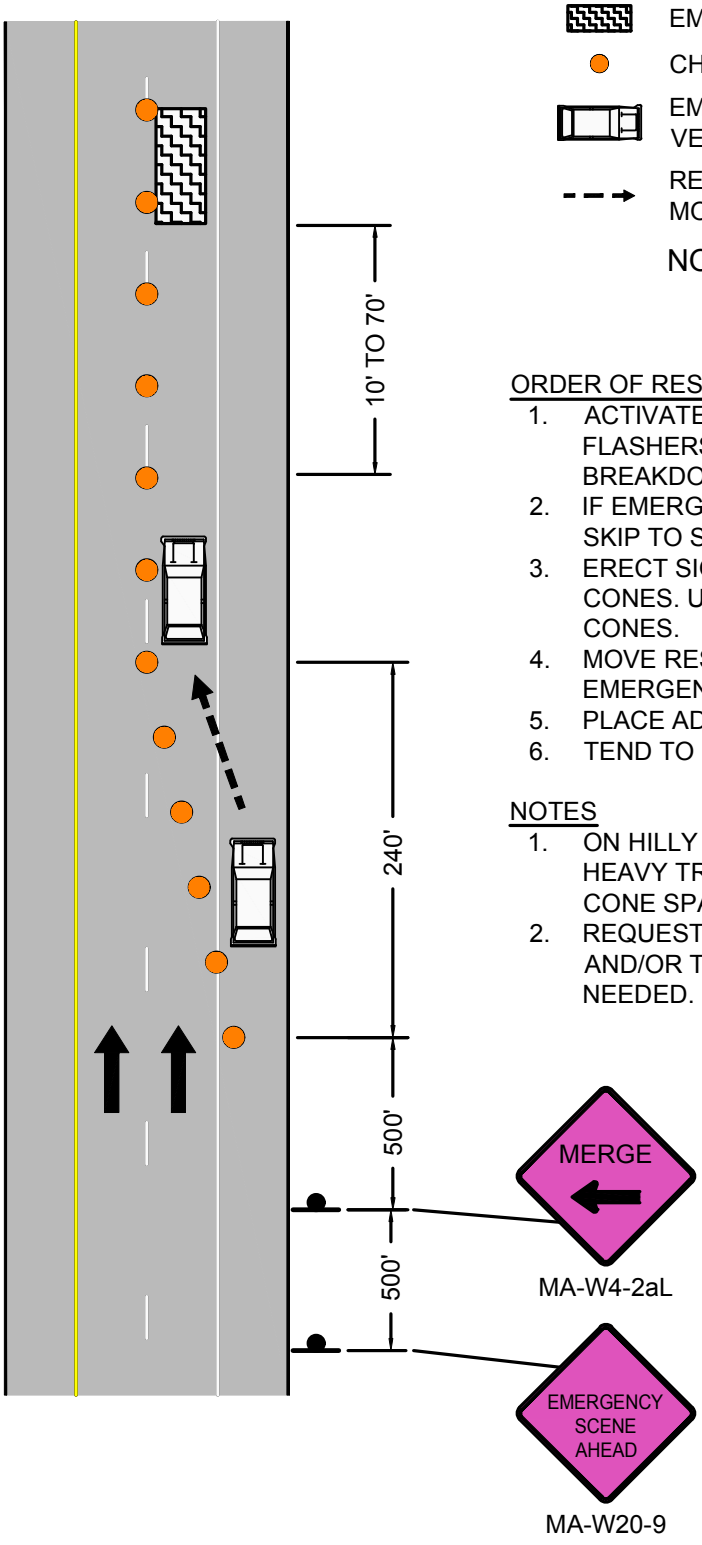
1. ACTIVATE HAZARD WARNING LIGHTS AND FLASHERS. STOP VEHICLE ON CENTER LINE.
2. IF EMERGENCY INVOLVES AN INJURY, SKIP TO STEP 4 THEN RETURN TO STEP 3.
3. ERECT SIGNS AND PLACE TRAFFIC CONES. USE 40' SPACING BETWEEN CONES.
4. TEND TO EMERGENCY/INCIDENT.

NOTES

1. ON HILLY TERRAIN, SHARP CURVES, IN HEAVY TRAFFIC, OR WITH HIGH SPEEDS, CONE SPACING MAY BE DOUBLED TO 80'.
2. REQUEST ADDITIONAL ASSISTANCE AND/OR TRAFFIC CONTROL DEVICES, IF NEEDED.

massDOT Massachusetts Department of Transportation Highway Division PAGE 69	Work Zone Safety Standard Details and Drawings	FIGURE 36 EMERGENCY RESPONSE TWO LANE ROADWAY TRAVERSABLE SHOULDER CENTER OF ROADWAY

massDOT Massachusetts Department of Transportation Highway Division PAGE 70	Work Zone Safety Standard Details and Drawings	FIGURE 37 EMERGENCY RESPONSE MULTILANE DIVIDED ROADWAY RIGHT LANE



LEGEND

- EMERGENCY AREA
- CHANNELIZATION DEVICE
- EMERGENCY RESPONSE VEHICLE
- RESPONSE VEHICLE MOVEMENT

NOT TO SCALE

ORDER OF RESPONSE ACTIVITIES

1. ACTIVATE HAZARD WARNING LIGHTS AND FLASHERS. STOP VEHICLE IN BREAKDOWN LANE.
2. IF EMERGENCY INVOLVES AN INJURY, SKIP TO STEP 6 THEN RETURN TO STEP 3.
3. ERECT SIGNS AND PLACE TRAFFIC CONES. USE 40' SPACING BETWEEN CONES.
4. MOVE RESPONSE VEHICLE BEHIND EMERGENCY.
5. PLACE ADDITIONAL CONES.
6. TEND TO EMERGENCY.

NOTES

1. ON HILLY TERRAIN, SHARP CURVES, IN HEAVY TRAFFIC, OR WITH HIGH SPEEDS, CONE SPACING MAY BE DOUBLED TO 80'.
2. REQUEST ADDITIONAL ASSISTANCE AND/OR TRAFFIC CONTROL DEVICES, IF NEEDED.

LEGEND

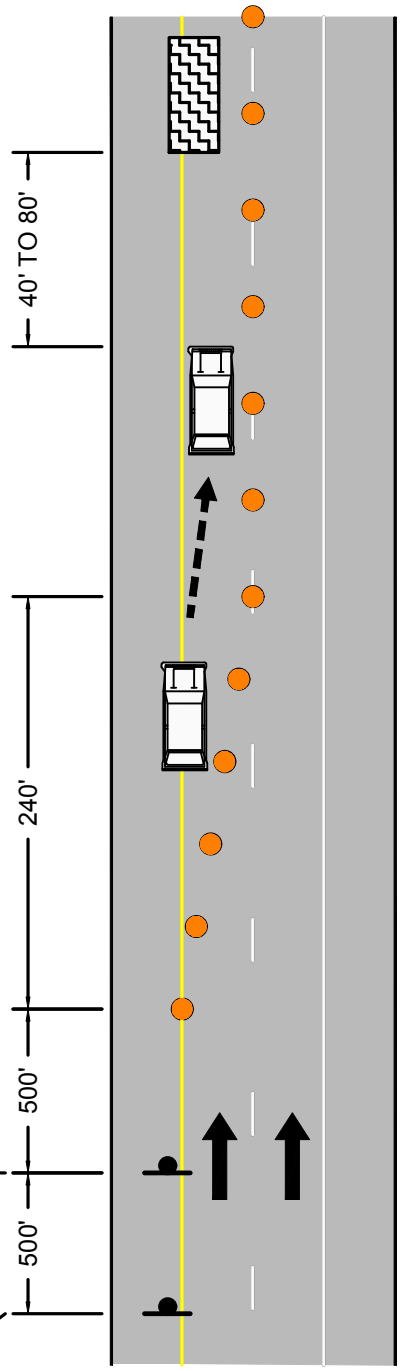
EMERGENCY AREA

CHANNELIZATION DEVICE

EMERGENCY RESPONSE VEHICLE

RESPONSE VEHICLE MOVEMENT

NOT TO SCALE



ORDER OF RESPONSE ACTIVITIES

1. ACTIVATE HAZARD WARNING LIGHTS AND FLASHERS. STOP VEHICLE IN MEDIAN, IF PRESENT.
2. IF EMERGENCY INVOLVES AN INJURY, SKIP TO STEP 6 THEN RETURN TO STEP 3.
3. ERECT SIGNS AND PLACE TRAFFIC CONES. USE 40' SPACING BETWEEN CONES.
4. MOVE RESPONSE VEHICLE BEHIND EMERGENCY.
5. PLACE ADDITIONAL CONES.
6. TEND TO EMERGENCY/INCIDENT.

NOTES

1. ON HILLY TERRAIN, SHARP CURVES, IN HEAVY TRAFFIC, OR WITH HIGH SPEEDS, CONE SPACING MAY BE DOUBLED TO 80'.
2. REQUEST ADDITIONAL ASSISTANCE AND/OR TRAFFIC CONTROL DEVICES, IF NEEDED.

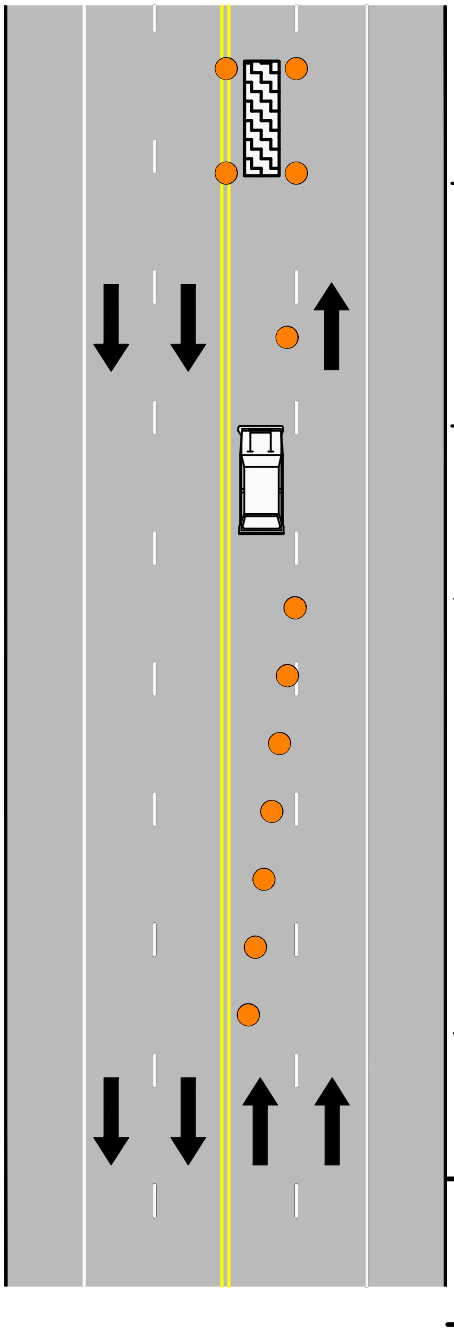
massDOT Massachusetts Department of Transportation Highway Division

PAGE 71

Work Zone Safety Standard Details and Drawings

FIGURE 38
EMERGENCY RESPONSE
MULTILANE DIVIDED ROADWAY
LEFT LANE

massDOT Massachusetts Department of Transportation Highway Division PAGE 72	Work Zone Safety Standard Details and Drawings	FIGURE 39 EMERGENCY RESPONSE MULTILANE UNDIVIDED ROADWAY LEFT LANE



LEGEND

- EMERGENCY AREA
- CHANNELIZATION DEVICE
- EMERGENCY RESPONSE VEHICLE

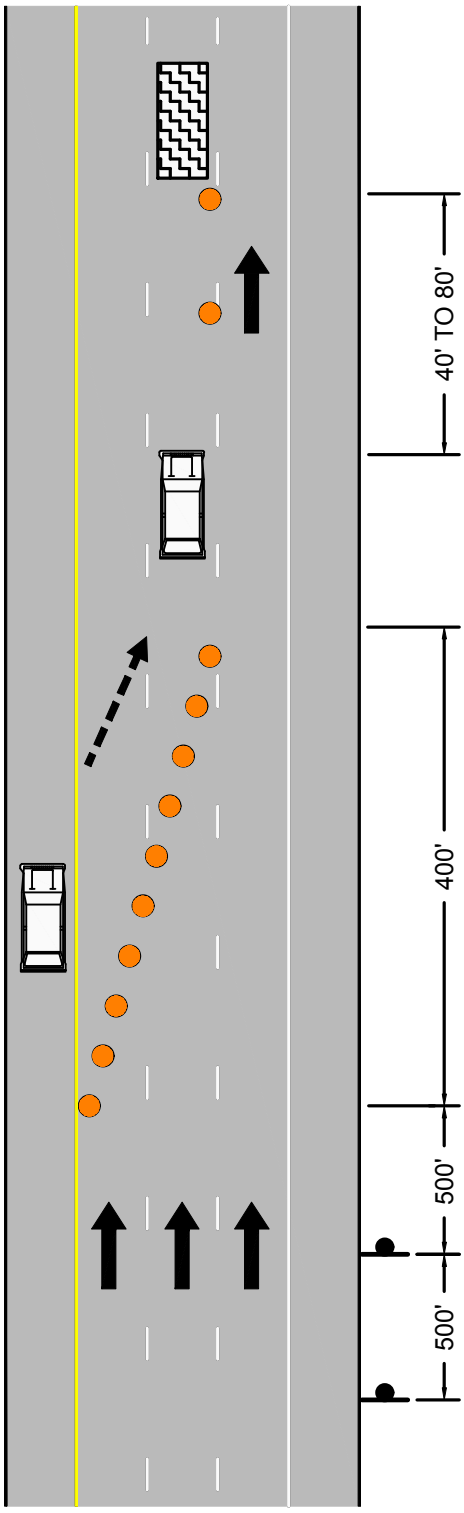
NOT TO SCALE

NOTES

1. ON HILLY TERRAIN, SHARP CURVES, IN HEAVY TRAFFIC, OR WITH HIGH SPEEDS, CONE SPACING MAY BE DOUBLED TO 80'.
2. REQUEST ADDITIONAL ASSISTANCE AND/OR TRAFFIC CONTROL DEVICES, IF NEEDED.

ORDER OF RESPONSE ACTIVITIES

1. ACTIVATE HAZARD WARNING LIGHTS AND FLASHERS. PULL VEHICLE OVER TO THE RIGHT EDGE OF BREAKDOWN LANE OR SHOULDER OR, IF NOT PRESENT, RIGHT EDGE OF TRAVEL LANE BEFORE STOPPING.
2. IF EMERGENCY INVOLVES AN INJURY, SKIP TO STEP 4 THEN RETURN TO STEP 3.
3. ERECT SIGNS AND PLACE TRAFFIC CONES. USE 40' SPACING BETWEEN CONES.
4. TEND TO EMERGENCY/INCIDENT.



LEGEND

- EMERGENCY AREA
- CHANNELIZATION DEVICE
- EMERGENCY RESPONSE VEHICLE
- RESPONSE VEHICLE MOVEMENT

NOT TO SCALE

ORDER OF RESPONSE ACTIVITIES

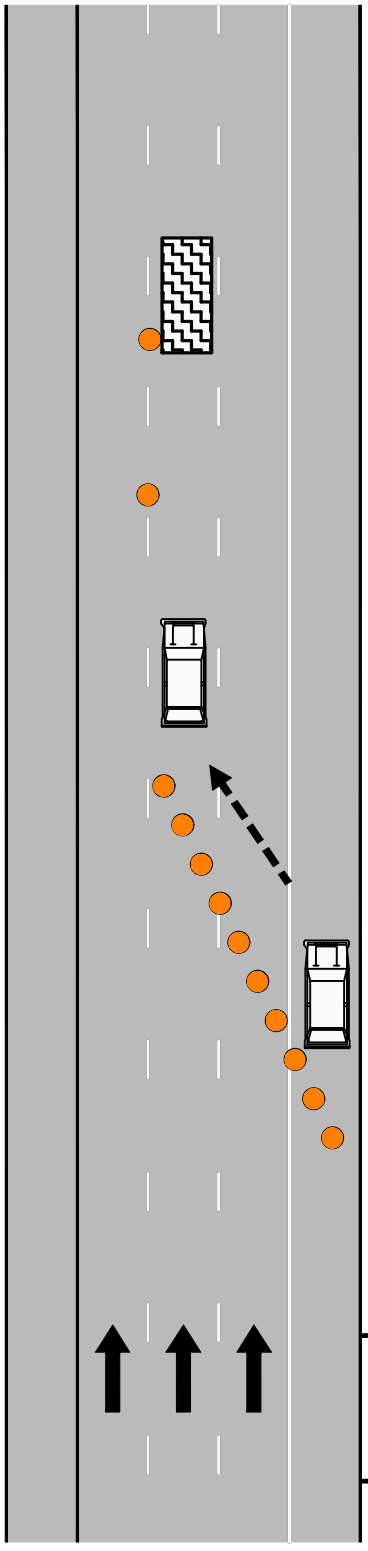
1. ACTIVATE HAZARD WARNING LIGHTS AND FLASHERS. STOP VEHICLE IN MEDIAN, IF PRESENT.
2. IF EMERGENCY INVOLVES AN INJURY, SKIP TO STEP 6 THEN RETURN TO STEP 3.
3. ERECT SIGNS AND PLACE TRAFFIC CONES. USE 40' SPACING BETWEEN CONES.
4. MOVE RESPONSE VEHICLE BEHIND EMERGENCY.
5. PLACE ADDITIONAL CONES.
6. TEND TO EMERGENCY/INCIDENT.

NOTES

1. ON HILLY TERRAIN, SHARP CURVES, IN HEAVY TRAFFIC, OR WITH HIGH SPEEDS, CONE SPACING MAY BE DOUBLED TO 80'.
2. REQUEST ADDITIONAL ASSISTANCE AND/OR TRAFFIC CONTROL DEVICES, IF NEEDED.

massDOT Massachusetts Department of Transportation Highway Division PAGE 73	Work Zone Safety Standard Details and Drawings	FIGURE 40 EMERGENCY RESPONSE MULTILANE DIVIDED ROADWAY MIDDLE LANE APPROACH FROM LEFT

massDOT Massachusetts Department of Transportation Highway Division PAGE 74	Work Zone Safety Standard Details and Drawings	FIGURE 41 EMERGENCY RESPONSE MULTILANE DIVIDED ROADWAY MIDDLE LANE APPROACH FROM RIGHT



LEGEND

- EMERGENCY AREA
- CHANNELIZATION DEVICE
- EMERGENCY RESPONSE VEHICLE
- RESPONSE VEHICLE MOVEMENT

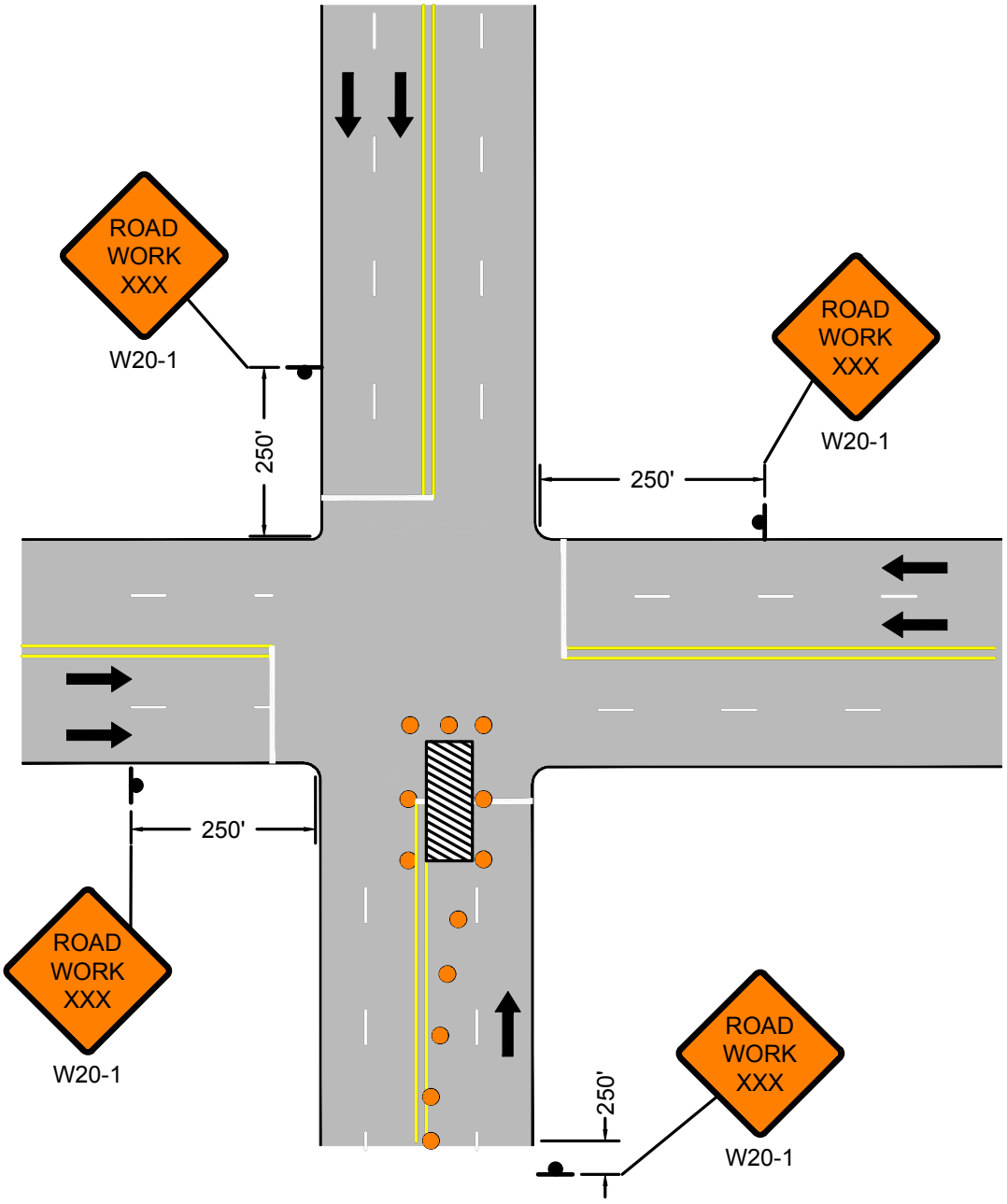
NOT TO SCALE

ORDER OF RESPONSE ACTIVITIES

1. ACTIVATE HAZARD WARNING LIGHTS AND FLASHERS. STOP VEHICLE IN BREAKDOWN LANE.
2. IF EMERGENCY INVOLVES AN INJURY, SKIP TO STEP 6 THEN RETURN TO STEP 3.
3. ERECT SIGNS AND PLACE TRAFFIC CONES. USE 40' SPACING BETWEEN CONES.
4. MOVE RESPONSE VEHICLE BEHIND EMERGENCY.
5. PLACE ADDITIONAL CONES.
6. TEND TO EMERGENCY.

NOTES

1. ON HILLY TERRAIN, SHARP CURVES, IN HEAVY TRAFFIC, OR WITH HIGH SPEEDS, CONE SPACING MAY BE DOUBLED TO 80'.
2. REQUEST ADDITIONAL ASSISTANCE AND/OR TRAFFIC CONTROL DEVICES, IF NEEDED.



LEGEND

WORK ZONE

CHANNELIZATION DEVICE

NOT TO SCALE

NOTES

1. DURATION OF WORK = 20 MINUTES OR LESS.
2. EQUIPMENT: 12 CONES + 4 PORTABLE SIGNS.
3. CONE SPACING IS 20 FEET.
4. SINGLE WORK VEHICLE PARKED/STOPPED.
5. POLICE DETAIL REQUIRED.

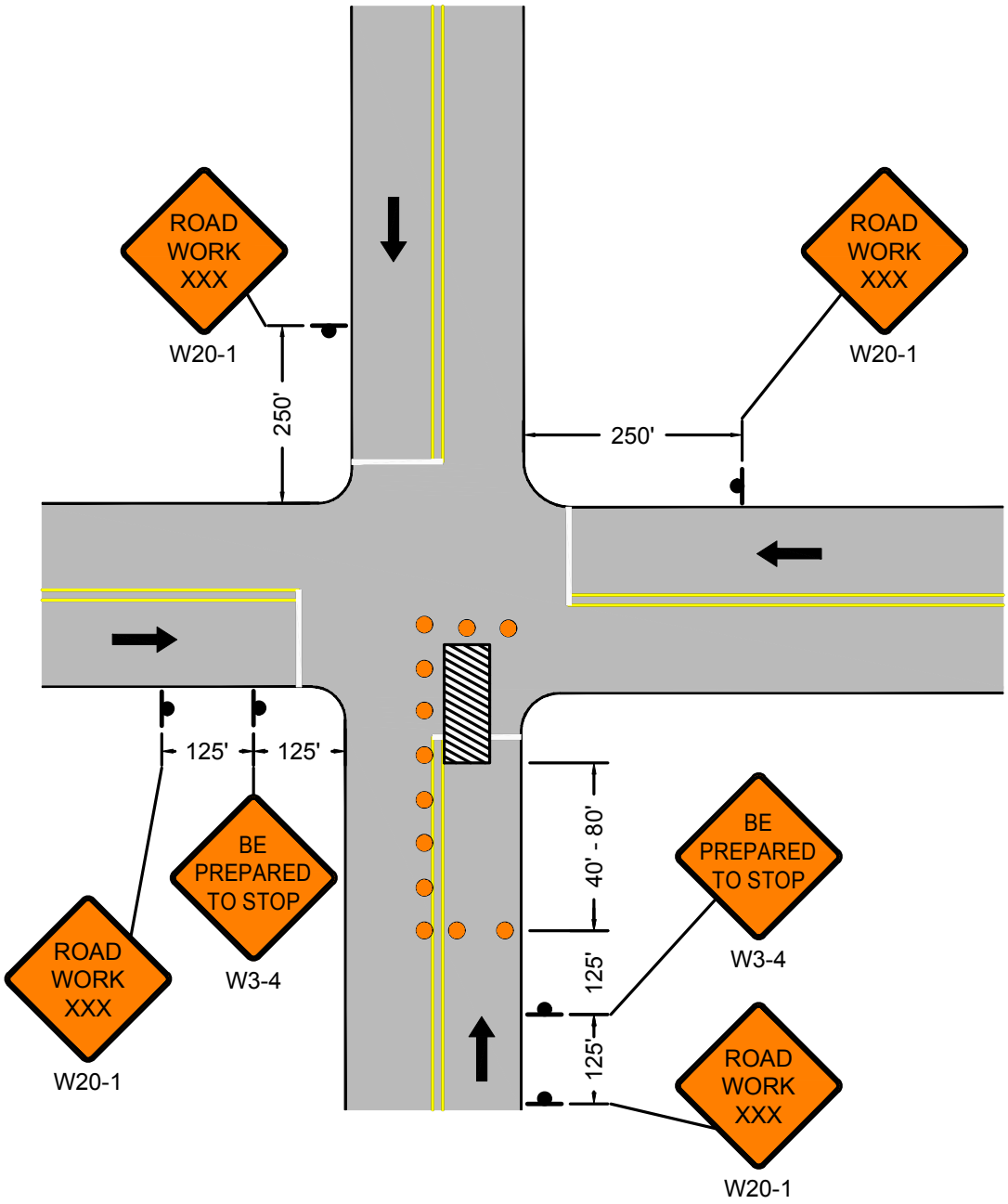
massDOT Massachusetts Department of Transportation Highway Division

PAGE 75

Work Zone Safety Standard Details and Drawings

FIGURE 42
TRAFFIC SIGNAL REPAIR WORK
MULTILANE UNDIVIDED ROADWAY
LEFTMOST OR LEFT TURNING LANE

massDOT Massachusetts Department of Transportation Highway Division PAGE 76	Work Zone Safety Standard Details and Drawings	FIGURE 43 TRAFFIC SIGNAL REPAIR WORK TWO LANE UNDIVIDED ROADWAY ONE LEG OF INTERSECTION



LEGEND

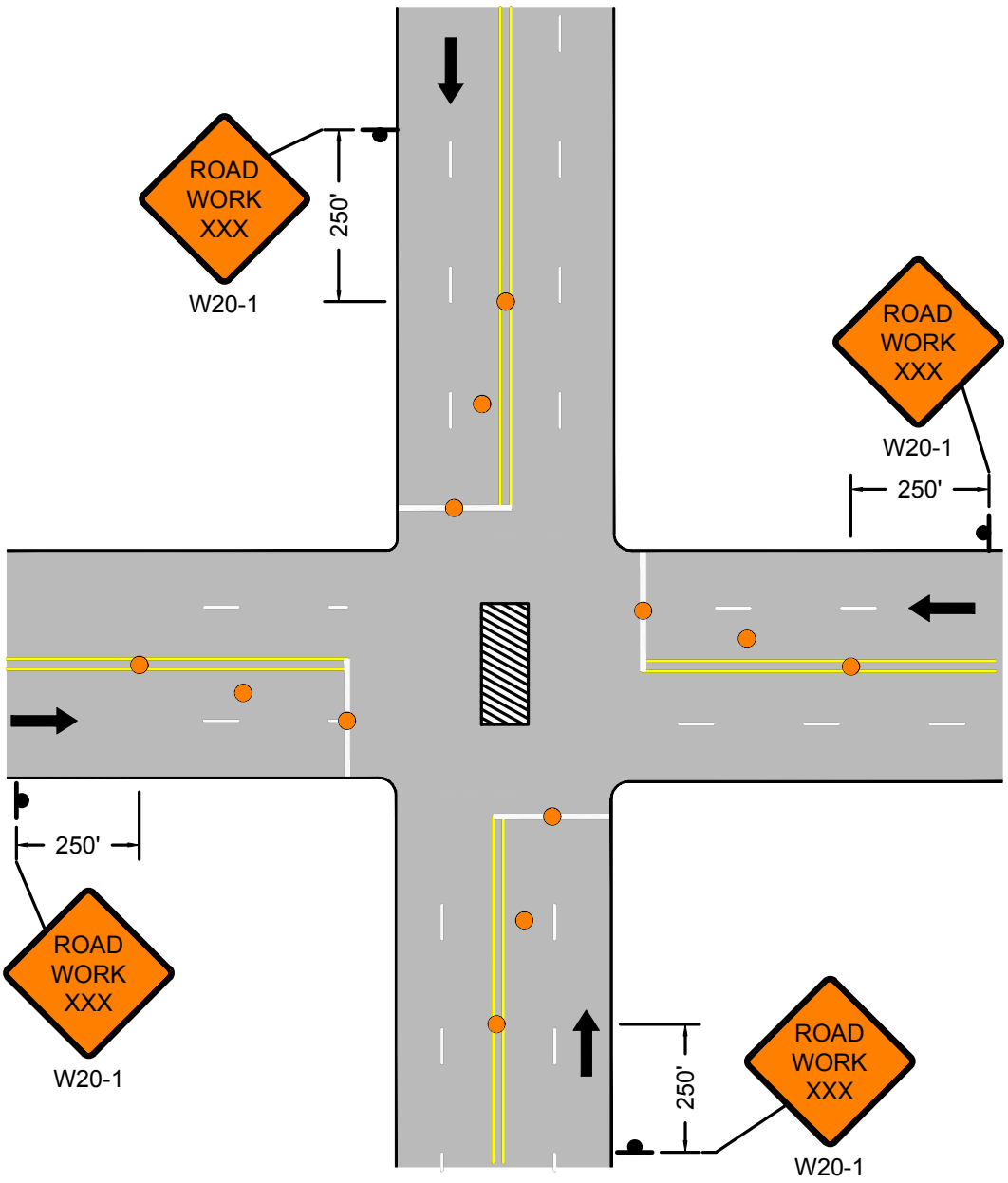
WORK ZONE

CHANNELIZATION DEVICE

NOT TO SCALE

NOTES

1. DURATION OF WORK = 20 MINUTES OR LESS.
2. EQUIPMENT: 12 CONES + 6 PORTABLE SIGNS.
3. CONE SPACING IS 20 FEET.
4. SINGLE WORK VEHICLE PARKED/STOPPED.
5. POLICE DETAIL REQUIRED.



LEGEND

WORK ZONE

CHANNELIZATION DEVICE

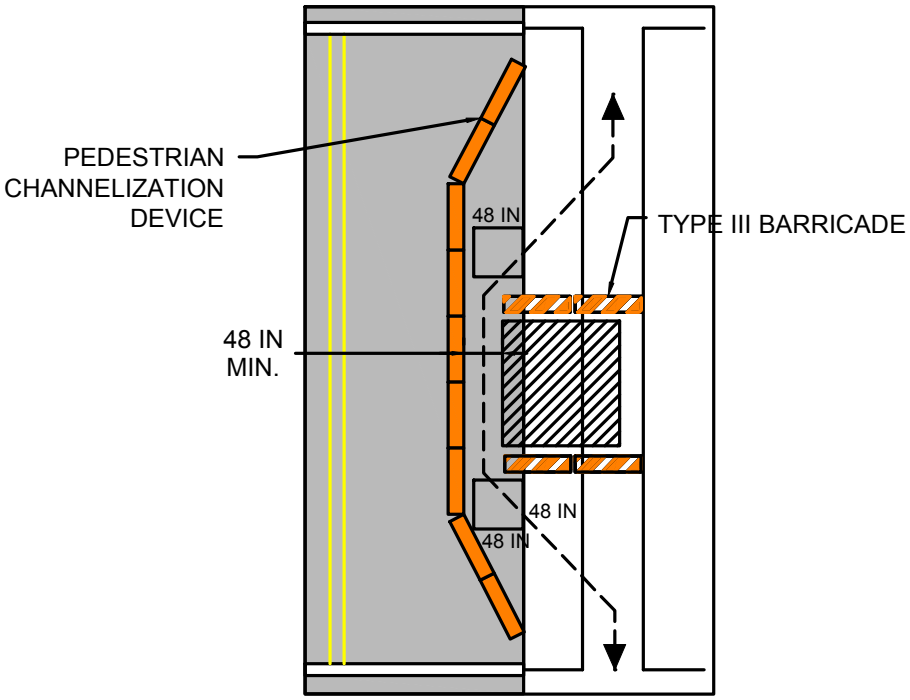
NOT TO SCALE

NOTES

1. DURATION OF WORK = 20 MINUTES OR LESS.
2. EQUIPMENT: 12 CONES + 4 PORTABLE SIGNS.
3. CONE SPACING IS 20 FEET.
4. SINGLE WORK VEHICLE PARKED/STOPPED.
5. POLICE DETAIL REQUIRED.

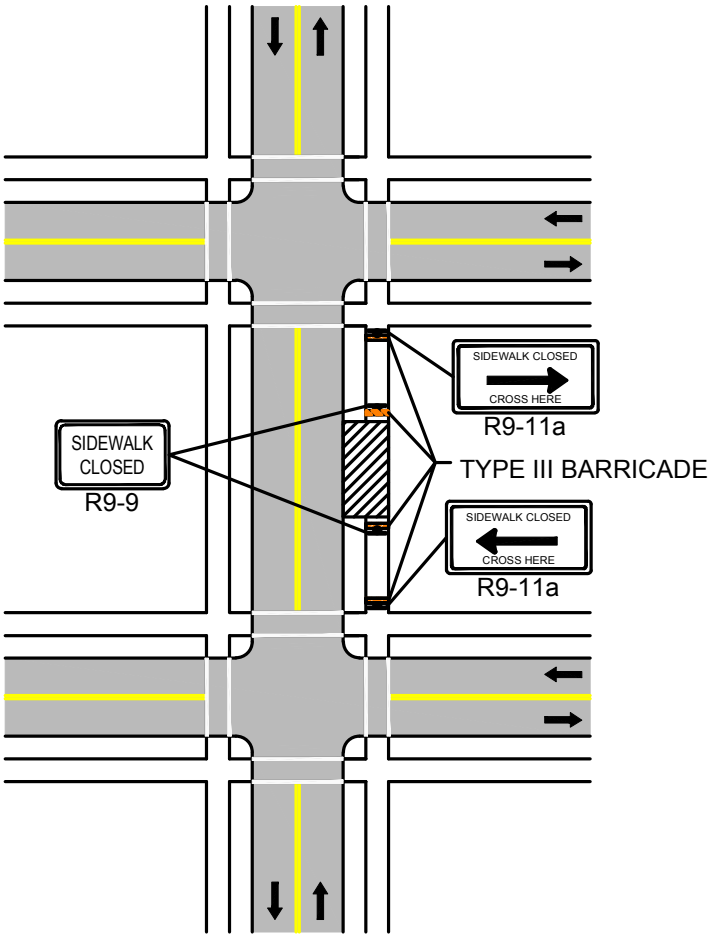
massDOT Massachusetts Department of Transportation Highway Division PAGE 77	Work Zone Safety Standard Details and Drawings	FIGURE 44 TRAFFIC SIGNAL REPAIR WORK MULTILANE UNDIVIDED ROADWAY CENTER OF INTERSECTION

massDOT Massachusetts Department of Transportation Highway Division PAGE 78	Work Zone Safety Standard Details and Drawings	FIGURE 45 PEDESTRIAN BYPASS



NOTES:

1. WHEN EXISTING PEDESTRIAN FACILITIES ARE DISRUPTED, CLOSED, OR RELOCATED IN A TTC ZONE, TEMPORARY FACILITIES SHALL BE PROVIDED AND THEY SHALL BE DETECTABLE AND INCLUDE ACCESSIBILITY FEATURES CONSISTENT WITH THE FEATURES PRESENT IN THE EXISTING PEDESTRIAN FACILITY.
2. A PEDESTRIAN CHANNELIZATION DEVICE THAT IS DETECTABLE BY A PERSON WITH A VISUAL DISABILITY TRAVELING WITH THE AID OF A LONG CANE SHALL BE PLACED ALONG THE FULL LENGTH OF THE TEMPORARY PEDESTRIAN ROUTE.
3. WHEN USED, TEMPORARY RAMPS SHALL COMPLY WITH AMERICANS WITH DISABILITIES ACT.
4. THE ALTERNATE PATHWAY SHOULD HAVE A SMOOTH CONTINUOUS HARD SURFACE FOR THE ENTIRE LENGTH OF THE TEMPORARY PEDESTRIAN FACILITY.
5. THE TEMPORARY SIDEWALK SHOULD BE A MINIMUM OF 4 FEET WIDE. IF THE SIDEWALK EXCEEDS 200 FEET THEN A 5 FOOT BY 5 FOOT PASSING ZONE SHALL BE PROVIDED NEAR THE MID-POINT OF THE CLOSURE.
6. THE PROTECTIVE REQUIREMENTS OF A TTC WORK ZONE MAY HAVE AN IMPACT IN DETERMINING THE NEED FOR TEMPORARY TRAFFIC BARRIERS AND THEIR USE IN PROVIDING PEDESTRIAN DELINEATION SHOULD BE BASED ON ENGINEERING JUDGMENT.
7. ON-DEMAND PEDESTRIAN ASSISTANCE PERSONNEL TO ASSIST WITH NAVIGATION AROUND THE CLOSURE/WORK AREA MAY BE CONSIDERED AS AN OPTION IN PLACE OF PROVIDING ADA/AAB DEVICES FOR WORK FOR CLOSURES LASTING 4 HOURS OR LESS.
8. CONTROLS ONLY FOR PEDESTRIAN TRAFFIC ARE SHOWN; VEHICULAR TRAFFIC SHOULD BE HANDLED AS SHOWN ELSEWHERE. THESE DETAILS ARE USED IN CONJUNCTION WITH THE PROPOSED LANE CLOSURE DETAILS AND DURING CONSTRUCTION STAGING, AS DETERMINED BY THE ENGINEER.



NOTES:

1. CLOSURE OF A SIDEWALK FACILITY SHALL CONSTITUTE THE PROVISION FOR MANAGING PEDESTRIAN TRAFFIC AND ACCOMMODATING ALL USERS. IF THE EXISTING PEDESTRIAN ACCESS ROUTE(S) CAN BE TEMPORARILY RELOCATED ALONG THE EXISTING SIDEWALK , AND SAID FACILITY PROVIDES A MINIMUM WIDTH OF 48-INCHES OF SOLID, SMOOTH UNOBSTRUCTED SURFACE, THEN NO DETOURING OF THE ROUTE SHALL BE REQUIRED. DELINEATION OF THE WORK AREA IS STILL REQUIRED.

2. IF IT IS NECESSARY TO DIVERT PEDESTRIAN TRAFFIC TO AN ALTERNATE ROUTE ACROSS THE ROADWAY FROM THE EXISTING FACILITY, THE FIGURE ABOVE SHALL BE FOLLOWED TO PROVIDE ADEQUATE DIRECTION TO PEDESTRIANS. ALTERNATE ROUTE SHALL PROVIDE THE SAME LEVEL OF ACCOMMODATION AS THE FACILITY THAT IS BEING DETOURED AND RETAIN ADA COMPLIANCE IN ITS ENTIRETY.

3. FOR EMERGENCY OR SHORT-DURATION SIDEWALK CLOSURES OF 4-HOURS OR LESS, IT IS OPTIONAL TO HAVE ON-DEMAND PEDESTRIAN ASSISTANCE PERSONNEL AVAILABLE AT ALL TIMES DURING THE CLOSURE TO ASSIST THOSE MOBILITY CHALLENGED PERSONS WHO REQUIRE ADDITIONAL ASSISTANCE TO SAFELY NAVIGATE AROUND THE WORK AREA IN LIEU OF A FULL DETOUR.

massDOT Massachusetts Department of Transportation Highway Division PAGE 80	Work Zone Safety Standard Details and Drawings	STATIONARY OPERATIONS BIKE LANE CLOSURE

POSTED SPEED LIMIT (MPH)	SPACING FOR BIKE ADVANCE WARNING SIGNS (FT) (A,B))	CHANNELIZATION DEVICES (DRUMS OR CONES)			
		TRANSITION LENGTH (L/3)	BUFFER ZONE LENGTH (FT)	DEVICE SPACING (FT)	MIN # OF DEVICES*
25-40	150 / 150	100	305	20	45
45-55	150 / 150	220	495	40	35
60-65	150 / 150	260	645	40	40

* NUMBER OF DEVICES BASED ON 400 FT WORK ZONE.

NOTES

1. DETAIL SHALL BE USED IN CONJUNCTION WITH THE PROPOSED LANE CLOSURE DETAILS. SIGNING SHOWN ONLY FOR BIKE TRAFFIC. FOLLOW ALL OTHER RELEVANT DETAILS FOR TTC DEVICES FOR VEHICULAR TRAFFIC.
2. ** SIGN SHALL BE USED ONLY IF THERE IS A MARKED BIKE LANE.
3. *** SIGN SHALL BE USED ONLY IF THERE IS NO MARKED BIKE LANE.

LEGEND


WORK ZONE


CHANNELIZATION DEVICE

FLASHING ARROW BOARD


PORTABLE CHANGEABLE MESSAGE SIGN


TRUCK MOUNTED ATTENUATOR

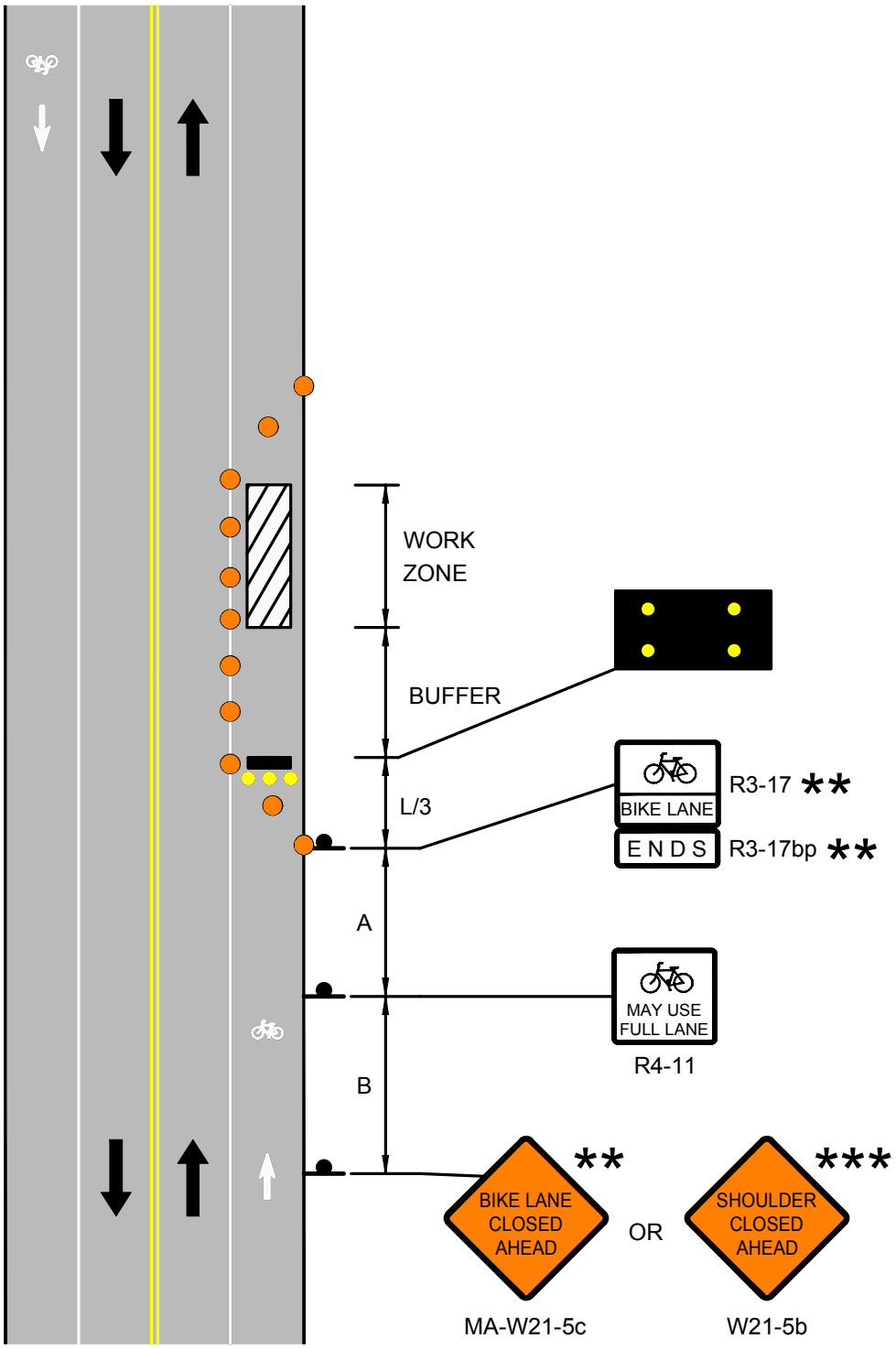
RADAR SPEED FEEDBACK BOARD

POLICE DETAIL OR UNIFORMED FLAGGER

TEMPORARY PORTABLE RUMBLE STRIP

TYPE III BARRICADE

NOT TO SCALE



massDOT Massachusetts Department of Transportation Highway Division PAGE 81	Work Zone Safety Standard Details and Drawings	FIGURE 48 STATIONARY OPERATIONS BIKE LANE CLOSURE

Rev. June, 2017

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: WESTHAMPTON Project File Number: 610768

Contract Number: 129332

Project Description: Bridge Replacement, W-27-028, Perry Hill Road over North Branch of Manhan River

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: _____

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

DOCUMENT A00830

ENVIRONMENTAL APPLICATION SUBMISSION

Section 401 - Water Quality Certificate Application &

Section 404 - Pre-Construction Notification Application

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

Environmental Application Submission

Section 401 - Water Quality Certification and
Section 404 - Pre-Construction Notification Application

Prepared for:

MASSACHUSETTS DEPARMENT OF TRANSPORTATION
HIGHWAY DIVISION

MASSDOT PROJECT NUMBER 610768
WESTHAMPTON, MA

Perry Hill Road Extension
over
North Branch Manhan River

Bridge No. W-27-028 (CAJ)

MassDOT Project #610768

Prepared by:

Garofalo & Associates, Inc.
85 Corliss Street
Post Office Box 6145
Providence, Rhode Island 02940

July 17, 2023
(Revised August 14, 2024)

TABLE OF CONTENTS

1. Public Notice
2. Cover Letter to Massachusetts Department of Environmental Protection
3. Cover Letter to Army Corp of Engineers
4. MassDEP Transmittal Form for Permit Application and Payment (ONLINE SUBMITTAL)
5. MassDEP BRP WW11 Application Form (ONLINE SUBMITTAL)
6. Army Corps of Engineers – Application for Department of the Army Permit (PCN)
7. Narrative

Attachments:

Appendix A: Resource Area Assessment and Wetland Delineation Sheets

Appendix B: Locus and Environmental Plans

Appendix C: Site Photos

Appendix D: Environmental Constraints Map (MassMapper)

Appendix E: USGS Locus Map

Appendix F: Soil Map

Appendix G: Section 106 and Section 7 Documentation

Appendix H: Pertinent Special Provisions

- Item 102.3 – Herbicide Treatment of Invasive Plants
- Item 102.33 – Invasive Plant Management Strategy
- Item 751.7 – Compost Blanket
- Item 765.553 – Wetland Riparian Mix
- Item 765.635 – Native Seeding and Establishment
- Item 767.121 – Sediment Control Barrier
- Item 983.522 – Streambed Restoration
- Item 991.1 – Control of Water-Structure No. W-27-028(CEQ)
- Item 994.011 – Temporary Protective Shielding Outside Fascia Beams Bridge No. W-27-028(CEQ)
- Item 994.012 – Temporary Protective Shielding Between Fascia Beams Bridge No. W-27-028(CEQ)

Appendix I: Checklist for Stormwater Report

Appendix J: Operation and Maintenance Plan

Appendix K: SLR Memo

PUBLIC NOTICE

Massachusetts Department of Environmental Protection
Division of Wetlands and Waterways
100 Cambridge Street, Suite 900
Boston, MA 02114

Pursuant to 33 U.S.C. 1341 M.G.L. c. 21 §§ 26 - 53, notice is given of a 401 Water Quality Certification application for the replacement of Bridge No. W-27-028 carrying Perry Hill Road over the North Brook of the Manhan River in the Town of Westhampton by the Massachusetts Department of Transportation – Highway Division, 10 Park Plaza, Room 7360, Boston, MA 02116. The project proposes a bridge replacement which includes the removal of the existing superstructure, abutment endwalls and foundations, installation of new cast in place culvert footings, proposed gravity walls, bridge culvert, bridge railing, new approach guardrail, and new gravel roadway surface. 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 21 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 within 21 days of this notice 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.

August 20, 2024

Heidi Davis
Massachusetts Department of Environmental Protection
Wetlands Program
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Water Quality Certification
Perry Hill Road over North Brook of Manhan River (Bridge No. W-27-028)
Westhampton, MA
MassDOT Project 610768

Dear Ms. Davis,

The Massachusetts Department of Transportation, Highway Division (MassDOT) is submitting this 401 Water Quality Certification (WQC) application for the replacement of a bridge on Perry Hill Road over the North Brook of the Manhan River in Westhampton, MA. This project is being filed under the MassDOT bridge exemption because the replacement is the functional equivalent and in similar alignment to the existing bridge.

MassDOT is replacing the bridge on Perry Hill Road over the North Brook of the Manhan River including the removal of the existing superstructure, abutment endwalls and foundations, and installation of new cast in place culvert footings. The bridge replacement project requires a 401 WQC and authorization under Section 404 as it will permanently disturb 154 square feet (sf) of Land Under Water and temporarily disturb an estimated 425 square feet (sf) of Land Under Water associated with the North Brook of the Manhan River.

A pre-application meeting for this project was held on May 14, 2024, with the Massachusetts Department of Environmental Protection. 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.

If you require any additional information regarding the subject project, please contact me at (857) 262-0757 or by email at courtney.l.walker@dot.state.ma.us.

Sincerely,

Courtney Walker

Courtney Walker
Wetlands & Water Resources Coordinator
MassDOT Highway Division, Environmental Services

Cc: Harry Adolphe, MassDOT

Michael Joa, MassDOT
Ryan Hale, MassDEP
Tyler Lewis, MassDEP
Kevin Newton, US Army Corps of Engineers
Dan Vasconcelos, US Army Corps of Engineers
Brad Morse, Westhampton Conservation Commission

massDOT
Massachusetts Department of Transportation
Highway Division

August 20, 2024

Dan Vasconcelos
Regulatory Division
Department of the Army
New England District, Corps of Engineers
696 Virginia Road
Concord, MA 01742

RE: Pre-Construction Notification Application
Perry Hill Road over North Brook of Manhan River (Bridge No. W-27-028)
Westhampton, MA
MassDOT Project 610768

Dear Mr. Vasconcelos,

The Massachusetts Department of Transportation, Highway Division (MassDOT) is submitting this application for Pre-Construction Notification Application for the replacement of a bridge on Perry Hill Road over the North Brook of the Manhan River in Westhampton, MA.

MassDOT is replacing the bridge on Perry Hill Road over the North Brook of the Manhan River including the removal of the existing superstructure, abutment endwalls and foundations, and installation of new cast in place culvert footings. The bridge replacement project requires a 401 WQC and authorization under Section 404 as it will permanently disturb 154 square feet (sf) of Waters of the US and temporarily disturb an estimated 425 square feet (sf) of Waters of the US associated with North Brook of the Manhan River.

If you require any additional information regarding the project, please contact me at (857) 262-0757 or by email at courtney.l.walker@dot.state.ma.us.

Sincerely,

Courtney Walker

Courtney Walker
Wetlands & Water Resources Coordinator
MassDOT Highway Division, Environmental Services

Cc: Harry Adolphe, MassDOT
Michael Joa, MassDOT
Kevin Newton, US Army Corps of Engineers
Heidi Davis, MassDEP
Ryan Hale, MassDEP
Tyler Lewis, MassDEP
Brad Morse, Westhampton Conservation Commission

"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:

MassDOT Highway Division

10 Park Plaza, Room 7360
Boston, MA, 02116-3969

Telephone #: 857-626-0757 Email: courtney.l.walker@dot.state.ma.us

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

Showing 1-1 of 1

Contact Type	Name	Organization Name	Contact Person	Action
Application Prepared By	MATT COTE			Edit/View Delete

Continue Application » | Save and resume later

Home

DEP Applications

WW11 - 401 Minor Fill and Excavation Project Application

1 Contact Information	2 Application Information	3 Documents	4 Special Fee Provision	5 Review	6

Step 2: Application Information > Page 1 of 4

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:
North Branch Manhan River

*Street #
0

*Street Name:
Perry Hill Road Ext

Street Name 2

*City:
Westhampton

*State:
MA

*Zip:
01027-

Latitude *
42.318617

Longitude *
72.771313

Clear

Other Primary Location Info

Clear

Other Primary Location Info

* Parcel ID:

N/A

* Municipality :

WESTHAMPTON

Project Information

Project Name:

Westhampton (MassDOT Project Number 610768) - Replacement of Bridge

* Proposed Activity:

MassDOT is proposing to construct a bridge replacement located in Westhampton, MA. As proposed, the Project consists of removal of the existing bridge superstructure; removal of abutment endwalls and foundations; installation of new cast in place culvert footings, proposed gravity walls, bridge culvert, bridge railing, new approach guardrail, and new gravel roadway surface. No utility work is proposed.

* 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

Continue Application »

Save and resume later

Step 2: Application Information > Page 2 of 4

Instructions

* 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:

Bridge replacement project for MassDOT.

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):

579

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):

579

* Salt Marsh (sqft):

0

* Land Under the Ocean (sqft):

0

* Intertidal Zone (sqft):

0

Total cumulative loss (sqft):

579

Continue Application »

Save and resume later

Step 2: Application Information > Page 3 of 4

Instructions

* 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?:
( ) 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?:

○ 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 »

Save and resume later

Step 2: Application Information > Page 4 of 4

Instructions

* 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

Continue Application »

Save and resume later

WW11 - 401 Minor Fill and Excavation Project Application

1 Contact Information	2 Application Information	3 Documents	4 Special Fee Provision	5 Review	6

Step 3: Documents > Page 1 of 1

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	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.

Courtney Walker — SIGNATURE OF APPLICANT

8/20/24 — 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: N/A

Municipality: Westhampton

Section:

Township:

Range:

17. DIRECTIONS TO THE SITE.

18. IDENTIFY THE SPECIFIC GENERAL PERMIT(S) YOU PROPOSE TO USE:

GP #23 under the MA General Permit.

19. DESCRIPTION OF PROPOSED GENERAL PERMIT ACTIVITY (*see instructions*)

MassDOT is proposing to construct a bridge replacement located in Westhampton, MA. As proposed, the Project consists of removal of the existing bridge superstructure; removal of abutment endwalls and foundations; installation of new cast in place culvert footings, proposed gravity walls, bridge culvert, bridge railing, new approach guardrail, and new gravel roadway surface. No utility work is proposed.

20. DESCRIPTION OF PROPOSED MITIGATION MEASURES (*see instructions*)

Sediment/erosion controls will be placed at the toe of slope (between the work area and water flow). Work will take place from above the top of bank/roadway area. Limits of work are clearly identified on the plans and details show clear scope of work to be performed. Since there is no loss of any Bordering Vegetated Wetland or Floodplain Volume, no compensatory replication areas are proposed.

21. PURPOSE OF GENERAL PERMIT ACTIVITY (*Describe the reason or purpose of the project, see instructions*)

The existing bridge (1956) has one continuous span. The overall width of the bridge is 16'-2" with a roadway width of 13-10" feet. There is basically one lane of traffic in each direction with safety curbs on both sides of the bridge. The roadway surface is gravel and will remain gravel once the project is complete. New bridge rail and guardrail will be installed adding to the safety features of the project. Bridge replacement is required for continued safe use and function.

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
425			Temp	Abutment removal, bridge const, water diversion
154			Perm	Culvert footing, culvert

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

25. Is Any Portion of the General Permit Activity Already Complete? [ ] Yes [X] 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*)

Northern Long Eared Bat - Some trees will be removed. IPaC review indicated that there are no critical habitats within this project area.

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*)

N/A

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 [X] 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.

MassDEP Permit BRP WW 11. Also an individual 401 WQC permit.

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.

Courtney Walker	8/20/24		8/13/24
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.

Project Introduction

Garofalo & Associates, Inc has prepared this Section 401 Water Quality Certification and Pre-Construction Notification (PCN) under Section 404 of the Clean Water Act and on behalf of the Massachusetts Department of Transportation for the replacement of Bridge W-27-028 located on Perry Hill Road Extension over the North Branch Manhan River in Westhampton, Massachusetts. As proposed, the Project consists of removal of the existing bridge superstructure; removal of abutment endwalls and foundations; installation of new cast in place culvert footings, proposed gravity walls, bridge culvert, bridge railing, new approach guardrail, and new gravel roadway surface. No changes are proposed to the horizontal roadway alignment, though a slight increase of approximately 6-inches is proposed at the River crossing. A USGS Locus Map is included in Appendix E of this document.

Portions of the project are located within Waters of the US. Some of the work associated with this area will be temporary in nature and restored once work is completed; however, small portions will involve minor excavation of rock and existing reinforced concrete footings (for construction of the new culvert footings) and installation of riprap on the riverbank that will be considered permanent impacts. A summary of the impact areas is discussed later in this document.

Resource areas will be protected from additional permanent impacts during construction with erosion and sedimentation controls. This includes limiting work within the Waters of the US to low flow periods, water diversion sandbag devices and installation of sediment control barriers.

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.

Existing Conditions

The existing bridge, constructed in 1956, consists of a single span at 17′-11″ clear span (15′-10″ square clear span). The existing bridge deck consists of an exposed 7½″ thick non-composite reinforced concrete slab with 2″ sand and gravel roadway over the concrete slab. The total out to out width of the existing bridge is 16′-2″, with a roadway width of 13′-10″± measured from curb to curb. There is a 1′-2″ wide safety curb on each side of the bridge along with a ½″± diameter pipe bridge railing supported on 6″x6″ concrete posts. At both bridge approaches, there are a few scattered concrete posts along the edge of roadway with no highway guardrail transition or guardrail to prevent vehicular falloff down the embankment. There are no utilities below or above the bridge. The abutments consist of cast-in-place concrete gravity abutment on ledge and concrete/fieldstone wingwalls. The battered abutment breastwalls and backwalls consist of spalls, scaling, honeycomb and cracks. A survey of the existing structure was performed by Garofalo & Associates, Inc. in April and May 2021 and noted the low chord elevation above the river is 569.52 ± (NAVD88) and the observed water surface elevation is 563.79 ± (April 2021 NAVD88). The OHW elevation is 565.84.

No sidewalk or roadway striping is present on either side of the bridge or roadway approaches since both approaches are gravel roadways. Each side of the bridge has concrete bridge curbing and a concrete post/wood rail which do not meet current bridge rail standards.

The roadway approaches on each side of the bridge appear to be in relatively good condition for a gravel road and each has a total width varying between 16 feet and 18 feet. No curbing is present along either side of the roadway and drainage flows off the edge of pavement to abutting grassed areas. No stormwater structures are present in the roadway. The only drainage structures within this project site are two driveway/access road culvert pipes on the westerly side of the road and one 18-inch culvert pipe that flows from the area to the west

of the road, beneath the road to the discharge point on the easterly roadway embankment. No utilities are within the project limits.

Abutting property use is limited as much of the directly abutting areas are wooded. One residential house lies just north of the bridge and a small 12'x12' concrete block building that may be a utility structure is approximately 100' northwest of the bridge. A few other residential houses and a gravel/construction company are nearby, but none of the properties will be impacted by this project.

Description of Existing Conditions:

- Land Cover: The existing gravel roadway is bounded on both sides by vegetated and wooded land, a yard in the northeasterly limit and three driveway/access ways (two gravel and one paved). The North Branch Manhan River flows beneath the bridge in a southeasterly direction. The river varies in width along this stretch in the project area and is very winding and shallow. Boulders and ledge mainly define the River boundary in the section upstream (northwest) of the bridge.
    - Impervious areas in this project are limited to the gravel roadway (varying width) and the driveway/access roads.
    - Pervious areas in the project limit consist of yard lawn, wooded and vegetated areas that abut the roadway and river.
- Topography: Perry Hill Road Extension slopes up at approximately 2% from the southerly limits towards the bridge, then up at a higher slope of about 6.8% to the northerly project limit. The surrounding terrain generally slopes downward in a southerly/southeasterly direction throughout the project area.
- The Project is located within the Long Island Sound Watershed.
- The North Branch Manhan River flows southerly and ultimately reaches the Manhan River (receiving water body). The River is flanked on both sides by wetlands that were flagged on all four quadrants of the bridge/River crossing in April 2021 by JM Fiske Environmental. See Appendix A for Wetland Delineation and Resource Area Assessment.
- Drainage patterns are consistent with a normally crowned roadway, with stormwater sheet flowing towards each edge of the roadway. As there are no roadway edge treatments, the stormwater flows directly off the edge of road and onto the abutting wooded/vegetated areas.
- Existing drainage infrastructure is minimal and consists of two driveway/access road culvert pipes on the westerly side of the road and one 18-inch culvert pipe that flows from the area to the west of the road, beneath the road to the discharge point on the easterly roadway embankment. This 18-inch culvert carries an intermittent stream and denoted by flags B-1 through B-4 and BB-1 through BB-4 This intermittent stream will not be impacted and all work will remain outside of this area. None of these pipes are part of a roadway drainage system but have been installed to prevent ponding at the roadway from the surrounding areas.
- There are no existing stormwater control measures in this project area. Stormwater from the roadway sheet flows from the gravel and onto the abutting wooded/vegetated areas.
- There are no direct discharge points into the river.
- The project area does not fall within any NHESP mapped Priority or Estimated habitats of rare species, Areas of Environmental Concern (AOEC), Outstanding Resource Waters (ORWs) or a FEMA flood zone.
- The North Branch of the Manhan River in the vicinity of the bridge is considered a Cold Water Fishery.

Proposed Project:

The Project includes reconstruction of Bridge W-27-028 on Perry Hill Road Extension where it crosses the North Branch Manhan River. The proposed structure will have the same horizontal alignment as the existing bridge and the profile will raise by approximately 0.5 feet. To provide optimal river flow and improve hydraulic performance at both upstream and downstream sections of the structure, the existing abutments will be demolished, and the new span will increase the hydraulic opening by approximately 4'. The proposed structure will consist of a single span three-sided precast concrete culvert on cast-in-place concrete footings with a clear span of 28' (square span of 22', measured 90° from the abutment face) and a skew angle of 39 degrees. Since this is a three-sided structure, the natural riverbed will be maintained. The culvert consists of three precast concrete units, each being 6'-1" wide with a gravel roadway fill placed on top of the culvert. The roadway width is 15'-0" curb to curb which is an increase of 1'-4" from the existing. Since this is a gravel roadway with no striping, the bridge width will effectively be the travel lane. Each side of the bridge will have S3-TL4 bridge railing installed with associated approach guardrail sections. Equipment anticipated to be used on this project includes a boom crane staged on the existing road for bridge demolition and erection, excavator, backhoe, grading equipment and foot access into the areas beneath the bridge for any hand work. No bridge construction vehicles are expected to enter the wetland/water areas.

The hydraulic opening below the bridge will be increased by widening the opening and better aligning the river flow with the new culvert outer walls, as the existing abutments lie within the outer limits of the river flow. The bottom of the river will remain in its natural state. The bridge will be closed during construction and a detour route will be implemented. No utility work is anticipated during the bridge construction.

The improvements to Bridge W-27-028 will slightly improve pedestrian access by widening the curb-to-curb width by approximately 1-foot. New bridge railing along each side of the bridge and approach guardrail will improve vehicular safety. Since this is a gravel road, no pavement markings will be installed.

Project Alternatives:

- (Alt 0) No build alternative: A No Build Alternative for this project would result in the continued deterioration of the existing structure which would eventually result in closure of the bridge.
    - No environmental impacts, as no work will be performed.
- (Alt 1) Adjacent Precast Prestressed Concrete Deck Beams or Precast Prestressed NEXT D Beams: The Adjacent Precast Prestressed Concrete Deck Beam Option consists of six (6) S36-12 with an exposed 5" composite reinforced concrete deck. The depth of the superstructure would increase the existing vertical clearance over the river by 0.78 feet. Alternatively, two 9'-0" wide Precast Prestressed New England Extreme Tee (NEXT) Type D Beams with no deck can be utilized. An 8" thick top flange can be used as deck for bridge with low traffic volume. Based on the span length, the required NEXT beam depth of 28" would decrease the existing vertical clearance over the river by 0.14 foot. However, the bridge profile can be raised slightly without major impact to the surrounding area. By observation, the NEXT beam option is more cost effective than the adjacent deck beam option with fewer beams, fewer bearings, no grouted joints between beams, and no deck. No special equipment is anticipated during construction; however, an increase in crane size with additional approach work may be required to handle the extra weight of the proposed NEXT beams.
    - This option will have excavation and forming work required to construct the footings and abutment walls. This work will all be behind the limits of the existing bridge abutment walls, as the new walls will be constructed to provide a wider opening and also better aligned with the river flow. Actual impacts to the environmental areas total 425 sf (temp) and 154 sf (perm). These impact areas are the result of removal of the existing abutment walls and associated

water diversion measures, more than the construction of the new footings and abutment walls. These areas are shown on the attached Resource Impact Plan.

- (Alt 2) Steel Rolled Stringers: The Steel Rolled Stringer Option consists of three (3) W14x68 (ASTM A709 Grade 50 galvanized steel) spaced at 6'-7 ½" on center with 2'-6" deck overhang. The exposed deck consists of 8" composite reinforced concrete. The preferred span depth ratio would increase the existing vertical clearance over the river by 0.33 feet.
    - This option would have the same footing and abutment wall designs as Alt 1, so the impacts are the same as those presented for Alt 1.

- (Alt 3) Three-Sided Precast Concrete Culvert or Arch on cast-in-place concrete footing (Preferred Alternative): This preferred option, the Three-Sided Culvert Option, consists of three (3) precast units at 6'-1" wide. The culvert consists of a roof slab with 8' clear rise supported on cast-in-place concrete footings. The 20" roof slab with a maximum 12" roadway fill will decrease the existing vertical clearance over the river by 0.28 feet. To maintain the vertical clearance over the river, the bridge profile can be raised to about 0.5 feet without major impact to the surrounding areas. The exterior units include a headwall supporting a safety curb and bridge railing. The arch culvert span must be perpendicular to the culvert wall and would increase the clear span considerably due to the skewed angle. Therefore, the arch culvert would not be considered as a feasible option.
    - This option will have excavation and forming work required to construct only footings, as no abutment walls are required for the precast concrete culvert. This work will also be behind the limits of the existing bridge abutment walls, as the culvert option has been designed to provide a wider opening and also better aligned with the river flow (similar to Alt 1 and Alt 2). Actual impacts to the environmental areas total 425 sf (temp) and 154 sf (perm). These impact areas are similar to those discussed for Alt 1 and Alt 2 (demo and water diversion). This Alt will allow for a shorter construction duration and less excavation as no abutment walls will need to be constructed.

Description of Proposed Project:

- Land Cover:
    - The total project area is approximately 6,870 square feet. This entire area (other than the roadway, access/driveways and the flowing river) will have compost filter tubes (or similar) installed per plan locations. All of this area has the potential to be disturbed (due to main construction work, grading, vehicle access or vegetation removal for wire relocation). All disturbed areas will be repaired with loam and seed (as appropriate) and items are included in the project for such work.
    - There is no new impervious area proposed for this project. The roadway will remain gravel instead of a proposed HMA pavement surface.
    - Proposed pervious areas include roadway side-slope regrading and vegetated/lawn replacement due to grading or disturbance due to work areas.
    - When this project is complete, there will be a reduction of approximately 285 square feet to the existing impervious area. A section of the gravel roadway will be removed and replaced with a vegetated/grassed area.
- The river meanders significantly with boulder outcrops, multiple cascades and varying widths, particularly upstream of the bridge. For this reason, the Bankfull width of the river is difficult to estimate. Using locations both upstream and downstream of the existing crossing, the bankfull width

was estimated using sediment deposits, bank slope changes and perennial vegetation. Based on these field measurements, the design bankfull width is 32 feet. The square width between the proposed abutments is 22' and does not meet the 1.2 x bankfull width of 38.4 feet. It does, however, provide an additional 4' of width over the existing abutment opening (1.25 x the existing width, abutment face to abutment face).

Proposed Impacts

The demolition of the superstructure abutments and wing walls will be above/outside of Waters of the US, however, small areas of existing footing removal along the face of each abutment wall do lie within the Waters of the US. The river will be protected from debris by using temporary shielding or platforms. Sediment control barriers will be installed prior to any work on the project and temporary sandbag diversion units will be placed to keep water flow from entering the work zone and also to prevent construction debris and sediment from entering the water flow. To help aid with this process, work will be performed in low flow periods when possible. Additionally, compost over stone, native seed, and natural streambed materials will be installed over the proposed riprap (see plan sheet ENV-4 for detail).

Construction of approximately 26 square feet (four cubic yards) of the new culvert footing will be located within the Waters of the US and are situated at three of the 4 culvert crossing corners. This work will all be performed inside the water diversion system, will be rock excavation (not soil excavation) and will be below finished grade. Dumped riprap will be installed above the newly cast footings and along each inside wall of the culvert then covered with native streambed material (see plan sheet ENV-4 for detail). Dumped riprap will be installed along the southeast and northwest embankments per MassDOT Hydraulic Section recommendations to mitigate scouring at these locations, this will not be covered by natural streambed material. The remainder of the proposed work that will result in permanent impacts to Waters of the US includes riprap installation. Total permanent impacts (footing construction and riprap installation) is approximately 154 sf within Waters of the US. Demolition activities shall conform to the standard specification section 112.

Approximately 425 sf of impacts to Waters of the US may be temporarily impacted when the temporary water diversion sandbag dike is constructed for removal of the two endwalls and new footing construction. Approximately 85 linear feet of the sandbag flow diversion will be installed within the Waters of the US, which will be temporary in nature and will be removed once the associated work has been completed. This sandbag installation will be considered temporary fill while in place and is only being installed to divert water from the proposed work areas. Beyond this temporary impact area, approximately 154 sf of permanent impacts will take place due to work involving demolition and removal of each endwall, construction of the new footings and restoration of the work areas with soil/stone. The impacts will also be minimized by doing the work when the water level is low. Impacts (temp and perm) are visually shown on the attached ENV-3 plan.

Waters of the US	
Permanent Impacts	154 SF
Temporary Impacts	425 SF

Existing stormwater sheet flows off the current gravel roadway to the abutting vegetated/forested areas since there is no roadway edge treatment other than the bridge crossing. There are no stormwater structures (catch basins or manholes) existing in this area. A new drainage system is not practical at this location since it will be a non-paved gravel road and the structures would be subject to sediment buildup. Also, due to grading and wetland proximity, there would be no viable location for drainage outfalls or basins without increased disturbances to the forested or riverbank areas. MassDOT would also not want to introduce any new point

source discharges through or near the new culvert structure. A small, grassed swale is proposed just northwest of the new structure that will offer some improvement over existing conditions. This area where this swale will be installed is currently a gravel area so the improvement will be two-fold. It will encompass the removal of gravel area and replacement with vegetation and also provide a sedimentation removal area prior to stormwater entering the river. Other project areas abutting the roadway are either upgradient of the road or have steep slopes which prevent additional stormwater treatment measures without significantly increasing disturbances to the surrounding trees and resource areas.

The Vegetated Wetland areas (associated with the intermittent stream south of the bridge structure and denoted by flags B-1 through B-4 and BB-1 through BB-4) are located on the easterly and westerly sides of the existing roadway and are connected with an 18" culvert pipe beneath the road. Neither of these areas will be impacted and all work will remain outside of these areas. A compost filter sock (or similar) will be placed adjacent to each area to protect from work zone sediment.

Mitigation Measures:

Unavoidable impacts will be minimized and mitigated using standard erosion and sedimentation controls. Measures planned to be employed include:

- Sediment control barrier (compost filter tubes, or similar).
- Prohibiting construction vehicles from entering Vegetated Wetland areas or Waters of the U.S. Any work in the Waters of the U.S. areas requiring construction vehicles will be performed with the vehicle either on the roadway area or outside of protected areas using boom reach capabilities (excavation, riprap placement, excavation of soil or bridge component demo/construction).
- Use of shielding during bridge demolition/construction while working above the water.
- Working during low flow periods during activities that impact the river.

Dewatering

Dewatering and pumping are anticipated in limited areas for this project for existing abutment demo and construction of the new culvert footings. All work within Waters of the U.S. areas will be performed during low flow periods. In addition, temporary sandbag dikes will be placed adjacent to the existing abutments, diverting river flow (if any), to allow for the abutment and footing demo work and the new culvert footing construction to be conducted in dry conditions. Some groundwater may be encountered during this work and will need to be pumped. If this is necessary, temporary dewatering basin(s) will be installed behind the abutments and on the existing roadway sections, outside of any resource area. Water will be pumped into the basin where it will settle, then discharged back into the river downstream from the work area. Final locations and basin design will be a contractor means and methods situation but will have to be approved by the engineer prior to use.

Rare Species

IPaC review indicates that this project is within the Northern Long Eared Bat habitat. Although some trees will be removed, the IPaC review indicated that there are no critical habitats within this project area. See Appendix G for coordination with USFW. Using both MassMapper and MACRIS online mapping tools, there were no Areas of Critical Environmental Concern, no certified or potential vernal pools, no NHESP Priority Habitats of Rare Species in this project area. The area is mapped as an Atlantic Salmon EFH. However, through coordination with NOAA Marine Habitat Resource Specialist (August 1, 2023), since there are no salmon present at this location, it was found that coordination regarding EFH was not necessary.

Anticipated Sequence of Construction

1. Install detour signage.
2. Install erosion and sedimentation controls – project wide. This includes compost filter socks or similar for roadway/bridge work (Note – means and methods are determined by the contractor).
3. Perform vegetative clearing where needed for road/bridge work.
4. Install temporary bridge shielding. Remove existing bridge superstructure (deck, beams, safety curbs and railing).
5. The following work may be performed when best suited, considering river flows, but must be completed prior to abutment or wingwall removal work:
    a. Place sandbag dike for water diversion in front of abutment walls.
    b. Install dewatering basin on the roadway (at bridge approach area). Install dewatering pump and hose(s) from work area, into dewatering basin and to a discharge point downstream of the work area.
6. Install support of excavation (if necessary) behind the existing abutment and wing walls.
7. Remove abutment and wing walls. Bridge substructure removal will be performed by sawcutting manageable sections of the abutments then removal with an excavator (located on the existing bridge approach roadway and reaching down to the work areas) or by chipping into pieces and removing them with equipment located behind the abutments.
8. Construct new cast-in-place concrete culvert footings. Workers will walk down embankments to the abutment areas and perform formwork and reinforcing work. Concrete will be placed from the existing bridge approach roadway areas.
9. Install new bridge culvert sections with crane.
10. Place dumped riprap above newly cast footings and along the inside wall of culvert. Place dumped riprap along southeast, northeast and northwest embankments per MassDOT Hydraulic Section recommendations to mitigate scouring at these locations. Where possible, use existing streambed materials before using imported riprap (see plan sheet ENV-4 for detail). Once riprap installation is complete, dewatering and sandbag dike to be removed.
11. Install bridge railing. Perform roadway re-grading and gravel installation. Install gravel roadway surface above bridge culvert.
12. Install highway guardrail.
13. Grade and develop swale, then install loam and seeding.
14. Remove sedimentation and erosion controls.

- Equipment anticipated to be used for this project includes a boom crane staged on the existing road for bridge demo and erection, excavator, backhoe, concrete truck, grading and gravel spreading equipment, and foot access into the areas beneath the bridge for hand work. No bridge construction vehicles are anticipated to enter the wetland/water areas.
- Proposed grading is generally limited to the slope work on both sides of the roadway. The roadway profile will be slightly increased by approximately 6-inches to maintain the hydraulic opening per the

MassDOT Hydraulic study. This profile adjustment will also help to improve the vertical curve on Perry Hill Road Extension. In addition to this slight profile adjustment, new bridge/roadway guardrail will be installed to increase safety. Fill will be added to the sides of the roadway portion of the project to allow for installation of the guardrail to meet MassDOT design standards. Loam and seed will be placed/planted in these graded slope areas, and pavement millings will be placed beneath the guardrail sections.

- Other than the safety curb across the culvert, no roadway edge treatment is proposed, and stormwater will sheet flow directly off the road into the abutting vegetated areas which mimics existing conditions. Since this waterway is considered a cold water fishery, a small vegetated swale is proposed on the northwesterly side of the road, just north of the proposed stone rip rap installation area to provide some stormwater treatment prior to entering the river. No other areas are suitable for any stormwater treatment features without the cutting of vegetation or encroachment into the flagged wetland areas (due to close proximity of flagging to the roadway and roadway sideslopes). Pavement millings will be installed beneath guardrail, loam and seed will be placed along roadway construction disturbance areas and stone riprap will be installed around sloped areas near new culvert abutment areas. These will all help to mitigate sediment from leaving the roadway and entering the waterway.
- No work will take place within the Vegetated Wetland areas. Waters of the US will contain work impacts that are both temporary in nature and permanent. Temporary impacts within this area total 425 square feet and includes tree trimming/removal, abutment demo and footing construction, installation of water diversion sandbag dike and installation of stone riprap around new abutments. Permanent impacts within this area total 154 square feet and includes riprap installation around the new culvert walls and abutments on both sides of the River. The limits and details for this work are included in Appendix B of this document.
- Three trees are proposed for removal in this project. This is required due to bridge construction, slope grading and guardrail installation.0

Massachusetts River and Stream Crossing Standards

The Massachusetts River and Stream Crossing Standards were reviewed in conjunction with this project design. The goals for meeting Fish and other Aquatic Organism Passage, River/Stream Continuity and Wildlife Passage will be maintained. As this project includes the replacement of an existing bridge crossing, the "Design Standards for New Crossings" Section does not apply since this is not a new crossing where no previous crossing existed. However, the Optimal Standards contained in this Section will be reviewed for adherence.

- **Structure Type** – A 3-sided culvert is proposed instead of a bridge. The culvert will be installed on new cast-in-place concrete footings, will maintain the existing natural bottom of the river and will provide a wider clear distance between culvert sides than what is currently provided between the bridge abutment walls. The culvert allows for construction with less environmental impact than a new bridge (substructure and superstructure) and is more cost effective with a shorter construction duration. **Optimal Standard Met**.
- **Embedment** – New cast-in-place footings will be installed on each side of the culvert crossing and each footing will bear on bedrock. After the culvert sections are installed, dumped riprap (21" D_{50}) will be placed above the footing on the river side for scour protection. Where possible, use existing streambed materials before using imported riprap (see plan sheet ENV-4 for detail). The depth from top of stone to top of footing (embedment depth of the culvert) will be approximately 4-feet. **Optimal Standard Met**.
- **Crossing Span** – The river alignment at the existing bridge is relatively straight but it has multiple bends along both the upstream and downstream sections. The river meanders significantly with boulder outcrops, multiple cascades and varying widths, particularly upstream of the bridge. For this reason, the Bankfull width of the river is difficult to estimate. Using locations both upstream and downstream of the existing crossing, the bankfull width was estimated using sediment deposits, bank slope changes and perennial vegetation. Based on these field measurements, the design bankfull width is 32 feet. The square width between the proposed abutments is 22' and does not meet the 1.2 x bankfull width of 38.4 feet. It does, however, provide an additional 4' of width over the existing abutment opening (1.25 x the existing width, abutment face to abutment face). **Standard Met to Maximum Extent Practicable**.
- **Substrate** – The river substrate will not be significantly altered from existing conditions since footing construction will take place mostly outside of the river flow footprint (small sections of footing corners fall within Waters of the US area. Any area within this limit shall have riverbed material replaced with existing streambed materials before using imported riprap (see plan sheet ENV-4 for detail). The project will keep the natural bottom to the river since the culvert is a 3-sided structure. **Optimal Standard Met**.
- **Water Depth & Velocity** – The water depth and velocity will better match the upstream and downstream characteristics after the structure is replaced by removing the current river flow constriction between the existing abutments. The new three-sided culvert walls will be placed to better align with the river flow path to allow for better flow, rather than the flow being obstructed by the upstream faces of the existing abutment walls. **Optimal Standard Met**.
- **Openness (& height)** – Openness for a culvert = (height x width) / length… must >0.82 feet
    - [(6' x 22') / 18'] = 7.3 feet. This is >0.82 feet. **Optimal Standard Met**.
- **Banks** – Although permanent impacts to Waters of the US will occur in this project, the banks will not be adversely impacted. Additional stone riprap is proposed along the southeast, northeast and northwest embankments per MassDOT Hydraulic Section recommendations to mitigate scouring at these locations. This will offer protection to soil and sediment scouring and migrating into the river. **Optimal Standard Met**.

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 and bridge. The bridge will be replaced in the same general footprint, but with a 3-sided culvert instead of a typical bridge span structure. The roadway will be reconstructed in the same general location with no new lanes added. Guardrail will be added to improve vehicular safety. Impervious area will be reduced through the elimination of some sections of gravel roadway (converted to vegetated/grassed area). 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.

No stormwater outfalls exist on this site and no new stormwater outfalls are proposed for the Project.

This Standard is fully met.

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 results in a decrease to the impervious area since a portion of the existing gravel roadway will be eliminated and replaced with a vegetated/grassed area including a small swale. The total reduction to impervious area is approximately 285 sf (about 7% of the existing impervious project area).

Table 1: Existing and proposed impervious cover

Existing Impervious Area (sq. ft)	Proposed Impervious Area (sq. ft)	Change (sq. ft)
4,005	3,720	-285

Since there is a decrease in overall impervious area and no change to drainage patterns, the peak discharge rate will be slightly reduced once the project is constructed.

This Standard is fully met.

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 purpose of this standard is to replenish groundwater baseflows 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. Since there is no re-direction of stormwater to points other than the river, the annual recharge from the post-development site approximates the annual recharge from pre-development conditions. The precipitation that falls in this project area still reaches the same waterbody as in current conditions.

This Standard is met to the maximum extent practicable.

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.*

With very limited area and slope/grading conditions between the roadway, right-of-way lines, and abutting property, and the close proximity of the river and associated resource areas, there are no good locations to install any significant stormwater mitigation measures. Detention basins are not practical/possible at this project location without causing permanent disturbance to the vegetated wetland areas. The addition of pavement millings beneath guardrails and new loam/seed areas abutting the roadway will offer slight improvements for trapping any roadway sediment. A small vegetated swale is proposed on the northwesterly side of the road, just north of the proposed stone rip rap installation area to provide some stormwater treatment prior to entering the river.

Routine maintenance will be conducted by the Town. This includes litter pick-up, maintenance of landscaped areas, snow and ice management, prohibition of illicit discharges, and spill prevention and response and normal mowing/clearing.

This Standard is met to the maximum extent practicable.

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.

This Standard is met to the maximum extent practicable. Through a review of the MassMAPPER and MACRIS tools, no critical areas were shown here. However, this area is listed as an Atlantic Salmon EFH Cold Water Fishery. Email coordination with NOAA (August 2023) resulted in a finding that no action was necessary since there were no salmon at this location. A small vegetated swale is proposed on the northwesterly side of the road, just north of the proposed stone rip rap installation area to provide some stormwater treatment prior to entering the river. As stated in previous sections of this document, there are no other practical locations for stormwater treatment measures due to roadway sideslopes and wetland/resource area proximity.

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. It has been designed to comply fully with Standards 1, 2 and 7 – 10. It has been designed to comply to the maximum extent practicable with Standards 3, 4 and 6. Standard 5 is not applicable to this project.

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 compost filter socks, dewatering basin for abutment work and temporary shielding or platforms for bridge work above the river (or similar devices – means and methods are determined by the contractor). The contractor and Engineer will routinely inspect all E&S measures throughout the project duration and repair/replace as necessary. This project disturbs less than one acre of land and therefore will not be covered by NPDES.

The Project has been designed to comply with Standard 8.

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 roadway and bridge included in this project are not owned by MassDOT. The routing operation and maintenance or these facilities will be implemented by the municipality. The Town of Westhampton (Department of Public Works) will be responsible for the operation and maintenance of all stormwater management systems within the project area. Questions or concerns regarding activities associated with this maintenance should be addressed to the Town of Westhampton Department of Public Works located at 58 Hathaway Road, Westhampton MA, 01027, phone (413) 527-0136.

Long-term pollution prevention for the Project includes litter pick-up, maintenance of landscaped areas, snow and ice management, prohibition of illicit discharges, and spill prevention and response.

The Project has been designed to comply with Standard 9.

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 Detention and Elimination (IDDE) Program.

The Project has been designed to comply with Standard 10.

Stormwater Standards - Conclusion:

Each of the Stormwater Standards has been met in full or to the best extent practicable based on the existing project location and site conditions.

This bridge replacement project includes removal of the exiting abutment walls and bridge structure, installation of a precast concrete culvert on newly installed cast-in-place concrete footings with associated roadway and safety improvements. The project has been designed to keep environmental impacts to the minimum extent practicable while still providing the intended design results. The applicant respectfully requests that the MassDEP and United States Army Corps of Engineers find these measures adequately protective of the interests identified under Section 401 and Section 404 of the Clean Water Act Regulations and issue a 401 WQC and 404 permit under the Massachusetts General Permit approving the work as shown on the accompanying plan set.

Attachments:

Appendix A: Resource Area Assessment and Wetland Delineation Sheets

Appendix B: Locus and Environmental Plans

Appendix C: Site Photos

Appendix D: Environmental Constraints Map (MassMapper)

Appendix E: USGS Locus Map

Appendix F: Soil Map

Appendix G: Section 106 and Section 7 Documentation

Appendix H: Pertinent Special Provisions

Appendix I: Checklist for Stormwater Report

Appendix J: Operation and Maintenance Plan

Appendix K: SLR Memo

Appendix A:

Resource Area Assessment and Wetland Delineation Sheets

JM Fiske Environmental

To: Mr. Jeff E. Lewis, P.E.
Garofalo Associates
85 Corliss Street
PO Box 6145
Providence, RI 02940

RE: Wetland Resource Area Delineation & Assessment North Branch of the Manhan River Perry Hill Road Extension Westhampton, MA

On behalf of Garofalo & Associates, JM Fiske Environmental conducted, a wetland delineation and resource area assessment on April 06, 2021 along a section of the North Branch Of the Manhan River which flows under a the Perry Hill Extension Road Bridge in Westhampton, MA (see Figure 1 Site Locus). The delineation is to aid in planning for repairs or replacement of the bridge over the North Branch of the Manhan River.

The land to either side of the Perry Hill Extension Road bridge is a wooded rural area with one single family residence to the northeast of the bridge and an out-building of unknown nature to the northwest of the bridge. The wetland resource areas associated with the North Branch of the Manhan River are Bank, Land Under Water (LUW), Riverfront Area and cold water fisheries designation. There is an intermittent stream on the southwest side of the bridge which conveys water from a disturbed bordering vegetated wetland via a culvert on Perry Hill Road Ext. to the North Branch of the Manhan River (see Figure 2 Ortho image). It is unknown if this area will be part of the project. None of the subject area is mapped as priority or estimated habitat by the Natural Endangered Species Program (NHESP) as illustrated by Fig 3 NHESP. There are no mapped certified or potential vernal pools. The are no flood zones associated with the North Branch of the Manhan River (See Figure 4 FEMA Flood Data). Invasive species are found on site but are not currently dominant features.

The repair or replacement of the bridge is within multiple wetland resource areas which require a permit with the following; a Notice of Intent (NOI) with the Town of Westhampton Conservation Commission, a NOI and Water Quality Certification with MassDEP and potential permitting with the Army Corp of Engineers New England Region.

SITE DESCRIPTION

The proposed work at the bridge on Perry Hill Road Ext. is over the perennial North Branch of the Manhan River in Westhampton. The banks of the river are rocky with upland woods to ei-

ther side. Southwest of the bridge is an intermittent stream which conveys water under Perry Hill Road Ext from a disturbed BVW. This BVW, intermittent stream and buffer zones may be within the limits of work for the bridge or staging area. To the northeast of the bridge is a single family residence and to the northwest is an out-building and paved driveway of unknown purpose.

WETLAND RESOURCE AREAS

Wetland resource areas located along or near the proposed bridge work are found in association with an unnamed intermittent stream and the perennial North Branch of the Manhan River. The following resource areas were located:

- Bank in association with the intermittent stream and the North Branch of the Manhan River,
- Bordering Vegetated Wetland in association with the intermittent stream,
- Land Under Water in association with the North Branch of the Manhan River and
- Riverfront Area in association with the North Branch of the Manhan River .

There was no bordering land subject to flooding located on or near the parcel. No portion of the project area is located within or near Estimated Habitat of Rare Wildlife (see Figure 3 NHESP) as defined by the Natural heritage and Endangered Species Program. There are no potential or certified vernal pools on or near the proposed work area. Figures can be found in Attachment 1.

Wetland Delineation Methodology

All wetland resources on the proposed project area were marked with consecutively numbered orange flagging tape. Photographs of each wetland resource area can be found in Attachment 2. ACOE wetland delineation forms can be found in Attachment 3.

Bank

The Banks of one unnamed intermittent streams and the perennial North Branch of the Manhan River were flagged along the first break in slope in addition to a clearly defined break in vegetation and soils. The North Branch of the Manhan River was delineated as A-1 through A-9 on the west side and AA-1 through AA-8 on the east side. The intermittent stream was flagged as B-1 through B-4 on the west side and BB-1 through BB-4 on the east side. flows

into the site from the east then flows due west into two culverts where it eventually flows into the Steep Brook underground.

The North Branch of the Manhan River by Yellow Birch (*Betula alleghaniensis*, FAC), Red Maple (*Acer rubrum*, FAC), Sugar Maple (*Acer saccharum*, FACU) Bitternut Hickory (*Carya cordiformis*, FACU, Witch Hazel (*Hamamelis virginiana*, FACU), Winterberry Holly (*Ilex verticillata*, FACW) and an unknown grape (*Vitis* spp.). The invasive Black Locust (*Robinia psuedoacacia*, FACU) and Multifloral Rose (*Rosa multiflora*, FACU) were also found along the banks of the Manhan.

The intermittent stream to the west of the bridge flows out of a BVW to the north/northwest with a portion of BVW along the east bank. The There was Yellow Birch and Eastern Cottonwood (*Populus deltoides*, FAC) along the bank.

Bank has a buffer zone of 100 feet. Any proposed work within Bank or it's buffer zone requires a filing with MADEP and the Town of Westhampton.

Bordering Vegetated Wetlands

The Bordering Vegetated Wetland (BVW) is found in association with the intermittent stream flow to the west of the bridge entering the North Branch of the Manhan downstream of the bridge. Bordering Vegetated Wetlands (BVW) were delineated as described in the DEP handbook entitled ***Delineating Bordering Vegetated Wetlands Under The Massachusetts Wetlands Protection Act*** *(1995). BVW was delineated based on areas containing a predominance, 50% or more, of wetland indicator plants as described in 310 CMR 10.55(2)(c)(1). Indicators of saturated conditions, inundated conditions and hydric soils were documented as outlined in 310 CMR 10.55(2)(c)(2).*

The BVW flagged as BB-1 through BB-4 synonymous with the eastern bank of the intermittent stream. The entire wetland is disturbed- it has been cleared over, partially filled and has been recently driven through as evidenced by fresh deep tire tracks.

The bank and BVW line have been delineated as one due to the disturbance making it difficult to distinguish them. Deeper into the wetland the wetland is populated with an unknown Willow (Salix spp.) and Sensitive Fern (*Onoclea sensibilis*, FACW). Hydric soils are present within the BVW along with water stained leaves, oxidize rhizospheres and depleted soils.

BVW has a 100-foot buffer zone. Work within the buffer zone or BVW requires a filing with MADEP and the Town of Westhampton.

JM Fiske Environmental

Land Under Water

The Land Under Water is found in association with the perennial North Branch of the Manhan River. Land Under Water has not been delineated as part of this wetland delineation and assessment. Land Under Water is the land beneath the perennial brook. Land Under Water does not have a buffer zone.

Bordering Land Subject to Flooding

The FEMA maps of the area shows none of the proposed work to be within or near Bordering Land Subject to Flooding (BLSF) (See Figure 4). BLSF has no buffer zone.

Riverfront Area

Riverfront Area for the project is found in association with the North Branch of the Manhan River which flows under the subject bridge from north to south. By definition Riverfront Area extends two-hundred feet from the Mean Annual High Water Line (MAHW) measured horizontally in a parallel line. The Riverfront Area may include or overlap other resource areas and their buffer zones. MAHW of a river is the line apparent from changes in vegetation and soils due to the prolonged presence of water. Field indicators include changes in slope, vegetation, stain lines, bank materials etc... A portion of the proposed work is within Riverfront Area of the North Branch of the Manhan River.

The North Branch of the Manhan River by Yellow Birch (*Betula alleghaniensis*, FAC), Red Maple (*Acer rubrum*, FAC), Sugar Maple (*Acer saccharum*, FACU) Bitternut Hickory (*Carya cordiformis*, FACU, Witch Hazel (*Hamamelis virginiana*, FACU), Winterberry Holly (*Ilex verticillata*, FACW) and an unknown grape (*Vitis* spp.). The invasive Black Locust (*Robinia psuedoacacia*, FACU) and Multifloral Rose (*Rosa multiflora*, FACU) were also found along the banks of the Manhan.

Any work within along the North Branch of the Manhan River requires a permit with the Town of Westhampton and MassDEP as it is largely within the Riverfront Area.

MASSGIS DATABASE & NHESP

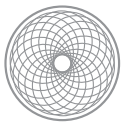
JMF reviewed the Massachusetts Geographic Information System (MassGIS) to determine if the proposed work area was located within or had areas designated as ecologically significant. Also if the property had areas designated as Priority Habitat of Rare Species or Estimated

Habitat of Rare Wildlife, certified vernal pools or potential vernal pools. These designations are made by NHESP.

The Priority Habitats of Rare Species data layer represents the geographic extent of Habitat of state-listed rare species in Massachusetts based on observations documented within the last 25 years in the database of the NHESP. Priority Habitat polygons are the filing trigger for project proponents, municipalities, and all others for determining whether or not a proposed project or activity must be reviewed by the NHESP for compliance with the Massachusetts Endangered Species Act (MESA) and its implementing regulations. Areas delineated as Priority Habitats can include wetlands, uplands, and marine habitats. There appear to be **no** priority or estimated habitat along the proposed work as depicted on the MassGIS Oliver web site**.**

Vernal pools are small, shallow ponds characterized by a lack of fish and annual or semi-annual periods of dryness. Vernal pool habitats are extremely important to a variety of wildlife species, including some amphibians that breed exclusively in vernal pools, and other organisms such as fairy shrimp which spend their entire life cycles confined to such locales. Potential vernal pools visible on aerial photographs were interpreted and included in the potential vernal pool layer. Potential vernal pools identified in this survey are not to be confused with certified vernal pools Data pursuant to the official "Guidelines for the Certification of Vernal Pool Habitat" must be collected in the field and presented to the Massachusetts NHESP to obtain official certification for a vernal pool. Potential vernal pools identified in this survey do not receive protection under the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.00), or under any other state or federal wetlands protection laws. Figure 3 illustrates the project has estimated habitat to the east but not within the proposed project area. There are **NO** certified vernal pools or potential vernal pools near the proposed work.

Certified vernal pool data layer contains points for all vernal pools that have been certified by the NHESP according to the Guidelines for certified vernal pools (MA Division of Fisheries & Wildlife, 2009). Many additional wildlife species utilize vernal pools for breeding, feeding and other important functions. Certified vernal pools are protected if they fall under the jurisdiction of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.00). However, the certification of a pool only establishes that it functions biologically as a vernal pool. Certification does not determine that the pool is within a resource area protected by the Wetlands Protection Act. Certified vernal pools are also afforded protection under the state Water Quality Certification regulations (401 Program), the state Title 5 regulations, and the Forest Cutting Practices Act regulations.



JMF reviewed other data layers illustrating additional environmentally significant areas: Areas of Critical Environmental Concern (ACEC), Outstanding Resource Waters (ORWs), Priority Natural Vegetation Communities (PNVC) and Title V setback areas. ACEC are areas that have been designated by the Secretary of Energy and Environmental Affairs (EEA). ACECs are locations in Massachusetts that receive special recognition because of the quality, uniqueness and significance of their natural and cultural resources. ACEC designation creates a framework for local and regional stewardship of these critical resource areas and ecosystems. ACEC designation also requires stricter environmental review of certain kinds of proposed development under state jurisdiction within the ACEC boundaries. There are **NO** ACEC on or near the proposed work area.

ORWs delineates those watershed areas in which most waters are afforded Outstanding Resource Waters classification under the Massachusetts Surface Water Quality Standards of 2007. Accord- ing to 314 CMR 4.00: "Certain waters shall be designated for protection under this provision in 314 CMR 4.06(3) including Public Water Supplies (314 CMR 4.06(1)(d)1.). These waters constitute an outstanding resource as determined by their outstanding socioeconomic, recreational, ecological and/or aesthetic values. The quality of these waters shall be protected and maintained. Certified Vernal Pools are designated as Class B Outstanding Resource Waters but are NOT included in this data layer, see Section 4.06(2) in 314 CMR 4.00. There are **NO** ORWs on or near the proposed work area.
The MassGIS PNVC data layer depicts the distribution of the eight natural community systems identified by the NHESP as most critical to the conservation of the Commonwealth's biological diversity data layer depicts the distribution of the eight natural community systems identified by the NHESP as most critical to the conservation of the Commonwealth's biological diversity. There are **NO** PNVCs on or near the proposed work area.

The North Branch of the Manhan River is designated as a cold water fisheries. MA Wetlands Protection Act (310 CMR 10.00) & Water Quality Certifications (314 CMR 9.00) defines cold water fisheries as: "Cold-water Fishery means waters in which the mean of the maximum daily temperature over a seven day period generally does not exceed 68F (20C) and, when other ecological factors are favorable (such as habitat), are capable of supporting a year-round population of cold-water stenothermal aquatic life such as trout. Waters designated as cold-water fisheries by the Department in 314 CMR 4.00: Massachusetts Surface Water Quality Standards and waters designated as cold-water fishery resources by the Division of Fisheries and Wildlife are coldwater fisheries. Waters where there is evidence based on a fish survey that a cold- water fish population and habitat exist are also coldwater fisheries. Cold-water fish include but are not limited to brook trout (*Salvelinus fontanili*s), rainbow trout (*Oncorhynchus mykiss*), brown trout (*Salmo trutta*), creek chubsucker (*Erimyzon oblongus*) and fallfish (*semotilus corporalis*)." Be

cause of this a Water Quality Certification will need to be filed with the Massachusetts Department of Environmental Protection.

SUMMARY

In summary, the project area contains the wetland resource areas associated with the North Branch of the Manhan River are Bank, Land Under Water (LUW), Riverfront Area and cold water fisheries designation. There is an intermittent stream on the southwest side of the bridge which conveys water from a disturbed bordering vegetated wetland via a culvert on Perry Hill Road Ext. to the North Branch of the Manhan River. There are no estimated or priority habitats as defined by NHESP, no ORW and no ACEC. The North Branch of the Manhan River is classified as a cold water fisheries and a Water Quality Certification filing is required with MassDEP and a filing with the ACOE may be required as well. A Notice of Intent is required to be filed with the Westhampton Conservation Commission and Massachusetts Department of Environmental Protection.

Sincerely,

Julia Fiske
JM Fiske Environmental
413-625-6375

JM Fiske Environmental

REFERENCES

Gleason, H.A and Cronquist. 1991. Manual of Vascular Plants of Northeastern United States and Adjacent Canada, 2nd Edition. The New York Botanic Garden.

Magee, Dennis W. and Harry E. Ahles. 1999. Flora of The Northeast. University of Massachusetts Press, Amherst.

Massachusetts Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program 14th Edition. Massachusetts Natural Heritage Atlas 2017.

National Flood Insurance Program. Flood Insurance rate Map, Town of Westhampton, MA, FEMA MassGIS Oliver data.

Newcomb, Lawrence. 1977. Newcomb's Wildflower Guide. Little Brown Company.

Reed, PorterB., Jr., Compiler. 1997. 1996 National List of Vascular Plants That Occur in Wet- lands. U.S. Fish and Wildlife Service.

Scanu, R.J. 1995. Soil Survey of Hamden and Hampshire Counties Western Part Massachusetts. USDA, SCS in cooperation with Massachusetts Agricultural Experimental Station.

United States Department of Agriculture and Natural resource Conservation Service. Online Mapping. 2010. NRCS SSURGO- Certified Soils. www.mass.gov/mgis/download/soils.

ATTACHMENT 1
FIGURES

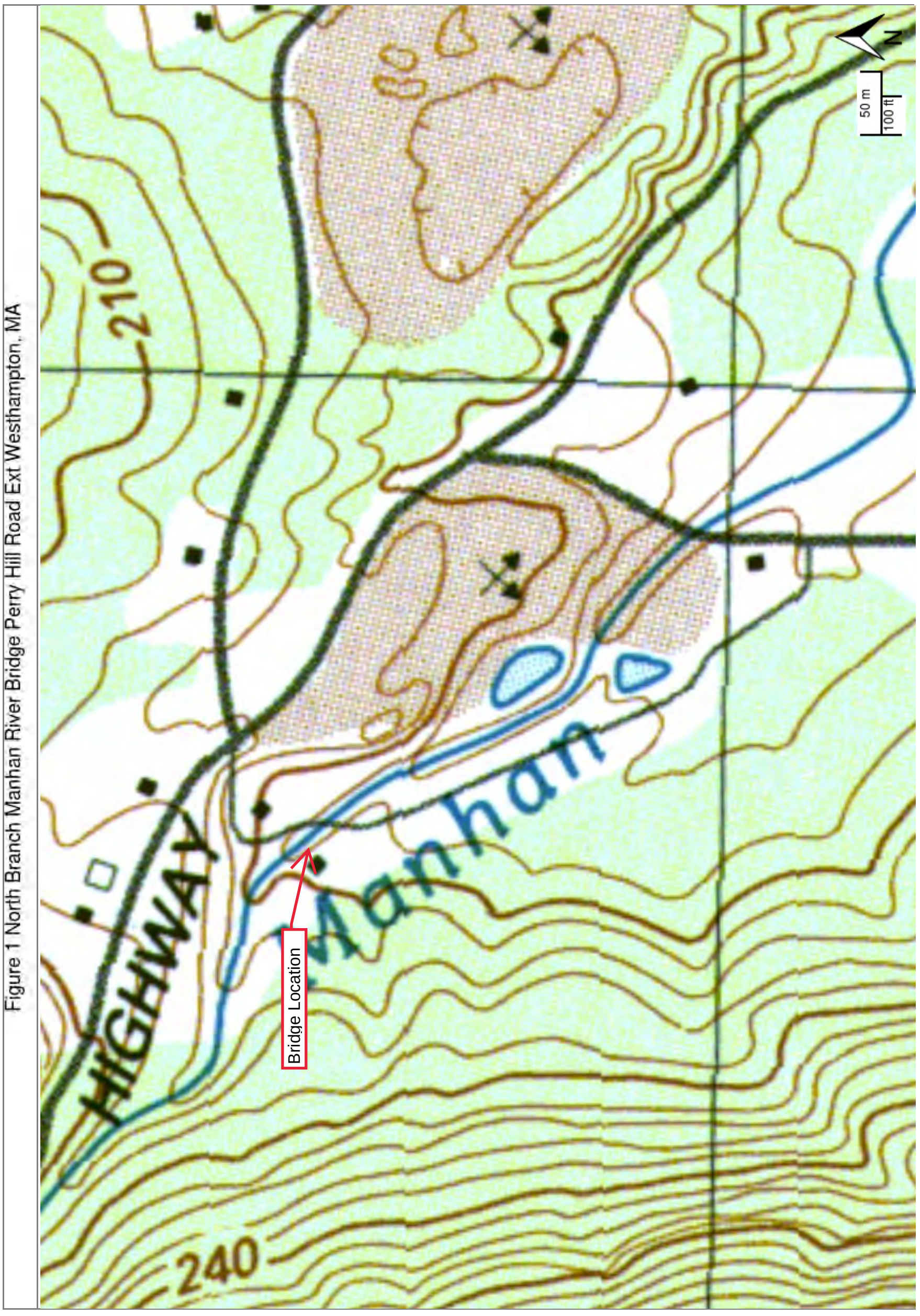


Figure 1 North Branch Manhan River Bridge Perry Hill Road Ext Westhampton,, MA

http://maps.massgis.state.ma.us/temp/OL_MORIS_print/16200547721970196352.html

Figure 2 Ortho North Branch Manhan Bridge Perry Hill Road Extension Westhampton, MA

Figure 3 NHESP Data North Branch Manhan River Bridge Perry Hill Road Extension Westhampton, MA

Figure 4 DFW Coldwater Fisheries North Branch Manhan River Westhampton, MA

Figure 5 FEMA National Flood Hazard North Branch Manhan Perry Hill Road Ext, Westhampton, MA

ATTACHMENT 2
PHOTOGRAPHS

JM Fiske Environmental

Bridge Over the North Branch of Manhan River
Perry Hill Road Ext., Westhampton, MA
Wetland Delineation & Resource Area Assessment

April 06, 2021
View from the bridge over the N. Branch of the Manhan looking upstream at the west bank and due northwest.

April 06, 2021
View from the bridge over the N. Branch of the Manhan looking upstream at the east bank and due NNW.

JM Fiske Environmental

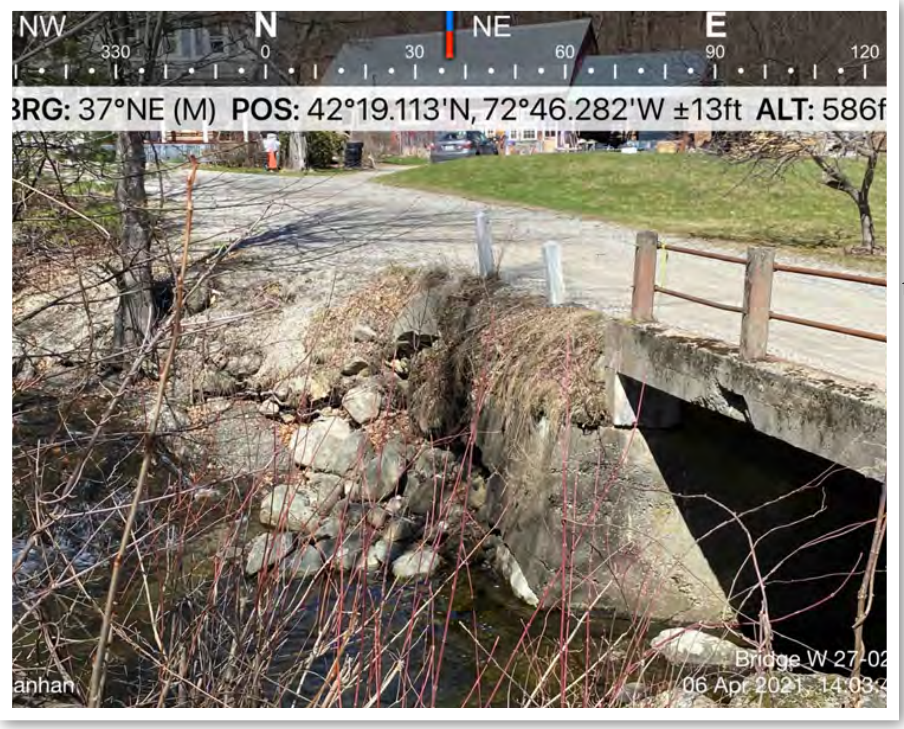
Bridge Over the North Branch of Manhan River
Perry Hill Road Ext., Westhampton, MA
Wetland Delineation & Resource Area Assessment

April 06, 2021
View from upstream of the bridge over the N. Branch of the Manhan looking downstream at the west bank and due southeast.

April 06, 2021
View of the upstream side of the bridge looking due southwest at the western bank.

JM Fiske Environmental

Bridge Over the North Branch of Manhan River
Perry Hill Road Ext., Westhampton, MA
Wetland Delineation & Resource Area Assessment



April 06, 2021
View of the upstream side of the bridge looking due northeast at the eastern bank.

April 06, 2021
View of the downstream side of the bridge looking due northeast at the eastern bank.

JM Fiske Environmental

Bridge Over the North Branch of Manhan River
Perry Hill Road Ext., Westhampton, MA
Wetland Delineation & Resource Area Assessment

April 06, 2021
View of the downstream side of the bridge looking due southwest at the western bank.

April 06, 2021
Looking stream at the bridge from the downstream side with the eastern bank on viewers right.

JM Fiske Environmental

Bridge Over the North Branch of Manhan River
Perry Hill Road Ext., Westhampton, MA
Wetland Delineation & Resource Area Assessment

April 06, 2021
View from the bridge over the N. Branch of the Manhan looking downstream at the west bank and due southeast.

April 06, 2021
View from the bridge over the N. Branch of the Manhan looking downstream at the east bank and due southeast.

JM Fiske Environmental

Bridge Over the North Branch of Manhan River
Perry Hill Road Ext., Westhampton, MA
Wetland Delineation & Resource Area Assessment

April 06, 2021
Looking at the B-line intermittent stream from the downstream side of the North Branch of the Manhan toward Perry Hill Road Ext.

April 06, 2021
Looking at the B-line intermittent stream southeast of the North Branch of the Manhan and northwest of Perry Hill Road Ext.

JM Fiske Environmental

Bridge Over the North Branch of Manhan River
Perry Hill Road Ext., Westhampton, MA
Wetland Delineation & Resource Area Assessment

April 06, 2021
Looking at the BB-line from the Perry Hill Road Ext. Tire tracks through wetland.

ATTACHMENT 3
ACOE DELINEATION FORMS

WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: Perry Hill Road Ext City/County: Westhampton/Hampshire Sampling Date: _____

Applicant/Owner: Garofalo/MassDOT State: MA Sampling Point: BB-3 Wetland

Investigator(s): JM Fiske Environmental Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Terrace Local relief (concave, convex, none): concave Slope (%): 2%

Subregion (LRR or MLRA): MLRA Lat: 42.31728° N Long: 72.77002° W Datum: _____

Soil Map Unit Name: Walpole NWI classification: R2UBH

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No _____ (If no, explain in Remarks.)

Are Vegetation No, Soil No, or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No _____	**Is the Sampled Area within a Wetland?** Yes X No _____
Hydric Soil Present?	Yes X	No _____	If yes, optional Wetland Site ID: _____
Wetland Hydrology Present?	Yes X	No _____	

Remarks: (Explain alternative procedures here or in a separate report.)

One section had one set of tire tracks though it.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- X High Water Table (A2)
- X Saturation (A3)
- X Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- X Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- X Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes X	No _____	Depth (inches): 0
Water Table Present?	Yes X	No _____	Depth (inches): 0
Saturation Present? (includes capillary fringe)	Yes X	No _____	Depth (inches): 0

Wetland Hydrology Present? Yes X No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION – Use scientific names of plants.

Sampling Point: BB-3 Wetland

Tree Stratum (Plot size: 30')	Absolute % Cover	Dominant Species?	Indicator Status
1. Yellow Birch (Betula allegheniensis)	100%	Yes	FAC
2.			
3.			
4.			
5.			
6.			
7.			
	100%	= Total Cover	

Sapling/Shrub Stratum (Plot size:)			
1. None			
2.			
3.			
4.			
5.			
6.			
7.			
		= Total Cover	

Herb Stratum (Plot size: 5')			
1. Sensitive Fern (Onoclea sensibilis)	100%	Yes	FACW
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	100%	= Total Cover	

Woody Vine Stratum (Plot size:)			
1. None			
2.			
3.			
4.			
		= Total Cover	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species		x 1 =	
FACW species	1	x 2 =	2
FAC species	1	x 3 =	3
FACU species		x 4 =	
UPL species		x 5 =	
Column Totals:	2 (A)		5 (B)

Prevalence Index = B/A = 2.5

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes X No ___

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point: BB-3 Wetland

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-1"	10YR 2/1	100%	None				mostly decomposed plant material	
1-7"	10YR 2/2	100%	None				sandy loam	
7-22"	2.5 YR 4/2	100%	10YR 5/6	15%	C	M	Sandy silt loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- X Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) (**LRR R, MLRA 149B**)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
- ___ Coast Prairie Redox (A16) (**LRR K, L, R**)
- ___ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
- X Dark Surface (S7) (**LRR K, L**)
- ___ Polyvalue Below Surface (S8) (**LRR K, L**)
- ___ Thin Dark Surface (S9) (**LRR K, L**)
- X Iron-Manganese Masses (F12) (**LRR K, L, R**)
- ___ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
- ___ Mesic Spodic (TA6) (**MLRA 144A, 145, 149B**)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes X No _____

Remarks:

Appendix B:

Locus and Environmental Plans

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

PLANS OF

PERRY HILL ROAD EXTENSION OVER NORTH BRANCH MANHAN RIVER

BRIDGE NO. W-27-028 (CEQ)

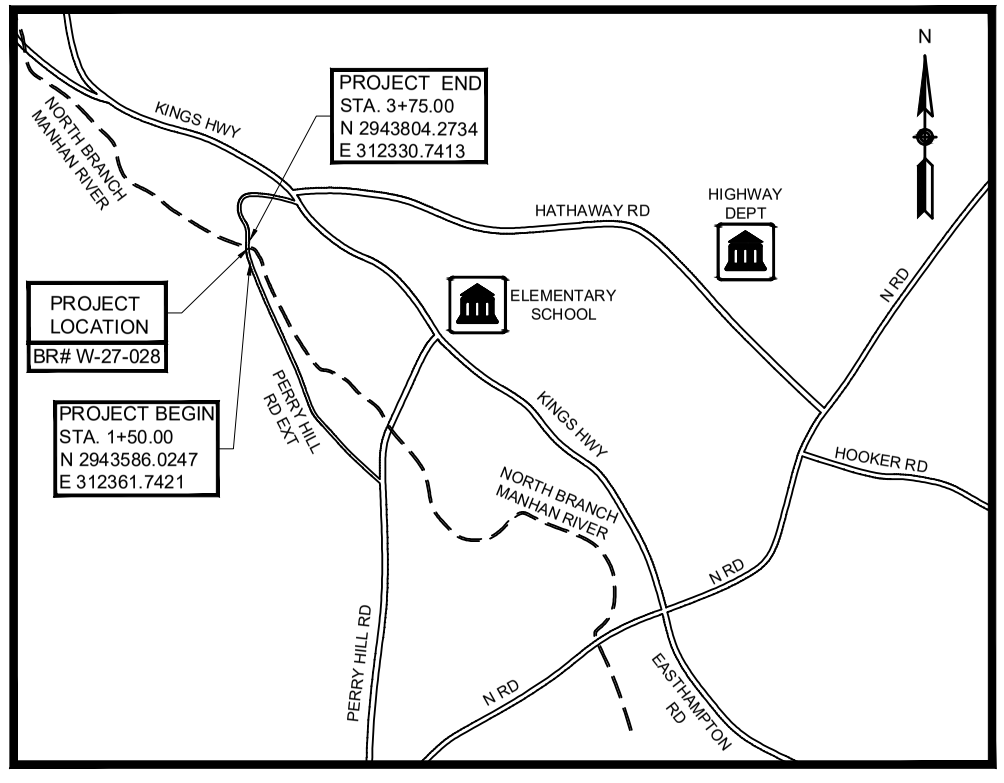
IN THE TOWN OF

WESTHAMPTON

HAMPSHIRE COUNTY

FEDERAL AID PROJECT NO. (NFA)

ENVIRONMENTAL SUBMITTAL



LENGTH OF PROJECT = 225.00 FEET = 0.043 MILE

COVER SHEET
FOR
PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

JULY 18, 2023
(REV AUG 13, 2024)

GAROFALO

GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS

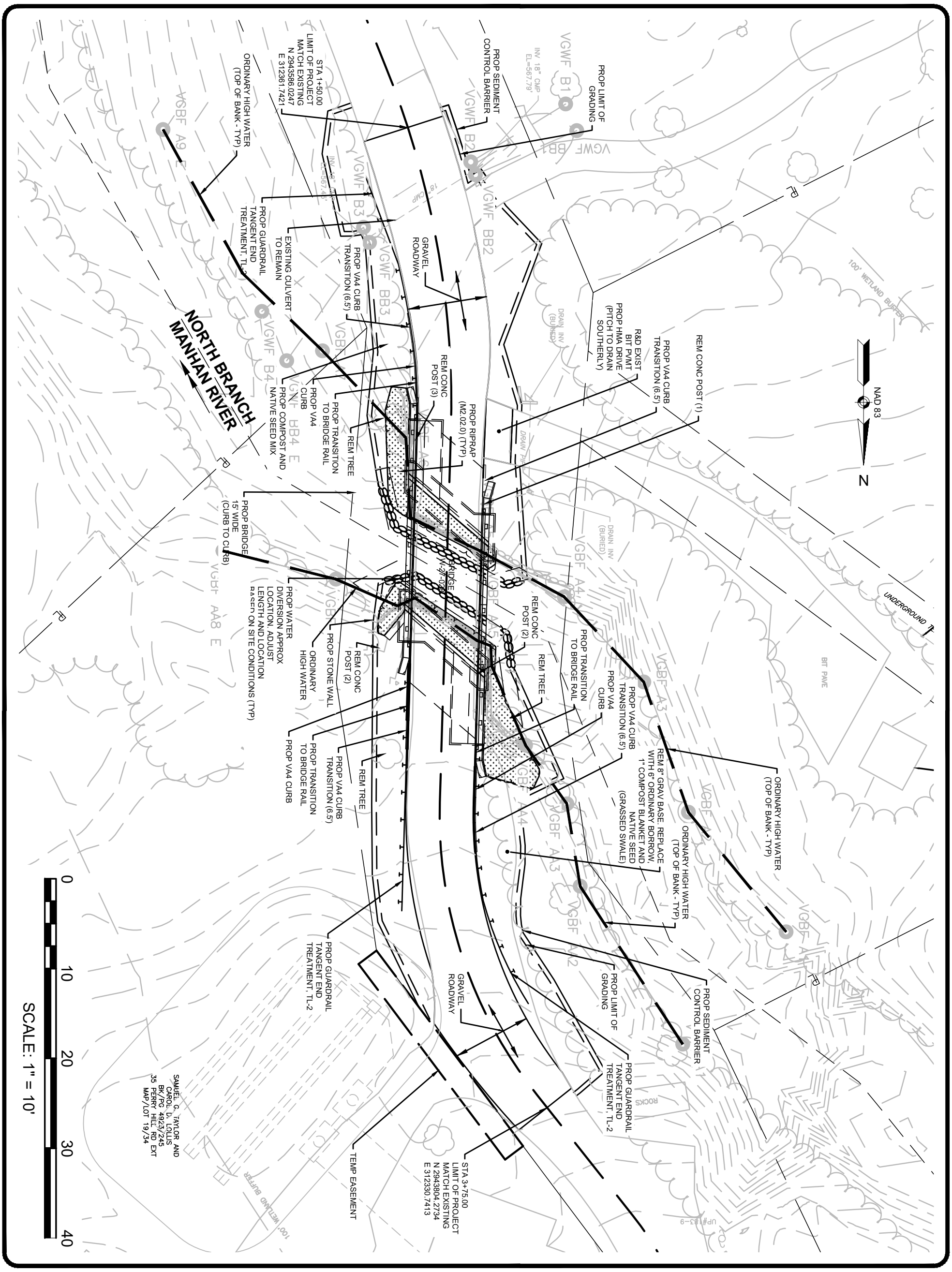
85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

ENV-1

SHEET 1 OF 7

A008830 - 68

Proposal No. 610768-129332



CONSTRUCTION PLAN
FOR
PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

JULY 18, 2023
(REV AUG 13, 2024)

GAROFALO
GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS

85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

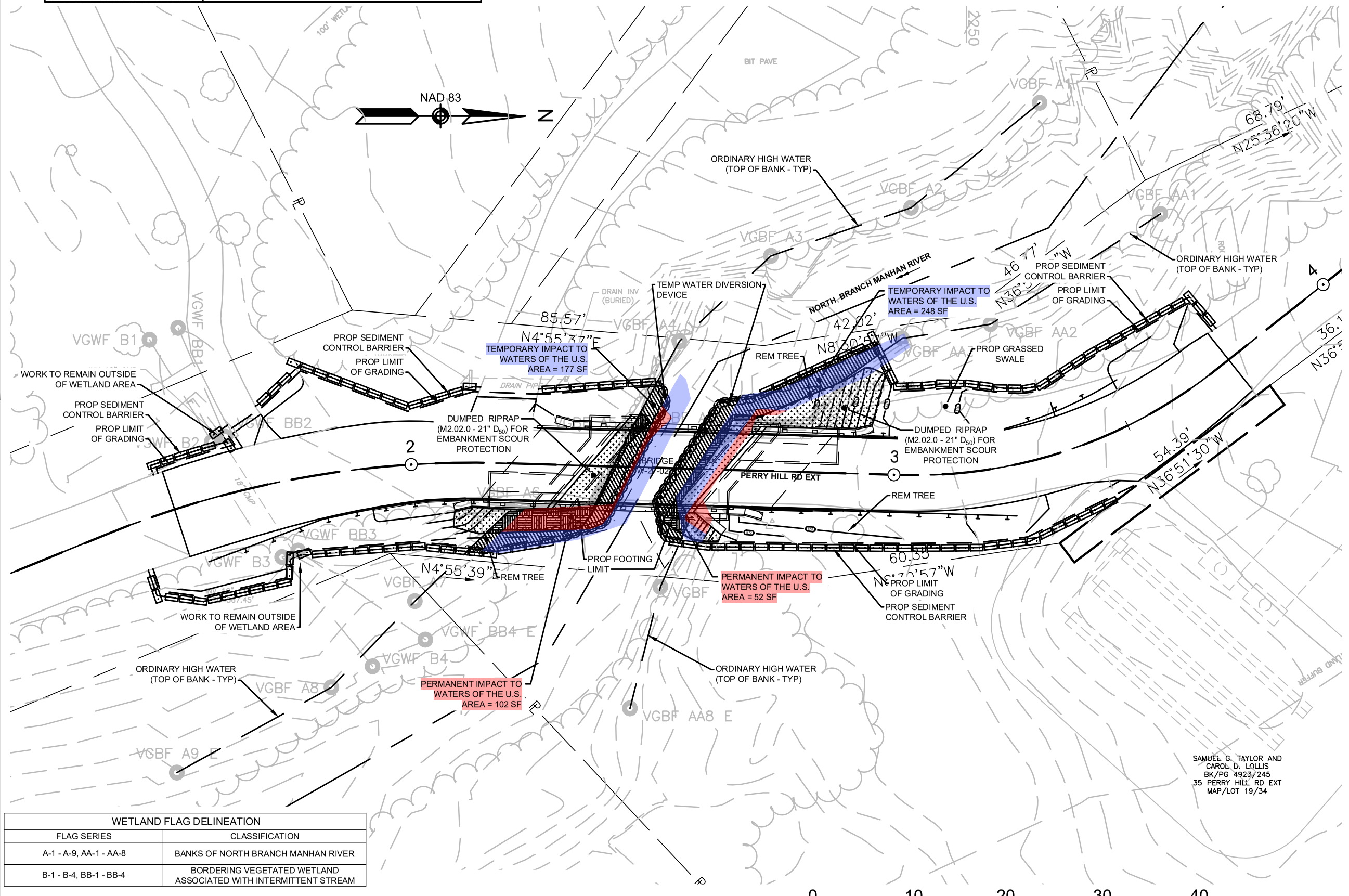
ENV-2

SHEET 2 OF 7

LEGEND
TEMPORARY IMPACTS TO WATERS OF THE U.S.
PERMANENT IMPACTS TO WATERS OF THE U.S.
PROPOSED RIPRAP STONE

NOTES:

1. ALL DISTURBED AREAS THAT ARE NOT SPECIFIED FOR OTHER COVER TREATMENTS (RIPRAP, MILLINGS UNDER GUARDRAIL, GRAVEL/ASPHALT) SHALL BE SEEDED UNDER ITEM 765.553 "WETLAND RIPARIAN MIX". SEE SPECIFICATIONS FOR SEEDING MIX.
2. HERBICIDE TREATMENT OF INVASIVE PLANTS AND INVASIVE PLANT MANAGEMENT STRATEGY ARE INCLUDED IN THIS PROJECT UNDER ITEMS 102.3 AND 102.33.



WETLAND FLAG DELINEATION	
FLAG SERIES	CLASSIFICATION
A-1 - A-9, AA-1 - AA-8	BANKS OF NORTH BRANCH MANHAN RIVER
B-1 - B-4, BB-1 - BB-4	BORDERING VEGETATED WETLAND ASSOCIATED WITH INTERMITTENT STREAM

PERMANENT IMPACT AREAS	
WATERS OF THE US	154 SF
VEGETATED WETLANDS	0 SF

TEMPORARY IMPACT AREAS	
WATERS OF THE U.S.	425 SF
VEGETATED WETLANDS	0 SF

0 10 20 30 40

SCALE: 1" = 10'

RESOURCE IMPACT PLAN
FOR
PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

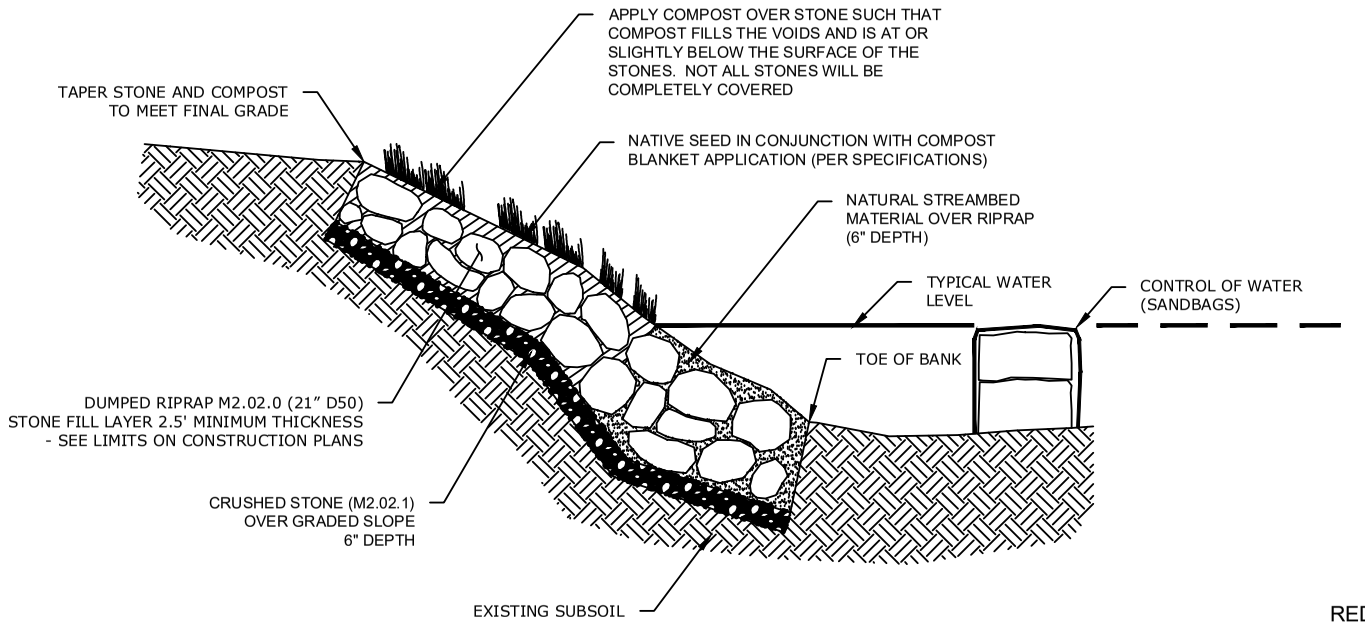
JULY 18, 2023
(REV AUG 13, 2024)

GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS

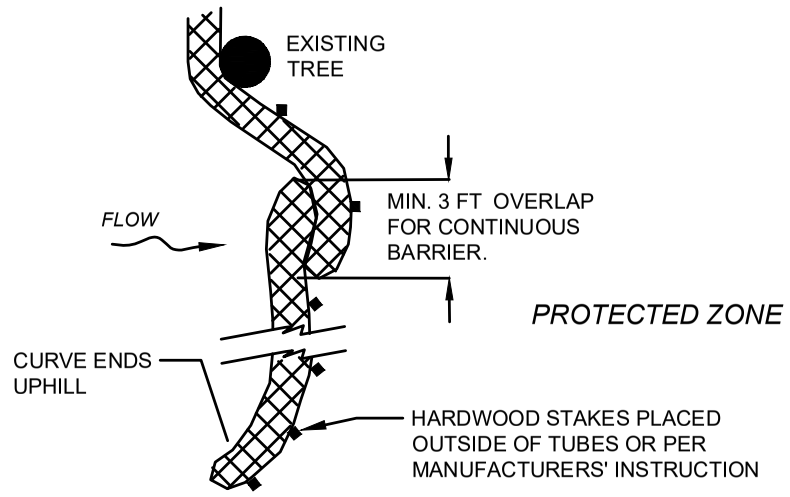
85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

ENV-3

SHEET 3 OF 7



RIAPRAP INSTALLATION DETAIL
NOT TO SCALE



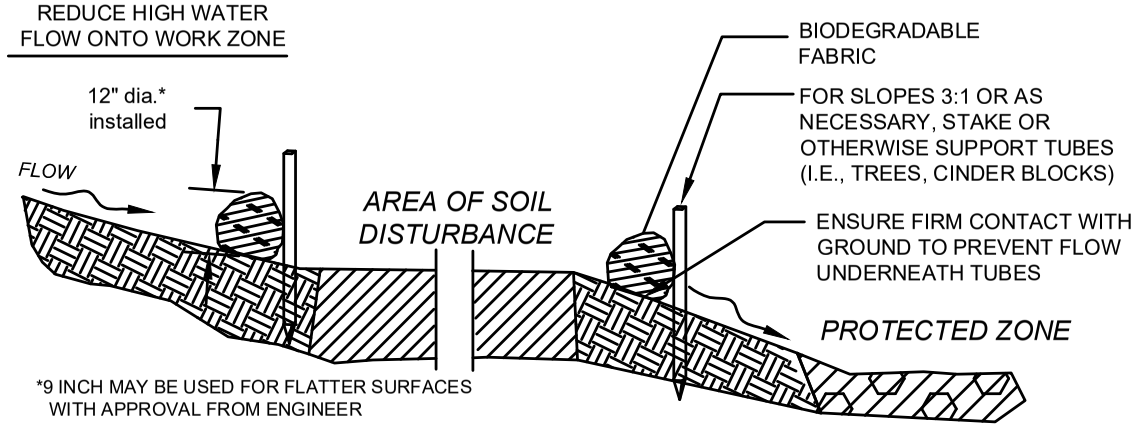
PLACE TUBE AS CLOSE TO LIMIT OF SOIL DISTURBANCE AS POSSIBLE, ALONG CONTOURS, AND PERPENDICULAR TO FLOW.

ADJUST LOCATION AS REQUIRED FOR OPTIMUM EFFECTIVENESS. DO NOT INSTALL IN WATERWAYS.

PLAN VIEW

CAPTURE SEDIMENT AND PREVENT FLOW OFF SITE

REDUCE HIGH WATER FLOW ONTO WORK ZONE



*9 INCH MAY BE USED FOR FLATTER SURFACES WITH APPROVAL FROM ENGINEER

SECTION

SEDIMENT BARRIER - COMPOST FILTER TUBE

NOT TO SCALE

DETAIL SHEET
FOR
PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

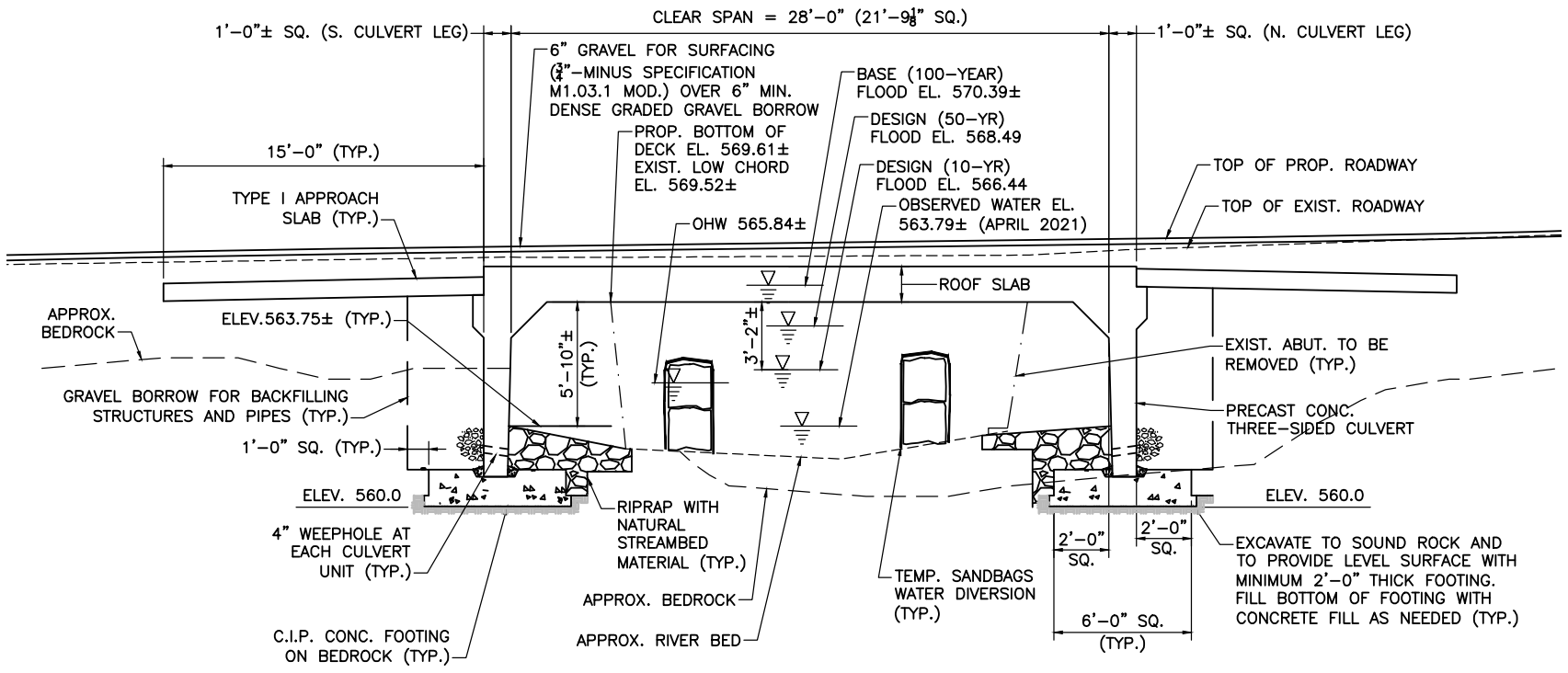
JULY 18, 2023
(REV AUG 13, 2024)

GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS \ LAND PLANNERS
ENVIRONMENTAL SCIENTISTS
85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

ENV-4

SHEET 4 OF 7

THE RIVER MEANDERS SIGNIFICANTLY WITH BOULDER OUTCROPS, MULTIPLE CASCADES AND VARYING WIDTHS, PARTICULARLY UPSTREAM OF THE BRIDGE. FOR THIS REASON, THE BANKFULL WIDTH OF THE RIVER IS DIFFICULT TO ESTIMATE. USING LOCATIONS BOTH UPSTREAM AND DOWNSTREAM OF THE EXISTING CROSSING, THE BANKFULL WIDTH WAS ESTIMATED USING SEDIMENT DEPOSITS, BANK SLOPE CHANGES AND PERENNIAL VEGETATION. BASED ON THESE FIELD MEASUREMENTS, THE DESIGN BANKFULL WIDTH IS 32 FEET. THE SQUARE WIDTH BETWEEN THE PROPOSED ABUTMENTS IS 22' AND DOES NOT MEET THE 1.2 X BANKFULL WIDTH OF 38.4 FEET. IT DOES, HOWEVER, PROVIDE AN ADDITIONAL 4' OF WIDTH OVER THE EXISTING ABUTMENT OPENING (1.25 X THE EXISTING WIDTH, ABUTMENT FACE TO ABUTMENT FACE).



LONGITUDINAL SECTION OF BRIDGE

SCALE: ⅛" = 1'–0"

BRIDGE SECTION PLAN
FOR
PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

JULY 18, 2023
(REV AUG 13, 2024)

GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS

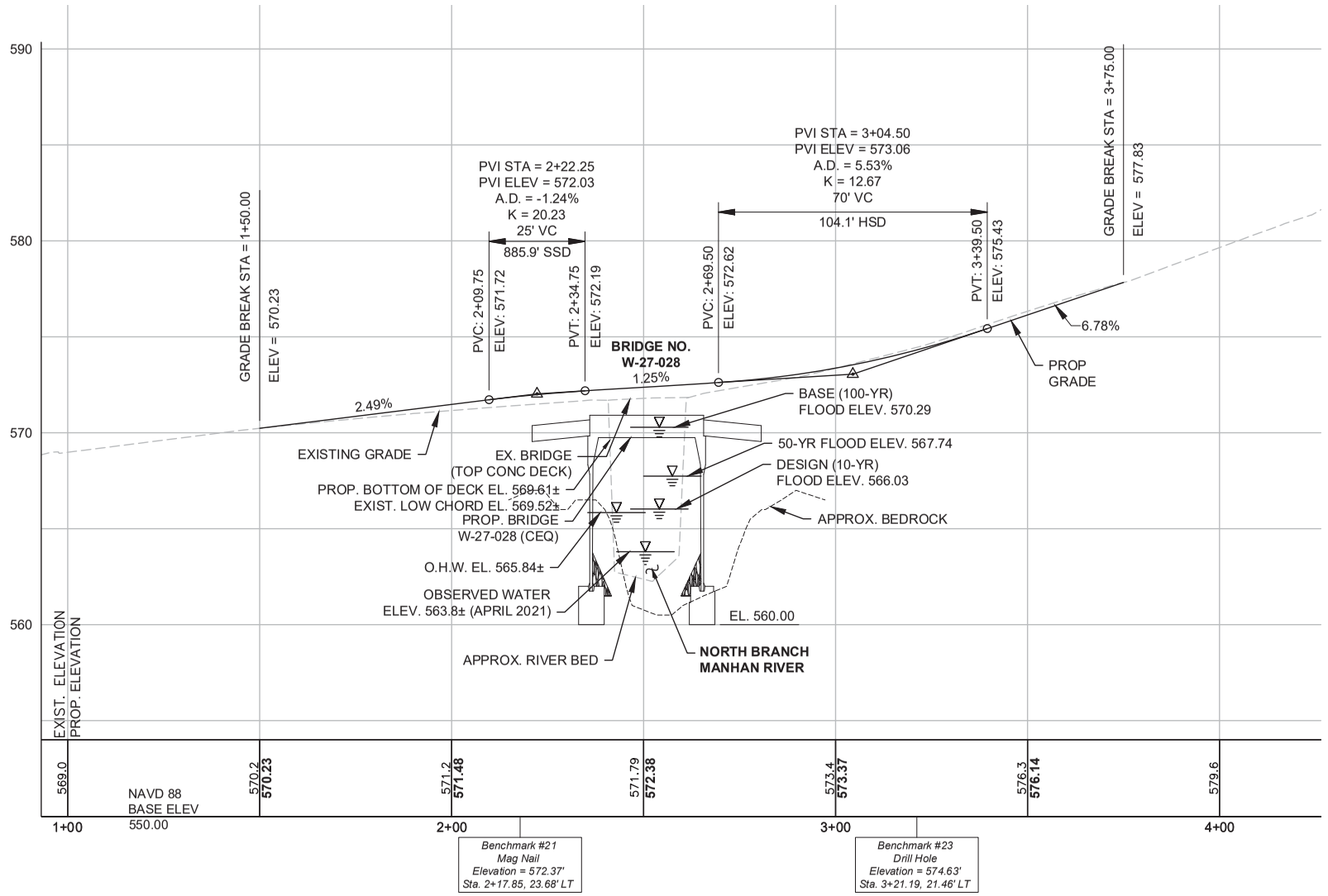
85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401–273–6000

ENV-5

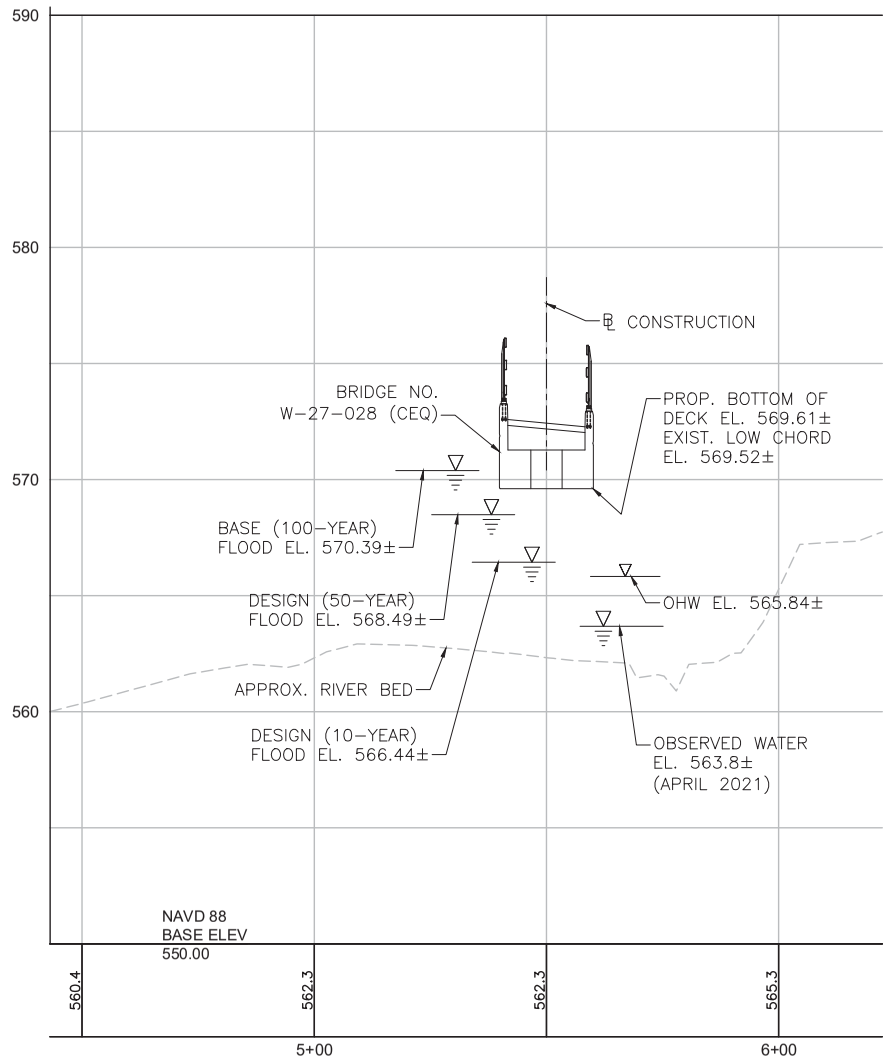
SHEET 5 OF 7

A008830 - 72

Proposal No. 610768-129332



PROFILE ALONG PERRY HILL RD EXT



PROFILE ALONG NORTH BRANCH MANHAN RIVER

HOR. SCALE IN FEET
40 0 40 80
8 0 8 16
VER. SCALE IN FEET

BRIDGE PROFILE AND LONGITUDINAL SECTION
FOR
PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

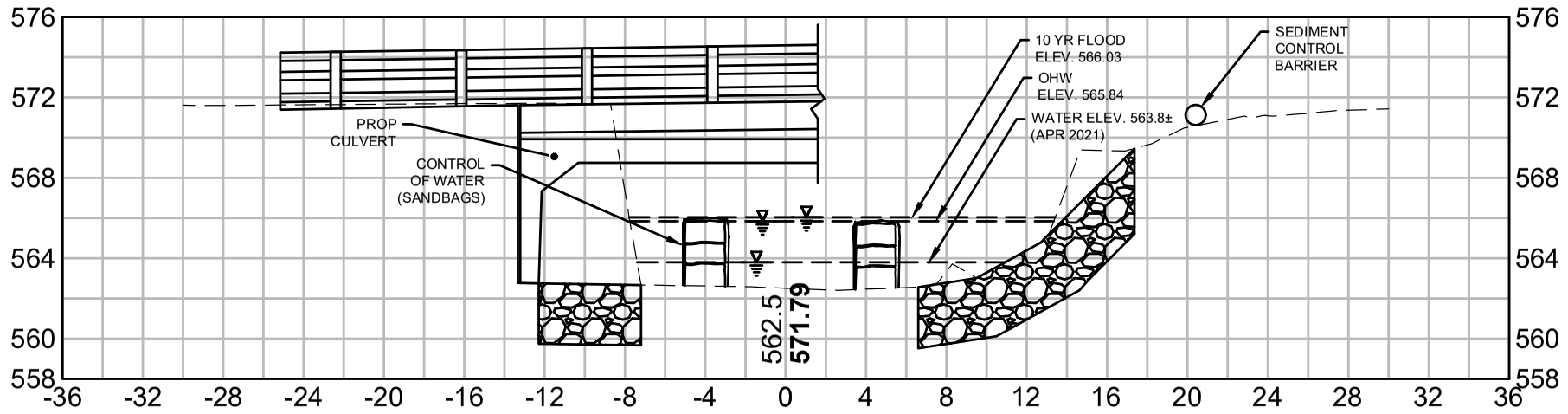
JULY 18, 2023
(REV AUG 13, 2024)

GAROFALO
GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS
85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

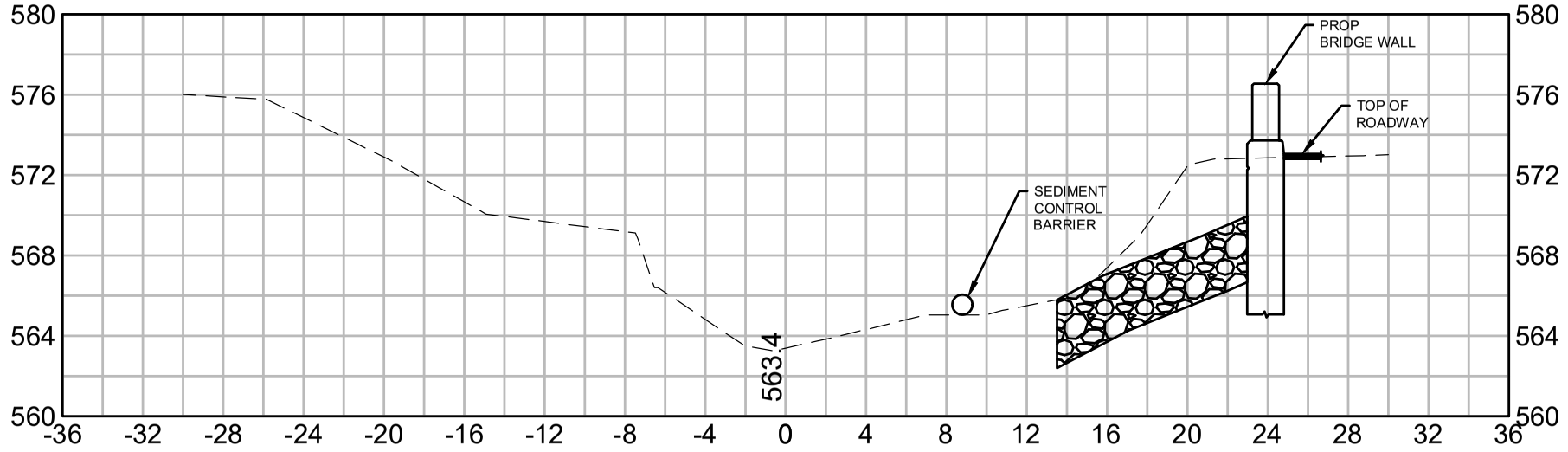
ENV-6

SHEET 6 OF 7

5+43



5+95



NORTH BRANCH MANHAN RIVER
CROSS SECTIONS
LOOKING NORTHWESTERLY

HOR. SCALE IN FEET
8 0 8 16
8 0 8 16
VER. SCALE IN FEET

RIVER CROSS SECTIONS
FOR
PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

JULY 10, 2024
(REV AUG 13, 2024)

GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS

85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

ENV-7

SHEET 7 OF 7

A00830 - 74

Proposal No. 610768-129332

Appendix C:

Site Photos

BRIDGE NO W-27-028, WESTHAMPTON, MA

Looking upstream from bridge

Looking downstream from bridge

Northeast bridge quadrant

Southeast bridge quadrant

Northwest bridge quadrant

Southwest bridge quadrant

Northerly abutment wall

Southerly abutment wall

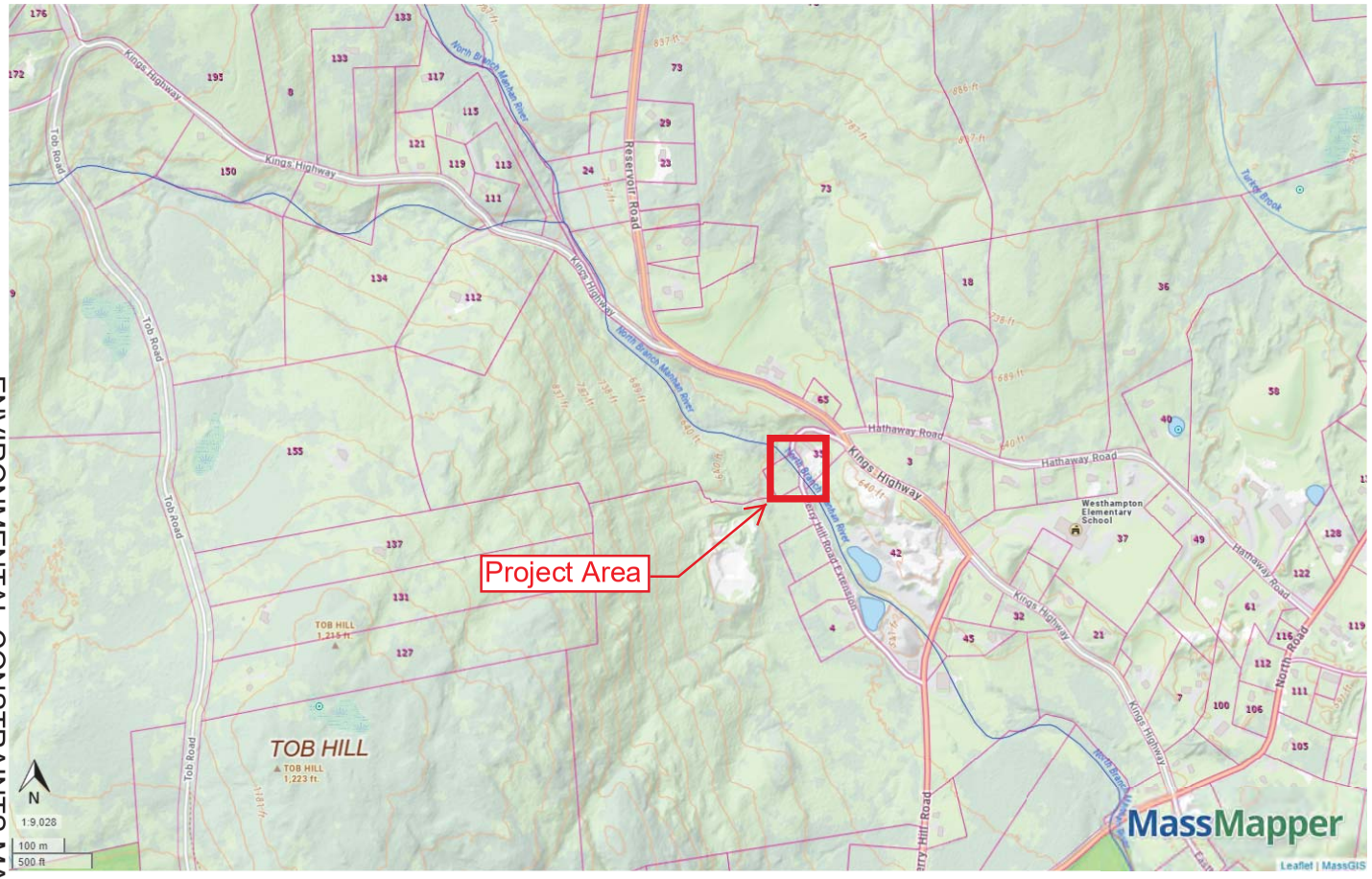
Looking downstream at bridge (looking east)

Looking upstream at bridge (looking west)

Appendix D:

Environmental Constraints Map (MassMapper)

610768 - Westhampton



Outstanding Resource Waters Outlines
- ACEC
- Cape Cod National Seashore
- Protected Shoreline
- Public Water Supply Watershed
- Retired Public Water Supply
- Scenic/Protected River
- Wildlife Refuge

Outstanding Resource Waters
- ACEC
- Cape Cod National Seashore
- Protected Shoreline
- Public Water Supply Watershed
- Retired Public Water Supply
- Scenic/Protected River
- Wildlife Refuge

DFW Coldwater Fisheries Resources

Potential Vernal Pools

NHESP Priority Habitats of Rare Species

NHESP Estimated Habitats of Rare Wildlife

NHESP Certified Vernal Pools

Areas of Critical Environmental Concern ACECs Transparent Green

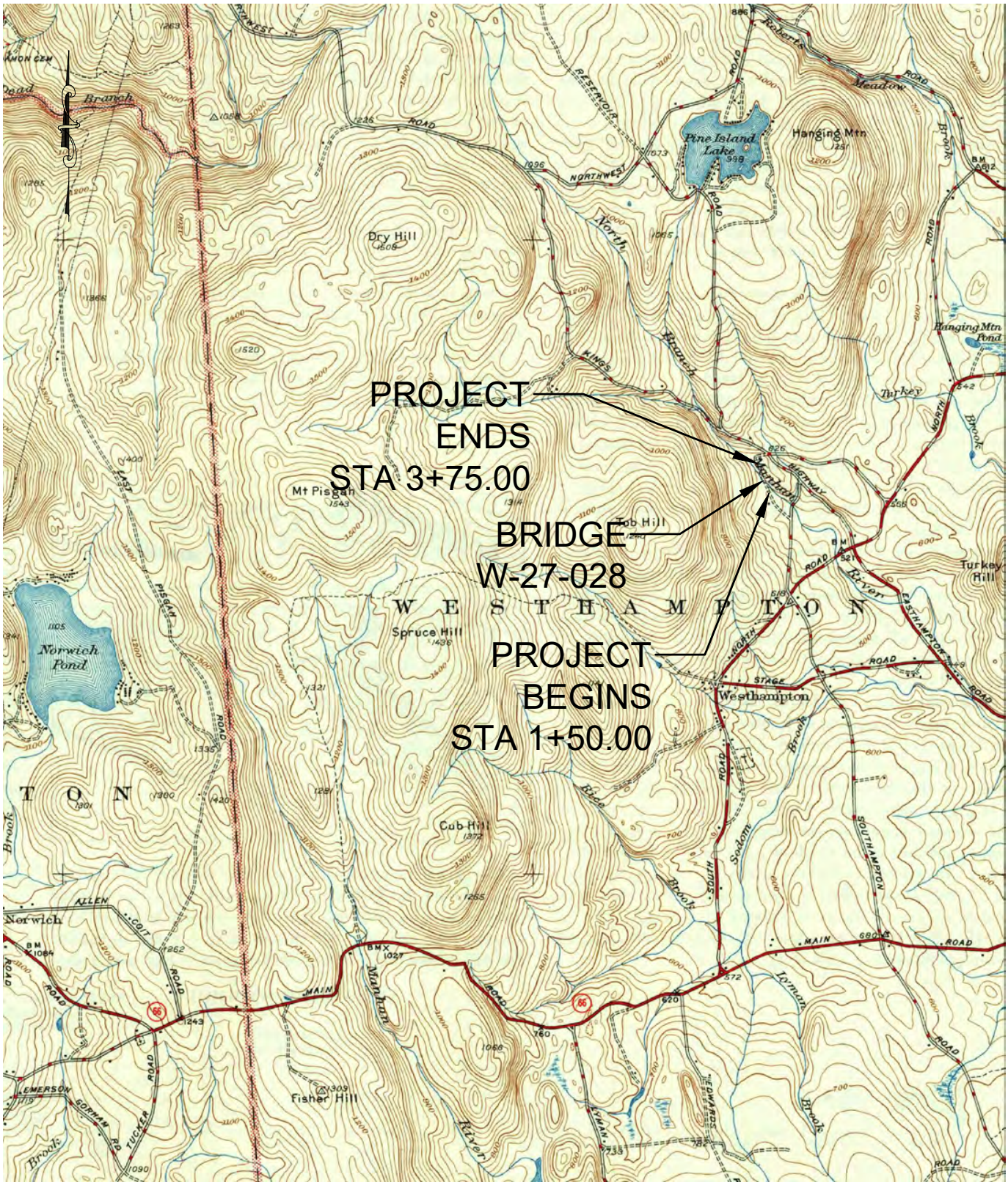
Areas of Critical Environmental Concern ACECs Boundaries
- ROAD/RAIL BASED
- RIVER BASED
- WETLAND BASED
- FLOODPLAIN BASED
- TIDAL BASED
- CONTOUR BASED
- POLITICAL BOUNDARY
- PROPERTY LINE BASED
- OTHER
- NOT DEFINED

Areas of Critical Environmental Concern ACECs

ENVIRONMENTAL CONSTRAINTS MAP

Appendix E:

USGS Locus Map



GAROFALO

GAROFALO & ASSOCIATES, INC.
85 CORLISS STREET \ P.O. BOX 6145
PROVIDENCE, RHODE ISLAND 02940

MASSDOT PROJECT 610768
PERRY HILL ROAD EXT OVER NORTH BRANCH MANHAN RIVER
WESTHAMPTON, MA
USGS - LOCUS MAP

Appendix F:

Soil Map


Soil Map—Hampden and Hampshire Counties, Massachusetts, Western Part
72° 46' 20" W
72° 46' 11" W
42° 19' 10" N
42° 19' 1" N
683570
683600
683630
683660
683690
683720
683750
683780
4687670
4687640
4687610
4687580
4687550
4687520
4687490
4687460
4687430
4687400
Perry Hill Rd Ext
Kings Hwy
North Branch Manhan River
254C
923B
912E
600
31A
1
Soil Map may not be valid at this scale.
Map Scale: 1:1,400 if printed on A portrait (8.5" x 11") sheet.
N
Meters
0 20 40 80 120
Feet
0 50 100 200 300
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 Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

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 1:25,000.

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: Hampden and Hampshire Counties, Massachusetts, Western Part
Survey Area Data: Version 19, Sep 10, 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.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1	Water	0.3	2.7%
31A	Walpole sandy loam, 0 to 3 percent slopes	1.6	15.9%
254C	Merrimac fine sandy loam, 8 to 15 percent slopes	4.5	44.0%
600	Pits, gravel	0.5	5.3%
912E	Hollis-Chatfield association, 15 to 45 percent slopes, very rocky	1.2	11.3%
923B	Ridgebury-Whitman-Natchaug association, 0 to 8 percent slopes, extremely stony	2.1	20.8%
Totals for Area of Interest		**10.3**	**100.0%**

Appendix G:

Section 106 and Section 7 Documentation

CULTURAL RESOURCES PROJECT RECORD

City/Town	Westhampton	Project #	610768	Date Cleared	9/25/2023
Project Name	Bridge Replacement, W-27-028, Perry Hill Road Ext Over North Branch of Manhan River	Date Filed	9/25/2023	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					

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 W-27-028 in Westhampton, which carries the dirt and gravel Perry Hill Road Extension over the North Branch of the Manhan River and provides access between Kings Highway to the north and Perry Hill Road to the south. A few residential and industrial properties are along the rural wooded road. The bridge was constructed in 1956 and consists of a one-lane single-span steel-stringer superstructure supported by concrete abutments over fieldstone and ledge. The bridge has a 17-ft 11-in clear span and is 16-ft 2-in wide. The deck is a concrete base with dirt and gravel surface and granite stone wingwalls flank the bridge.

The proposed work consists of removing and replacing the existing bridge structure and abutments with a single-span three-sided precast concrete culvert on cast-in-place concrete footings with a clear span of 28-ft, on the existing bridge alignment of a skewed 39-degrees angle. The roadway over the culvert will be slightly widened to 15-ft from the existing 13-ft 10-in width, in addition to a 1-ft 2-in safety curb on each side and pipe railings supported by concrete posts. The profile will be raised approximately 6-in from existing and tied into the existing grades at the project limits. Roadway guardrails will be installed along the bridge approaches and the road surface will remain dirt and gravel. No utility work is anticipated during the construction and one temporary easement of 272 sq ft at 35 Perry Hill Road Extension is required for the project to complete driveway reconstruction to match the existing driveway.

A review of MACRIS revealed no National Register (NR)-listed or eligible districts or individual properties adjacent to Bridge W-27-028 or within the project's area of potential effect (APE). The review of MACRIS also revealed no previously inventoried areas or individual properties within or adjacent to the bridge and APE. The closest previously inventoried resource, the house at 73 Kings Highway (WSH.38), is 0.13 miles northwest of the bridge and project area. The house was constructed about 1840 in the Greek Revival style, but no longer resembles the style due to removal of character-defining architectural elements and recladding with vinyl siding. The bridge is not inventoried in MACRIS. Kurt Jergensen, MassDOT Historic Bridge Specialist, reviewed the bridge and determined it to be ineligible for listing in the NR. The bridge is a typical mid-20th century steel stringer bridge with no architectural character and standard engineering details utilized by the MDPW.

The property at 35 Perry Hill Road Extension consists primarily of a mid-to-late 19th century vernacular residence on the northeast side of the road and north of the bridge. The house is a rectangular, 2-story, 5-bay-by-3-bay, wood-frame building with a side-gable roof clad in asphalt shingles and vinyl-sided walls. The fenestration pattern on the south (façade) elevation has been altered and all windows are modern replacement vinyl sash. The entrance is beneath a partial-width, 1-story, 20th-century porch on the façade. The property also contains a mid-20th century barn and shed to the northeast that are rectangular wood-frame vernacular buildings topped with side-gable roofs clad in standing-seam metal and either vertical-board or wood-shingle cladding. The property lacks architectural distinction and has no known historical significance and therefore appears to be ineligible for listing in the NR. Based on the MACRIS review and review of the project APE there are no NR eligible properties or districts within 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. Soil borings revealed that the roadway approaches were constructed on 5 to 7 ft of sand and gravel fill to carry the bridge over the river. 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 August 15, 2022, to the Westhampton Historical Commission by the MassDOT consultant, Garofalo & Associates, Inc., and a copy was forwarded to the MHC at the same time. No responses were received. Per the Army Corps permit, PNFs were forwarded to the ATHPO, MTHPO, SMTHPO, and BUAR on September 25, 2023.

Reviewer's Initials: _____

From:	Microsoft Outlook
To:	thpo@wampanoagtribe-nsn.gov; tcrm2@wampanoagtribe-nsn.gov
Subject:	Relayed: MassDOT Project #610768 - Westhampton Bridge W-27-028
Date:	Monday, September 25, 2023 11:38:13 AM
Attachments:	MassDOT Project #610768 - Westhampton Bridge W-27-028.msg

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 #610768 - Westhampton Bridge W-27-028

From:	Andrade, Melissa J. (DOT)
To:	"thpo@wampanoagtribe-nsn.gov"
Cc:	"tcrm2@wampanoagtribe-nsn.gov"
Subject:	MassDOT Project #610768 - Westhampton Bridge W-27-028
Date:	Monday, September 25, 2023 11:37:00 AM
Attachments:	20230925 Westhampton W-27-028 PNF (610768).pdf Westhampton W-27-028 75% Plans (610768).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 O tloo
To:	obinson, David S (A)
Subject:	Delivered: MassDOT Project #610768 - Westhampton Bridge W-27-028
Date:	Monday, September 25, 2023 11:38: 1 AM
Attachments:	MassDOT Project #610768 - Westhampton Bridge W-27-028.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 #610768 - Westhampton Bridge W-27-028

From:	Andrade, Melissa J. (DOT)
To:	obinson, David S (A)
Subject:	MassDOT Project #610768 - Westhampton Bridge W-27-028
Date:	Monday, September 25, 2023 11:38:00 AM
Attachments:	20230925 Westhampton W-27-028 PNF (610768).pdf Westhampton W-27-028 75% Plans (610768).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 O tloo
To:	David.weeden@mwtribe-nsn.gov 106review@mwtribe-nsn.gov
Subject:	elayed: MassDOT Project #610768 - Westhampton Bridge W-27-028
Date:	Monday, September 25, 2023 11:37: 3 AM
Attachments:	MassDOT Project #610768 - Westhampton Bridge W-27-028.msg

Deliver to these recipients or groups is complete, but no deliver notification was sent b the destination server:
David.weeden@mwtribe-nsn.gov (David.weeden@mwtribe-nsn.gov) <mailto:David.weeden@mwtribe-nsn.gov>
106review@mwtribe-nsn.gov (106review@mwtribe-nsn.gov) <mailto:106review@mwtribe-nsn.gov>
Subject: MassDOT Project #610768 - Westhampton Bridge W-27-028

From:	Andrade, Melissa J. (DOT)
To:	David.weeden@mwtribe-nsn.gov
Cc:	106review@mwtribe-nsn.gov
Subject:	MassDOT Project #610768 - Westhampton Bridge W-27-028
Date:	Monday, September 25, 2023 11:37:00 AM
Attachments:	20230925 Westhampton W-27-028 PNF (610768).pdf Westhampton W-27-028 75% Plans (610768).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 O tloo
To:	thpo@mohican-nsn.gov
Subject:	elayed: MassDOT Project #610768 - Westhampton Bridge W-27-028
Date:	Monday, September 25, 2023 11:39:08 AM
Attachments:	MassDOT Project #610768 - Westhampton Bridge W-27-028.msg

Deliver to these recipients or groups is complete, but no deliver notification was sent b the destination server:
thpo@mohican-nsn.gov (thpo@mohican-nsn.gov) <mailto:thpo@mohican-nsn.gov>
Subject: MassDOT Project #610768 - Westhampton Bridge W-27-028

From:	Andrade, Melissa J. (DOT)
To:	thpo@mohican-nsn.gov
Subject:	MassDOT Project #610768 - Westhampton Bridge W-27-028
Date:	Monday, September 25, 2023 11:38:00 AM
Attachments:	20230925 Westhampton W-27-028 PNF (610768).pdf Westhampton W-27-028 75% Plans (610768).pdf

Dear Dr. Bendremer,

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

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 W-27-028 (MassDOT Project #610768)

Location /Address: Perry Hill Road Extension over the North Branch of the Manhan River

City/Town: Westhampton

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 W-27-028 in Westhampton, which carries the dirt and gravel Perry Hill Road Extension over the North Branch of the Manhan River and provides access between Kings Highway to the north and Perry Hill Road to the south. A few residential and industrial properties are along the rural road.

The proposed work consists of removing and replacing the existing bridge structure and abutments with a single-span three-sided precast concrete culvert on cast-in-place concrete footings with a clear span of 28-ft, on the existing bridge alignment of a skewed 39-degrees angle. The roadway over the culvert will be slightly widened to 15-ft from the existing 13-ft 10-in width, in addition to a 1-ft 2-in safety curb on each side and pipe railings supported by concrete posts. The profile will be raised approximately 6-in from existing and tied into the existing grades at the project limits. Roadway guardrails will be installed along the bridge approaches and the road surface will remain dirt and gravel. No utility work is anticipated during the construction and one temporary easement of 272 sq ft at 35 Perry Hill Road Extension is required for the project to complete driveway reconstruction to match the existing driveway.

Does the project include demolition? If so, specify nature of demolition and describe the building(s) which are proposed for demolition.

Bridge W-27-028 will be removed and replaced. The bridge was constructed in 1956 and consists of a one-lane single-span steel-stringer superstructure supported by concrete abutments over fieldstone and ledge. The bridge has a 17-ft 11-in clear span and is 16-ft 2-in wide. The deck is a concrete base with dirt and gravel surface and granite stone wingwalls flank the bridge. The bridge was reviewed by Kurt Jergensen, MassDOT

APPENDIX A (continued)

Historic Bridge Specialist, and determined it to be ineligible for listing in the NR. The 1956 steel stringer bridge is a standard Mass. DPW 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 W-27-028 or within the project's area of potential effect (APE). The review of MACRIS also revealed no previously inventoried areas or individual properties within or adjacent to the bridge and project area. Based on this MACRIS review and review of the project area, including 35 Perry Hill Road Extension, there are no NR eligible properties or districts within 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. Soil borings revealed that the roadway approaches were constructed on 5 to 7 ft of sand and gravel fill to carry the bridge over the river. 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?

			Productive Resources:		
Woodland	_____	acres			
Wetland	_____	acres	Agriculture	_____	acres
Floodplain	_____	acres	Forestry	_____	acres
Open Space	_____	acres	Mining/Extraction	_____	acres
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 rural residential and industrial setting. The bridge and road provide access to a few houses and commercial sand/gravel pits along Perry Hill Road Extension. The project work will occur within the existing bridge and roadway footprint.

950 CMR: OFFICE OF THE SECRETARY OF THE COMMONWEALTH

APPENDIX A (continued)

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:** 09/25/2023

Name: Melissa Andrade

Address: 10 Park Plaza, Suite 7130

City/Town/Zip: Boston, MA 02116

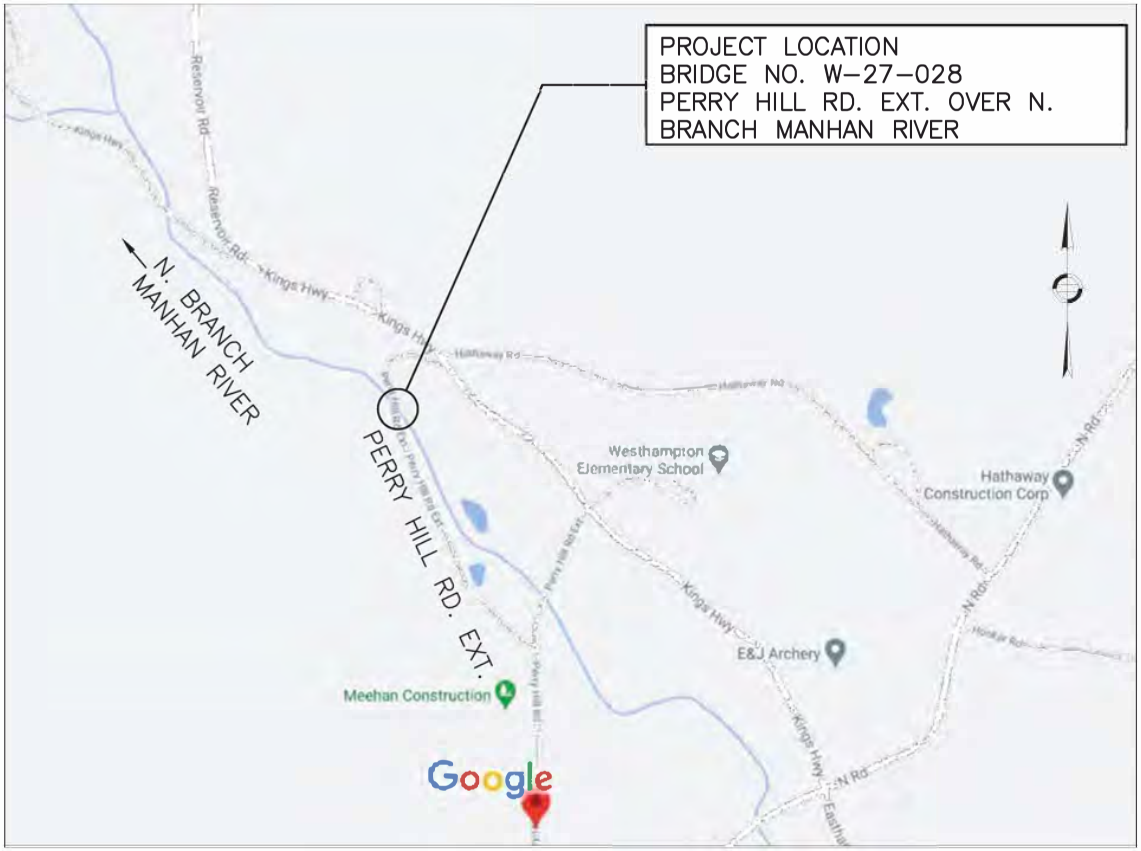
Telephone: Email: melissa.j.andrade@dot.state.ma.us

REGULATORY AUTHORITY

950 CMR 71.00: M.G.L. c. 9, §§ 26-27C as amended by St. 1988, c. 254.

CC

CC:

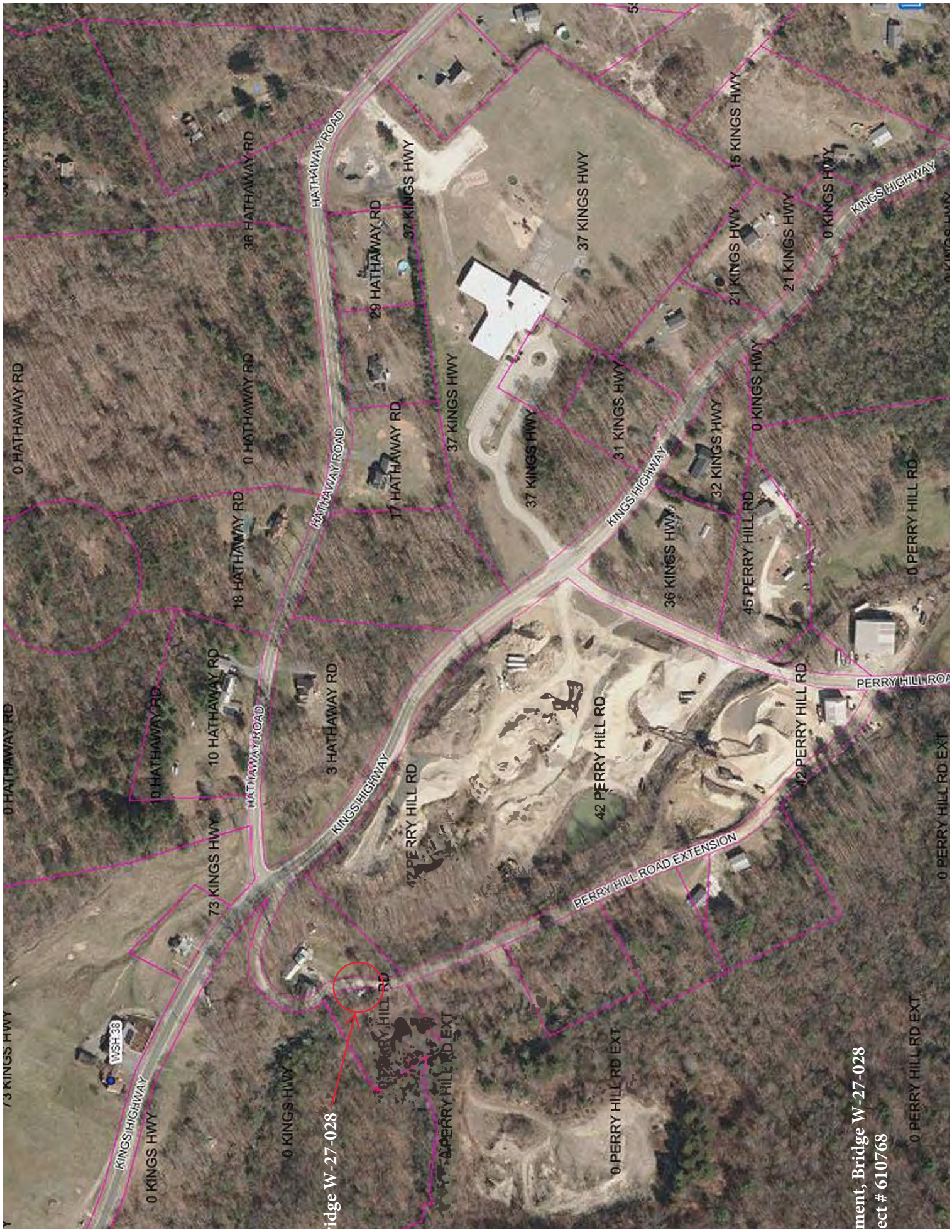


GAROFALO
GAROFALO & ASSOCIATES, INC.
85 CORLISS STREET \ P.O. BOX 6145
PROVIDENCE, RHODE ISLAND 02940

BRIDGE NO. W-27-028
PERRY HILL RD. OVER
NORTH BRANCH MANHAN RIVER
WESTHAMPTON, MA

LOCUS MAP

Figure i	Scale: 1" = 500'	Date: MAY, 2022


0 HATHAWAY RD
36 HATHAWAY RD
HATHAWAY ROAD
29 HATHAWAY RD
37 KINGS HWY
15 KINGS HWY
21 KINGS HWY
0 KINGS HWY
KINGS HIGHWAY
0 HATHAWAY RD
18 HATHAWAY RD
17 HATHAWAY RD
31 KINGS HWY
32 KINGS HWY
36 KINGS HWY
45 PERRY HILL RD
0 PERRY HILL RD
0 HATHAWAY RD
10 HATHAWAY RD
3 HATHAWAY RD
73 KINGS HWY
42 PERRY HILL RD
PERRY HILL ROAD EXTENSION
0 PERRY HILL RD EXT
WSH 38
0 KINGS HWY
ridge W-27-028
ment, Bridge W-27-028
ect # 610768

BRIDGE NO W-27-028, WESTHAMPTON, MA

Looking upstream from bridge

Looking downstream from bridge

Northeast bridge quadrant

Southeast bridge quadrant

Northwest bridge quadrant

Southwest bridge quadrant

Northerly abutment wall

Southerly abutment wall

Looking downstream at bridge (looking east)

Looking upstream at bridge (looking west)

Garofalo & Associates, Inc.
Consulting Engineers
Surveyors ♦ Land Planners

August 15, 2022

Mr. Richard W. Tracy – Chair
Westhampton Historical Commission
Blacksmith Shop
5 Stage Road
Westhampton, MA 01027

RE: Bridge No. W-27-028 – Westhampton, MA
Perry Hill Road Extension over North Branch Manhan River

Dear Mr. Tracy:

Garofalo & Associates, Inc. (Garofalo) is preparing the design for the above referenced project in the Town of Westhampton on behalf of the Massachusetts Department of Transportation. This project consists of the complete bridge replacement to accommodate a new structure, along with associated gravel roadway reconstruction on each side of the bridge. The bridge is proposed to be constructed in one stage with complete bridge closure during construction. Traffic along Perry Hill Road Extension will be detoured with traffic control during construction.

We are requesting your review and comment with respect to any anticipated impacts or issues within your community. Please respond to us with your determination. Below is a description of the project.

This project consists of the complete replacement of Bridge No. W-27-028 over the North Branch Manhan River in Westhampton, Massachusetts. The bridge, located on Perry Hill Road Ext, spans the river with a simple span rolled steel beam structure and is located approximately 500 feet southwest of the intersection of Kings Highway and Hathaway Road.

The existing bridge, constructed in 1956, has a simple span at 20 feet 6-inches in length. The overall width of the bridge is 16 feet 3-inches with a curb to curb width of 13 feet 11-inches. There is two-way traffic on this one lane bridge; however, there is very little vehicular traffic. The finished surface over the bridge is not paved, it is a dirt/gravel roadway. No sidewalk or roadway striping is present on either side of the bridge or roadway approaches. Each side of the bridge has concrete curbing and concrete posts with round metal rails.

The proposed bridge replacement will consist of removing and replacing the existing bridge structure and abutments with a new single span three-sided precast concrete culvert on cast-in-place concrete footings with a clear span of 28’ (square span of 22’) and a skew angle of 39 degrees. The roadway over the culvert will be slightly widened by 1’-4” from existing and S3-TL4 bridge railing installed with associated roadway guardrail. The project will utilize the same horizontal alignment while the profile will be raised by approximately 0.5’ from existing conditions. The proposed road surface will remain as a gravel roadway.

85 Corliss Street, Post Office Box 6145, Providence, Rhode Island 02940
Phone: (401) 273-6000 ♦ Fax: (401) 273-1000 ♦ E-Mail: admin@garofaloassociates.com
Visit our Web Site at www.garofaloassociates.com

The hydraulic opening below the bridge will be increased by widening the opening and better aligning the river flow with the new culvert inner walls, as the existing abutments lie within the outer limits of the river flow. The bottom of the river will remain in its natural state. The bridge will be closed during construction and a detour route implemented. No utility work is anticipated during the bridge construction and no easements (temporary or permanent) are anticipated to be required.

Enclosed are a location map, plan, elevation and cross section of the proposed bridge. Should you have any questions or comments, please contact this office. You may reach me by email at jlewis@garofaloassociates.com or by phone at (401) 273-6000 Ext 285.

Sincerely,
Garofalo & Associates, Inc.

Jeff E. Lewis, P.E.
Senior Project Manager

Attachment(s)

MWC: mwc

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: 03/27/2024 13:57:52 UTC
Project code: 2024-0068712
Project Name: 610768 WESTHAMPTON- BRIDGE REPLACEMENT, W-27-028, PERRY HILL ROAD OVER NORTH BROOK OF MANHAN RIVER

Subject: Concurrence verification letter for the '610768 WESTHAMPTON- BRIDGE REPLACEMENT, W-27-028, PERRY HILL ROAD OVER NORTH BROOK OF MANHAN RIVER' 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 March 27, 2024 to verify that the **610768 WESTHAMPTON- BRIDGE REPLACEMENT, W-27-028, PERRY HILL ROAD OVER NORTH BROOK OF MANHAN RIVER** (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
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

NAME

610768 WESTHAMPTON- BRIDGE REPLACEMENT, W-27-028, PERRY HILL ROAD OVER NORTH BROOK OF MANHAN RIVER

DESCRIPTION

The proposed project consists of the complete replacement of the bridge carrying Perry Hill Road over the North Branch of the Manhan River. Related work includes approach roadway modifications and drainage improvements.

Monarch Butterfly: Candidate Species only, no conservation measures at this time.

Tricolored Bat: Proposed Endangered Species only. At this time, no formal USFWS consultation is required.

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@42.318587550000004,-72.77131153210084,14z

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?

   Yes

8. Will the project include *any* type of activity that could impact a **known** hibernaculum[1], or impact a karst feature (e.g., sinkhole, losing stream, or spring) that could result in effects to a **known** hibernaculum?

   [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

9. 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

10. 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

11. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

    No

12. 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

    - *610768_Westhampton_PA_Bridge_survey_report.pdf https://ipac.ecosphere.fws.gov/project/FFKY3UYIEZFUPI4QDHVBUTS7DE/projectDocuments/140763990*

13. 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

14. 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

15. 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

16. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors?

    Yes

17. 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

18. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces?

    Yes

19. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?

    No

20. Are *all* trees that are being removed clearly demarcated?

    Yes

21. Will the removal of habitat or the removal/trimming of trees involve the use of **temporary** lighting?

    Yes

22. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?

    No

23. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

    Yes

24. Does the project include slash pile burning?

    No

25. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

    Yes

26. 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

27. 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

    - *610768_Westhampton_PA_Bridge_survey_report.pdf https://ipac.ecosphere.fws.gov/project/FFKY3UYIEZFUPI4QDHVBUTS7DE/projectDocuments/140763990*

28. 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

29. Will the bridge removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

    No

30. 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

31. 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

32. 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

33. Will the project install new or replace existing **permanent** lighting?

    No

34. 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

35. 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

36. 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

37. 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

38. Will the project raise the road profile **above the tree canopy**?

    No

39. Are the wetland or stream protection activities associated with compensatory wetland/ stream mitigation portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

    Automatically answered
    Yes, because your activities associated with compensatory wetland/stream mitigation activities do not clear suitable summer habitat and are not within 0.5 miles of Indiana bat or NLEB hibernaculum.

40. 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.

41. 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

42. 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.

43. 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

44. **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

45. **Hibernacula AMM 1**
    Will the project ensure that on-site personnel will use best management practices[1], secondary containment measures, or other standard spill prevention and countermeasures to avoid impacts to possible hibernacula?

    [1] Coordinate with the appropriate Service Field Office on recommended best management practices for karst in your state.

    Yes

46. **Hibernacula AMM 1**
    Will the project ensure that, where practicable, a 300 foot buffer will be employed to separate fueling areas and other major containment risk activities from caves, sinkholes, losing streams, and springs in karst topography?

    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.

   0.27

4. Please describe the proposed bridge work:

   The proposed bridge structure will allow for the same horizontal roadway alignment as the existing bridge and the profile will be raised by approximately 0.5' from existing conditions. To provide optimal river flow and improve hydraulic performance at both upstream and downstream sections of the structure, the existing abutments will be demolished, and the new culvert span will increase the hydraulic opening by approximately 3'. The proposed structure will consist of a single span three-sided precast concrete culvert on cast-in-place concrete footings with a clear span of 28' (square span of 22') and a skew angle of 39 degrees. Since this is a three-sided structure, the natural riverbed will be maintained. The culvert consists of three precast concrete units, each being 6'-1" wide with a gravel roadway fill placed on top of the culvert. The roadway width is 15'-0" curb to curb which is an increase of 1'-4" from the existing. Since this is a gravel roadway with no striping, the bridge width will effectively be the travel lane. Each side of the bridge will have S3-TL4 bridge railing installed with associated approach guardrail sections.

5. Please state the timing of all proposed bridge work:

   Spring 2025-Spring 207

6. Please enter the date of the bridge assessment:

   June 15, 2023

AVOIDANCE AND MINIMIZATION MEASURES (AMMS)

This determination key result includes the committment to implement the following Avoidance and Minimization Measures (AMMs):

HIBERNACULA AMM 1

For projects located within karst areas, on-site personnel will use best management practices, secondary containment measures, or other standard spill prevention and countermeasures to avoid impacts to possible hibernacula. Where practicable, a 300 foot buffer will be employed to separate fueling areas and other major containment risk activities from caves, sinkholes, losing streams, and springs in karst topography.

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: Trevor Burns
Address: 10 Park Plaza
City: Boston
State: MA
Zip: 02116
Email trevor.b.burns@dot.state.ma.us
Phone: 8573010759

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration

DEPARTMENT OF THE ARMY
NEW ENGLAND DISTRICT, CORPS OF ENGINEERS
696 VIRGINIA ROAD
CONCORD, MASSACHUSETTS 01742-2751

REPLY TO
ATTENTION OF
Regulatory Division
CENAE-R-PEA

February 28, 2013

Pamela S. Stephenson
MA Division Administrator
Federal Highway Administration
55 Broadway, 10th Floor
Cambridge, Massachusetts 02142
Attn: Damaris Santiago

Dear Ms. Stephenson:

As indicated in 36 CFR 800.2(a)(2) and Appendix C(2)(c), when multiple federal agencies are involved in an undertaking, a lead federal agency may be designated to fulfill the collective obligations of the agencies under Section 106 of the National Historic Preservation Act (NHPA). Per 36 CFR 800.2(a)(2), if a federal agency fails to designate a lead federal agency, they remain individually responsible for compliance with Section 106. In accordance with these regulations, the United States Army Corps of Engineers, New England District, Regulatory Division, Permits and Enforcement Branch (Corps), hereby designates the Federal Highway Administration (FHWA) as the lead federal agency for all Federal-aid transportation bridge replacement projects in Massachusetts for which FHWA serves as the lead federal agency under the National Environmental Policy Act.

The New England District Regulatory Program will generally accept Section 106 compliance obtained by FHWA on Federal-aid bridge replacement projects in Massachusetts without further review by the Corps provided that compliance documentation is submitted to the Corps for each project. Furthermore, the Corps acknowledges that FHWA, the Advisory Council on Historic Preservation, the Massachusetts State Historic Preservation Officer (SHPO), and the Massachusetts Department of Transportation (MassDOT, formerly MassHighway) executed an Amended Section 106 Programmatic Agreement regarding Federal-aid transportation projects on October 15, 2004. The Corps agrees to accept Section 106 clearances secured by FHWA for these projects under that 2004 Programmatic Agreement, including clearances issued internally by MassDOT, under the provisions of the PA, which do not require individual review by FHWA or the SHPO.

If you have any questions or comments regarding the above, please contact Dan Vasconcelos, Regulatory Division Project Manager, at (978) 318-8653.

Sincerely,

Karen K. Adams
Chief, Permits and Enforcement Branch
Regulatory Division

Copies Furnished:

Kevin Walsh, Massachusetts Department of Transportation – Highway Division, Boston, Massachusetts, kevin.m.walsh@state.ma.us
Henry Barbaro, Massachusetts Department of Transportation – Highway Division, Boston, Massachusetts, henry.barbaro@state.ma.us
Susan McArthur, Massachusetts Department of Transportation – Highway Division, Boston, Massachusetts, susan.mcarthur@state.ma.us
Jeffrey Shrimpton, Massachusetts Department of Transportation – Highway Division, Boston, Massachusetts, Jeffrey.shrimpton@state.ma.us

Appendix H:

Pertinent Special Provisions

REV. 2023.03.01 *(REV. DATE TO BE REMOVED BY CONTRACTS)*

ITEM 102.3 HERBICIDE TREATMENT OF INVASIVE PLANTS HOUR

This work must be performed by persons who meet the qualifications below and are approved by the Landscape Design Section.

Work under this item consists of herbicide treatment of invasive plants currently existing within the project limits and as directed. An Invasive Plant Management Strategy (IPMS) shall be submitted to the Engineer for review and approval and the IPMS shall be implemented on-site. The IPMS shall be measured and paid for under Item 102.33 Invasive Plant Management Strategy.

Work under this item shall be coordinated with work and schedule for Selective Clearing, Clearing and Grubbing, Mowing, Tree Removal, Planting, and Wetland Mitigation items.

Payment is per hour on-site and shall be compensation for a minimum crew of 2 licensed applicators, 2 back-pack sprayers and mist-blowers, a properly equipped spray truck with spray hoses, and a tank with sufficient capacity for a full day of work. If there is only one applicator, hourly payment shall be adjusted to 50 percent of the unit price. This item is not intended for manual removal of plants.

Management of plants determined to have been introduced to the site via imported loam, compost, mulch, plants, equipment, or other construction activities will be the Contractor's responsibility and at the Contractor's expense.

Herbicide shall be applied during daytime hours only.

Measures to prevent the introduction of invasive plant species to the site and to address introduction due to construction-related activities shall be covered under the Standard Specifications, Division I - Subsections 7.01(D) Plant Pest Control and 7.13 Protection and Restoration of Property as amended in these Special Provisions.

Plant species targeted for management under this item shall be as determined in the field per the site walk and as specified in the IPMS.

The definition of invasive plant species shall be as described by Massachusetts Invasive Plant Advisory Group (MIPAG): "non-native species that have spread into native or minimally managed plant systems in Massachusetts, causing economic or environmental harm by developing self-sustaining populations and becoming dominant and/or disruptive to those systems."

Control of invasive plants shall begin immediately with the initiation of construction activities and prior to any clearing or site disturbance. Treatment areas shall include stockpile locations and may, upon approval of the Engineer, extend outside the project limit. Treatment shall be done

ITEM 102.3 (Continued)

each consecutive year for the duration of the contract unless specified otherwise in the IMPS or unless directed otherwise by the MassDOT invasive species contact. Work shall be done during the growing season from May – October unless otherwise specified in the IPMS.

Areas identified for vegetation control measures shall be as shown on the plans and as determined in the field by the Engineer and a MassDOT Landscape Architect. Contact at MassDOT Landscape Design Section may be contacted at: tara.mitchell@state.ma.us.

QUALIFICATIONS

The applicators shall submit and meet the qualifications outlined below. A list of contractors specializing in invasive management and approved by MassDOT Landscape Design Section is available on the following website: https://www.mass.gov/lists/landscape-design-and-roadside-maintenance under Invasive Plant Management.

Requirements

1. Company must provide proof of qualifications by providing the following:
    a. Narrative describing company, its expertise and experience with invasive plant control.
    b. Demonstrate experience with herbicide treatment as part of restorations and in sensitive areas.
    c. Describe company's technical qualifications and past performance.

2. Company must meet licensing requirements:
    a. All crew applicators must have a Massachusetts Commercial Applicator License (CORE).
    b. At least one or more applicator must have a ROW certification, if required for work.
    c. Company must provide name(s) of applicator(s) and Applicator License/Certification number for all contractor crew leaders working on the project.
    d. Company must provide documentation of any warnings, penalties or fines received in the last three (3) years.

3. Company must provide proof of experience with invasive plant control and include following:
    a. At least five (5) references from prior invasive plant control work completed in last five (5) years. Provide contact information including address, phone number and email.
    b. Provide a summary of each of these projects including nature of the problem, specific invasive vegetation treated, dates and period of treatment, methodologies used, and summary of success or not in terms of meeting performance objectives. Include summary of equipment used.
    c. Photo documentation of these projects.
    d. GPS coordinates of project locations, if available.

ITEM 102.3 (Continued)

4. Crew leader must have expertise with invasive plant control and provide the following:
   a. Have held Core license for at least five (5) years.
   b. Resume listing five (5) or more years of experience applying pesticides with the company or with another company specializing in vegetation management.

SUBMITTALS

No work shall begin without approval of the submittals.

Submittals include the following items:

Invasive Plant Management Strategy (IPMS)

At least thirty (30) days prior to proposed treatment the IPMS shall be submitted for approval by the Engineer and MassDOT Landscape Architect. All chemicals, methods and work done under this item shall be consistent with the IPMS. The IPMS shall be as described under Item 102.33.

Herbicide Use Report

Within two (2) weeks after each application, the Contractor shall provide to the Engineer a completed and signed MassDOT Herbicide Use Report.

Photo Documentation

Digital photos with date and time of herbicide application work may be required and shall be submitted upon request.

MATERIALS

All proposed herbicides shall be as approved in the IPMS. Herbicides shall be labeled for the method of treatment and shall meet all federal, state and local regulation requirements. Application rates will depend on herbicide proposed and shall be per the manufacturer's label for specific application.

METHODS

All methods used shall be as approved in the IPMS which shall be determined during the Initial Site Walk as described under Item 102.33 Invasive Plant Management Strategy.

ITEM 102.3 (Continued)

The Contractor shall be responsible for marking delineated areas and plants to be preserved, removed, or otherwise treated. Fencing or other materials needed for marking and delineating protected areas shall be incidental to this item.

The Contractor shall notify the Engineer a minimum of 3 days prior to date of expected herbicide application. Applicators shall notify the Engineer upon arriving on-site and upon leaving the site.

Herbicide Applications

All herbicide application shall conform to Massachusetts Pesticide Laws and Regulations per the Massachusetts Department of Agricultural Resources (MDAR) Pesticide Bureau.

Mixing, applying and/or disposing of herbicides shall always be in accordance with instructions on their labels and all applicable federal, state, and local regulations. Mixing shall not occur within sensitive areas, wetlands, or buffer zones.

Contractor shall not spray 2 hours prior to precipitation, during rain, or during windy conditions. The Contractor shall be responsible for monitoring weather conditions and adjusting the work schedule as appropriate for the herbicide and application method to be used.

Targeted vegetation shall be identified and marked prior to treatment. Plants treated by foliar spray, injection or glove application or other methods that leave standing vegetation, as opposed to cut-stump application, shall remain clearly marked for identification through the contract period.

Desirable vegetation shall be protected from both spray and other physical damage.

Contractor is responsible for any damage to vegetation not designated for removal or treatment. Vegetation damaged shall be restored. Cost of replacement plants and/or restoration shall be borne by the Contractor.

Contractor shall ensure that the public does not enter a work area while herbicide application or spraying is underway.

Disposal Of Invasive Plant Material

All material to be cleared shall become the property of the Contractor. The satisfactory disposal of all cleared plant material (seeds, roots, woody vegetation, associated soils, etc.) shall be the Contractor’s responsibility.

ITEM 102.3 (Continued)

The Contractor shall take measures to prevent viable plant material from leading to further infestations (seeds, roots, woody material, etc.) while stockpiled, in transit, or at final disposal locations. All precautions shall be taken to avoid contamination of natural landscapes with invasive plants or invasive plant material.

Chipping, shredding, or on-site burning of plant material must be approved by the Engineer and included in the IMPS.

For plant material taken to an incinerating facility per the IPMS, a receipt from that facility shall be submitted to the Engineer as proof of disposal.

Where feasible, it is preferable to dispose of plants on-site or to bury them on-site with on-going monitoring for re-sprouting. Disposal locations and methods must be approved and included in the IPMS. Site work such as grading and seeding to stabilize and restore disposal area shall be incidental to this item.

The Contractor shall be responsible for treating or otherwise managing areas of re-growth due to improper disposal. Treatment shall be at the Contractor's expense.

Follow-Up Treatment

Plants and areas shall be re-treated as necessary and as appropriate to the time of year. Treatment shall be for the duration of the contract and per the IPMS.

MEASURE OF SUCCESS

The expectation is a minimum of 85-95 percent control achieved after the first treatment, depending on plants targeted and extent of population, and based on the expectations laid out in the IPMS. The expectation for the contract duration is 95-100% eradication by the end of the treatment period, unless otherwise specified in the IPMS.

METHOD OF MEASUREMENT

Item 102.3 will be measured for payment by the Hour of crew time spent on the project doing actual herbicide application work. A crew shall be defined as a minimum of two licensed applicators each equipped with (at minimum) back-pack sprayer and mist blower. The crew shall also have a properly equipped spray truck with hoses and a tank with sufficient capacity for a full day of work.

ITEM 102.3 (Continued)

BASIS OF PAYMENT

Item 102.3 will be paid at the contract unit price per Hour, which price shall include all labor, materials, equipment, tools, and all incidentals required to complete the work.

Payment will be based upon time spent on the project doing actual work and shall not include travel time to and from the Contractor's place of business and shall also not include time for investigative field trips.

If there is only one applicator, hourly payment shall be adjusted to 50 percent of the unit price.

The Invasive Plant Management Strategy will be paid for under Item 102.33.

REV. 2023.03.01 (REV. DATE TO BE REMOVED BY CONTRACTS)

ITEM 102.33 INVASIVE PLANT MANAGEMENT STRATEGY HOUR

This item consists of providing an Invasive Plant Management Strategy (IPMS) for the control of invasive plants currently existing on the project site and/or as directed and shall be coordinated with Item 102.3 Herbicide Treatment of Invasive Plants. The IPMS shall be submitted for review and approval and the IPMS shall be implemented on-site.

Herbicide treatment for invasive plants shall be as described under Item 102.3 Herbicide Treatment of Invasive Plants and shall be compensated per that Item.

Work under this item shall be coordinated with work and schedule for Selective Clearing, Clearing and Grubbing, Mowing, Tree Removal, Planting, and Wetland Mitigation as relevant to the project.

Individual attending the site walk and determining the Invasive Plant Management Strategy must demonstrate expertise with vegetation management and invasive plant control and submit qualifications as described below.

QUALIFICATIONS

Individual shall be from the same company as that providing services for Item 102.3 Herbicide Treatment of Invasive Plants and shall submit the following, if not submitted under Item 102.3:

- Submit copy of current Core license.
- Submit a resume listing five (5) or more years of experience managing invasive plants with a company specializing in vegetation management.
- References shall be submitted if requested.

SUBMITTALS

Task Summary & Reports

For measurement of payment, the contractor shall submit the total sum and a breakdown of hours for the tasks performed. At a minimum, the tasks shall include the Initial Site Walk, the IPMS Written Report, and if necessary to accommodate project or site changes, a Follow-up Site Inspection and accompanying IPMS Amendment.

Interim Site Monitoring Reports and/or a Final Report shall be submitted if requested by the MassDOT Landscape Design contact. The MassDOT Landscape Design contact must be notified to attend the final walk through when a Final Report has been requested.

ITEM 102.33 (Continued)

Invasive Plant Management Strategy (IPMS)

At least thirty (30) days prior to construction activities and/or any proposed treatment, submit a written IPMS proposal for approval by the Engineer and MassDOT Landscape Architect. All chemicals and methods proposed shall be consistent with applicable Massachusetts Wetlands Protection Act Order of Conditions.

The IPMS shall be completed in coordination with the Roadway Contractor and the Engineer and shall include the following as appropriate to the project:

I. Project Information

a. Company writing IPMS and performing herbicide application.
b. Date of site walk
c. Attendees at site walk
d. Expected end date of contract and expected last treatment (month/season)

II. Brief Description of Conditions

a. Provide a free-hand sketch on construction plans or aerial image showing species, location, and as relevant, show or note extent of population as relevant to Strategy (i.e., population extends off ROW preventing eradication, small population and eradication deemed feasible within contract schedule, etc.).

III. Coordination with Roadway Contractor regarding other work

a. Tree Work: Note coordination to be implemented with tree removal, clearing, and clearing and grubbing as applicable to the project.
b. Wetland Mitigation - Include management proposed for wetland mitigation areas in the IPMS, if and as required.
c. Planting: If there will be planting in areas proposed for treatment, propose treatment and schedule to avoid herbicide damage to plants.
d. Mowing: If coordination is required with state mowers, note need in IPMS.

IV. Soil Management

a. Provide specifics on how soil with invasive plant roots (in particular) or seeds will be handled (i.e., separate stockpiles, plant material will be buried on-site, re-used on-site, disposed off site and if so, where?).
b. Show stockpile locations on plan and include treatment schedule.
c. Note measures that will be implemented to avoid spread through equipment, including how and where equipment will be cleaned.

V. Invasive Plant Treatment & Management

a. Proposed chemical and methods of treatment for each species or area.
b. Time of treatment based on target plant species.
c. Submit product label including application methods and rates (entire MSDS information need not be submitted if available online).

ITEM 102.33 (Continued)

d. Proposed performance metrics or measure of treatment success if different from that specified under Item 102.3.
e. Method for disposing invasive plant material. This includes material that may result in spread (i.e., seeds, roots) and material that has been treated and/or is not viable (foliage, dead wood, etc.). Methods may include grinding in place, stockpiling and treating, and incinerating offsite.
f. Expected follow-up treatment for duration of contract.

VI. Monitoring Schedule if requested by MassDOT.

Note: The IPMS is critical for identifying pre-construction conditions as well as strategies for minimizing import or spread of invasive plants. Failure to provide an approved IPMS may jeopardize this item, in which case, the contractor will be responsible for management of invasive plants found on-site at no cost to the contract.

Photo Documentation

Digital photos with date and time verification shall be provided with the IPMS and with any follow-up monitoring or reporting.

METHODS

Initial Site Walk

Prior to any construction activities and soil disturbance, the Contractor shall walk the site with the Engineer and the MassDOT Landscape Architect to determine the IPMS. During the site walk the Contractor shall identify limits of work and, as necessary, mark locations of areas designated for treatment and individual plants targeted for treatment or removal. The Contractor shall be responsible for marking delineated areas and plants to be preserved, removed, or otherwise treated. Fencing or other materials needed for marking and delineating protected areas shall be incidental to this item.

IPMS Follow-up Amendment

The IPMS may be amended to address additional concerns or adjust to conditions if required by the MassDOT Landscape Architect. The amended IPMS shall be submitted to the Engineer and MassDOT Landscape Architect for approval at least fourteen (14) days prior to any proposed treatment.

ITEM 102.33 (Continued)

Interim Site Monitoring Inspection Reports

If required by the MassDOT Landscape Architect and Engineer, Interim Site Monitoring and an accompanying report shall be conducted.

Final Inspection

A final inspection and report documenting the status of the invasive control may be required for regulatory purposes or for instances where control will be continued by others. The report shall include photo documentation of pre-construction (existing) and post-treatment conditions, notations on a plan or aerial image of area treated, summary of treatment performed, and control achieved.

METHOD OF MEASUREMENT

Item 102.33 will be measured for payment by the Hour. The basis for measurement shall be per the completion of tasks as approved under the Task Summary submittal.

BASIS OF PAYMENT

Item 102.33 will be paid at the contract unit price per Hour, which price shall include all labor, materials, equipment, tools, and all incidentals required to complete the work.

Payment shall not include travel time to and from the Contractor's place of business.

REV. 2023.09.30 (REV. DATE TO BE REMOVED BY MASSDOT CONTRACTS)

ITEM 751.7 COMPOST BLANKET CUBIC YARD

The work under this Item shall conform to the relevant provisions of Subsection 751 and M1.06.0 Compost of the Standard Specifications and the following:

Work shall consist of furnishing and pneumatically applying compost as a thin mulch blanket (1/2-1 inch depth) over prepared soil to provide temporary soil stabilization and organic matter for plant growth.

SUBMITTALS AND MATERIALS

No materials shall be delivered until the required submittals have been approved by the Engineer. Delivered materials shall match the approved samples. Approval of test results does not constitute final acceptance.

Contractor shall submit to the Engineer samples and certified test results no sooner than 60 days prior to application of compost. Vender certification that material delivered meets the test results shall be submitted if requested.

Compost shall meet the requirements for M1.06.0: Compost, Type 2, as referenced in the MassDOT– Highway Division Standard Specifications for Highways and Bridges, Division III: Materials Specifications, latest edition.

The Engineer shall approve the Contractor's equipment for application.

CONSTRUCTION METHODS

Application of compost material shall not begin until the Engineer has approved the site and soil conditions. Soil preparation shall be as specified under the applicable item for soil placement or for seeding. The Contractor shall notify the Engineer when areas are ready for inspection and application of compost.

Compost blanket shall be pneumatically applied (blown on) to a minimum depth of one half to one inch. Where shown on the plans or when directed by the Engineer depth may be increased to provide berms for sediment control or to otherwise prevent slope erosion.

When compost blanket is proposed with seeding, seed shall be broadcast and shall occur in conjunction with compost blanket, as specified under the relevant item for seeding.

ITEM 751.7 (continued)

When compost blanket is proposed for areas with planting, compost (and seed if applicable) shall be applied after planting. If compost and seed occur prior to planting, areas shall be regraded and compost and seed reapplied to the satisfaction of the Engineer and at the Contractor's expense.

METHOD OF MEASUREMENT AND BASIS OF PAYMENT

Item 751.7 will be measured and paid for at the Contract unit price per Cubic Yard which price shall include all labor, materials, equipment, and all incidental costs required to complete the work of pneumatically applying compost.

Surface preparation of substrate receiving compost blanket shall be compensated under the applicable item for placement of loam, sand, ordinary borrow, wetland soil, topsoil rehandled and spread, tilled existing soil, or other specified substrate.

Seeding, if utilized, will be compensated for under the appropriate seeding items.

ITEM 765.553 **WETLAND RIPARIAN MIX** **POUND**

Work under this item shall consist of furnishing the mix specified below in the required quantity.

SUBMITTALS

1) Pre-Verification of Seed Availability: Within 30 days after the Notice to Proceed, the Contractor shall submit to the Engineer the supplier's verification of availability of seed species in the required quantities and for the anticipated date of seeding. Verification shall be on the supplier's letterhead and notarized by the supplier's notary. Species not expected to be available should be noted and substitutions recommended.

2) Final Verification of Seed Availability: No earlier than 21 days prior to ordering, the Contractor shall submit to the Engineer the supplier's verification of availability of seed species and in the required quantities. Verification shall be on the supplier's letterhead and notarized by the supplier's notary. A copy of this submittal shall be forwarded to the MassDOT Landscape Design Section. Substitutions or changes in the mix at this time must be approved by MassDOT Landscape Design Section.

3) Seed Worksheet provided herein shall be submitted to the Engineer prior to ordering seed to determine the number of pounds of Pure Live Seed required.

4) Seed Tags: The contractor shall submit original seed tags from each bag of seed used on the project or ensure that each tag is photo documented by the Engineer while on the unopened bag.

   Number of tags submitted must correspond to number of bags delivered.

   Species listed on the seed tag shall match the Final Verification of Seed Availability (Submittal #2) unless approved otherwise. Tag must include: variety and species name; lot number; purity; percentage of inert matter; percentage of weeds, noxious seeds, and other crop seeds; germination, dormant or hard seed; total viability; origin of seed; germination test date, net weight, and name and address of seller. The origin of seed must be listed on the seed tag for all species in the mix to provide verification of original (generation 0) seed source. The smallest known geographic area (township, county, ecotype region, etc.) shall be listed. Ecotypes and cultivars shall be as close to Massachusetts as possible and appropriate to the site conditions.

   A copy of this submittal shall be forwarded to the MassDOT Landscape Design Section.

5) Verification of Seed Delivery: Prior to payment, contractor shall submit the Seed Delivery Verification form contained within the contract or the Supplier's Verification on company letterhead or a bill of lading. Supplier verification must include all information requested on the Verification form within this contract. The bill of lading must include variety and species name, lot number, net weight shipped, date of sale, invoice, project or seeding location, and

ITEM 765.553 (continued)

name and address of Supplier. All information must be filled in and complete for acceptance. Information must match the seed tags and quantity of seed used on the job. A copy of this submittal shall be forwarded to the MassDOT Landscape Design Section

6) Seed Sample: If requested or if seed is from a previously opened bag, the contractor may be asked to submit to the Engineer a sample of seed from the seed bag (1-2 cups) at the time of seeding.

SEEDING SEASON

The appropriate seeding seasons are:

Spring: April 1 - May 15
Fall: October 1 - December 1 for dormant seeding

PERMANENT SEED MIX(ES)

Calculating Pure Live Seed (PLS)

Quantities specified are PURE LIVE SEED. Greater quantities of ordered seed may be required to achieve actual specified seeding rates.

Pure Live Seed (PLS) is defined as a percentage calculated by multiplying the percent of pure seed by the percent of viable seed (total germination, hard seed, and dormant seed). For example:

If a seed label indicates 90% purity, 78% germination, 10% hard seed, and 2% dormancy, it is calculated to be 90% x [78 + 10 + 2]% = 81% PLS.

Therefore, each pound of PLS would need 1 pound / 0.81 = 1.2 pounds of seed with a 90% purity and 90% total germination.

ITEM 765.553 (continued)

Seed Mix shall be as specified below. Ecotypes and cultivars shall be as close to Massachusetts as possible and appropriate to the site conditions.

Botanical Name	Common Name	% PLS by Weight
Grass		
Sorghastrum nutans NY Eco	Indiangrass NY Ecotype	14.00%
Schizachyrium scoparium	Little Blue Stem	14.00%
Elymus riparius	Riverbank Wild Rye	10.00%
Elymus virginicus	Virginia Wild Rye	10.00%
Panicum clandestinum 'Tioga'	Deer Tongue 'Tioga'	9.00%
Andropogon gerardii NY Eco	Big Bluestem NY Eco	8.00%
Carex vulpinoidea	Fox Sedge	7.00%
Panicum virgatum	Switchgrass	3.00%
Juncus effusus	Soft Rush	2.00%
Agrostis perennans	Upland Bentgrass	2.00%
Scirpus atrovirens	Green Bulrush	1.00%
		80.00%
Herb/Forb		
Chamaecrista fasciculata	Partridge Pea	3.00%
Verbena hastata	Blue Vervain	3.00%
Asclepias incarnata	Swamp Milkweed	3.00%
Heliopsis helianthoides	Ox-Eye Sunflower	2.00%
Eupatorium perfoliatum	Boneset	2.00%
Aster umbellatus	Flat Topped White Aster	1.00%
Aster prenanthoides	Zig Zag Aster	1.00%
Aster puniceus	Aster – Swamp	1.00%
Aster novae-angliae	New England Aster	1.00%
Eupatorium maculatum	Joe-pye Weed	1.00%
Monarda fistulosa	Wild Bergamot	1.00%
Vernonia noveboracensis	New York Ironweed	1.00%
		20.00%
Seeding Rate: 20 lbs PLS/Acre		**100.00%**

Application Rate

WETLAND RIPARIAN MIX: 20 lbs/acre PLS.

ITEM 765.553 (continued)

Any species substitutions shall be with a species having similar characteristics and function. Substitutions must be approved by MassDOT Landscape Design Section per the documentation submittal process.

50% Increase Adjustment for Field Conditions

Seeding under the following conditions requires a 50% increase in the permanent mix at the time of construction:

- Seeding out of season
  OR
- Seeding after Compost Blanket has been applied (unless already increased for out of season).

METHOD OF MEASUREMENT AND BASIS OF PAYMENT

Wetland Riparian Mix will be measured for payment by the pound of Pure Live Seed delivered and complete in place.

Wetland Riparian Mix will be paid at the contract unit price per pound of Pure Live Seed delivered upon approval of all Seed Submittal Documentation. Overseeding required to correct poor germination or establishment shall be incidental to the item.

NATIVE SEED WORKSHEET

Project Description: _____ Project No: _____

Contractor: _____ Contract No: _____

Seed Mix Number & Description: _____

Contractor: Complete Prior To Ordering

Pounds of Seed Required Per Contract:

_____lbs./acre for _____Acre(s) OR _____ SY

Additional 50% increase if required (out of season or seeding over compost blanket):

_____**lbs. Total Seed Required**

Calculated Quantity for **P**ure **L**ive **S**eed (PLS[1]):

_____ **Total Pounds PLS**

Engineer: Verification at Time of Application

Number pounds delivered to site[2]: _____ Date(s): _____

Actual Seed Bag Tag/s Received or photo documented by Engineer: _____

[1] *PLS=% pure seed x % viable seed (total germination, hard seed, and dormant seed).*
[2]*Quantity delivered should match pounds* ***Total Pounds PLS*** *and* ***Verification of Seed Delivery****. Pounds should be shown on each Seed Tag.*

SUPPLIER VERIFICATION OF SEED DELIVERY FOR MASSDOT PROJECTS

Date_____

We hereby certify that (*Seed Supplier*): _____

Furnished to (*Contractor*): _____

For use on: (*Project Description*) _____

Project #: _____ Contract #: _____

Pounds of Pure Live Seed: _____

Of Mix (*Description*): _____

Lot Number _____

The material was delivered on (*Date*)_____.

The labels and contents meet all State and Federal regulations. The mixture consists of the following species, including cultivars (as applicable) and ecotype region, and at the following percentages (may be attached separately):

Name (print): _____ Title: _____

Supplier: _____

Signature and Seal: _____

ITEM 765.635 NATIVE SEEDING AND ESTABLISHMENT SQUARE YARD

Work shall conform to the relevant provisions of Subsections 765 and 767 of the Standard Specifications and the following:

The work under this item shall consist of seeding, mowing, and other care to establish a stand of grass in the areas shown on the plans or as required by the Engineer. For the purposes of these specifications, the term "grass" shall apply to all the forbs, grasses, sedges, and rushes included in the materials.

QUALIFICATIONS

Seeding shall be done by a company having a minimum of five years of experience with native seed establishment. Prior to beginning work, the seeding Contractor shall furnish proof of qualifications to the Engineer for approval. Proof of qualifications shall include providing documentation (photos and contacts) to demonstrate knowledge and expertise with native seeding and establishment and proof of having completed successful native seeding projects.

SEEDING SEASON

Seeding seasons for native mixes are April 1 - May 15 and October 1 - December 1 for dormant seeding. Written approval must be obtained for seeding outside the seeding season and, if approved, the permanent seed rate shall be increased by 50%.

Seeding season for cover crops shall be grain oats January 1 – July 31 and grain rye August 1 – December 1.

MATERIAL AND SUBMITTALS

Seed Mixes and Submittals shall be per the item(s) for permanent and annual (cover crop) seed mixes.

Compost Blanket, if used, shall meet the material and submittal requirements for that item.

Hydromulch shall be wood fiber or straw applied per the Standard Specifications and at the rates specified below and per the manufacturer.

A certified statement shall be furnished, prior to start of work, to the Engineer by the Contractor as to the number of pounds of hydromulch, tackifier, and seed, per 100 gallons of water and as applicable to products used. This statement should also specify the number of square yards of seeding that can be covered with the solution specified above.

ITEM 765.635 (Continued)

Fertilizer

No fertilizers shall be applied.

Water

Water, including hose and all other watering equipment required for the work, shall be furnished by the Contractor to the site at no additional cost. Water shall be suitable for irrigation and free from ingredients harmful to plant life. All plants injured or work damaged due to the lack of water or the use of too much water shall be the Contractor's responsibility to correct.

SEEDING

Hand broadcast method shall be used for all areas smaller than half an acre and when specified on the plans for areas over half an acre.

Seeding shall occur within 72 hours of placement of loam and final grading, or the Contractor shall propose a reasonable, alternative schedule that shall be approved by the Engineer.

Surface Preparation

No seeding or soil preparation shall be done if soils are muddy or dry and compacted. Bare soils shall be raked to remove large stiff clods, lumps, brush, roots, stumps, litter and other foreign matter. Ruts and depressions shall be filled with additional loam or compost and the soil shall be re-graded to a relatively smooth finish corresponding to the required grades.

When seeding over existing or compacted soil or soil that has sat bare for more than 30 days, surface will be prepared by tilling or raking to a minimum depth of 2 inches prior to seeding and prior to Compost Blanket application (when applied).

Surface preparation shall be compensated for under loam placement or topsoil rehandled and spread as appropriate to the project.

Jute or coir mesh, when specified in the contract, shall be placed after seeding and per the Standard Specifications and the manufacturer’s instruction.

Surface preparation shall be approved by the Engineer prior to seeding.

ITEM 765.635 (Continued)

Seeding over Various Substrates

Loam: Seeding shall occur within 72 hours of loam placement to prevent loss of topsoil. Seed shall be manually broadcast for areas less than half an acre (each area, not cumulative area) and when specified on the plans. Broadcasting shall be immediately followed by hydromulching as specified below. When not specified on the plans, larger areas may be hydroseeded as specified below.

Compost Blanket: Compost Blanket shall be applied as specified under that item. Seed should be hand broadcast at the same time as compost application to ensure a thin cover of compost over seed.

When seeding is done after application of Compost Blanket the rate shall be increased by 50%. If the Compost Blanket is applied after December 1, seed shall be broadcast or hydroseeding over the compost in the Spring and the rate increased by 50% specified under Seed Application.

Compost Mulch over Modified Rock: Compost Mulch and seed shall be applied as specified under that item. No hydromulch is required.

Cover Crop

Cover crop shall be used when seeding out of season, when specified with the permanent native seed mix under that item, and as required to prevent erosion until the permanent seed establishes. A cover crop should not be used with a steep slope mix or other permanent mix which already contains either cereal rye or oats in the composition of the mix. A cover crop is not necessary for wetland seeding and is not typically necessary for soil stabilization when seeding in conjunction with a compost blanket application.

Seed Application

All seed shall be mulched as specified herein.

Seed application shall be by broadcast seeding or by hydroseeding as described below.

Broadcast Seeding

Seed shall be broadcast spread using a cyclone or whirlwind seeder or hand broadcast. Small or light-seeded species such as bluestem may be mixed with approved filler to achieve an even distribution. Seed shall not be broadcast when wind velocities are greater than 15 mph.

ITEM 765.635 (Continued)

Broadcast seeding shall be undertaken in two separate passes at ninety degrees to each other. One-half the seeding rate shall be applied in each direction (horizontally and vertically). To ensure seed to soil contact with broadcasting of seed, seeding shall be followed by rolling or tracking with equipment approved by the Engineer.

Broadcast seed shall be mulched with weed-free straw mulch unless seeding is done as part of Compost Blanket in which case it shall be as specified above under seeding with Compost Blanket application. Hydromulching shall be as specified under Hydromulching.

Hydroseeding and Hydromulching

Hydroseed and mulching shall be per the manufacturer's directions and as follows.

Hydroseeding shall only be used for sites over half an acre in size or with permission of the Engineer.

Tank and hoses shall be cleaned from all previous hydroseeding and hydromulching projects. Seed shall be mixed into the slurry immediately before application and slurry applied within 30 minutes after seeds have been placed in the tank. Once seed has been placed in the tank, tank shall be agitated only enough to mix the seeds and keep slurry from separating.

A 2-step process shall be used for seeding in conjunction with hydromulch. Seed shall be applied with 500 lbs/acre of hydromulch in the first pass. A second pass with 1,000 lbs/ acre of hydromulch shall be applied in a second pass. Each pass shall be applied in a different direction.

Once the seed has been added to the tank mixture a one-hour time limit is set for spreading the mixture on the soil. Once the one hour has passed the excess mixture must be discarded.

For broadcast seeding, hydromulch shall be applied immediately following seeding at a rate of 1,000 lbs/acre. Tank shall be cleaned from any previous hydroseeding.

CARE DURING GERMINATION AND ESTABLISHMENT

Contractor shall care for seeded areas as necessary for successful germination. Care will include watering and weed control as necessary to achieve establishment of the specified seeded species after one growing season as specified below.

The contractor shall maintain the stand of grasses to ensure healthy growth of the seeded species. Work shall include mowing or weed-whacking for weed control, watering if necessary, and removal of invasive plants.

ITEM 765.635 (Continued)

Watering shall be sufficient to achieve soil moisture to a depth of 2 inches or more and such moisture is uniform. Method of watering shall not erode or damage soil or grassed surfaces.

General Weed Control: Unless otherwise directed, mowing shall be as specified under Mowing for Weed Control for seed establishment. Weeds shall be mowed prior to weeds setting seed (by the end of July unless otherwise approved).

Control of Invasive and Aggressive Weeds: Invasive and aggressive weeds, including but not limited to mugwort, ragweed, knapweed, foxtail, crabgrass, and chicory must be cut or treated prior to going to seed. Herbicide treatment must be coordinated with MassDOT. Undesired species (such as chicory) introduced due to use of incorrect seed mix shall be removed at the Contractor's expense.

MOWING FOR WEED CONTROL

Mowing for weed control shall be completed after weeds have sprouted and show leaf and bud growth, but prior to setting seed, generally between July 7th and August 1st, unless directed otherwise by the MassDOT Landscape Architect and the Engineer.

Mowing height shall be as needed for weed control, generally to a height of 8 inches and not below 4 inches, unless directed otherwise. Mowing shall be with a brush hog mower, string trimmer, or other approved equipment. Conventional lawn mowers which cannot achieve the appropriate cut shall not be used.

Contractor shall give 48-hour notice prior to mowing work. Mowing shall only occur in dry sunny weather. Litter pickup should occur prior to mowing in all areas. If required, cut grass shall be raked and removed. Litter pickup and raking and removal of grass shall be incidental to the work.

Mowing equipment shall be approved by the Engineer prior to work.

OVER-SEEDING

Areas of bare ground greater than 2-3 feet in diameter shall be over-seeded with the specified mix during the appropriate season for seeding. Where required for overseeding mowing shall be as close to the soil as possible. Soil that is compacted shall be raked or otherwise roughened prior to over-seeding.

Over-seeding rates and methods shall be those specified above under Materials and Methods. Following over-seeding, soil shall be lightly tamped to ensure seed to soil contact and areas shall be mulched with straw mulch and watered with a fine mist to moisten soil to a depth of at least 2 inches.

ITEM 765.635 (Continued)

Over-seeding, mulch, watering, and all work for over-seeding shall be incidental.

DETERMINING SATISFACTORY GRASS ESTABLISHMENT

A well-established stand of the specified seeded species as determined by the Engineer and the MassDOT Landscape Architect will be required for Final Acceptance. The expectation is that an acceptable number and variety of the desired permanent seeded species (not the cover crop) will be visible. Generally:

- A minimum of 75% coverage by the specified permanent seeded species after one growing season. Of that percentage, generally, depending on the mix species:
  - At least 3 types of the permanent seeded grass species shall be visible.
  - At least 3 species of wildflowers shall be visible.
- There will be no significant gaps or bare soil (generally 2-3 feet in diameter or greater).
- There will be no more than 25% coverage by weed species.
- All soil shall be stabilized and there shall be no channeling or erosion.
- There will be no invasive or aggressive species within the stand at the time of acceptance.
- There shall be no evidence of seed from non-native mixes (i.e., clover) due to failure to clean the hydroseeding tank or using incorrect mix.

Invasive and aggressive weeds (such as mugwort, ragweed, knapweed, and chicory) must be cut or treated prior to going to seed for Interim Acceptance. Herbicide treatment must be coordinated with MassDOT.

A warm-season grass mix with perennials will not have uniform growth. A uniform stand of grass may indicate use of an incorrect mix.

ACCEPTANCE OF SEEDING AND ESTABLISHMENT WORK

Conditional Acceptance shall be based on proper application of seed as specified herein.

Interim Acceptance of Care: Seeding will be inspected by mid-July to assess germination and Establishment conditions as described above. When necessary for Interim Acceptance, areas shall be mowed prior to weed species producing seed and as specified above under Weed Control. *Areas requiring weed control that are not mowed prior to weed seed dispersal will not be approved for Interim Acceptance.* Seeding that shows good germination and is determined by the Engineer and Landscape Architect to not require weed control at time of inspection shall be accepted for Interim Acceptance payment.

ITEM 765.635 (Continued)

Final Acceptance of Establishment shall be given upon satisfactory Establishment as described above.

If the seeded area fails to meet the requirements of Establishment by the end of the growing season, contractor shall propose and implement remediations and site shall be inspected during the following growing season after July 1st. All remediation shall be at the contractor's expense.

METHOD OF MEASUREMENT AND BASIS OF PAYMENT

Native Seeding and Establishment will be measured for payment by the square yard, complete in place.

Native Seeding and Establishment will be paid at the Contract unit price by the square yard upon Conditional, Interim, and Final Acceptances as described above. This price shall include all submittals, seeding, rolling to ensure seed-to-soil contact, weed control other than mowing, water, over-seeding, labor, materials, equipment, and all incidental costs required to complete the work of establishing a satisfactory stand of grass.

Native seed and cover crop mixes shall be compensated under the respective items.

Site preparation, including raking, tilling, removal of debris and stones, and other work to prepare the site for seeding shall be compensated under loam placement or topsoil rehandled and spread as relevant to the project. If used, Compost Blanket shall be compensated under the respective item.

Schedule of payment shall be as follows:

- 30% upon Conditional Acceptance
- 20% upon Interim Acceptance of Care, except this amount will be reduced to zero and final payment will be reduced accordingly when areas requiring weed control are not mowed as specified in the Interim Acceptance criteria
- 50% upon Final Acceptance of Establishment

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.

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 Section 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.

ITEM 767.121 (Continued)

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.

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 983.522 STREAMBED RESTORATION LUMP SUM

DESCRIPTION

This work shall consist of restoring the riverbed where disturbance takes place in the project area within the limits of work. Work will primarily include removing, stockpiling, and replacing riverbed material at the subject crossing structure. The streambed restoration shall replicate the existing natural channel bed outside the work area in terms of material, roughness, shape, profile, and appearance. The ultimate product will, to the extent possible, replicate the function and appearance of the natural cobble stream channel, as illustrated in the accompanying memorandum *Westhampton 610768, Perry Hill Road Extension over North Branch Manhan River, Bankfull Width Measurement* prepared by SLR Consulting, dated May 20, 2024.

The Contractor shall coordinate with his/her sub-contractors to ensure all required equipment is available on-site to complete the work in this manner. The streambed restoration is required to comply with environmental permits issued for the project.

MassDOT Environmental Services will provide a Fluvial Geomorphologist (Geomorphologist) to provide review of the final design and on-site assistance during streambed restoration construction to ensure the restoration is constructed as required by these Special Provisions and in accordance with permit requirements.

At least 30 days prior to the commencement of construction, the Contractor shall coordinate with David Paulson (MassDOT Wildlife Unit Supervisor, (508) 389-6366 / david.j.paulson@state.ma.us) to set up an initial (virtual or in person) meeting with MassDOT's Geomorphologist, Contractor, and Resident Engineer. At this meeting, the Geomorphologist will provide an overview of the restoration work. The Contractor should be prepared to discuss the anticipated means, methods, and schedule.

Process Approval:

In lieu of a mockup, the Contractor shall schedule an additional onsite meeting to discuss the streambed restoration with the Geomorphologist and respective parties from MassDOT. The Geomorphologist shall be onsite during the initial streambed restoration. The Contractor shall provide the Geomorphologist adequate access to observe, direct, and inspect the channel restoration work throughout the duration of the removal, stockpile, and reinstallation of the existing streambed material.

ITEM 983.522 (Continued)

MATERIAL

The top 18 inches of streambed material excavated from the existing streambed shall be removed and stockpiled to facilitate reinstallation and replication of the natural streambed. The excavated streambed material below the top 2 feet shall be stockpiled and reused to fill the voids in the proposed riprap placed below the top streambed restoration layer.

In the event that the excavated material is not suitable or there is not enough available suitable material, additional streambed restoration material shall be locally sourced that matches the composition of the existing native riverbed.

Approximate Stream Bed Surface Material Size Distribution

Particle*	**Amount (%)**
Boulder	15
Cobble	30
Coarse Gravel	30
Fine Gravel	20
Sand	5

The streambed material shall be approved by the Resident Engineer and Geomorphologist prior to use.

Related Items

Crushed Stone. Shall conform to the requirements of Item 156.2 Crushed Stone for Slope Treatment and shall be paid for under that item.

Riprap Stone shall conform to the requirements of Item 983. and shall be paid for under that item.

CONSTRUCTION

The streambed material shall be reinstalled over riprap (MassDOT Item 983.), as depicted on the plans, to an average thickness of 18 inches. The initial placement of streambed material shall fill/choke the voids in the underlying riprap. Fill voids by shaking stone with the teeth of an excavator bucket, hand tamping with metal tamping rods, and by spraying water to settle fines between large stones. Plate compactors shall not be used. 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.

ITEM 983.522 (Continued)

Reinstallation of the stockpiled streambed material shall be placed on top of the riprap to restore streambed habitat and fish passage. The streambed materials shall be installed during normal low water conditions behind cofferdams in accordance with the environmental permits.

Completion

Once all material has been placed in the stream channel and approved by the Geomorphologist and Resident Engineer, the Contractor shall remove the cofferdams in such a way as 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 shall maintain the general configuration of the existing streambed bedform and there shall be minimal subsurface flow upon final inspection by the Resident Engineer and Geomorphologist. The project must be passable by fish and other aquatic organisms following construction. Terrestrial wildlife must be able to walk along the riverbank.

The streambed restoration to be measured for payment will be the complete and accepted work for restoration of the streambed within the limits shown on the Plans as approved by the Resident Engineer and Geomorphologist.

BASIS OF PAYMENT

The accepted streambed restoration will be paid for on a lump sum basis. Payment will be full compensation for excavating, stockpiling, transporting, and placing the material specified and for furnishing all labor, tools, equipment, testing, and incidentals necessary to complete the work.

The Geomorphologist will be provided by MassDOT at no cost to the Contractor.

ITEM 991.1 **CONTROL OF WATER STRUCTURE NO. W-27-028 (CEQ)** **LUMP SUM**

The work to be done under this item consists of all work required for the control of water when placing riprap, installation of embankment protection, substructure removal and construction of the new structures as shown on the plans, specified herein or as directed by the Engineer. The work shall include the furnishing, installing, maintenance and removal that may be required in performing the work for controlling the water, temporary cofferdam and the water diversion system.

The work shall also include all materials, equipment and labor needed to construct, install, maintain and remove temporary control of water systems, sedimentation basins, cofferdam, pumping operations, installation of earth berms, sandbags, temporary cofferdam, sumps, filter fabrics, weirs, stone, and all other means to collect, settle, and discharge water back into the waterways during construction. As part of the work under this item, it is the responsibility of the Contractor to determine the need and extent of dewatering required.

The work under this item shall conform to the relevant provisions of Sections 140.60 and 950 of the Standard Specifications, the plans and the following:

The operations of Control of Water shall not cause the accumulation of siltation nor have any adverse effect to the water or the environment.

The temporary control of water systems includes water flow diversion and sedimentation and erosion control needed for the control of water and not paid for under Item 767.121. The temporary control of water systems shall be non-permanent and shall not harm the ecology of the river, land under water, and surrounding land, and shall be comprised of sand bag cofferdams, such as steel plates, trench box or other approved impervious curtains, and dewatering to facilitate construction activities.

The work shall include designing, constructing, maintaining, removing and legally disposing as applicable the temporary cofferdam and dewatering systems required to construct, protect and maintain all new and adjacent facilities project wide. These include, but are not limited to, new and existing structures, drainage and water quality areas, demolition work, utilities, roadways, and the Limits of Disturbance identified on the Plans and as stipulated by the permit agencies.

The Contractor shall determine the locations where temporary cofferdam and dewatering systems are required in order to undertake the proposed work and submit shop drawings in accordance with this Special Provision and the Contract Documents. At a minimum and at any location where the excavation and/or dewatering extends into the zone of influence of a facility, the Contractor shall submit a design for the proposed systems or submit supporting calculations and/or evidence that clearly demonstrate that temporary cofferdam and dewatering system(s) is/are not required. The zone of influence is defined as an imaginary line extending horizontally two feet from the bottom edge of the facility and down on a 2HorizontaI:1VerticaI (2H:1V) slope

ITEM 991.1 (Continued)

All material used for the temporary cofferdam, whether new or used, shall be sound, and free from strength impairing defects. Steel plate (if used) shall be ASTM A36 minimum. The Engineer may reject materials regarded to be unsound.

Obstructions: The Contractor is responsible for the removal or clearing of obstructions along the temporary cofferdam system alignment to the depth of proposed temporary structure. Pre-trenching and/or probing along the alignment of the temporary cofferdam or implementing other procedures to remove obstructions in advance of temporary cofferdam System construction may be required.

SUBMITTALS

Prior to the commencement of any work at the site, the Contractor shall submit to the Engineer for review and approval, a detailed plan for water control, including the construction of the water control system, temporary cofferdam and a sequence of footing placement with a timetable and details specific to the construction. The submittals shall include working drawings and calculations detailing the methods and materials proposed to account for all anticipated loads and construction conditions necessary to permit the work while maintaining a safe work area and protecting property from damage.

The Water Control Plan shall include a Sedimentation and Erosion Control Plan and a Water Flow Diversion and Containment Plan. The plans shall be adequate in detail to define specifics regarding materials, sizes, connections and incidental items associated with the work. The furnishing of such plans shall not serve to relieve the Contractor's responsibility for the safety of the work or his/her responsibility for the successful completion of the project. The proposed plans submitted shall be designed and stamped by a Professional Engineer Registered in the Commonwealth of Massachusetts.

Sedimentation and Erosion Control Plan: The Contractor shall submit to the Engineer, plans and details of the intended sedimentation treatment basin system that will be used along with dewatering techniques, and its location at the bridge site. All discharge resulting from dewatering activities shall be directed to temporary sedimentation treatment basins at locations approved by the Engineer. At no time shall said discharge be directly released into the river or wetland basins. The proposed plan shall include methods and equipment necessary to discharge water from the sedimentation treatment basins. Sedimentation treatment basins shall be sized appropriately to adequately dewater from the proposed work zone while allowing sufficient time for sediments to settle out of the water, and with a depth such that a minimum of 18 inches of freeboard is maintained throughout its use.

Water Flow Diversion and Containment Plan: The Contractor shall submit plans and details along with a complete description showing the proposed control of water and dewatering plan to the

ITEM 991.1 (Continued)

Engineer for his approval prior to the start of the work. The proposed plan shall include methods and equipment necessary to perform the work and shall include water discharge methods and equipment to bring water from the work zone to sedimentation treatment basin.

The Contractor shall submit for approval the drawings and calculations of the proposed temporary cofferdam system, stamped by a Professional Structural Engineer registered in the Commonwealth of Massachusetts. No work shall proceed until the system has been reviewed and approved by the Engineer. and shall include the following:

1. Detailed calculations of analyses and designs to be employed.

2. A detailed narrative describing the proposed construction and construction sequence for the temporary works systems. The narrative shall detail the sequencing of the cofferdam and dewatering systems construction, including the installation phase, pre-excavation, excavation, permanent below-grade structure construction and dewatering process for each temporary works system.

The Contractor shall make his/her own evaluation of existing conditions and water flow, the effects of his/her proposed temporary works and construction methods and shall provide design for all loads and construction conditions necessary to permit construction of the specified structures while maintaining public safety and protecting completed work and all third party property from damage due to construction operations. The Contractor shall also provide a description and details of the intended methods to prevent debris, including airborne particles, from entering the river during the entire project duration.

The Contractor shall design temporary cofferdam and dewatering systems such that:

1. Bottom of excavation groundwater level is controlled and potentially lowered to that level to permit construction work to be always performed in-the-dry and on stable subgrade or to that level as directed by the Engineer.

2. Dewatering discharge employs appropriate filter design to prohibit subgrade soil fines from migrating and potentially degrading excavation subgrade strength and stability, and potentially causing discharge water environmental concerns,

3. Dewatering discharge is consistent with permit requirements

4. Designs are consistent with sounds dewatering engineering practice, with back-up redundant components to ensure consistent and continuous operation once initiated and until no longer needed or as directed by the Engineer.

ITEM 991.1 (Continued)

CONSTRUCTION METHODS

The work to be done under this heading shall include placing and removing the control of water structures and cofferdam at locations determined by the contractor and approved by the Engineer. This work shall include dewatering to conduct the work. The dewatering discharge shall be directed to a temporary sedimentation treatment basin. Where sand bags are used, the bags shall not decay nor rip or tear during the installation, its service life within the waterway, or during the removal process. The Contractor shall not disturb the stream bed prior to placing the water diversion devices and temporary cofferdam, in order to avoid migration of silts and sands further downstream. The Contractor is responsible for researching the seasonal flow characteristics of the river to determine appropriate water diversion details.

Water-tightness and control: The Contractor shall seal the inside face of any temporary cofferdam system as necessary to provide a reasonably watertight system. The Contractor shall limit water entering through the system joints, tremie seal (if a tremie is used), and/or exposed bottom of excavation so as not to degrade subgrade conditions and damage the permanent work. All water entering the excavation, including water from rainfall, surface water runoff, and from groundwater sources, shall be removed from the excavation to prevent unstable conditions and damage to construction. If water is determined by the Engineer to have damaged the permanent work, the Contractor is required to make repairs to the permanent work, to the satisfaction of the Engineer and at no additional cost to the State. If such repairs cannot be made, then the damaged works shall be removed and replaced with new construction, at no additional cost to the State.

Measures to control the discharge of sediment or pollutants into the water resource areas shall include, but not be limited to the following:

1. Site construction areas outside the buffer zones and on relatively flat ground.

2. Schedule the work within the resource areas to avoid periods of anticipated high water (i.e. spring floods) and inclement weather.

3. Management of construction operations involving hazardous materials, such as refueling and maintenance of equipment within the resource areas.

4. Installation and continuous maintenance of water control measures throughout the project.

5. Treatment of all discharge resulting from dewatering activities through a sedimentation/detention basin to control turbidity. At no time shall the discharge from dewatering activities be directly released into a resource area.

ITEM 991.1 (Continued)

Control of water structures shall be located within the project limits shown on the Contract Drawings. Locations of sedimentation/retention basins will be determined by the Contractor based on the selected methods of construction. Placement of the basins shall be in an upland area that is within the existing right of way.

All dewatering and related water control work shall be conducted in such a manner as to prevent siltation or contamination of the waterway. At a minimum, the settling basin shall be constructed of an earthen berm lined with geotextile fabric and surrounded by staked hay bales. The basin shall meet or exceed the following criteria:

1. The size and location of the basin shall be determined based on the size of the Contractor's pump and the anticipated flows for the river and the need to perform the footing work in the dry.

2. The outlet/weir of the dewatering basin 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 basin.

3. The Contractor shall not allow any sediment within the settling basin to accumulate to a depth of greater than 12 inches at any point in the basin, nor shall the water level be allowed to rise to a height of more than 24 inches.

4. The sedimentation treatment basin shall be designed with a minimum of 18 inches of freeboard, which must be maintained at all times.

5. The Contractor shall inspect the settling basin(s) at least twice daily when in operation.

6. Damages shall be repaired immediately.

7. The settling basin outlet shall be cleaned daily.

8. The sediments within the settling basin shall be disposed of as approved by the Engineer.

Upon completion of water control, the materials and equipment used to maintain the cofferdam(s) and sedimentation treatment basin(s) shall become the property of the Contractor and shall be removed to the limits shown on the Contract Drawings by the Contractor from the site. The area affected shall be restored to its natural condition in a manner subject to the Engineer's approval.

ITEM 991.1 (Continued)

BASIS OF PAYMENT

Control of Water — Structure No. W-27-028 (CEQ) shall be paid for at the Contract lump sum price, which shall include, but not be limited to, the design of the water control systems including temporary cofferdam, as well as all equipment, materials, appurtenance, and labor needed for the installation, maintenance, removal, dewatering, disposal of the materials used for water control, and disposal of any siltation materials caused by the pumping operation. All costs required for permits, transport, special handling, inspection, testing, etc., shall be included in the Contract bid price, which shall also include all labor, materials, equipment, tools, and incidental costs required to complete the work.

Associated work to prevent damage to adjacent areas shall be considered incidental to payment for this item.

ITEM 994.011 TEMPORARY PROTECTIVE SHIELDING OUTSIDE FASCIA BEAMS BRIDGE NO. W-27-028 (OTA) **LUMP SUM**

ITEM 994.012 TEMPORARY PROTECTIVE SHIELDING BETWEEN FASCIA BEAMS BRIDGE NO. W-27-028 (OTA) **LUMP SUM**

The work done under these item consists of furnishing, installing, maintaining, removing and disposing of a protective shielding system on and under the bridge. The shielding shall protect river and personnel on and under the bridge from falling or flying debris during the concrete deck removal and during construction of the temporary utility support and new structure. The Contractor shall submit calculations and detailed drawings of the proposed shielding to the Engineer for approval. These calculations and drawings shall be stamped by a Professional Engineer registered in Massachusetts.

The Contractor shall be required to shield the entire existing structure over the river below.

The shielding shall conform to the following:

1. Shielding shall be in place prior to start of deck removal.

2. Shielding shall not lessen the existing vertical clearance under the bridge.

3. Shielding shall extend the full length of the bridge and a sufficient distance above and beyond the deck overhang at the fasciae.

4. Shielding shall have all spaces along the perimeter and at the seams sealed to prevent dust and debris from escaping.

5. Shielding shall be designed to safely withstand all loads that it will be subjected to. 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 also the maximum size of deck area being excavated (i.e. 1 ft x 1 ft Jackhammered sections or 6 ft x 2 ft wet saw cut sections).

6. Shielding shall be installed or removed only upon approval of the Engineer.

ITEMS 994.011 & 994.012 (Continued)

The Contractor may utilize the bottom flanges of the existing beams as supports for the Protective Shielding. However, the Contractor shall not be permitted to weld onto, drill into, or cut in the tensile zone areas of any existing structural beams without prior MassDOT's approval.

All materials used in the shielding system shall become the property of the Contractor and shall be removed from the site at the completion of the project.

BASIS OF PAYMENT

Item 994.011 Temporary Protective Shielding Outside Fascia Beams Bridge No. W-27-028 (CEQ) shall be paid as that portion of the Shielding system to the outside of the fascia beams, one lump sum complete and in place.

Item 994.012 Temporary Protective Shielding Between Fascia Beams Bridge No. W-27-028 (CEQ) shall be paid as that portion of the Shielding system in between the fascia beams, one lump sum complete and in place.

For both Items 994.011 and 994.012 payments will be made as follows:

1. The first payment of 70% of the Lump Sum bid price of these Items will be made upon completion of the installation of the shielding system to the satisfaction and approval of the Engineer.

2. The second payment of 30% of the Lump Sum bid price for these Items will be made upon the removal and satisfactory disposal of the shielding system from the project.

Payment under these items shall be at the respective lump sum prices bid which shall include all labor, materials, equipment, tools, and incidentals necessary to complete the work.

Appendix I:

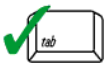
Checklist for Stormwater Report

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.

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands Program

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.

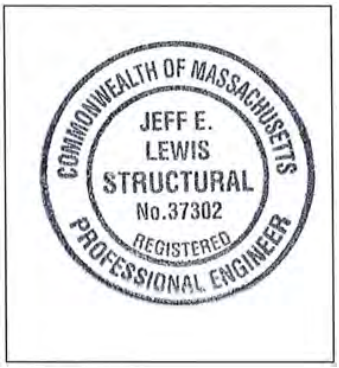
Note: Because stormwater requirements vary from project to project, it is possible that a complete Stormwater Report may not include information on some of the subjects specified in the Checklist. If it is determined that a specific item does not apply to the project under review, please note that the 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



Signature and Date 8/13/24

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

Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands Program

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
Bureau of Resource Protection - Wetlands Program

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
Bureau of Resource Protection - Wetlands Program

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
Bureau of Resource Protection - Wetlands Program

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 J:

Operation and Maintenance Plan

Westhampton – Bridge Replacement, W-27-028, Perry Hill Road Ext over North Branch of Manhan River

Stormwater Management System Operation and Maintenance Plan and Long-Term Pollution Prevention Plan

Town of Westhampton

PREPARED FOR

massDOT

10 Park Plaza
Boston, MA 02116

PREPARED BY

GAROFALO

Garofalo & Associates, Inc.
85 Corliss Street
Providence, RI, 02904

July 15, 2024

Table of Contents

1

Stormwater Management System Operation and Maintenance (O&M) Plan

This Stormwater Management System Operation and Maintenance (O&M) Plan describes the approach for inspection and maintenance of drainage infrastructure and structural stormwater control measures (SCMs) to minimize contaminant loading for Bridge Replacement, W-27-028, Perry Hill Road Ext over North Branch of Manhan River in Westhampton. In general, inspection and maintenance activities will be conducted consistent with the National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer System (MS4) and MassDOT's anticipated NPDES Transportation Separate Storm Sewer System (TS4) Permit.

This document has been prepared per the requirements of Massachusetts Department of Environmental Protection (MassDEP) Regulations 310 CMR 10.05 (6)(k)(9) and satisfies the requirements of Massachusetts Stormwater Standard 9.

1.1 Responsible Party

The Town of Westhampton will be responsible for the operation and maintenance of all stormwater management systems within the project area. Questions or concerns regarding activities associated with this O&M Plan should be addressed to the William Jablonski - Superintendent, Town of Westhampton Highway Department located at 58 Hathaway Road, Westhampton MA, 01027, phone (413) 527-0136.

1.2 Inspection and Maintenance Measures and Record-Keeping

The stormwater management system covered by this O&M Plan consists of the following measures:

- Vegetated swale opposite House 35 Perry Hill Road Ext.

and maintenance shall be recorded by personnel in the field to document sediment accumulation, maintenance action performed, and follow-up actions needed.

The table below summarizes data that is generally collected for each asset type. For all assets, the inspector and inspection date shall be recorded. Photo documentation of structure condition shall be taken and attached to the inspection record.

Inspection Form	Applicable Stormwater Assets	Information Collected
SCMs	Consistent with the MassDOT Stormwater Design Guide (SDG), SCM categories include: › Infiltration SCMs › Stormwater wetland SCMs › Bioretention SCMs › Other SCMs	› SCM accessibility › Presence of standing water › Level of erosion › Sediment accumulation › Trash/Debris accumulation › Vegetation condition › Overall SCM condition

Inspection and maintenance records shall be kept for at least three years. Representatives of theTown of Westhampton Conservation Commission(s), MassDEP, and US EPA may obtain access to these records, upon request. Additionally, the Town of Westhampton shall allow members and agents of MassDEP and the Conservation Commission(s) to enter and inspect the premises, upon request, to evaluate and ensure that the Operation and Maintenance Plan requirements for each SCM are being followed.

Maintenance actions will not occur at any set frequency, but rather will be based on condition and impact to functionality. Maintenance to be performed on the stormwater system includes:

Stormwater Feature	Potential Maintenance Actions	
Surface SCMs	• Remove and properly dispose of accumulated material (e.g., sediment, trash, leaf litter, debris) • Mow vegetated areas and remove and dispose of grass clippings • Regrade areas that show signs of unwanted ponding and channelization • Stabilize or reconstruct eroded areas and reseed • Replace stones/soil and/or replant vegetation	• Remove woody growth • Treat invasive plants according to MassDOT Landscape Design Section • Infiltration and bioretention SCMs only: o Address issues of standing water o Drain and reconstruct SCM o If rehabilitation is not possible, then retrofit to be a wet SCM while considering safety implications
Inlets and Outlets to SCMs	• Clear inlet and remove and properly dispose of sediment, trash, leaf litter, debris, and vegetation • Regrade areas that show signs of ponding and channelization • Repair or replace structural components • Repair damaged or eroded areas	• Provide or rehabilitate erosion control at the outlet • Regrade and replace the channel materials • Remove woody growth • Stabilize or reconstruct eroded areas • Treat invasive plants according to MassDOT Vegetation Management Plan

Based on the results of the inspection, repairs will be made in accordance with standard practices.

1.3 Erosion and Sediment Control Measures during Maintenance Activities

For maintenance activities that could result in discharges of sediments or other contaminants into wetlands, waterways, or other resource areas regulated under 310 CMR 10.00, the responsible maintenance personnel will employ measures to prevent migration of these sediments/contaminants. Such temporary measures may include, but are not necessarily limited to, the use of siltation barriers, catch basin silt sacks/filter bags, pipe plugs, cofferdams deployed within the stormwater structure, turbidity curtains, or other practices designed to prevent such discharges.

Where maintenance occurs in areas that are confined, with no risk of discharge to adjacent water bodies, no special measures may be needed. Examples include, but are not limited to: (1) cleaning of a forebay under dry conditions when the work can be completed and exposed surfaces stabilized prior to placing it back into service; and (2) catch basin cleaning where the activity is limited to removing material from a sump below the elevation of the outlet pipe.

2

Long-Term Pollution Prevention Plan

This Long-Term Pollution Prevention Plan (LTPPP) describes the approach for pollution prevention and related maintenance activities for Bridge Replacement, W-27-028, Perry Hill Road Ext over North Branch of Manhan River in Westhampton. In general, long-term pollution prevention and related maintenance activities will be conducted consistent with:

- The National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Small Municipal Separate Storm Sewer System (MS4),
- MassDOT's anticipated NPDES Transportation Separate Storm Sewer System (TS4) Permit, and
- Measures outlined in MassDOT's Stormwater Management Plan (SWMP).

This LTPPP satisfies the requirements related to pollution prevention under Massachusetts Stormwater Standards 4, 5, 6, and 10.

2.1 Practices for Long-Term Pollution Prevention

For the facilities covered, long-term pollution prevention includes the following measures.

- good housekeeping;
- routine inspections and maintenance of SCMs;
- spill prevention and response;

2.1.1 Litter Pick-up

The Westhampton Highway Department will conduct litter pick-up from the stormwater management facilities in conjunction with routine road maintenance activities.

2.1.2 Inspection and Maintenance of Stormwater Assets

The Westhampton Highway Department will conduct inspection and maintenance of drainage infrastructure and the stormwater control measures (SCMs) in accordance with the O&M Plan, as described in Section 1.

2.1.3 Maintenance of Landscaped Areas

Routine mowing will be conducted according to standard the Westhampton Highway Department practices. SCM basin bottoms and embankments designed to impound water should be mowed as required to prevent establishment of woody vegetation.

2.1.4 Prohibition of Illicit Discharges

The MassDEP Stormwater Management Standard 10 prohibits illicit discharges to the stormwater management system. Illicit discharges are discharges that do not consist entirely of stormwater, except for certain specified non-stormwater discharges.

In accordance with the existing MS4 permit and anticipated TS4 permit requirements, examples of discharges from the following sources are not considered illicit discharges:

- Firefighting activities*
- Foundation drains
- Landscape irrigation
- Rising groundwater
- Diverted stream flows
- Flows from riparian habitats/wetlands
- Potable water sources
- Wash water from residential buildings (no detergents)
- Lawn watering
- Water from crawl space pumps

*Water from firefighting activities is allowed and need only be addressed where they are identified as significant sources of pollutants to waters of the United States.

2.1.5 Spill Prevention and Response

Response procedures will be implemented at this project site for any significant release of hazardous materials such as fuels, oils, or chemical materials that have the potential of discharging to the river.

Reportable quantities will immediately be reported to the applicable Federal, State, and local agencies as required by law. Reportable quantities of chemical, fuels, or oils are established under the Clean Water Act and enforced through MassDEP. The MassDEP Emergency Response Program shall be immediately notified in accordance with required procedures for the report of a release (telephone (888) 304-1133).

MassDOT works with first responders and/or public water supply owners to determine the best approach to protect water supplies, and provides training and materials to carry out action plans. In the case of a spill, applicable containment and clean-up procedures will be performed immediately. These procedures are implemented in accordance with the Unified Response Manual at the local level by first responders, which includes the Town of Westhampton's local public safety departments (e.g., fire, police, public works, board of health). Spill material collected during the response will be promptly removed and disposed of in accordance with Federal, State, and local requirements. If necessary, a licensed emergency response contractor will assist in cleanup of releases depending on the amount of the release and the ability of the responsible party to perform the required response.

Appendix K:

SLR Memo

Memorandum

To: Courtney Walker, Michael Joa, Melissa Lenker, MassDOT

From: Noah Slovin and Roy Schiff

SLR International Corporation

cc: Tim Dexter and David Paulson, MassDOT

Date: May 20, 2024

Project No. 13869.00044

RE: Westhampton 610768
Perry Hill Road Extension over North Branch Manhan River
Bankfull Width Measurement

Introduction

The bridge carrying Perry Hill Road Extension over the North Branch Manhan River in Westhampton, Massachusetts is proposed to be replaced (Figure 1).

Figure 1: Bridge Location (Google Earth)

The North Branch Manhan River flows southeast, to the south of Kings Highway. The channel turns southward and then back east as it approaches Perry Hill Road Extension; the river then bends toward the south again as it runs under the Perry Hill Road Extension Bridge (Figure 2).

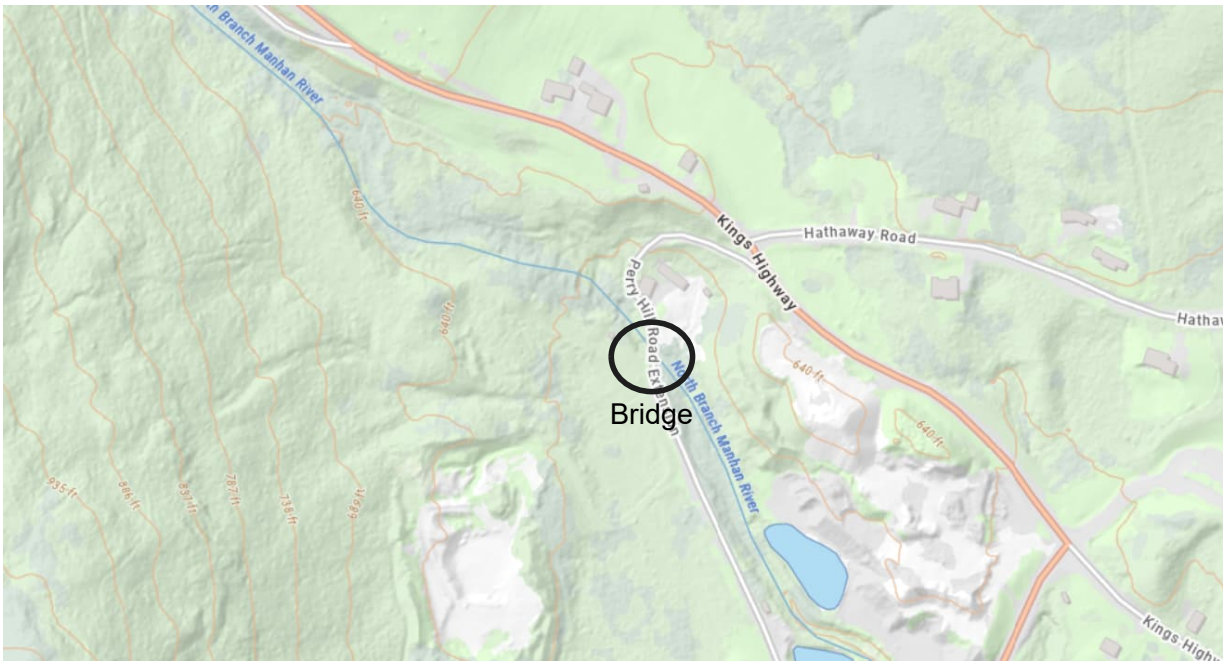


Figure 2: Bridge Location (MassMapper)

This memorandum summarizes a site visit to measure bankfull channel width and perform an initial geomorphic assessment of the North Branch Manhan River near the project site.

According to USGS StreamStats, the estimated bankfull channel width at the crossing is 29.3 feet and the depth is 1.6 feet (Bent and Waite, 2013). The project site's drainage area is approximately 4.3 square miles. The predicted 100-year flow at the site is 168 cubic feet per second (Zarriello, 2017).

Field Observations

SLR visited the project site on May 14, 2024. The site visit was conducted on a sunny day during normal flows. The hydraulic opening of the existing structure was measured to be 18 feet wide and 8 feet high.

More than approximately 300 feet upstream of the bridge, the river is straight with a cobble and boulder bed (Figure 3). The channel then runs over a large bedrock outcropping and flows over wide cascades for about 200 feet (Figure 4). The channel then returns to a mostly cobble and boulder channel just upstream of the crossing (Figure 5).

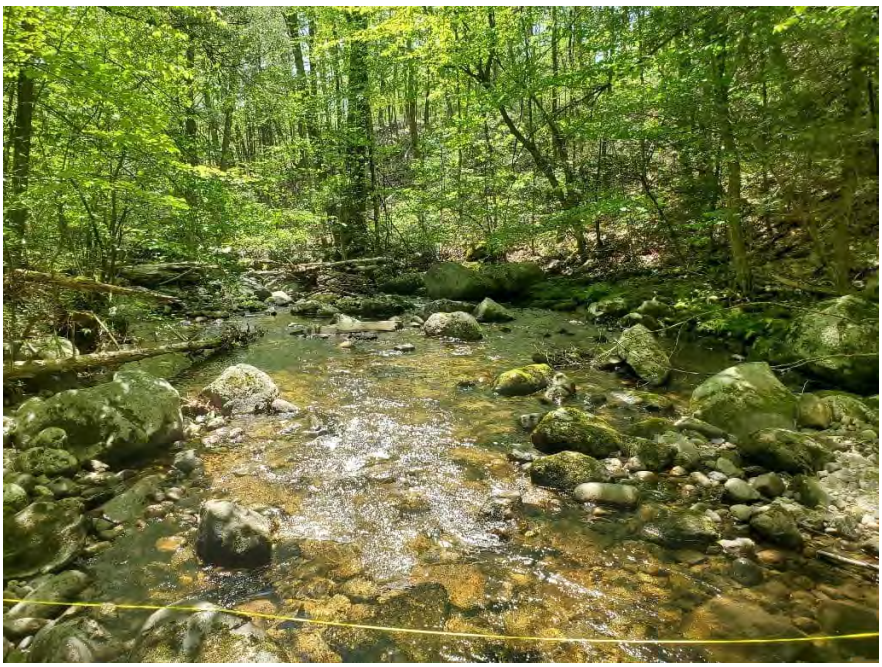


Figure 3: Upstream "Reference" Reach (looking downstream)

Figure 4: Bedrock Cascade Approximately 200 feet Upstream from the Bridge

Figure 5: View of Bedrock Transitioning to Cobble and Boulder (looking downstream towards the bridge)

At the bridge and continuing downstream, the river flows through a broad valley; however, the channel is straightened and constrained between Perry Hill Road Extension and the sand and gravel operation on the left bank (Figure 6). Minor bank erosion was observed both upstream and downstream of the bridge.

Figure 6: Channel Downstream of Bridge (downstream view)

Erosion and channel down-cutting were observed at the upstream end of the left bridge abutment (Figure 7). The right bank is heavily fortified with a large boulder wall (Figure 8). Within the bridge, cobbles and boulders were present on the left half of the channel, while the right half is eroded to bedrock. The channel widens on the right bank at the downstream end of the bridge with some erosion evident on the right bank (Figure 9).

Figure 7: Left Bank Failure Upstream of Bridge

Figure 8: Upstream Face of the Existing Bridge

Figure 9: Downstream Right Bridge Abutment

About 25 feet south of the bridge on Perry Hill Road Extension a drainage culvert carries water under the road and a small seasonal channel joins the North Branch Manhan River just downstream of the bridge.

The existing bridge is not aligned with the river channel, reducing the effective width of the crossing.

Bankfull Measurements

Bankfull measurements were collected upstream and downstream of the bridge (Table 1). Because of the bedrock outcroppings immediately upstream of the bridge, upstream measurements were taken further upstream than the bedrock to match the channel setting at the bridge. The bankfull indicators used during measurement included sediment deposits, bank slope changes, and perennial vegetation. In general, the channel was found to have good floodplain access upstream of the site, and moderate floodplain access downstream. The channel appears to be somewhat confined downstream.

Based on field measurements, the design bankfull width is 32 feet. To achieve the 1.2 times bankfull width standard, the bridge opening width should be 38.4 feet.

Table 1: Bankfull Width Measurements Near the Subject Bridge

Location	Bankfull Width (feet)	Notes
US #1 – 1,000 ft upstream	33.5	Boulder and cobble bed. Coarse gravel sidebar and perennials on the right bank. Minor erosion on left bank.
US #2 – 500 ft upstream	30.0	Boulder and cobble bed. Floodplain along the left bank. Steeper right bank.
US #0 – 300 ft upstream	28.0	Excludes floodplain chute that may be active at bankfull; large tree down in cross section. Poor quality.
DS #3 – 200 ft downstream	34.0	Boulder and cobble. Gravel sidebar. Floodplain along both banks.
DS #1 – 400 ft downstream	25.0	Boulder, cobble, and coarse gravel. Slightly confined river and widening.
DS #2 – 500 ft downstream	30.0	Boulder, cobble, and coarse gravel. No floodplain. Straightened and slightly confined.
Design Bankfull Width	**32.0**	

Bed Material

An estimate of the particle size distribution was observed approximately 100 feet downstream of the bridge by observing the percent breakdown of sediment particles in a typical square meter of streambed (Table 2).

Table 2: Sediment Particle Size

Pebble Size	Approximate Percent of Bed
Sand	5%
Fine Gravel	20%
Coarse Gravel	30%
Cobble	30%
Boulder	15%

Within the bridge (Figure 10), the left half of the bed is scoured to bedrock, and the right half is made up of cobbles and boulders that match the channel conditions upstream and downstream.

Figure 10: Upstream View Through the Bridge

Design Suggestions

- Bankfull width = 32 feet
- Effective structure width ~ 38.4 feet
- Bedrock and boulder channel create stable conditions, even with the currently undersized structure
- Perform streambed restoration by placing boulders and cobbles in the bridge to match upstream and downstream conditions

References

Bent, G. C. and A. M. Waite, 2013. Equations for Estimating Bankfull Channel Geometry and Discharge for Streams in Massachusetts (U.S. Geological Survey Scientific Investigations Report 2013–5155). U.S. Geological Survey.

Zarriello, P. J., 2017. Magnitude of Flood Flows at Selected Annual Exceedance Probabilities for Streams in Massachusetts (Https://Doi.Org/10.3133/Sir20165156). U.S. Geological Survey Scientific Investigations Report 2016–5156.

MASSDOT BANKFULL FIELD MEASUREMENT FORM (REVISED 2/19/2024)

BACKGROUND

PROJECT ID | TOWN/CITY | BRIDGE / CULVERT ID

ROAD NAME | STREAM NAME | STRUCTURE LOCATION

OBSERVATION DATE / TIME | OBSERVER / COMPANY

DESKTOP BANKFULL ESTIMATE FROM STREAMSTATS

WIDTH (FEET) | DEPTH (FEET) | DRAINAGE AREA (SQUARE MILES)

CROSS SECTIONAL AREA (SQUARE FEET) | FLOW (CFS)

EXISTING STRUCTURE MEASUREMENTS (HYDRAULIC OPENING AT BANKFULL) BRIDGE CULVERT

WIDTH (FEET) | EFFECTIVE WIDTH (FEET) | HEIGHT (FEET)

BANKFULL MEASUREMENTS (FEET)

ID	WIDTH	DEPTH	UPSTREAM	DOWNSTREAM	NOTES (LOCATION, MEASUREMENT QUALITY, BANKFULL INDICATORS, PHOTO)
1					
2					
3					
4					
5					
6					

RECOMMENDED DESIGN BANKFULL WIDTH (FEET)

% BANKFULL WIDTH (RELATIVE TO EXISTING STRUCTURE WIDTH)

1.2 x DESIGN BANKFULL WIDTH (FEET)

NOTES
LOCATION: Mark on map, distance from structure, GPS coordinates, closest wetland flag.
MEASUREMENT QUALITY: Good, constrained, over-wide, other.
BANKFULL INDICATORS: Sediment deposits, shelf next to channel, large trees, small trees and shrubs, point bar, other.
PHOTO: Photo at measurement location?

MEASUREMENT METHOD | Laser range finder | Tape measure | Survey

MAP

PHOTOS

DOCUMENT A00831

ARMY CORPS OF ENGINEERS

PRE-CONSTRUCTION NOTIFICATION NO. NAE-2024-02066 &

GENERAL PERMIT NO. NAE-2022-02649

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

Regulatory Division
Transportation & Utility Section
File Number: NAE-2024-02066

Courtney Walker
MassDOT – Highway Division
10 Park Plaza
Boston, Massachusetts 02116
Via Email: Courtney.l.Walker@dot.state.ma.us

Dear Ms. Walker:

This letter is in response to the application you submitted to the U.S. Army Corps of Engineers (USACE), New England District on June 20, 2024, for a Department of the Army general permit verification. We have assigned this project file number NAE-2024-02066, which you should reference in all correspondence with this office. Our office previously issued a provisional notification letter for this project on November 15, 2024.

The project includes the permanent discharge of fill material within 154 square feet of waters of the United States (WOTUS) associated with the replacement of Bridge W-27-028, which carries Perry Hill Road Extension over the North Branch of the Manhan River; the installation of a new approach guardrails; and the construction of a new gravel roadway surface, located at Latitude 42.3185ºN and Longitude -72.7713ºW in Westhampton, Hampshire County, Massachusetts. The existing clear span bridge will be replaced with a three-sided cast-in-place bridge culvert with an open bottom. The hydraulic opening below the bridge will be increased by widening the opening by approximately four feet. The work also includes temporary discharge of fill within 425 square feet of WOTUS associated with dewatering to facilitate bridge removal and construction. The work is shown on the enclosed plans titled “MASSACHUSETTS DEPEARTMENT OF TRANSPORATION HIGHWAY DIVISION PLANS OF PERRY HILL ROAD EXTENSION OVER NORTH BRANCH MANHAN RIVER BRIDGE NO. W-27-028 (CEQ) IN THE TOWN OF WESTHAMPTON HAMPSHIRE COUNTY,” on seven sheets dated July 18, 2023, with revisions dated August 13, 2024, and November 4, 2024.

Based on the information you have provided, we verify that the activity is authorized under General Permits for the Commonwealth of Massachusetts General Permit 23 (Linear Transportation and Wetland/Stream Crossings) 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.

You can find a copy of these permits 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 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 Kevin Newton, at (978)-318-8044, or by email at kevin.m.newton@usace.army.mil.

This agency continually strives to improve our customer service. To better serve you, please complete the Customer Service Survey located at: https://regulatory.ops.usace.army.mil/customer-service-survey/.

Sincerely,

Grace Moses
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)
Ryan Hale, MassDEP (via ryan.hale@mass.gov)
Jeff Lewis, Garofalo & Associates, Inc. (jlewis@garofaloassociates.com)

Work-Start Notification Form

File Number: NAE-2024-02066 State: Massachusetts County: Hampshire

Permittee: MassDOT – Highway Division, Courtney Walker
Date Verification Issued: 1/3/2025
Project Manager: Kevin Newton

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: Kevin Newton
696 Virginia Road
Concord , MA 01742
or
kevin.m.newton@usace.army.mil and cenae-r-ma@usace.army.mil
(978)-318-8044

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-2024-002066 State: Massachusetts County: Hampshire

Permittee: MassDOT – Highway Division, Courtney Walker
Date Verification Issued: 1/3/2025
Project Manager: Kevin Newton

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: Kevin Newton
696 Virginia Road
Concord , MA 01742
or
kevin.m.newton@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**

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

PLANS OF

PERRY HILL ROAD EXTENSION OVER NORTH BRANCH MANHAN RIVER

BRIDGE NO. W-27-028 (CEQ)

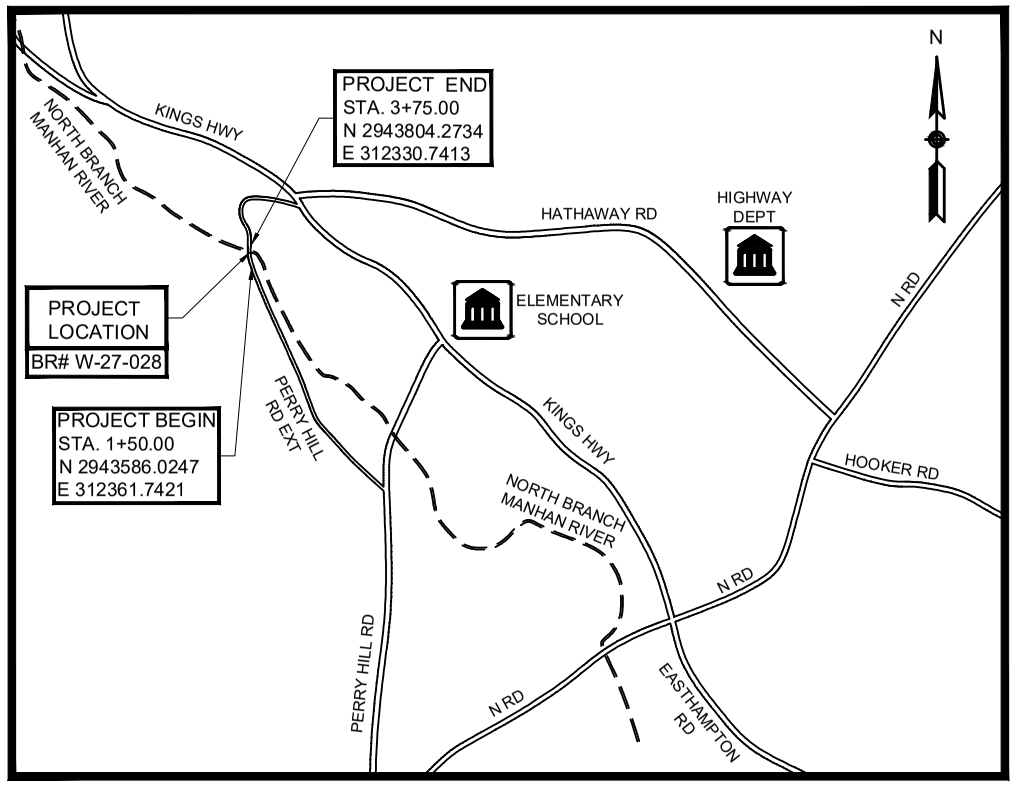
IN THE TOWN OF

WESTHAMPTON

HAMPSHIRE COUNTY

FEDERAL AID PROJECT NO. (NFA)

ENVIRONMENTAL SUBMITTAL



LENGTH OF PROJECT = 225.00 FEET = 0.043 MILE

COVER SHEET
FOR
PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

JULY 18, 2023
(REV AUG 13, 2024)

GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS

85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

ENV-1

SHEET 1 OF 7

A00831 - 8

Proposal No. 610768-129332

CONSTRUCTION PLAN
FOR
PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

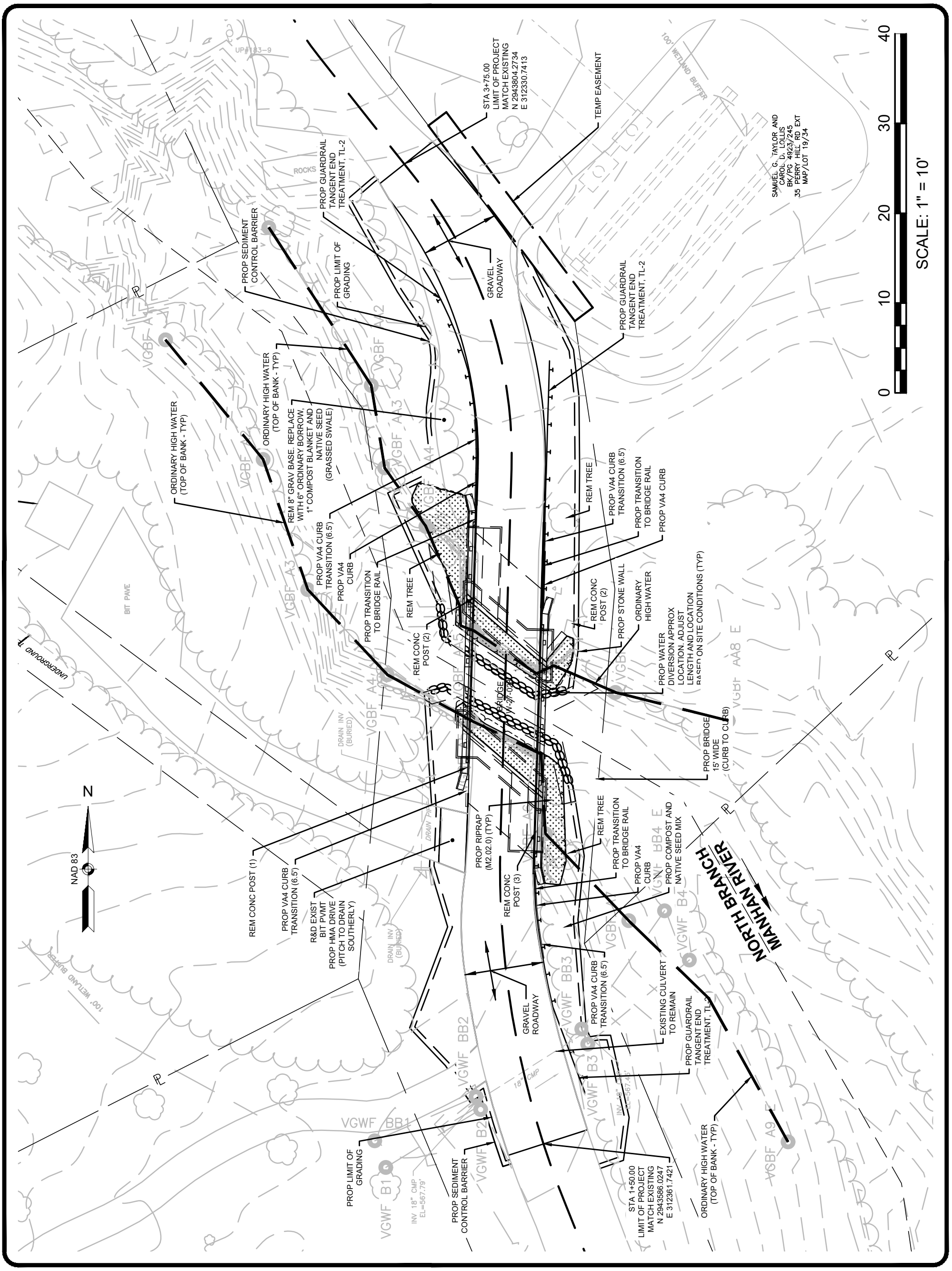
JULY 18, 2023
(REV AUG 13, 2024)

GAROFALO
GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS

85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

ENV-2

SHEET 2 OF 7



Proposal No. 610768-129332

RESOURCE IMPACT PLAN
FOR
PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

JULY 18, 2023
(REV NOV 4, 2024)

GAROFALO
GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS

85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

ENV-3

SHEET 3 OF 7

NOTES:
1. ALL DISTURBED AREAS THAT ARE NOT SPECIFIED FOR OTHER COVER TREATMENTS (RIPRAP, MILLINGS UNDER GUARDRAIL, GRAVEL/ASPHALT) SHALL BE SEEDED UNDER ITEM 765.553 "WETLAND RIPARIAN MIX". SEE SPECIFICATIONS FOR SEEDING MIX.
2. HERBICIDE TREATMENT OF INVASIVE PLANTS AND INVASIVE PLANT MANAGEMENT STRATEGY ARE INCLUDED IN THIS PROJECT UNDER ITEMS 102.3 AND 102.33.

LEGEND
- TEMPORARY IMPACTS TO WATERS OF THE U.S.
- PERMANENT IMPACTS TO WATERS OF THE U.S.
- PROPOSED RIPRAP STONE

NAD 83

SCALE: 1" = 10'

WETLAND FLAG DELINEATION

FLAG SERIES	CLASSIFICATION
A-1 - A-9, AA-1 - AA-8	BANKS OF NORTH BRANCH MANHAN RIVER
B-1 - B-4, BB-1 - BB-4	BORDERING VEGETATED WETLAND ASSOCIATED WITH INTERMITTENT STREAM

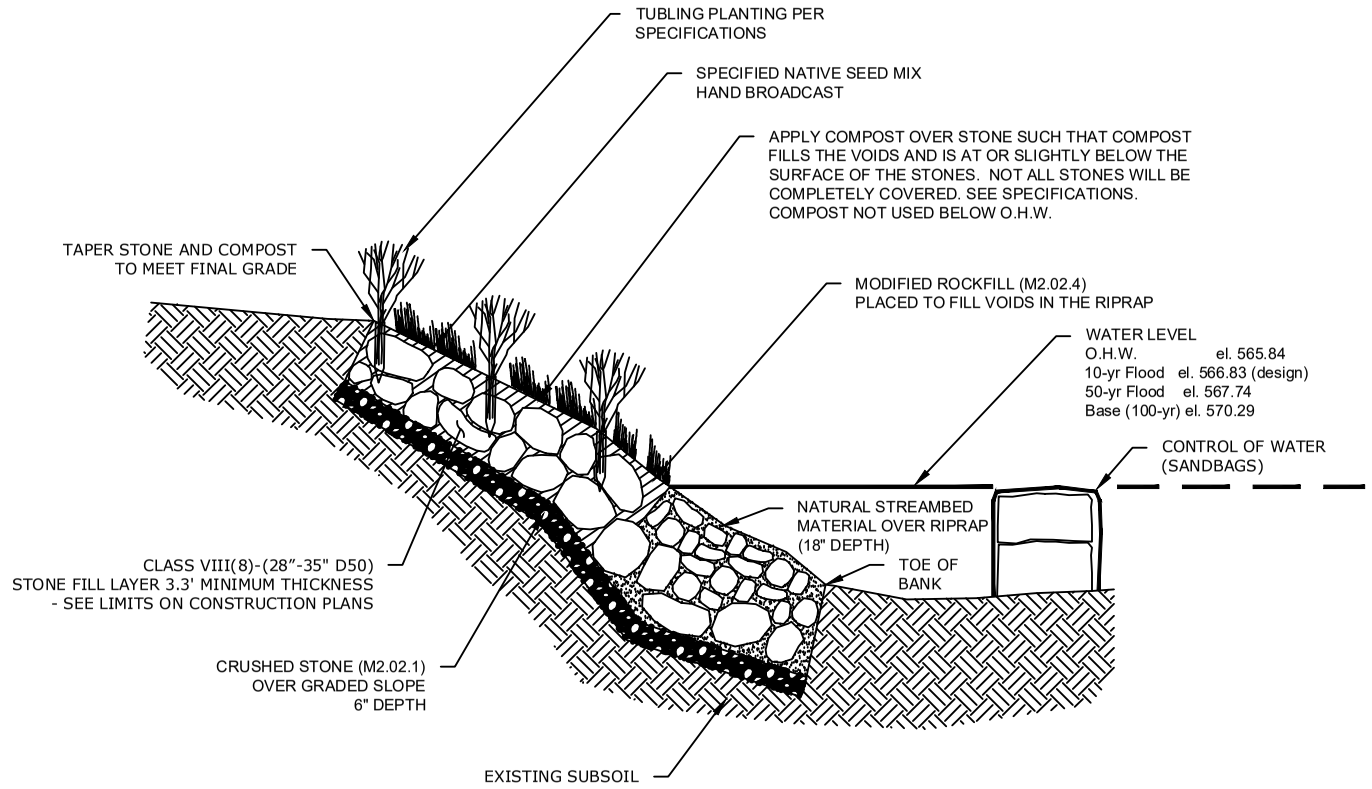
PERMANENT IMPACT AREAS

WATERS OF THE US	154 SF
VEGETATED WETLANDS	0 SF

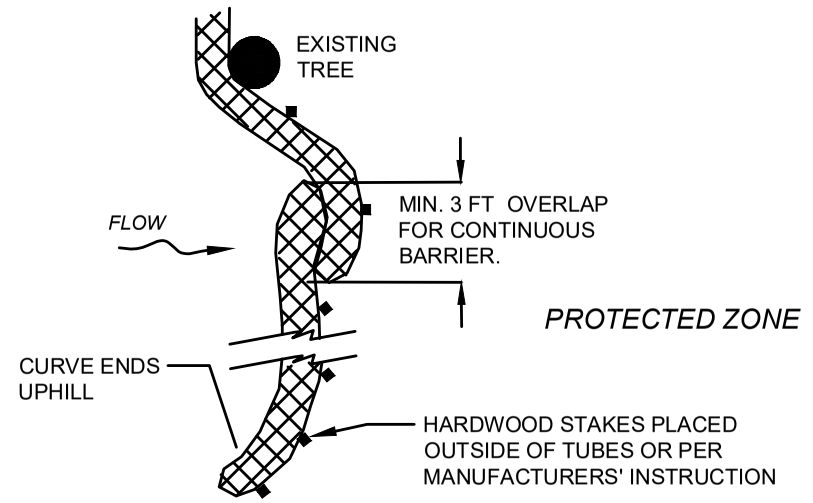
TEMPORARY IMPACT AREAS

WATERS OF THE U.S.	425 SF
VEGETATED WETLANDS	0 SF

A00831 - 10



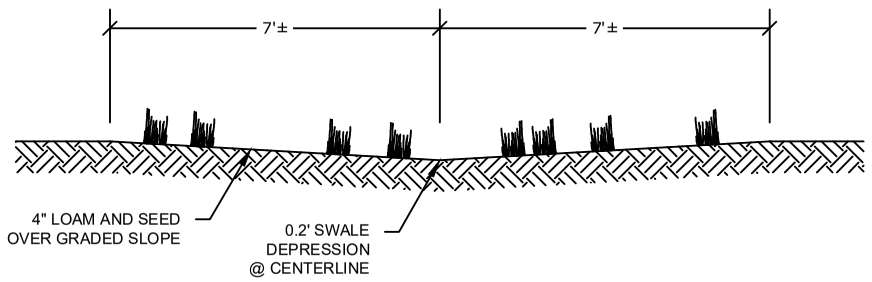
RIPRAP SLOPE INSTALLATION DETAIL
NOT TO SCALE



PLACE TUBE AS CLOSE TO LIMIT OF SOIL DISTURBANCE AS POSSIBLE, ALONG CONTOURS, AND PERPENDICULAR TO FLOW.

ADJUST LOCATION AS REQUIRED FOR OPTIMUM EFFECTIVENESS. DO NOT INSTALL IN WATERWAYS.

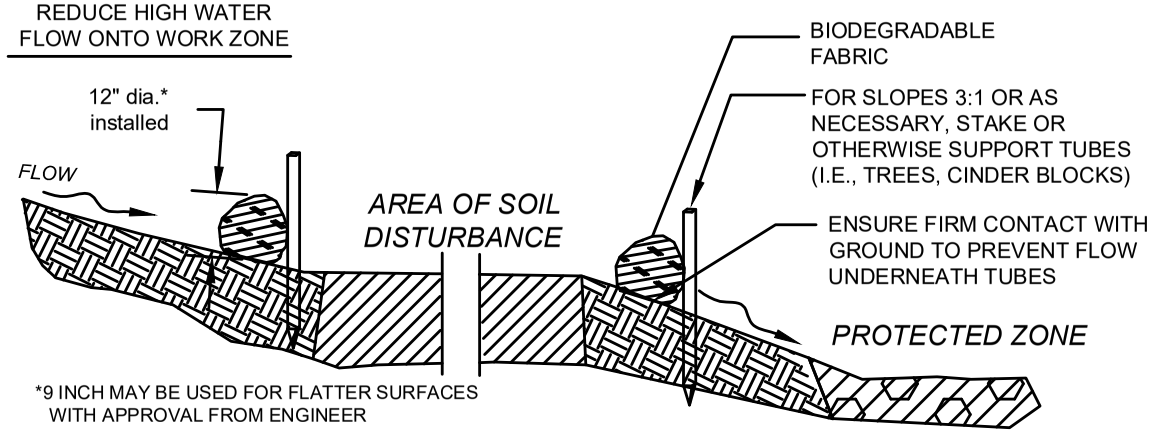
PLAN VIEW



GRASSED SWALE
STA 3+00 TO STA 3+25 12', LT
NOT TO SCALE

CAPTURE SEDIMENT AND PREVENT FLOW OFF SITE

REDUCE HIGH WATER FLOW ONTO WORK ZONE



*9 INCH MAY BE USED FOR FLATTER SURFACES WITH APPROVAL FROM ENGINEER

SECTION

SEDIMENT BARRIER - COMPOST FILTER TUBE
NOT TO SCALE

DETAIL SHEET
FOR
PERRY HILL ROAD EXT OVER NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

JULY 18, 2023
(REV NOV 4, 2024)

GAROFALO
GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS
85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

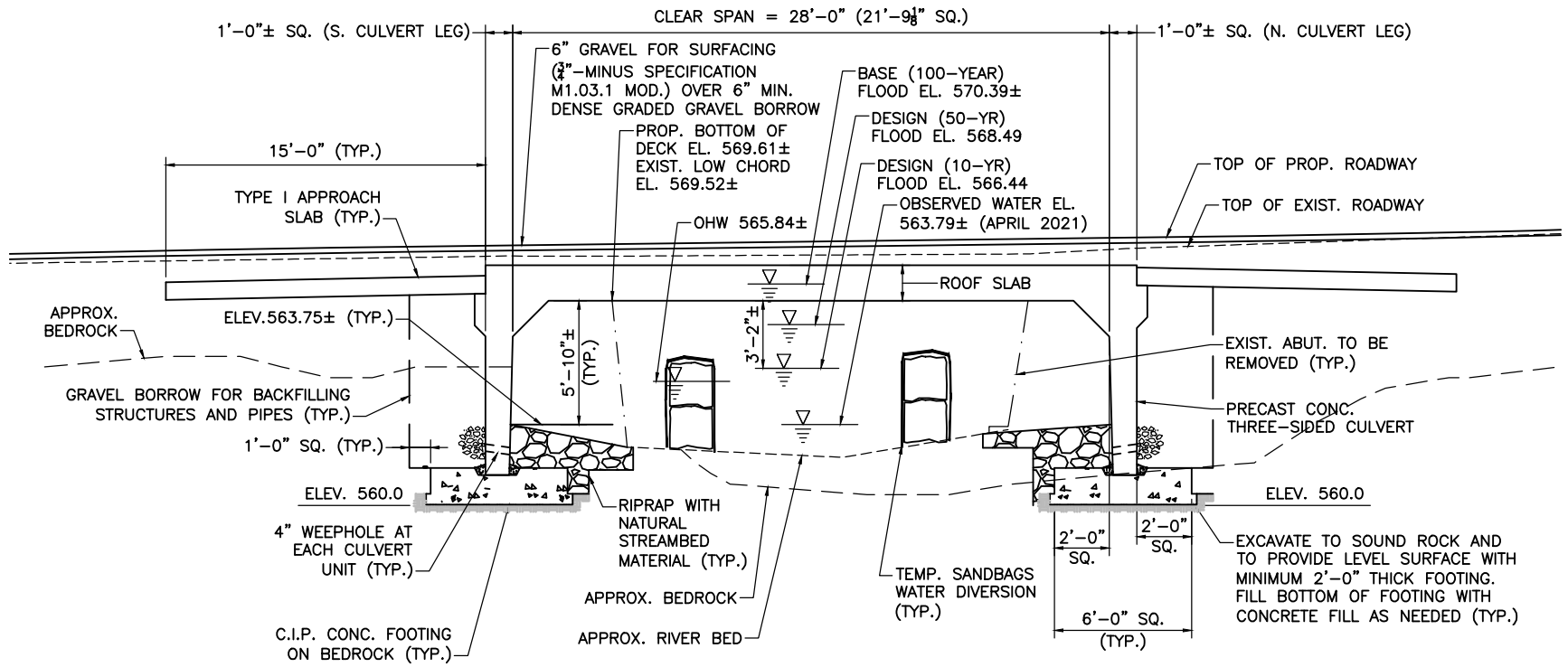
ENV-4

SHEET 4 OF 7

A00831 - 11

Proposal No. 610768-129332

THE RIVER MEANDERS SIGNIFICANTLY WITH BOULDER OUTCROPS, MULTIPLE CASCADES AND VARYING WIDTHS, PARTICULARLY UPSTREAM OF THE BRIDGE. FOR THIS REASON, THE BANKFULL WIDTH OF THE RIVER IS DIFFICULT TO ESTIMATE. USING LOCATIONS BOTH UPSTREAM AND DOWNSTREAM OF THE EXISTING CROSSING, THE BANKFULL WIDTH WAS ESTIMATED USING SEDIMENT DEPOSITS, BANK SLOPE CHANGES AND PERENNIAL VEGETATION. BASED ON THESE FIELD MEASUREMENTS, THE DESIGN BANKFULL WIDTH IS 32 FEET. THE SQUARE WIDTH BETWEEN THE PROPOSED ABUTMENTS IS 22' AND DOES NOT MEET THE 1.2 X BANKFULL WIDTH OF 38.4 FEET. IT DOES, HOWEVER, PROVIDE AN ADDITIONAL 4' OF WIDTH OVER THE EXISTING ABUTMENT OPENING (1.25 X THE EXISTING WIDTH, ABUTMENT FACE TO ABUTMENT FACE).



LONGITUDINAL SECTION OF BRIDGE

SCALE: ⅛" = 1'–0"

BRIDGE SECTION PLAN
FOR
PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

JULY 18, 2023
(REV AUG 13, 2024)

GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS

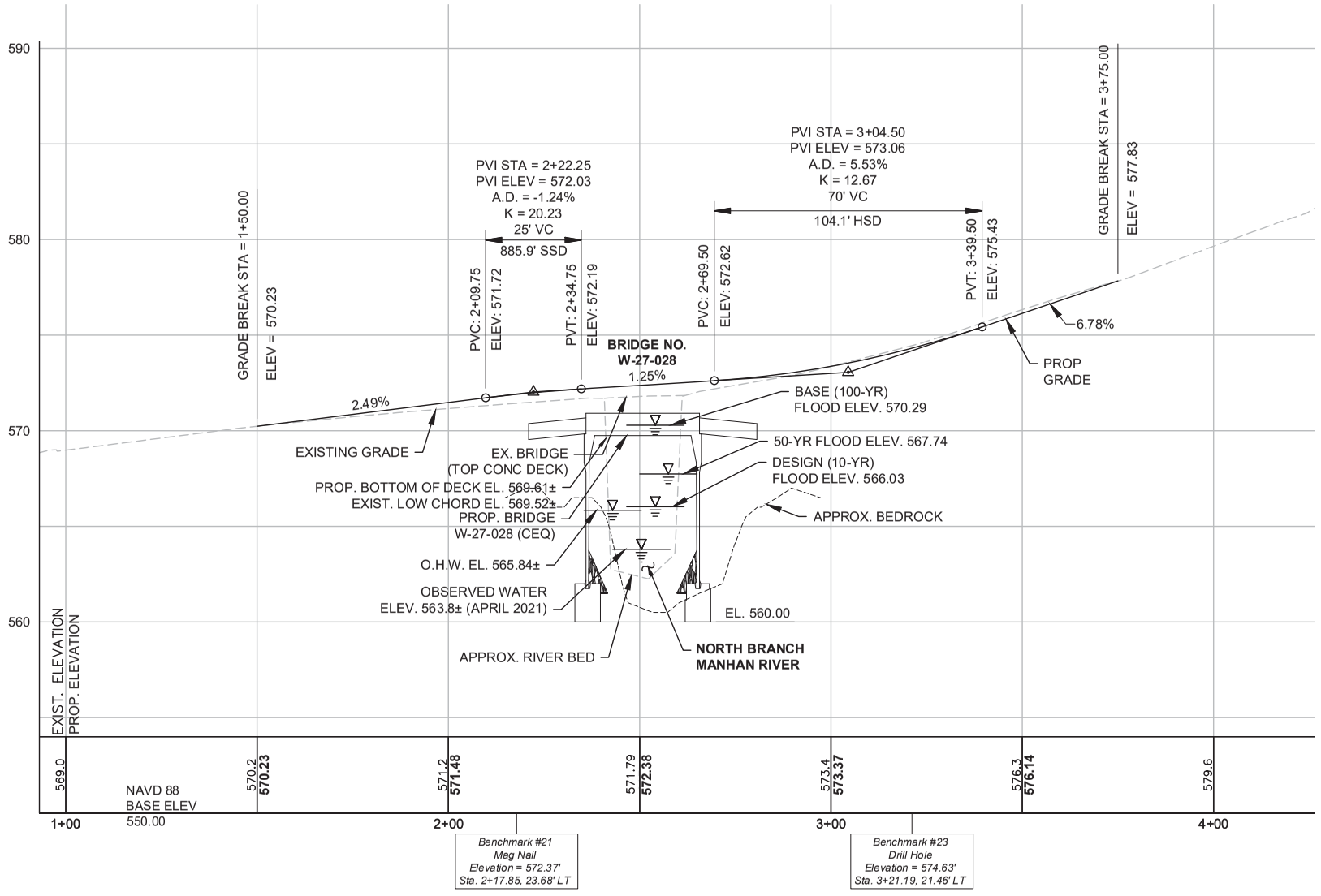
85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401–273–6000

ENV-5

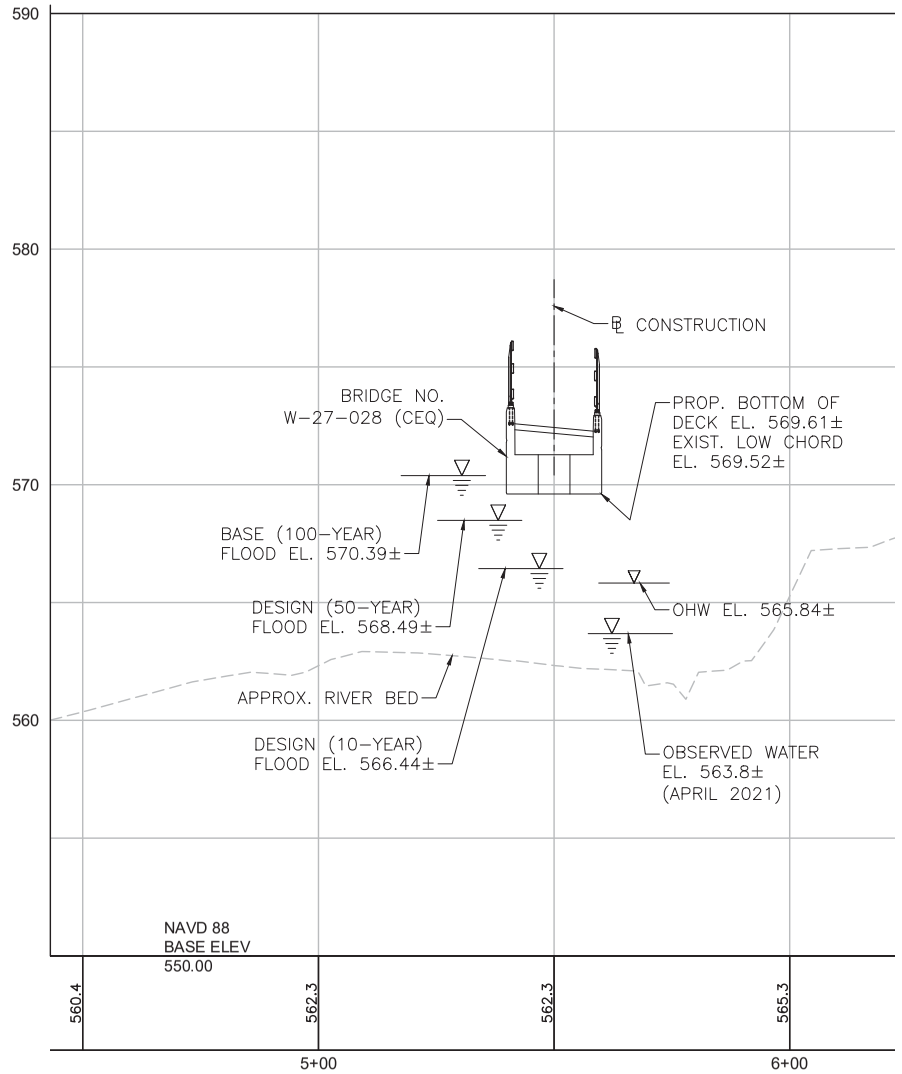
SHEET 5 OF 7

A00831 - 12

Proposal No. 610768-129332



PROFILE ALONG PERRY HILL RD EXT



PROFILE ALONG NORTH BRANCH MANHAN RIVER

HOR. SCALE IN FEET
40 0 40 80
8 0 8 16
VER. SCALE IN FEET

BRIDGE PROFILE AND LONGITUDINAL SECTION
FOR
PERRY HILL ROAD EXT OVER NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

JULY 18, 2023
(REV AUG 13, 2024)

GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS
85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

ENV-6

SHEET 6 OF 7

RIVER CROSS SECTIONS
FOR
PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

JULY 10, 2024
(REV AUG 13, 2024)

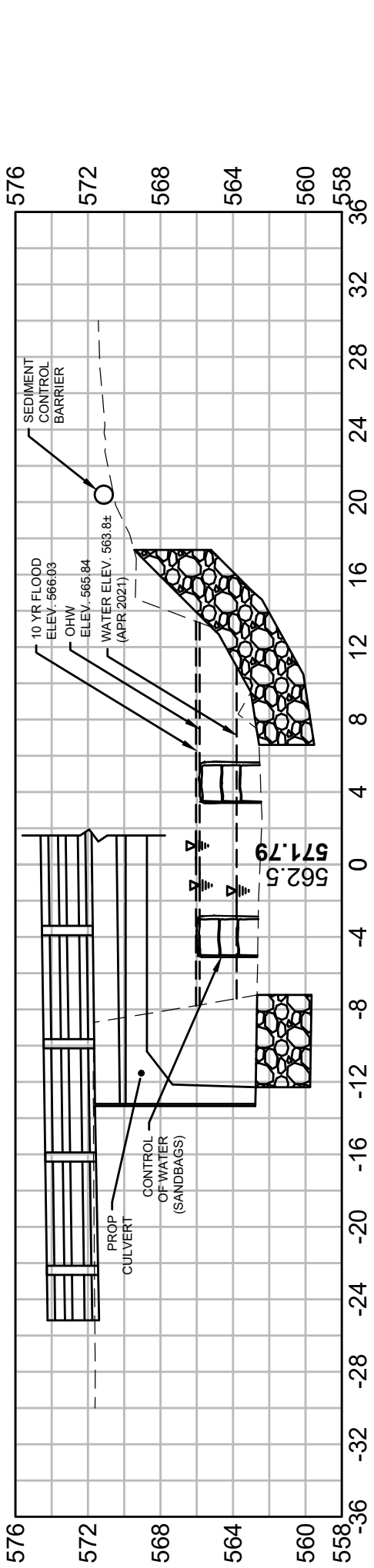
GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS

85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

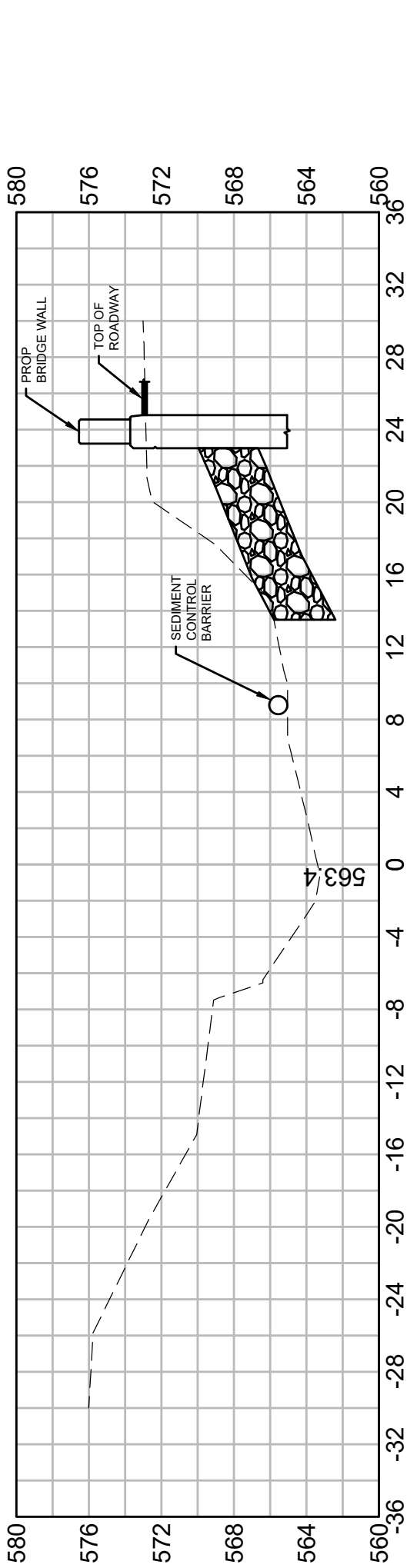
ENV-7

SHEET 7 OF 7

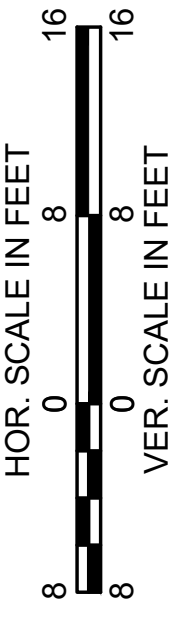
5+43



5+95



NORTH BRANCH MANHAN RIVER
CROSS SECTIONS
LOOKING NORTHWESTERLY



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

December 13, 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
Perry Hill Road Bridge (W-27-028) over North Branch Manhan River
Westhampton, Massachusetts

401 WQC Application Number: 24-WW11-0052-APP
USACE Application Number: NAE-2024-02066
MassDOT File Number: 610768

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 November 14, 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 the replacement of the existing bridge superstructure and abutments (W-27-028) that carry Perry Hill Road over the North Branch Manhan River in Westhampton, armoring of banks for scour protection, and streambed restoration. The bridge structure is stated as needing replacement due to its poor condition and extreme scour under the abutments.

The existing bridge was constructed in 1956 and is a one-lane single span bridge accommodating two-way traffic on Perry Hill Road. The bridge spans the North Branch Manhan River with a length of 17 feet, 11 inches and a width of 16 feet, 2 inches. The concrete abutments each rest on ledge with no footings and have wingwalls that consist of concrete/fieldstone. The concrete on the abutments exhibits spalls, cracks, and scaling. Severe scour can be observed at the base of both abutments. Perry Hill Road is an unpaved gravel road with country drainage along both the east and west approaches. There are

bordering vegetated wetlands (BVW) on all four quadrants of the bridge. The North Branch Manhan River is classified as a Coldwater Fishery Critical Area.

The project will remove and replace the existing bridge superstructure and abutments with a three-sided precast concrete culvert on cast-in-place concrete footings. The new bridge will have a span of 22 feet, will keep the same width as the existing bridge, and will be raised 0.5 feet in elevation. The culvert will be installed in three precast sections. After installation of the culvert is complete, riprap will be placed above newly cast footings and along the inside wall of culvert. Riprap will also be installed along southeast, northeast and northwest embankments. The riprap along these embankments will have voids filled with modified rock fill and plantings above ordinary high water (OHW) and natural streambed material below OHW.

In total, 579 square feet (sf) of Land Under Water (LUW) impacts, 425 sf temporary and 154 sf permanent, are required for the project. Temporary impacts are primarily due to the temporary water diversion sandbag dike needed to remove the abutments and installation of the new footings. The permanent impacts to LUW are a result of the installation of riprap for scour protection. The project will not result in any impacts to BVW.

The impacted streambed and the areas of riprap installation will be restored with 18 inches of natural streambed material under the supervision of a Fluvial Geomorphologist (FGM). Installation of riprap along the streambed and bank is necessary to prevent future scour.

The project will result in a 285-sf decrease in impervious surface and qualifies as a redevelopment project as defined at 314 CMR 9.02. The decrease in impervious area is due to the removal of a compacted gravel roadway on the west side of the southern approach, which will be converted into a grassy vegetated area. Through a complete evaluation, it was determined that the installation of Stormwater Control Measures (SCMs) is not feasible due to steep grades and adjacent private property. Existing conditions will be improved through the removal of the gravel area, installing a vegetated grass swale to the west of the northern approach, and maintaining the existing gravel roadway as unpaved. These improvements will allow the project to fully comply with the Massachusetts Stormwater Management Standards 1 and 2, while Standards 3, 4, and 6 will be met to the maximum extent practicable (MEP).

The proposed bridge will meet all of the Massachusetts Stream Crossing Standards, with the exception of Standard 3, which will be met to the MEP. Bankfull width of the North Branch Manhan River at this location is approximately 32 feet. The proposed bridge will increase the span from 18 feet to 22 feet and from 0.56 times bankfull width to 0.69 times bankfull width.

An alternative analysis done in accordance with 314 CMR 9.00 determined that the no-build alternative would result in the continued deterioration of the bridge which would pose a safety hazard. The complete removal of the bridge was also evaluated; however, this alternative would limit access to a residence to a steep driveway with a sharp curve and was eliminated due to concerns about emergency vehicle access.

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 Hampshire Gazette on August 23, 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:

    - Application for 401 Water Quality Certification (WQC) Perry Hill Road Bridge (W-27-028) Replacement over North Branch Manhan River. Prepared by Garofalo & Associates Inc., on behalf of MassDOT, dated July 17, 2024 (Revised August 14, 2024), with cover letter and attachments. 401 WQC Application Number: 24-WW11-0052-APP.
    - MassDOT Responses to MassDEP Administrative Completeness Technical Review for Perry Hill Road Bridge (W-27-028) Replacement over North Branch Manhan River including revised ENV-3 and ENV-4 Plan Sheets dated July 18, 2024, and revised November 4, 2024Prepared by Garofalo & Associates Inc., on behalf of MassDOT, dated November 12, 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 Westhampton 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. 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)**

6. A Construction Period Pollution Prevention and Erosion and Sedimentation Control 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 EPA 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 Final CP/PP (defined herein as including the construction period SWPPP if applicable) must be approved by MassDEP. **(Submittal)**

7. 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 Final CP/PP. Verification of proof of completion of the training shall be submitted to MassDEP prior to the start of work. **(Submittal)**

8. The CP/PP shall identify, but shall not be limited to, staging and laydown areas in relation to BVWs and 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.

9. A minimum of 14 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 or other project staff with knowledge of these practices and comply with the applicable conditions identified herein. **(Submittal)**

10. 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.

11. Prior to the Pre-Construction Meeting, the boundaries of BVWs and LUW shall be re-flagged where they are within 50 feet of the limits of work. In the event BVWs and LUW boundaries overlap, the outermost boundary (i.e., closest to the proposed work) shall be flagged. 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.

12. 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 the North Branch Manhan River. **(Submittal)**

Construction Period

13. No more than **425 sf** temporary and **154 sf** permanent impacts to LUW shall occur. All work shall avoid unapproved impacts to BVW and LUW.

14. The construction contractor shall ensure that flow is maintained through the 18-inch corrugated metal pipe in the vicinity of STA 1+50.

15. 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.

16. Copies of CP/PP Inspection and Maintenance Log Forms shall be submitted to MassDEP within 14 days upon request.

17. 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 (CP/PP Inspector). Under the direction of the CP/PP Inspector, inspection and maintenance of erosion and sediment controls in active work areas may be performed by both the Contractor and RE or other MassDOT project staff. Maintenance is the responsibility of the Contractor; however, the permittee shall be ultimately responsible for erosion and sedimentation control failure. The RE and/or contractor shall immediately notify MassDEP and the Westhampton Conservation Commission if any unauthorized discharges to BVWs or LUW occur.

18. 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.

19. Work within LUW shall be conducted in low or no-flow conditions to the extent practicable. Notice shall be provided to MassDEP and the Westhampton 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 BVWs or LUW. Any discharges shall be visibly free of sediment.

20. 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 CP/PP Inspector 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.

21. 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 BVWs, 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.

22. 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 BVWs, LUW and catch basins or other drainage conveyances that discharge directly or indirectly to BVWs or LUW.

23. Refueling, washing, and cleaning of vehicles and other construction equipment shall not take place within 50 feet of BVWs or LUW and any wash water shall be contained such that it does not drain toward BVWs or LUW. MassDEP shall explicitly approve in writing any deviation to this condition for oversized stationary vehicles.

24. The contractor shall have spill containment kits on site. In the event of a release of fuels and/or oils, the local fire department, MassDEP Emergency Response and MassDEP Wetlands Program Highway Unit shall be contacted, and in addition, the MassDEP Bureau of Waste Site Cleanup shall be notified per the requirements of the Massachusetts Contingency Plan, 310 CMR 40.0000.

25. Construction vehicles and equipment shall not enter the BVW or LUW unless authorization is provided by way of this permit or amendment. The Contractor shall use equipment with boom reach capabilities and other measures to avoid inadvertent impacts to jurisdictional resource areas as a result of excavation, riprap placement, and/or bridge/pier demo materials.

26. A temporary shielding or containment system shall be in place beneath the bridge structure prior to removal to prevent debris from falling into the water below. In the event that any debris accidentally enters North Branch Manhan River, it shall be immediately retrieved. Notice shall be provided to MassDEP if debris enters the river and that it has been removed with photo-documentation (if practicable) submitted by email.

Stream Mitigation

27. 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.

28. 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.

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 Westhampton 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

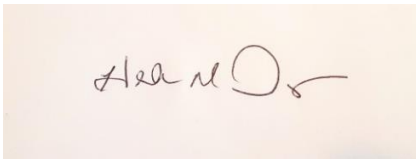
The hearing request along with a DEP Fee Transmittal Form and a valid check or money order payable to the Commonwealth of Massachusetts in the amount of one hundred dollars ($100) must be mailed to:

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 at heidi.davis@mass.gov or Tyler Lewis at tyler.lewis@mass.gov.

Very truly yours,



Heidi M. Davis
Highway Unit Supervisor

Ecc: DEP-WERO – Michael McHugh
USACE – Kevin Newton
MassDOT – Melissa Lenker
MassDOT – Kylie Abouzeid
MassDOT District 1 – Amer Raza
Westhampton ConCom – Brad Morse – administration@westhamptonma.org
Garofalo & Associates – Matthew Cote – mcote@garofaloassociates.com

ATTACHMENT A
Perry Hill Road Bridge (W-27-028) Replacement over North Branch Manhan River
Westhampton, 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		
5	USACE Work-Start Notification Form	14 days prior to work start		
6	CP/PP	14 days prior to work start		
7	Verification of Erosion and Sedimentation Controls Training	Prior to work start		
9	Control of Water Plan	21 days prior to work start		
12	Demolition Plan	21 days prior to work start		

September 18, 2024

Kevin Newton – Project Manager
Department of the Army
U.S. Army Corps of Engineers, New England District Office
696 Virginia Road
Concord, MA 01742-2751

RE: Response to Comments (dated Sept 3, 2024)
File Number: NAE-2024-02066
Perry Hill Road Ext., Westhampton MA
MassDOT PN: 610768

Dear Mr. Newton:

This letter is submitted to provide responses to comments included in your September 3, 2024 letter regarding ACOE file number NAE-2024-02066. Please see below and attached for our responses.

1. Please provide proof of delivery/receipt of consultation with the Narragansett Tribal Historic Officer (THPO).
    - ***MassDOT submitted the project information (via email) to THPO on September 11, 2024. Transmittal information is attached to this response submission.***

2. The application package references email coordination with NOAA resulting in a finding that no action was necessary to minimize impacts to Magnuson-Stevens Act Essential Fish Habitat. However, these communications were not included in the package. Please provide proof of coordination with NOAA for Magnuson- Stevens Act Essential Fish Habitat.
    - ***Emails regarding this correspondence are attached to this response submission.***

3. Please provide clarification on the temporary impacts depicted at the northwest quadrant and southeast quadrant of the bridge shown on sheet 3 of 7. It appears the proposed water diversion sandbags do not enclose all the proposed work below Ordinary High Water (OHW).
    - ***Proposed water diversion sandbags were shown on the original plan to the water level noted in the existing conditions survey. That has been revised to extend to the OHW line at all 4 tie-in points. Temporary impacts and limits of work have not changed, just the barrier type required based on tie-in to OHW line (sandbags or compost filter sock). A revised plan is attached to this response submission.***

If you have any questions, please do not hesitate to contact me.

Sincerely,
Garofalo & Associates, Inc.

Matthew W. Cote, P.E.
Senior Project Engineer

cc: File, Courtney Walker (MassDOT), Michael Joa (MassDOT), Heidi Davis (MassDEP), Tyler Lewis (MassDEP), Ryan Hale (MassDEP), Harry Adolphe (MassDOT)

Narragansett Tribal Historic Officer Coordination

Andrade, Melissa J. (DOT)

From: Microsoft Outlook
To: tashtesook@aol.com; markandrews0563@outlook.com
Sent: Wednesday, September 11, 2024 11:58 AM
Subject: Relayed: MassDOT Project #610768 - Westhampton Bridge W-27-028

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

tashtesook@aol.com (tashtesook@aol.com)

markandrews0563@outlook.com (markandrews0563@outlook.com)

Subject: MassDOT Project #610768 - Westhampton Bridge W-27-028

From: Andrade, Melissa J. (DOT)
To: tashtesook@aol.com
Cc: markandrews0563@outlook.com
Subject: MassDOT Project #610768 - Westhampton Bridge W-27-028
Date: Wednesday, September 11, 2024 11:58:00 AM
Attachments: 20240911 West[redacted]E (610768).pdf
Westhampton [redacted] (610768).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

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 W-27-028 (MassDOT Project #610768)

Location /Address: Perry Hill Road Extension over the North Branch of the Manhan River

City/Town: Westhampton

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 W-27-028 in Westhampton, which carries the dirt and gravel Perry Hill Road Extension over the North Branch of the Manhan River and provides access between Kings Highway to the north and Perry Hill Road to the south. A few residential and industrial properties are along the rural road.

The proposed work consists of removing and replacing the existing bridge structure and abutments with a single-span three-sided precast concrete culvert on cast-in-place concrete footings with a clear span of 28-ft, on the existing bridge alignment of a skewed 39-degrees angle. The roadway over the culvert will be slightly widened to 15-ft from the existing 13-ft 10-in width, in addition to a 1-ft 2-in safety curb on each side and pipe railings supported by concrete posts. The profile will be raised approximately 6-in from existing and tied into the existing grades at the project limits. Roadway guardrails will be installed along the bridge approaches and the road surface will remain dirt and gravel. No utility work is anticipated during the construction and one temporary easement of 272 sq ft at 35 Perry Hill Road Extension is required for the project to complete driveway reconstruction to match the existing driveway.

Does the project include demolition? If so, specify nature of demolition and describe the building(s) which are proposed for demolition.

Bridge W-27-028 will be removed and replaced. The bridge was constructed in 1956 and consists of a one-lane single-span steel-stringer superstructure supported by concrete abutments over fieldstone and ledge. The bridge has a 17-ft 11-in clear span and is 16-ft 2-in wide. The deck is a concrete base with dirt and gravel surface and granite stone wingwalls flank the bridge. The bridge was reviewed by Kurt Jergensen, MassDOT

Historic Bridge Specialist, and determined it to be ineligible for listing in the NR. The 1956 steel stringer bridge is a standard Mass. DPW 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 W-27-028 or within the project's area of potential effect (APE). The review of MACRIS also revealed no previously inventoried areas or individual properties within or adjacent to the bridge and project area. Based on this MACRIS review and review of the project area, including 35 Perry Hill Road Extension, there are no NR eligible properties or districts within 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. Soil borings revealed that the roadway approaches were constructed on 5 to 7 ft of sand and gravel fill to carry the bridge over the river. 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?

			Productive Resources:		
Woodland	_____	acres			
Wetland	_____	acres	Agriculture	_____	acres
Floodplain	_____	acres	Forestry	_____	acres
Open Space	_____	acres	Mining/Extraction	_____	acres
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 rural residential and industrial setting. The bridge and road provide access to a few houses and commercial sand/gravel pits along Perry Hill Road Extension. 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:** 09/11/2024

Name: Melissa Andrade

Address: 10 Park Plaza, Suite 7130

City/Town/Zip: Boston, MA 02116

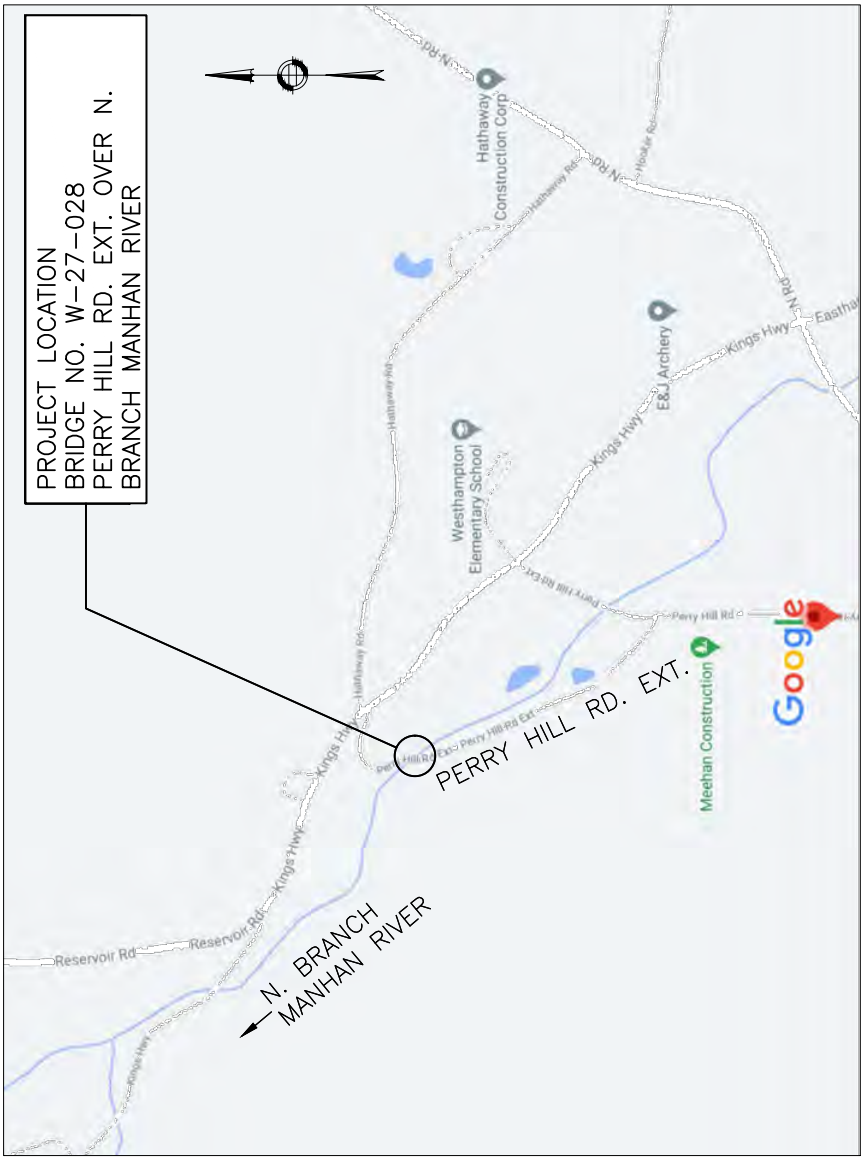
Telephone: Email: melissa.j.andrade@dot.state.ma.us

REGULATORY AUTHORITY

950 CMR 71.00: M.G.L. c. 9, §§ 26-27C as amended by St. 1988, c. 254.

CC

CC:



LOCUS MAP

Figure i | Scale: 1" = 500' | Date: MAY, 2022

BRIDGE NO. W-27-028
PERRY HILL RD. OVER
NORTH BRANCH MANHAN RIVER
WESTHAMPTON, MA

GAROFALO & ASSOCIATES, INC.
85 CORLISS STREET \ P.O. BOX 6145
PROVIDENCE, RHODE ISLAND 02940


Bridge W-27-028
Bridge Replacement, Bridge W-27-028
MassDOT Project # 610768
KINGS HIGHWAY
HATHAWAY ROAD
PERRY HILL ROAD
PERRY HILL ROAD EXTENSION
0 KINGS HWY
73 KINGS HWY
0 HATHAWAY RD
10 HATHAWAY RD
18 HATHAWAY RD
3 HATHAWAY RD
17 HATHAWAY RD
29 HATHAWAY RD
36 HATHAWAY RD
37 KINGS HWY
31 KINGS HWY
32 KINGS HWY
36 KINGS HWY
21 KINGS HWY
15 KINGS HWY
55 HATHAWAY RD
61 HATHAWAY
45 PERRY HILL RD
42 PERRY HILL RD
0 PERRY HILL RD
0 PERRY HILL RD EXT
WSH 38
200 ft
100 m

BRIDGE NO W-27-028, WESTHAMPTON, MA

Looking upstream from bridge

Looking downstream from bridge

Northeast bridge quadrant

Southeast bridge quadrant

Northwest bridge quadrant

Southwest bridge quadrant

Northerly abutment wall

Southerly abutment wall

Looking downstream at bridge (looking east)

Looking upstream at bridge (looking west)

NOAA / National Marine Fisheries Service Coordination

From: Sabrina Pereira - NOAA Federal
To: Jeff Lewis
Subject: Re: FW: Westhampton (610768) - Environmental: EFH Review
Date: Tuesday, August 1, 2023 10:30:38 AM
Attachments: ~~image001.png~~

Hi Jeff,

Thanks for reaching out. I am the EFH point of contact for southern New England, and the CT River watershed, so you've reached out to the right person!

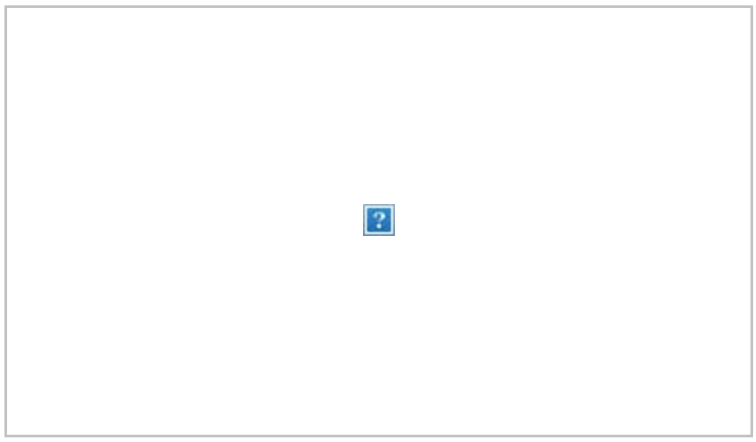
I'm not familiar with the Manhan River, but on Google Earth it appears that it connects to the Tighe Carmode Reservoir. Since this river is very far north of Long Island Sound (and I don't see direct connections to the CT River), I don't believe there's potential for diadromous species here. I understand this area is mapped as Atlantic Salmon EFH, but unless there are other species with mapped EFH in the project area I don't think we need to consult on this project (given that there are no salmon actually present here).

I hope this helps, but please let me know if you have any additional questions.

Best wishes,
Sabrina Pereira
Marine Habitat Resource Specialist
Habitat and Ecosystem Services Division
NOAA/ National Marine Fisheries Service
Narragansett, RI
she/her/hers
(978)-675-2178
Sabrina.pereira@noaa.gov

On Tue, Aug 1, 2023 at 7:40 AM Jeff Lewis <jlewis@garofaloassociates.com> wrote:

> Hi Sabrina,
>
> I am hoping you could help or point me in the right direction. Below is an email I received from the MassDOT about a project we are working on for them. It is a small bridge replacement project in Westhampton, Massachusetts. It is located at Perry Hill Road Extension over the Manhan River. A location map is attached. I am reaching out to see whom I should contact to see if we need any consultation with NOAA. James Carney at MassDOT had given me your name as a potential contact.
>
> I would appreciate if you could get back to me with any help or guidance.
>
> Thank you,
>
> Jeff



From: Carney, James N. (DOT) <James.N.Carney@dot.state.ma.us>
Sent: Thursday, July 27, 2023 11:42 AM
To: Jeff Lewis <jlewis@garofaloassociates.com>
Cc: Adolphe, Harry (DOT) <Harry.Adolphe@dot.state.ma.us>; Burns, Trevor B. (DOT) <Trevor.B.Burns@dot.state.ma.us>
Subject: Westhampton (610768) - Environmental: EFH Review

Hi Jeff,

I am the MEPA/NEPA analyst working on this project from MassDOT. I am currently developing a CE and came across a question that will need to be addressed. The project area is mapped for “Atlantic Salmon EFH” and will need confirmation on if further consultation

is required. Reaching out to NOAA to see if any further consultation is needed is recommended. What we don't want is NOAA coming into play at a point where we put ourselves up against the ad-date.

I've cc'd Trevor Burns from MassDOT's Wildlife Unit. Please let us know if there are any questions.

Thank you,

James Carney

MassDOT - Highway Division

Environmental Analyst

10 Park Plaza

Boston, MA 02116

Cell: 978-886-4687

From: Carney, James N. (DOT)
To: Jeff Lewis
Cc: Adolphe, Harry (DOT); Burns, Trevor B. (DOT)
Subject: RE: Westhampton (610768) - Environmental: EFH Review
Date: Tuesday, August 1, 2023 11:52:28 AM

Hi Jeff,

Thank you for reaching out to Sabrina. Good to know that no further consultation will be necessary.

Sincerely,

James Carney
MassDOT - Highway Division
Environmental Analyst
10 Park Plaza
Boston, MA 02116
Cell: 978-886-4687

From: Jeff Lewis <jlewis@garofaloassociates.com>
Sent: Tuesday, August 1, 2023 11:35 AM
To: Carney, James N. (DOT) <James.N.Carney@dot.state.ma.us>
Cc: Adolphe, Harry (DOT) <Harry.Adolphe@dot.state.ma.us>; Burns, Trevor B. (DOT) <Trevor.B.Burns@dot.state.ma.us>
Subject: RE: Westhampton (610768) - Environmental: EFH Review

Hi James,
Sabrina responded to me and looks like we are in the clear. See attached email. Let me know if you think otherwise.
Thanks,
Jeff

From: Carney, James N. (DOT) <James.N.Carney@dot.state.ma.us>
Sent: Monday, July 31, 2023 2:07 PM
To: Jeff Lewis <jlewis@garofaloassociates.com>
Cc: Adolphe, Harry (DOT) <Harry.Adolphe@dot.state.ma.us>; Burns, Trevor B. (DOT) <Trevor.B.Burns@dot.state.ma.us>
Subject: RE: Westhampton (610768) - Environmental: EFH Review

Hi Jeff,

sabrina.pereira@noaa.gov is someone from NOAA who will be able to assist with this matter.

Sincerely,

James Carney
MassDOT - Highway Division
Environmental Analyst
10 Park Plaza
Boston, MA 02116
Cell: 978-886-4687

From: Jeff Lewis <jlewis@garofaloassociates.com>
Sent: Monday, July 31, 2023 7:24 AM
To: Carney, James N. (DOT) <James.N.Carney@dot.state.ma.us>
Cc: Adolphe, Harry (DOT) <Harry.Adolphe@dot.state.ma.us>; Burns, Trevor B. (DOT) <Trevor.B.Burns@dot.state.ma.us>
Subject: RE: Westhampton (610768) - Environmental: EFH Review

Thanks James. We will reach out to NOAA. Do you happen to have a contact there?
Jeff

From: Carney, James N. (DOT) <James.N.Carney@dot.state.ma.us>
Sent: Thursday, July 27, 2023 11:42 AM
To: Jeff Lewis <jlewis@garofaloassociates.com>
Cc: Adolphe, Harry (DOT) <Harry.Adolphe@dot.state.ma.us>; Burns, Trevor B. (DOT) <Trevor.B.Burns@dot.state.ma.us>
Subject: Westhampton (610768) - Environmental: EFH Review

Hi Jeff,

I am the MEPA/NEPA analyst working on this project from MassDOT. I am currently developing a CE and came across a question that will need to be addressed. The project area is mapped for "Atlantic Salmon EFH" and will need confirmation on if further consultation is required. Reaching out to NOAA to see if any further consultation is needed is recommended. What we don't want is NOAA coming into play at a point where we put ourselves up against the ad-date.

I've cc'd Trevor Burns from MassDOT's Wildlife Unit. Please let us know if there are any questions.

Thank you,

James Carney
MassDOT - ***Highway Division***
Environmental Analyst
10 Park Plaza
Boston, MA 02116
Cell: 978-886-4687

Revised Resource Impact Plan

RESOURCE IMPACT PLAN
FOR
PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

JULY 18, 2023
(REV SEPT 18, 2024)

GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS

85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

ENV-3

SHEET 3 OF 7

NOTES:
1. ALL DISTURBED AREAS THAT ARE NOT SPECIFIED FOR OTHER COVER TREATMENTS (RIPRAP, MILLINGS UNDER GUARDRAIL, GRAVEL/ASPHALT) SHALL BE SEEDED UNDER ITEM 765.553 "WETLAND RIPARIAN MIX". SEE SPECIFICATIONS FOR SEEDING MIX.
2. HERBICIDE TREATMENT OF INVASIVE PLANTS AND INVASIVE PLANT MANAGEMENT STRATEGY ARE INCLUDED IN THIS PROJECT UNDER ITEMS 102.3 AND 102.33.

LEGEND
- TEMPORARY IMPACTS TO WATERS OF THE U.S.
- PERMANENT IMPACTS TO WATERS OF THE U.S.
- PROPOSED RIPRAP STONE

NAD 83

SCALE: 1" = 10'

WETLAND FLAG DELINEATION

FLAG SERIES	CLASSIFICATION
A-1 - A-9, AA-1 - AA-8	BANKS OF NORTH BRANCH MANHAN RIVER
B-1 - B-4, BB-1 - BB-4	BORDERING VEGETATED WETLAND ASSOCIATED WITH INTERMITTENT STREAM

PERMANENT IMPACT AREAS

WATERS OF THE US	154 SF
VEGETATED WETLANDS	0 SF

TEMPORARY IMPACT AREAS

WATERS OF THE U.S.	425 SF
VEGETATED WETLANDS	0 SF

Regulatory Division
Transportation & Utility Section

Jeff Lewis
Garofalo & Associates, Inc
85 Corliss Street
Providence, RI 02904
Via Email: jlewis@garofaloassociates.com

Courtney Walker
MassDOT – Highway Division
10 Park Plaza
Boston, MA 02116
Via Email: Courtney.l.walker@dot.state.ma.us

Dear Mr. Lewis & Ms. Walker:

This letter is in response to the application you submitted to the New England District, Regulatory Division on August 20, 2024 for a Department of the Army permit verification. This project has been assigned the file number NAE-2024-02066. This file number should be referenced in all correspondence with this office.

The proposed work includes the replacement of the bridge conveying Perry Hill Road Ext. over the North Branch Manhan River. The project is located at Latitude 42.318580 and Longitude -72.771310; in Westhampton, Hampshire County, Massachusetts.

We have completed our initial review of the application and have determined that it is incomplete. The following is necessary to have a complete application. Please provide this information in **one consolidated response within 30 days (October 3, 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 provide proof of delivery/receipt of consultation with the Narragansett Tribal Historic Officer (THPO).

2. The application package references email coordination with NOAA resulting in a finding that no action was necessary to minimize impacts to Magnuson-Stevens Act Essential Fish Habitat. However, these communications were not included in

the package. Please provide proof of coordination with NOAA for Magnuson-Stevens Act Essential Fish Habitat.

3. Please provide clarification on the temporary impacts depicted at the northwest quadrant and southeast quadrant of the bridge shown on sheet 3 of 7. It appears the proposed water diversion sandbags do not enclose all the proposed work below Ordinary High Water (OHW).

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 Kevin Newton at (978)-318-8044, or by email at kevin.m.newton@usace.army.mil.

Sincerely,

Kevin Newton
Project Manager/Biologist

Enclosures

cc:
Heidi Davis, MassDEP (via Heidi.davis@mass.gov)
Ryan Hale, MassDEP (via ryan.hale@mass.gov)
Tyler Lewis, MassDEP (via tyler.lewis@mass.gov)

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.

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

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.

Pre-Construction Notification Required

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. 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.	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. 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

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.

Pre-Construction Notification Required

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	**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. 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.	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. 2. Stream channelization or relocation resulting in loss of streambed that is <200 LF.	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 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

b. Massachusetts BUAR

c. Tribal Historic Preservation Officers

d. Endangered Species Act - NOAA

e. Endangered Species Act - USFWS

f. Northern Long Eared Bat (ESA)

g. Essential Fish Habitat

h. Wild & Scenic Rivers

i. 401 Water Quality Certification 401

401 WQC/OOC File Number: OOC issued: 401 issued:

j. Section 408 Permission

k. Coastal Zone

l. Construction Mats

m.Time of Year Restrictions

n. Vernal Pools

o. Sediment & Erosion Controls

p. Stream/Wetland Crossings

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.

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 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:

*** THIS PAGE IS LEFT BLANK INTENTIONALLY ***

DOCUMENT A00841

MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION

WATER QUALITY CERTIFICATE

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

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

January 10, 2025

Massachusetts Department of Transportation
Highway Division
10 Park Plaza, Suite 4160
Boston, MA 02116
ATTN: Michael Joa

RE: **AMENDED 401 WATER QUALITY CERTIFICATION**
BRP WW 11, Minor Fill Project
Perry Hill Road Bridge (W-27-028) over North Branch Manhan River
Westhampton, Massachusetts

401 WQC Application Number: 24-WW11-0052-APP
USACE Application Number: NAE-2024-02066
MassDOT File Number: 610768

Dear Mr. Joa:

On December 13, 2024, the Massachusetts Department of Environmental Protection (MassDEP) issued a Water Quality Certification (WQC) to the Massachusetts Department of Transportation (MassDOT) for replacement of the existing bridge superstructure and abutments that carry Perry Hill Road over the North Branch Manhan River in Westhampton, armoring of banks for scour protection, and streambed restoration. The WQC contained 36 conditions.

On December 24, 2024, MassDOT submitted a request to amend Special Condition 19 of the WQC. In addition, revisions to two plan sheets were also submitted. These revisions include notes added onto the plans for modified rockfill/rip rap with compost/tubeling detail as well as notes to the detail to align with the language in the specifications.

In accordance with the provisions of MGL c. 21, s. 26-53 and Section 401 of the Federal Clean Water Act as amended (33 U.S.C. s. 1251 et seq.), MassDEP has reviewed this project change request and has determined that there is reasonable assurance that the project change will not violate applicable water quality standards. MassDEP hereby approves of the above-mentioned project changes and amends the

WQC dated December 13, 2024, by referencing the following documents and subject to the following Special Conditions:

Reference Documents:

1) 401 Water Quality Certification Amendment Request Letter. Perry Hill Road Bridge (W-27-028) over North Branch Manhan River Westhampton, MA. 401 WQC Filing Number: 24-WW11-0052-APP. Sent by Michael Joa of MassDOT on December 24, 2024.

2) Detail Sheet (3 of 7) FOR Perry Hill Road Over North Branch Manhan River Situated in Westhampton, MA (Project No. 610768). Dated July 18, 2023 (revised Dec 20, 2024). Submitted by Garofalo & Associates on behalf of MassDOT

3) Detail Sheet (4 of 7) FOR Perry Hill Road Over North Branch Manhan River Situated in Westhampton, MA (Project No. 610768). Dated July 18, 2023 (revised Dec 20, 2024). Submitted by Garofalo & Associates on behalf of MassDOT

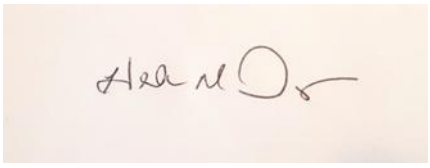
Revised Special Condition

19) Work within LUW shall be conducted in low or no-flow conditions to the extent practicable. Notice shall be provided to MassDEP and the Westhampton Conservation Commission within 24 hours prior to the commencement of dewatering. Dewatering methods and location(s) shall be approved by the RE or other project staff with knowledge of these practices prior to use to ensure consistency with the approved Control of Water Plan, 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. Workers from any exposure to known/suspected contaminants present in environmental media (including sediment). A copy shall be provided to MassDEP for records at least two weeks prior to the commencement of the dredging operation.

All other WQC Special Condition remain in effect as applicable.

Should you have any questions relative to this permit, please contact me at heidi.davis@mass.gov or Tyler Lewis at tyler.lewis@mass.gov.

Very truly yours,



Heidi M. Davis
Highway Unit Supervisor

Ecc: DEP-WERO – Michael McHugh

USACE – Kevin Newton
MassDOT – Melissa Lenker
MassDOT – Courtney Walker
MassDOT District 1 – Amer Raza
Westhampton ConCom – Brad Morse – administration@westhamptonma.org
Garofalo & Associates – Matthew Cote – mcote@garofaloassociates.com

Failure to comply with this amended 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 amended 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, Suite 900
Boston, MA 02108

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 02108

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):

a.) the 401 Certification Transmittal Number;
b.) the complete name of the applicant and address of the project;
c.) 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;
d.) 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;
e.) a clear and concise statement that an adjudicatory hearing is being requested;
f.) 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
g.) 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 Environmental Management (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.

From:	Joa, Michael A. (DOT)
To:	Davis, Heidi (DEP); Lewis, Tyler (DEP); Vasconcelos, Daniel B CIV USARMY CENAE (US); Newton, Kevin M CIV CENAE
Cc:	Adolphe, Harry (DOT); Walker, Courtney L. (DOT); Reardon, Muazzez G. (DOT); Matthew Cote
Subject:	Westhampton Notice of Plan Change
Date:	Friday, December 20, 2024 11:55:00 AM
Attachments:	610768_HD_10 [redacted] ENV-3.pdf 610768_HD_10 [redacted] ENV-4.pdf

Hi all,

We are providing two updated sheets from the environmental permitting planset for Westhampton as a notice of plan change. The changes include notes added onto the plans for modified rockfill/rip rap with compost/tubeling detail as well as notes to the detail to align with the language in the specifications (see highlighted in the plans).

Please let us know if you have any questions.

Thank you,
Michael

Michael Joa
Massachusetts Department of Transportation – Highway Division
Environmental Analyst
10 Park Plaza, Boston, MA 02116
Mobile (781) 879-7022

RESOURCE IMPACT PLAN
FOR
PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

JULY 18, 2023
(REV DEC 19, 2024)

GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS

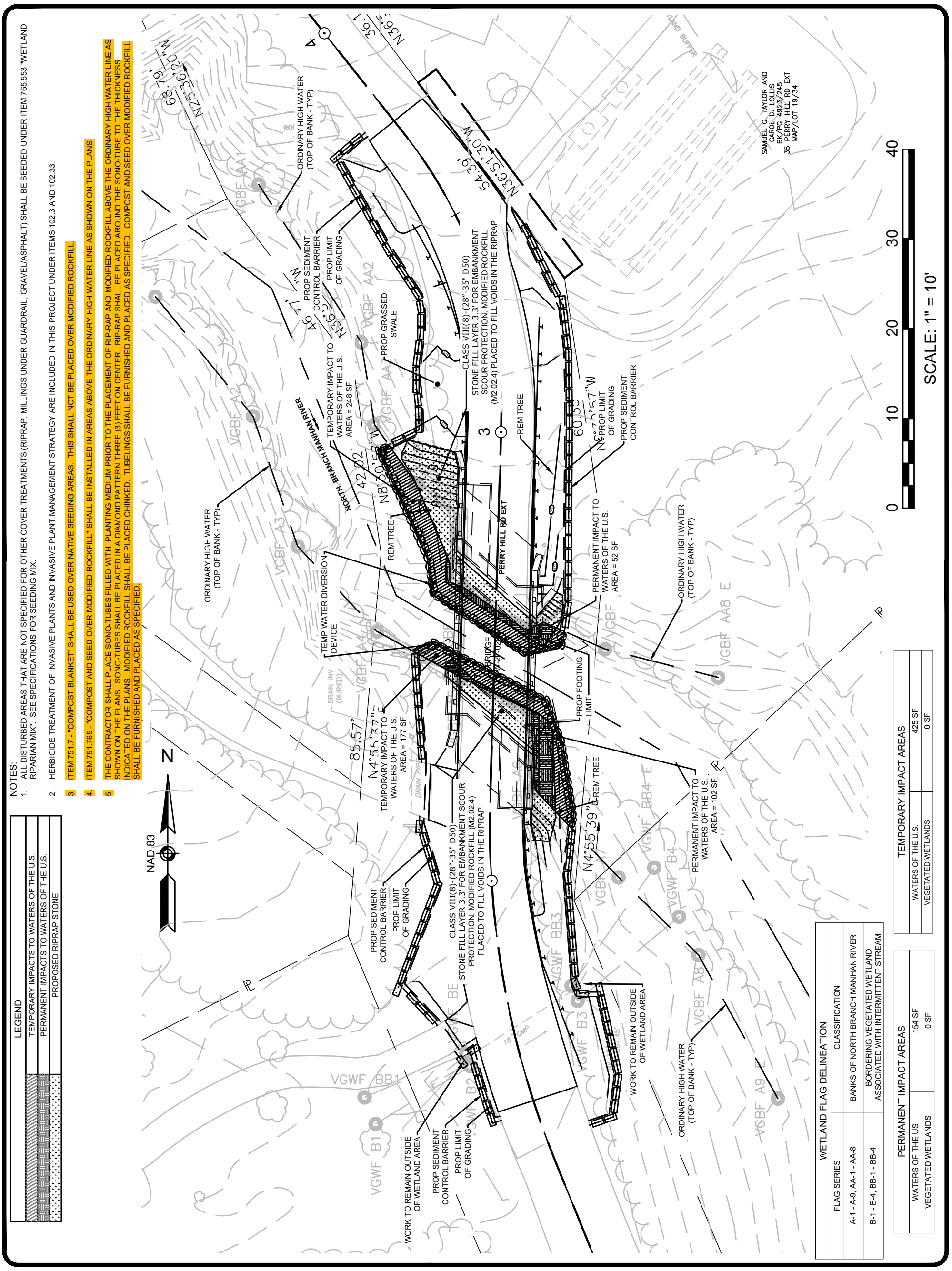
85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

ENV-3

SHEET 3 OF 7

NOTES:

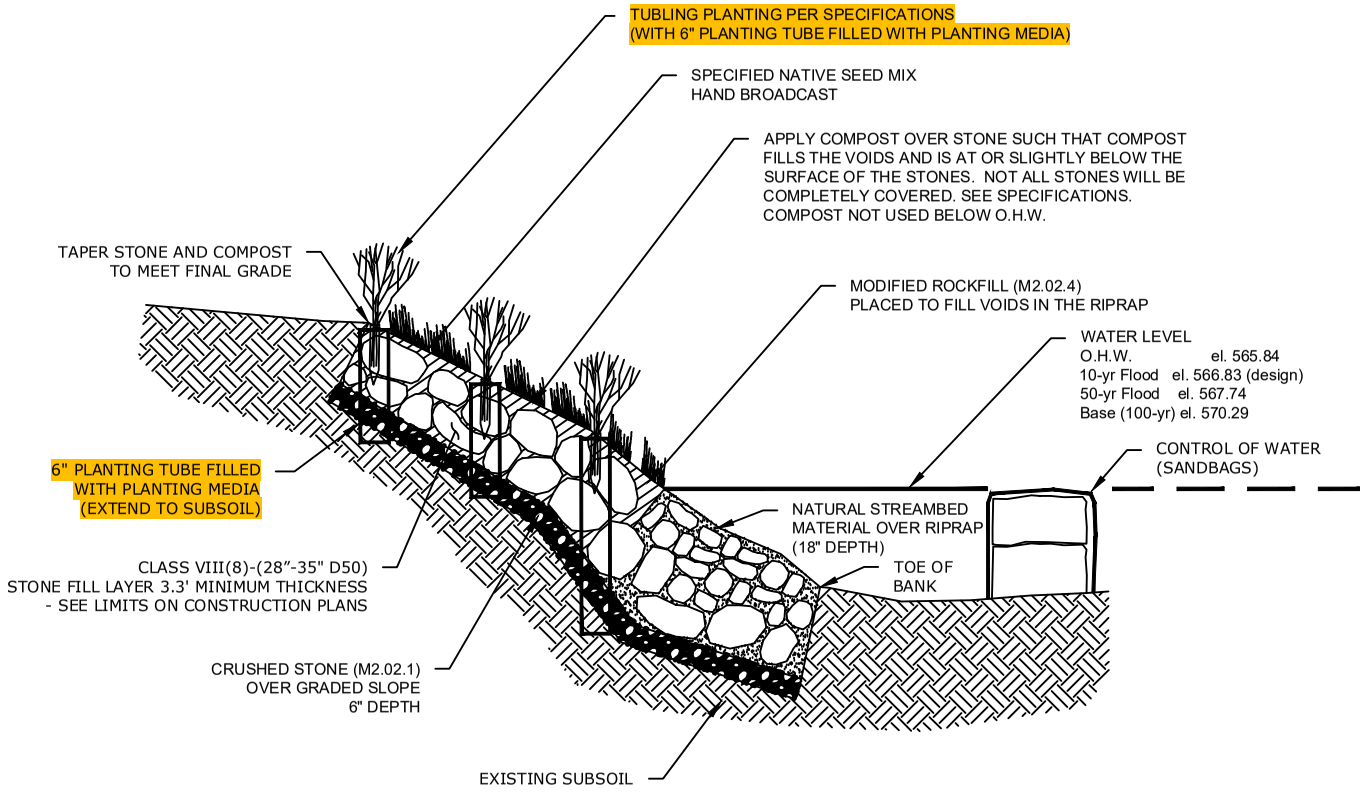
1. ALL DISTURBED AREAS THAT ARE NOT SPECIFIED FOR OTHER COVER TREATMENTS (RIPRAP, MILLINGS UNDER GUARDRAIL, GRAVEL/ASPHALT) SHALL BE SEEDED UNDER ITEM 765.553 "WETLAND RIPARIAN MIX". SEE SPECIFICATIONS FOR SEEDING MIX.
2. HERBICIDE TREATMENT OF INVASIVE PLANTS AND INVASIVE PLANT MANAGEMENT STRATEGY ARE INCLUDED IN THIS PROJECT UNDER ITEMS 102.3 AND 102.33.
3. ITEM 751.7 - "COMPOST BLANKET" SHALL BE USED OVER NATIVE SEEDING AREAS. THIS SHALL NOT BE PLACED OVER MODIFIED ROCKFILL.
4. ITEM 751.765 - "COMPOST AND SEED OVER MODIFIED ROCKFILL" SHALL BE INSTALLED IN AREAS ABOVE THE ORDINARY HIGH WATER LINE AS SHOWN ON THE PLANS.
5. THE CONTRACTOR SHALL PLACE SONO-TUBES FILLED WITH PLANTING MEDIUM PRIOR TO THE PLACEMENT OF RIP-RAP AND MODIFIED ROCKFILL ABOVE THE ORDINARY HIGH WATER LINE AS SHOWN ON THE PLANS. SONO-TUBES SHALL BE PLACED IN A DIAMOND PATTERN THREE (3) FEET ON CENTER. RIP-RAP SHALL BE PLACED AROUND THE SONO-TUBE TO THE THICKNESS INDICATED ON THE PLANS. MODIFIED ROCKFILL SHALL BE PLACED CHINKED. TUBELINGS SHALL BE FURNISHED AND PLACED AS SPECIFIED. COMPOST AND SEED OVER MODIFIED ROCKFILL SHALL BE FURNISHED AND PLACED AS SPECIFIED.



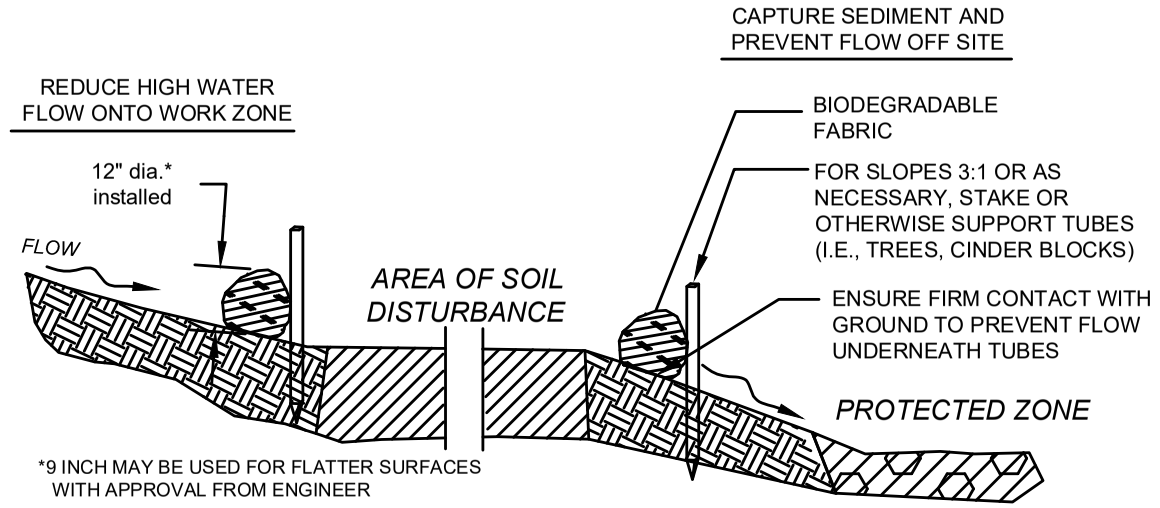
WETLAND FLAG DELINEATION	
FLAG SERIES	CLASSIFICATION
A-1 - A-9, AA-1 - AA-8	BANKS OF NORTH BRANCH MANHAN RIVER
B-1 - B-4, BB-1 - BB-4	BORDERING VEGETATED WETLAND ASSOCIATED WITH INTERMITTENT STREAM

PERMANENT IMPACT AREAS	
WATERS OF THE US	154 SF
VEGETATED WETLANDS	0 SF

TEMPORARY IMPACT AREAS	
WATERS OF THE U.S.	425 SF
VEGETATED WETLANDS	0 SF



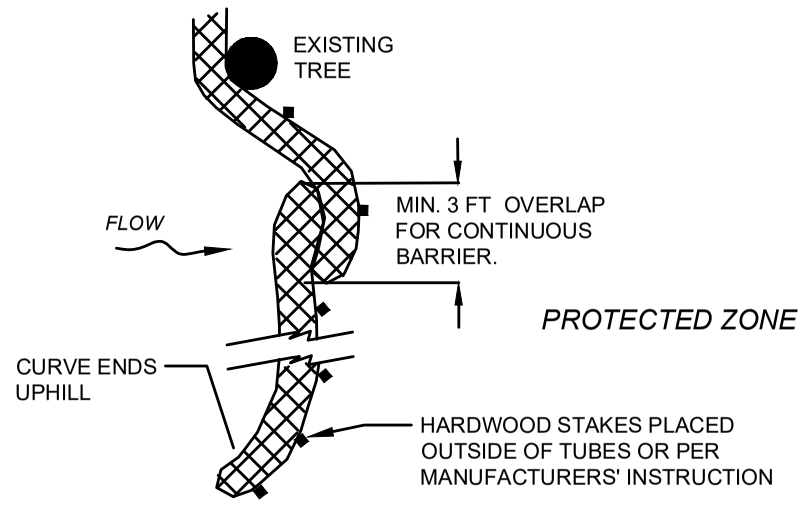
RIPRAP SLOPE INSTALLATION DETAIL
NOT TO SCALE



SECTION

SEDIMENT BARRIER - COMPOST FILTER TUBE

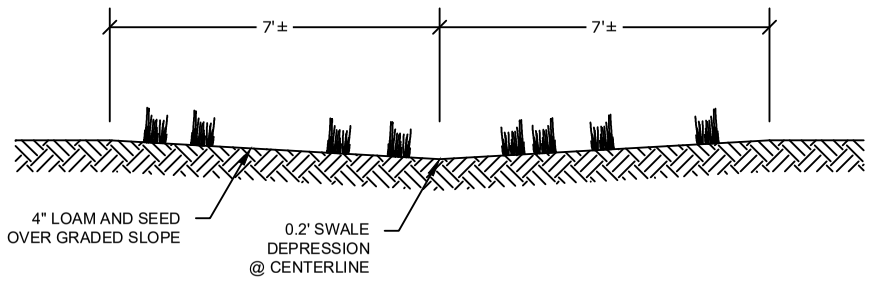
NOT TO SCALE



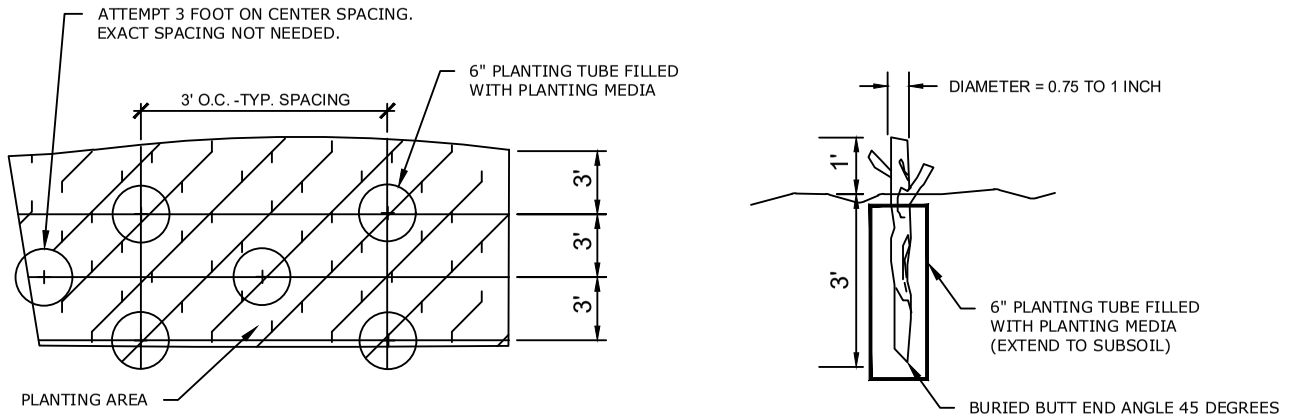
PLACE TUBE AS CLOSE TO LIMIT OF SOIL DISTURBANCE AS POSSIBLE, ALONG CONTOURS, AND PERPENDICULAR TO FLOW.

ADJUST LOCATION AS REQUIRED FOR OPTIMUM EFFECTIVENESS. DO NOT INSTALL IN WATERWAYS.

PLAN VIEW



GRASSED SWALE
STA 3+00 TO STA 3+25 12', LT
NOT TO SCALE



TUBELING PLANTINGS
NOT TO SCALE

DETAIL SHEET
FOR
PERRY HILL ROAD EXT OVER NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

JULY 18, 2023
(REV DEC 20, 2024)

GAROFALO
GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS
85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

ENV-4

SHEET 4 OF 7

From:	Joa, Michael A. (DOT)
To:	Davis, Heidi (DEP)
Cc:	Walker, Courtney L. (DOT); Regan, Stephanie M. (DOT); Binette, William M. (DOT); Lenker, Melissa (DOT)
Subject:	401 WATER QUALITY CERTIFICATION BRP WW 11/Perry Hill Road Bridge (W-27-028) over North Branch Manhan River, Westhampton
Date:	Tuesday, December 24, 2024 10:58:18 AM
Attachments:	[redacted]

Hi Heidi,

MassDOT is requesting a proposed change for Condition #19 of the Westhampton WQC. The suggested edits can be found in the document above.

Please let me know if you have any questions or thoughts on this change.

Thank you,
Michael

Michael Joa
Massachusetts Department of Transportation – Highway Division
Environmental Analyst
10 Park Plaza, Boston, MA 02116
Mobile (781) 879-7022

Westhampton WQC #610768

Construction Compliance Review Comments and Requested Revisions

SC #19: "Work within LUW shall be conducted in low or no-flow conditions to the extent practicable. Notice shall be provided to MassDEP and the Westhampton 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 BVWs or LUW. Any discharges shall be visibly free of sediment."

Comment: Updates proposed to note that the RE, or other DOT Project Staff, will check to ensure dewatering setups are consistent with CP/PP.

Requested Language Revision: "Work within LUW shall be conducted in low or no-flow conditions to the extent practicable. Notice shall be provided to MassDEP and the Westhampton Conservation Commission within 24 hours prior to the commencement of dewatering. Dewatering methods and location(s) shall be approved by the RE or other project staff with knowledge of these practices prior to use to ensure consistency with the approved Control of Water Plan, 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."

MassDEP
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

December 13, 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
Perry Hill Road Bridge (W-27-028) over North Branch Manhan River
Westhampton, Massachusetts

401 WQC Application Number: 24-WW11-0052-APP
USACE Application Number: NAE-2024-02066
MassDOT File Number: 610768

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 November 14, 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 the replacement of the existing bridge superstructure and abutments (W-27-028) that carry Perry Hill Road over the North Branch Manhan River in Westhampton, armoring of banks for scour protection, and streambed restoration. The bridge structure is stated as needing replacement due to its poor condition and extreme scour under the abutments.

The existing bridge was constructed in 1956 and is a one-lane single span bridge accommodating two-way traffic on Perry Hill Road. The bridge spans the North Branch Manhan River with a length of 17 feet, 11 inches and a width of 16 feet, 2 inches. The concrete abutments each rest on ledge with no footings and have wingwalls that consist of concrete/fieldstone. The concrete on the abutments exhibits spalls, cracks, and scaling. Severe scour can be observed at the base of both abutments. Perry Hill Road is an unpaved gravel road with country drainage along both the east and west approaches. There are

bordering vegetated wetlands (BVW) on all four quadrants of the bridge. The North Branch Manhan River is classified as a Coldwater Fishery Critical Area.

The project will remove and replace the existing bridge superstructure and abutments with a three-sided precast concrete culvert on cast-in-place concrete footings. The new bridge will have a span of 22 feet, will keep the same width as the existing bridge, and will be raised 0.5 feet in elevation. The culvert will be installed in three precast sections. After installation of the culvert is complete, riprap will be placed above newly cast footings and along the inside wall of culvert. Riprap will also be installed along southeast, northeast and northwest embankments. The riprap along these embankments will have voids filled with modified rock fill and plantings above ordinary high water (OHW) and natural streambed material below OHW.

In total, 579 square feet (sf) of Land Under Water (LUW) impacts, 425 sf temporary and 154 sf permanent, are required for the project. Temporary impacts are primarily due to the temporary water diversion sandbag dike needed to remove the abutments and installation of the new footings. The permanent impacts to LUW are a result of the installation of riprap for scour protection. The project will not result in any impacts to BVW.

The impacted streambed and the areas of riprap installation will be restored with 18 inches of natural streambed material under the supervision of a Fluvial Geomorphologist (FGM). Installation of riprap along the streambed and bank is necessary to prevent future scour.

The project will result in a 285-sf decrease in impervious surface and qualifies as a redevelopment project as defined at 314 CMR 9.02. The decrease in impervious area is due to the removal of a compacted gravel roadway on the west side of the southern approach, which will be converted into a grassy vegetated area. Through a complete evaluation, it was determined that the installation of Stormwater Control Measures (SCMs) is not feasible due to steep grades and adjacent private property. Existing conditions will be improved through the removal of the gravel area, installing a vegetated grass swale to the west of the northern approach, and maintaining the existing gravel roadway as unpaved. These improvements will allow the project to fully comply with the Massachusetts Stormwater Management Standards 1 and 2, while Standards 3, 4, and 6 will be met to the maximum extent practicable (MEP).

The proposed bridge will meet all of the Massachusetts Stream Crossing Standards, with the exception of Standard 3, which will be met to the MEP. Bankfull width of the North Branch Manhan River at this location is approximately 32 feet. The proposed bridge will increase the span from 18 feet to 22 feet and from 0.56 times bankfull width to 0.69 times bankfull width.

An alternative analysis done in accordance with 314 CMR 9.00 determined that the no-build alternative would result in the continued deterioration of the bridge which would pose a safety hazard. The complete removal of the bridge was also evaluated; however, this alternative would limit access to a residence to a steep driveway with a sharp curve and was eliminated due to concerns about emergency vehicle access.

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 Hampshire Gazette on August 23, 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:

    - Application for 401 Water Quality Certification (WQC) Perry Hill Road Bridge (W-27-028) Replacement over North Branch Manhan River. Prepared by Garofalo & Associates Inc., on behalf of MassDOT, dated July 17, 2024 (Revised August 14, 2024), with cover letter and attachments. 401 WQC Application Number: 24-WW11-0052-APP.
    - MassDOT Responses to MassDEP Administrative Completeness Technical Review for Perry Hill Road Bridge (W-27-028) Replacement over North Branch Manhan River including revised ENV-3 and ENV-4 Plan Sheets dated July 18, 2024, and revised November 4, 2024Prepared by Garofalo & Associates Inc., on behalf of MassDOT, dated November 12, 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 Westhampton 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. 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)**

6. A Construction Period Pollution Prevention and Erosion and Sedimentation Control 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 EPA 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 Final CP/PP (defined herein as including the construction period SWPPP if applicable) must be approved by MassDEP. **(Submittal)**

7. 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 Final CP/PP. Verification of proof of completion of the training shall be submitted to MassDEP prior to the start of work. **(Submittal)**

8. The CP/PP shall identify, but shall not be limited to, staging and laydown areas in relation to BVWs and 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.

9. A minimum of 14 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 or other project staff with knowledge of these practices and comply with the applicable conditions identified herein. **(Submittal)**

10. 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.

11. Prior to the Pre-Construction Meeting, the boundaries of BVWs and LUW shall be re-flagged where they are within 50 feet of the limits of work. In the event BVWs and LUW boundaries overlap, the outermost boundary (i.e., closest to the proposed work) shall be flagged. 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.

12. 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 the North Branch Manhan River. **(Submittal)**

Construction Period

13. No more than **425 sf** temporary and **154 sf** permanent impacts to LUW shall occur. All work shall avoid unapproved impacts to BVW and LUW.

14. The construction contractor shall ensure that flow is maintained through the 18-inch corrugated metal pipe in the vicinity of STA 1+50.

15. 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.

16. Copies of CP/PP Inspection and Maintenance Log Forms shall be submitted to MassDEP within 14 days upon request.

17. 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 (CP/PP Inspector). Under the direction of the CP/PP Inspector, inspection and maintenance of erosion and sediment controls in active work areas may be performed by both the Contractor and RE or other MassDOT project staff. Maintenance is the responsibility of the Contractor; however, the permittee shall be ultimately responsible for erosion and sedimentation control failure. The RE and/or contractor shall immediately notify MassDEP and the Westhampton Conservation Commission if any unauthorized discharges to BVWs or LUW occur.

18. 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.

19. Work within LUW shall be conducted in low or no-flow conditions to the extent practicable. Notice shall be provided to MassDEP and the Westhampton 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 BVWs or LUW. Any discharges shall be visibly free of sediment.

20. 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 CP/PP Inspector 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.

21. 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 BVWs, 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.

22. 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 BVWs, LUW and catch basins or other drainage conveyances that discharge directly or indirectly to BVWs or LUW.

23. Refueling, washing, and cleaning of vehicles and other construction equipment shall not take place within 50 feet of BVWs or LUW and any wash water shall be contained such that it does not drain toward BVWs or LUW. MassDEP shall explicitly approve in writing any deviation to this condition for oversized stationary vehicles.

24. The contractor shall have spill containment kits on site. In the event of a release of fuels and/or oils, the local fire department, MassDEP Emergency Response and MassDEP Wetlands Program Highway Unit shall be contacted, and in addition, the MassDEP Bureau of Waste Site Cleanup shall be notified per the requirements of the Massachusetts Contingency Plan, 310 CMR 40.0000.

25. Construction vehicles and equipment shall not enter the BVW or LUW unless authorization is provided by way of this permit or amendment. The Contractor shall use equipment with boom reach capabilities and other measures to avoid inadvertent impacts to jurisdictional resource areas as a result of excavation, riprap placement, and/or bridge/pier demo materials.

26. A temporary shielding or containment system shall be in place beneath the bridge structure prior to removal to prevent debris from falling into the water below. In the event that any debris accidentally enters North Branch Manhan River, it shall be immediately retrieved. Notice shall be provided to MassDEP if debris enters the river and that it has been removed with photo-documentation (if practicable) submitted by email.

Stream Mitigation

27. 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.

28. 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.

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 Westhampton 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

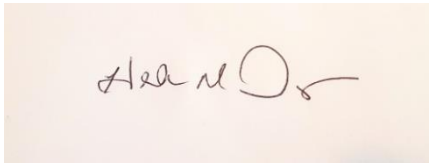
The hearing request along with a DEP Fee Transmittal Form and a valid check or money order payable to the Commonwealth of Massachusetts in the amount of one hundred dollars ($100) must be mailed to:

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 at heidi.davis@mass.gov or Tyler Lewis at tyler.lewis@mass.gov.

Very truly yours,



Heidi M. Davis
Highway Unit Supervisor

Ecc: DEP-WERO – Michael McHugh
USACE – Kevin Newton
MassDOT – Melissa Lenker
MassDOT – Kylie Abouzeid
MassDOT District 1 – Amer Raza
Westhampton ConCom – Brad Morse – administration@westhamptonma.org
Garofalo & Associates – Matthew Cote – mcote@garofaloassociates.com

ATTACHMENT A
Perry Hill Road Bridge (W-27-028) Replacement over North Branch Manhan River
Westhampton, 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		
5	USACE Work-Start Notification Form	14 days prior to work start		
6	CP/PP	14 days prior to work start		
7	Verification of Erosion and Sedimentation Controls Training	Prior to work start		
9	Control of Water Plan	21 days prior to work start		
12	Demolition Plan	21 days prior to work start		

Garofalo & Associates, Inc.
Consulting Engineers
Surveyors ♦ Land Planners

November 12, 2024

Heidi M. Davis – Highway Unit Supervisor
Department of Environmental Protection
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Response to Comments (dated Sept 23, 2024)
401 WQC Application Number: 24-WW11-0052-APP
Perry Hill Road Ext., Westhampton MA
MassDOT PN: 610768

Dear Ms. Davis:

This letter is submitted to provide responses to comments included in your September 23, 2024 letter regarding 401 WQC Application Number: 24-WW11-0052-APP. Please see below and attached for our responses.

1. Given that the proposed bridge services just one residence that has alternative access, was complete removal of this bridge considered?
   - ***This was discussed as a possible alternative during the online Bridge Scoping Checklist meeting on January 4, 2021. However, it was not considered a feasible option and MassDOT decided to go with the replacement option. Removing the bridge completely would leave only one way to access this property and it would be down a steep incline with a sharp curve. Could be problematic for fire and rescue services if needed and would make access to this residence less reliable.***

2. The proposed water diversion will constrict flows of the river. Was a hydraulic study completed to ensure that the height of the sandbags will not be overtopped? Please provide, if so.
   - ***An existing condition hydraulic study was prepared by MassDOT Hydraulic section. No hydraulic study was prepared regarding the sandbag placement during construction activities. This is work that is expected to occur during low flow conditions and per means and methods of the contractor (in accordance with advertised construction plans). Typically water diversion for low flow conditions during construction is allowed to be overtopped and is a risk the contractor assumes.***

3. Please provide the volume of material being removed below Ordinary High Water to install the proposed riprap.
   - ***Riprap installation depth is 2.5-feet.***
   - ***The southerly side of crossing has a footprint for riprap (below OHW line) of 52 SF. 52x2.5=130 CF/27 = 5 CY. (this is an approximate volume, rounded up).***
   - ***The northerly side of crossing has a footprint for riprap (below OHW line) of 103 SF. 103x2.5=258 CF/27 = 10 CY. (this is an approximate volume, rounded up).***
   - ***Total excavation for riprap (below OHW line) is approximately 15 CY. (this is an approximate volume, rounded up).***

85 Corliss Street, Post Office Box 6145, Providence, Rhode Island 02940
Phone: (401) 273-6000 ♦ Fax: (401) 273-1000 ♦ E-Mail: admin@garofaloassociates.com
Visit our Web Site at www.garofaloassociates.com

4. Sheet 4 of 7 in the plans calls out 6 inches of natural streambed material while the MassDOT Specification Item 983.522 states that 18 inches of streambed material will be placed. Please clarify which thickness is correct.
    - ***18 inches is the correct natural streambed replacement depth. The detail on sheet 4 has been revised from 6 inches to 18 inches. Revised Sheet 4 is attached to these responses.***

5. The construction sequence mentions placement of dumped riprap in item #10 but does not include the proposed native streambed material to be placed on top of it; please revise accordingly.
    - ***Construction Sequence section has been updated to include stockpiling and replacement of existing streambed material, per Specification Item 983.522. Revised Narrative pages 7 (R-1) and 8 (R-1) are attached to these responses.***

6. It is stated that impervious area will be removed on the project. Please depict where these areas of impervious area will be removed.
    - ***There is a small area of gravel roadway surface, across from the driveway for 35 Perry Hill Road Ext, that will be removed and replaced with the proposed grassed swale. This area (gravel roadway surface to grass) is approximately 412 SF.***

7. Please provide a detail of the proposed vegetated swale.
    - ***A detail has been added to sheet 4 showing a typical grassed swale section. Proposed contours on sheet 3 have also been revised to better show the proposed swale. Revised Sheets 3 and 4 are attached to these responses.***

8. A wetland data form was provided within the delineation, but an upland data form was not provided; please provide.
    - ***Upland Data Form has been completed and is attached to these responses.***

9. As the North Branch Manhan River is a cold-water fishery, MassDEP recommends using modified rockfill with plantings instead of riprap to provide shading for the stream.
    - ***Streambed restoration was developed by Roy Schiff (SLR International Corp.) in May 2024. That information is contained in the Environmental Application submission (Appendices B, H and K). Coordination with MassDOT Water Resources occurred in May 2024 to develop bank restoration and stabilization methods. Additional coordination in Oct 2024 with MassDOT Hydraulics, SLR and MassDOT Landscape performed to revise detail to incorporate modified rockfill and plantings where possible. Modified rockfill added to fill in voids in the larger riprap to provide a more stable travel path for animals. Plantings and compost added to the sloped areas above OHW line to provide shading for the stream. Larger riprap is needed, per Hydraulic Report, to protect against scour from the water flow.***

If you have any questions, please do not hesitate to contact me.

Sincerely,
Garofalo & Associates, Inc.

Matthew W. Cote, P.E. - Senior Project Engineer

cc: File, Courtney Walker (MassDOT), Michael Joa (MassDOT), Harry Adolphe (MassDOT), Ryan Hale (MassDEP), Kevin Newton (USACE)

Revised ENV-3 and ENV-4 Plan Sheets

Proposal No. 610768-129332

ENV-3

SHEET 3 OF 7

GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS

85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

JULY 18, 2023
(REV NOV 4, 2024)

RESOURCE IMPACT PLAN

FOR

PERRY HILL ROAD EXT OVER
NORTH BRANCH MANHAN RIVER

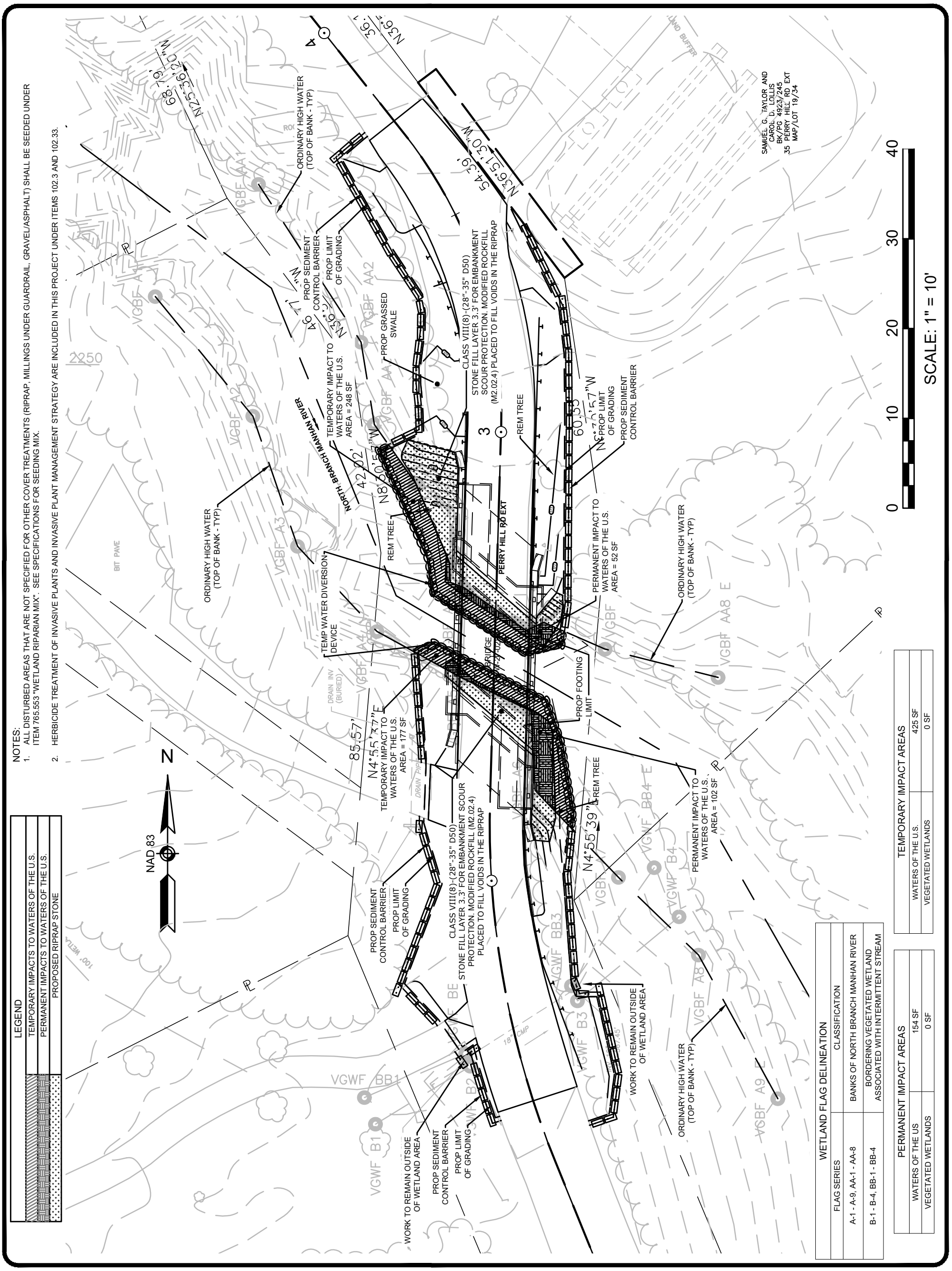
SITUATED IN

WESTHAMPTON, MA

(PROJECT NO. 610768)

NOTES:

1. ALL DISTURBED AREAS THAT ARE NOT SPECIFIED FOR OTHER COVER TREATMENTS (RIPRAP, MILLINGS UNDER GUARDRAIL, GRAVEL/ASPHALT) SHALL BE SEEDED UNDER ITEM 765.553 "WETLAND RIPARIAN MIX". SEE SPECIFICATIONS FOR SEEDING MIX.
2. HERBICIDE TREATMENT OF INVASIVE PLANTS AND INVASIVE PLANT MANAGEMENT STRATEGY ARE INCLUDED IN THIS PROJECT UNDER ITEMS 102.3 AND 102.33.

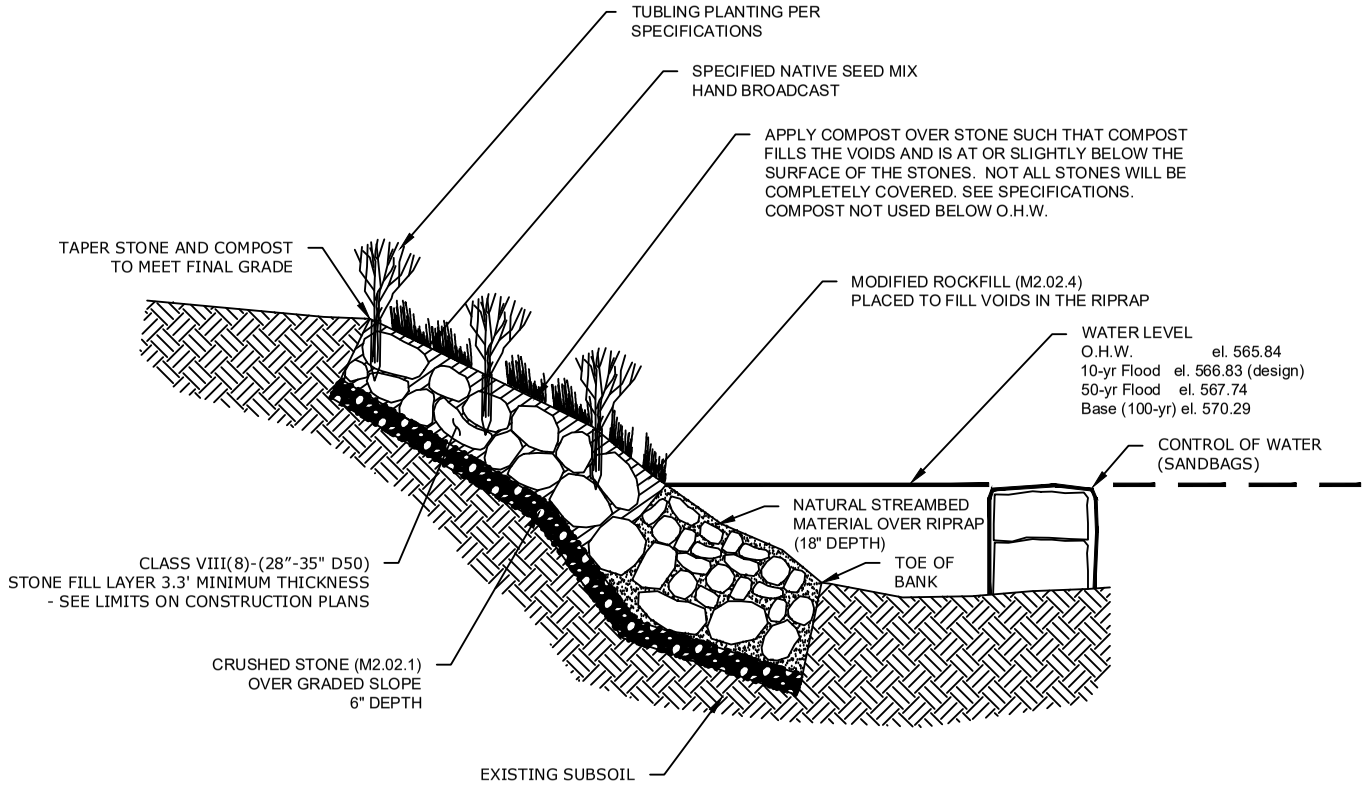


WETLAND FLAG DELINEATION	
FLAG SERIES	CLASSIFICATION
A-1 - A-9, AA-1 - AA-8	BANKS OF NORTH BRANCH MANHAN RIVER
B-1 - B-4, BB-1 - BB-4	BORDERING VEGETATED WETLAND ASSOCIATED WITH INTERMITTENT STREAM

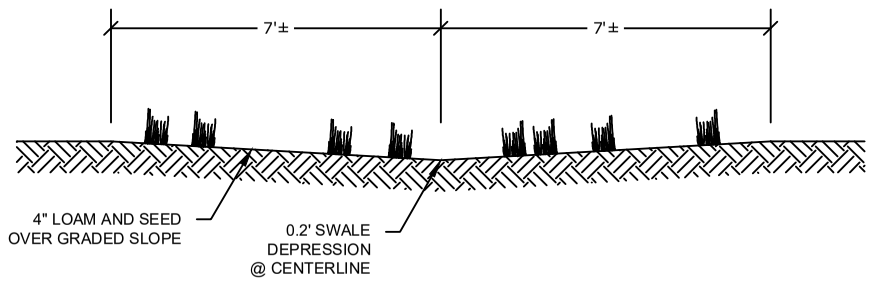
PERMANENT IMPACT AREAS	
WATERS OF THE US	154 SF
VEGETATED WETLANDS	0 SF

TEMPORARY IMPACT AREAS	
WATERS OF THE U.S.	425 SF
VEGETATED WETLANDS	0 SF

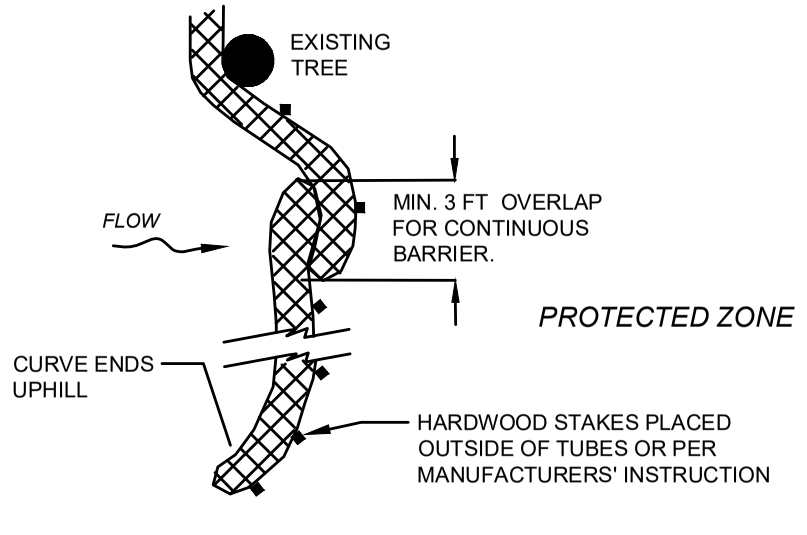
A00841 - 26



RIPRAP SLOPE INSTALLATION DETAIL
NOT TO SCALE



GRASSED SWALE
STA 3+00 TO STA 3+25 12', LT
NOT TO SCALE



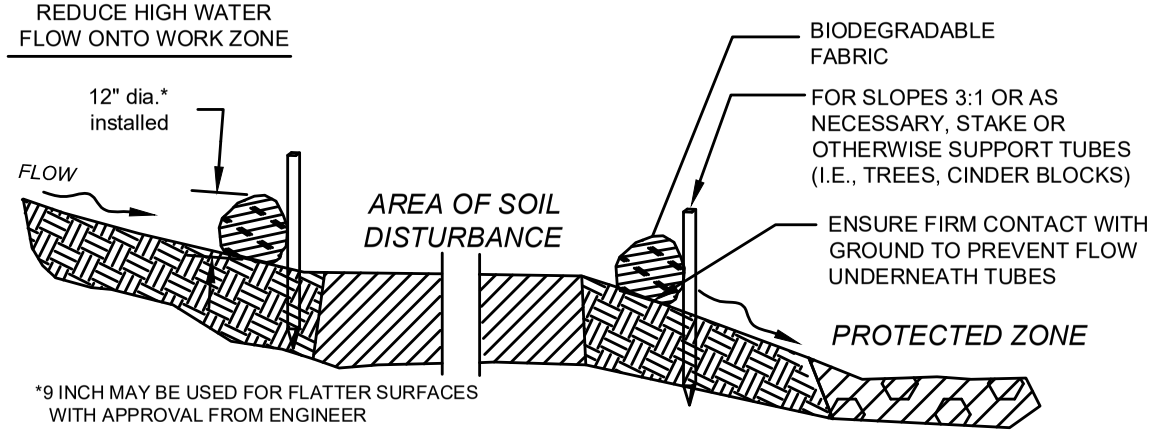
PLACE TUBE AS CLOSE TO LIMIT OF SOIL DISTURBANCE AS POSSIBLE, ALONG CONTOURS, AND PERPENDICULAR TO FLOW.

ADJUST LOCATION AS REQUIRED FOR OPTIMUM EFFECTIVENESS. DO NOT INSTALL IN WATERWAYS.

PLAN VIEW

CAPTURE SEDIMENT AND PREVENT FLOW OFF SITE

REDUCE HIGH WATER FLOW ONTO WORK ZONE



*9 INCH MAY BE USED FOR FLATTER SURFACES WITH APPROVAL FROM ENGINEER

SECTION

SEDIMENT BARRIER - COMPOST FILTER TUBE
NOT TO SCALE

DETAIL SHEET
FOR
PERRY HILL ROAD EXT OVER NORTH BRANCH MANHAN RIVER
SITUATED IN
WESTHAMPTON, MA
(PROJECT NO. 610768)

JULY 18, 2023
(REV NOV 4, 2024)

GAROFALO
GAROFALO & ASSOCIATES, INC.
CIVIL & STRUCTURAL ENGINEERS
SURVEYORS\LAND PLANNERS
ENVIRONMENTAL SCIENTISTS
85 CORLISS STREET
P.O. BOX 6145
PROVIDENCE, R.I. 02940
TEL. 401-273-6000

ENV-4

SHEET 4 OF 7

Proposal No. 610768-1293322

A00841 - 27

Revised Narrative Pages

Anticipated Sequence of Construction

1. Install detour signage.
2. Install erosion and sedimentation controls – project wide. This includes compost filter socks or similar for roadway/bridge work (Note – means and methods are determined by the contractor).
3. Perform vegetative clearing where needed for road/bridge work.
4. Install temporary bridge shielding. Remove existing bridge superstructure (deck, beams, safety curbs and railing).
5. The following work may be performed when best suited, considering river flows, but must be completed prior to abutment or wingwall removal work:
    a. Place sandbag dike for water diversion in front of abutment walls.
    b. Install dewatering basin on the roadway (at bridge approach area). Install dewatering pump and hose(s) from work area, into dewatering basin and to a discharge point downstream of the work area.
6. Install support of excavation (if necessary) behind the existing abutment and wing walls.
7. Remove and stockpile existing riverbed material per Specification Item 983.522. Remove abutment and wing walls. Bridge substructure removal will be performed by sawcutting manageable sections of the abutments then removal with an excavator (located on the existing bridge approach roadway and reaching down to the work areas) or by chipping into pieces and removing them with equipment located behind the abutments.
8. Construct new cast-in-place concrete culvert footings. Workers will walk down embankments to the abutment areas and perform formwork and reinforcing work. Concrete will be placed from the existing bridge approach roadway areas.
9. Install new bridge culvert sections with crane.
10. Place dumped riprap above newly cast footings and along the inside wall of culvert. Place dumped riprap along southeast, northeast and northwest embankments per MassDOT Hydraulic Section recommendations to mitigate scouring at these locations. Where possible, use existing streambed materials before using imported riprap (see plan sheet ENV-4 for detail). Place stockpiled streambed material over newly installed riprap, per Specification Item 983.522. Once riprap installation is complete, dewatering and sandbag dike to be removed.
11. Install bridge railing. Perform roadway re-grading and gravel installation. Install gravel roadway surface above bridge culvert.
12. Install highway guardrail.
13. Grade and develop swale, then install loam and seeding.
14. Remove sedimentation and erosion controls.

- Equipment anticipated to be used for this project includes a boom crane staged on the existing road for bridge demo and erection, excavator, backhoe, concrete truck, grading and gravel spreading equipment, and foot access into the areas beneath the bridge for hand work. No bridge construction vehicles are anticipated to enter the wetland/water areas.

- Proposed grading is generally limited to the slope work on both sides of the roadway. The roadway profile will be slightly increased by approximately 6-inches to maintain the hydraulic opening per the MassDOT Hydraulic study. This profile adjustment will also help to improve the vertical curve on Perry Hill Road Extension. In addition to this slight profile adjustment, new bridge/roadway guardrail will be installed to increase safety. Fill will be added to the sides of the roadway portion of the project to allow for installation of the guardrail to meet MassDOT design standards. Loam and seed will be placed/planted in these graded slope areas, and pavement millings will be placed beneath the guardrail sections.
- Other than the safety curb across the culvert, no roadway edge treatment is proposed, and stormwater will sheet flow directly off the road into the abutting vegetated areas which mimics existing conditions. Since this waterway is considered a cold water fishery, a small vegetated swale is proposed on the northwesterly side of the road, just north of the proposed stone rip rap installation area to provide some stormwater treatment prior to entering the river. No other areas are suitable for any stormwater treatment features without the cutting of vegetation or encroachment into the flagged wetland areas (due to close proximity of flagging to the roadway and roadway sideslopes). Pavement millings will be installed beneath guardrail, loam and seed will be placed along roadway construction disturbance areas and stone riprap will be installed around sloped areas near new culvert abutment areas. These will all help to mitigate sediment from leaving the roadway and entering the waterway.
- No work will take place within the Vegetated Wetland areas. Waters of the US will contain work impacts that are both temporary in nature and permanent. Temporary impacts within this area total 425 square feet and includes tree trimming/removal, abutment demo and footing construction, installation of water diversion sandbag dike and installation of stone riprap around new abutments. Permanent impacts within this area total 154 square feet and includes riprap installation around the new culvert walls and abutments on both sides of the River. The limits and details for this work are included in Appendix B of this document.
- Three trees are proposed for removal in this project. This is required due to bridge construction, slope grading and guardrail installation.

Upland Determination Data Form - Upland

WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: Perry Hill Road Ext City/County: Westhampton/Hampshire Sampling Date: April 06, 2021

Applicant/Owner: Garofalo/MassDOT State: MA Sampling Point: BB-3 Upland

Investigator(s): JM Fiske Environmental Section, Township, Range: _____

Landform (hillslope, terrace, etc.): Terrace Local relief (concave, convex, none): concave Slope (%): 2%

Subregion (LRR or MLRA): MLRA Lat: 42.31728° N Long: 72.77002° W Datum: _____

Soil Map Unit Name: Walpole NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No _____ (If no, explain in Remarks.)

Are Vegetation No, Soil No, or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes _____ No X

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No X	**Is the Sampled Area within a Wetland?** Yes _____ No X
Hydric Soil Present?	Yes _____	No X	
Wetland Hydrology Present?	Yes _____	No X	If yes, optional Wetland Site ID: _____

Remarks: (Explain alternative procedures here or in a separate report.)

The upland portion of BB-3 is the road.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No _____ Depth (inches): _____

Water Table Present? Yes _____ No _____ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No _____ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Upland area of the plot is the road

VEGETATION – Use scientific names of plants. Sampling Point: BB-3 Wetland

Tree Stratum (Plot size: 30')	Absolute % Cover	Dominant Species?	Indicator Status
1. None			
2.			
3.			
4.			
5.			
6.			
7.			
	= Total Cover		

Sapling/Shrub Stratum (Plot size:)			
1. None			
2.			
3.			
4.			
5.			
6.			
7.			
	= Total Cover		

Herb Stratum (Plot size: 5')			
1. None			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	= Total Cover		

Woody Vine Stratum (Plot size:)			
1. None			
2.			
3.			
4.			
	= Total Cover		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: _____ (A)

Total Number of Dominant Species Across All Strata: _____ (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: _____ (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species _____	x 1 = _____
FACW species _____	x 2 = _____
FAC species _____	x 3 = _____
FACU species _____	x 4 = _____
UPL species _____	x 5 = _____
Column Totals: _____ (A)	_____ (B)

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes _____ No X

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point: BB-3 Wetland

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Type[1]	Loc[2]	Texture	Remarks
0-1"	10YR 2/1	100%	None				mostly decomposed plant material	
1-7"	10YR 2/2	100%	None				sandy loam	
7-22"	2.5 YR 4/2	100%	10YR 5/6	15%	C	M	Sandy silt loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- X Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) (**LRR R, MLRA 149B**)
- ___ Polyvalue Below Surface (S8) (**LRR R, MLRA 149B**)
- ___ Thin Dark Surface (S9) (**LRR R, MLRA 149B**)
- ___ Loamy Mucky Mineral (F1) (**LRR K, L**)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10) (**LRR K, L, MLRA 149B**)
- ___ Coast Prairie Redox (A16) (**LRR K, L, R**)
- ___ 5 cm Mucky Peat or Peat (S3) (**LRR K, L, R**)
- X Dark Surface (S7) (**LRR K, L**)
- ___ Polyvalue Below Surface (S8) (**LRR K, L**)
- ___ Thin Dark Surface (S9) (**LRR K, L**)
- X Iron-Manganese Masses (F12) (**LRR K, L, R**)
- ___ Piedmont Floodplain Soils (F19) (**MLRA 149B**)
- ___ Mesic Spodic (TA6) (**MLRA 144A, 145, 149B**)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes X No _____

Remarks:

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

September 23, 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-WW11-0052-APP

AT: Perry Hill Road Bridge (W-27-028) over North Branch Manhan River
Westhampton, MA

Dear Ms. Walker:

MassDEP has completed its Administrative Review of the application for the above-referenced application and notes that the application still requires a proof of public notice to be administratively complete.

MassDEP has completed its Technical Review of the application for the above-referenced application and is requesting that you submit the following additional information:

1. Given that the proposed bridge services just one residence that has alternative access, was complete removal of this bridge considered?

2. The proposed water diversion will constrict flows of the river. Was a hydraulic study completed to ensure that the height of the sandbags will not be overtopped? Please provide, if so.

3. Please provide the volume of material being removed below Ordinary High Water to install the proposed riprap.

4. Sheet 4 of 7 in the plans calls out 6 inches of natural streambed material while the MassDOT Specification Item 983.522 states that 18 inches of streambed material will be placed. Please clarify which thickness is correct.

5. The construction sequence mentions placement of dumped riprap in item #10 but does not include the proposed native streambed material to be placed on top of it; please revise accordingly.

6. It is stated that impervious area will be removed on the project. Please depict where these areas of impervious area will be removed.

7. Please provide a detail of the proposed vegetated swale.

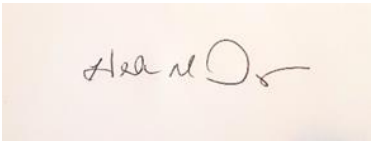
8. A wetland data form was provided within the delineation, but an upland data form was not provided; please provide.

9. As the North Branch Manhan River is a cold-water fishery, MassDEP recommends using modified rockfill with plantings instead of riprap to provide shading for the stream.

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: MassDEP – WERO - Michael McHugh
MassDOT – Melissa Lenker
MassDOT – Michael Joa
USACE – Dan Vasconcelos
Garofalo & Associates - Matthew Cote - mcote@garofaloassociates.com
Westhampton Conservation Commission – Brad Morse - Administration@WesthamptonMA.org

DOCUMENT A00872

USFWS - FHWA, FRA & FTA INDIANA BAT & NORTHERN LONG-EARED BAT

PROGRAMMATIC BIOLOGICAL OPINION – NLAA CONCURRENCE VERIFICATION LETTER

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

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: 03/27/2024 13:57:52 UTC
Project code: 2024-0068712
Project Name: 610768 WESTHAMPTON- BRIDGE REPLACEMENT, W-27-028, PERRY HILL ROAD OVER NORTH BROOK OF MANHAN RIVER

Subject: Concurrence verification letter for the '610768 WESTHAMPTON- BRIDGE REPLACEMENT, W-27-028, PERRY HILL ROAD OVER NORTH BROOK OF MANHAN RIVER' 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 March 27, 2024 to verify that the **610768 WESTHAMPTON- BRIDGE REPLACEMENT, W-27-028, PERRY HILL ROAD OVER NORTH BROOK OF MANHAN RIVER** (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
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

NAME

610768 WESTHAMPTON- BRIDGE REPLACEMENT, W-27-028, PERRY HILL ROAD OVER NORTH BROOK OF MANHAN RIVER

DESCRIPTION

The proposed project consists of the complete replacement of the bridge carrying Perry Hill Road over the North Branch of the Manhan River. Related work includes approach roadway modifications and drainage improvements.
Monarch Butterfly: Candidate Species only, no conservation measures at this time.
Tricolored Bat: Proposed Endangered Species only. At this time, no formal USFWS consultation is required.

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@42.318587550000004,-72.77131153210084,14z

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?

   Yes

8. Will the project include *any* type of activity that could impact a **known** hibernaculum[1], or impact a karst feature (e.g., sinkhole, losing stream, or spring) that could result in effects to a **known** hibernaculum?

   [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

9. 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

10. 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

11. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

    No

12. 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

    - *610768_Westhampton_PA_Bridge_survey_report.pdf https://ipac.ecosphere.fws.gov/project/FFKY3UYIEZFUPI4QDHVBUTS7DE/projectDocuments/140763990*

13. 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

14. 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

15. 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

16. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors?

    Yes

17. 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

18. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces?

    Yes

19. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?

    No

20. Are *all* trees that are being removed clearly demarcated?

    Yes

21. Will the removal of habitat or the removal/trimming of trees involve the use of **temporary** lighting?

    Yes

22. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?

    No

23. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

    Yes

24. Does the project include slash pile burning?

    No

25. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

    Yes

26. 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

27. 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

    - *610768_Westhampton_PA_Bridge_survey_report.pdf https://ipac.ecosphere.fws.gov/project/FFKY3UYIEZFUPI4QDHVBUTS7DE/projectDocuments/140763990*

28. 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

29. Will the bridge removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

    No

30. 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

31. 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

32. 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

33. Will the project install new or replace existing **permanent** lighting?

    No

34. 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

35. 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

36. 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

37. 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

38. Will the project raise the road profile **above the tree canopy**?

    No

39. Are the wetland or stream protection activities associated with compensatory wetland/ stream mitigation portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

    Automatically answered
    Yes, because your activities associated with compensatory wetland/stream mitigation activities do not clear suitable summer habitat and are not within 0.5 miles of Indiana bat or NLEB hibernaculum.

40. 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.

41. 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

42. 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.

43. 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

44. **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

45. **Hibernacula AMM 1**
    Will the project ensure that on-site personnel will use best management practices[1], secondary containment measures, or other standard spill prevention and countermeasures to avoid impacts to possible hibernacula?

    [1] Coordinate with the appropriate Service Field Office on recommended best management practices for karst in your state.

    Yes

46. **Hibernacula AMM 1**
    Will the project ensure that, where practicable, a 300 foot buffer will be employed to separate fueling areas and other major containment risk activities from caves, sinkholes, losing streams, and springs in karst topography?

    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.

   0.27

4. Please describe the proposed bridge work:

   The proposed bridge structure will allow for the same horizontal roadway alignment as the existing bridge and the profile will be raised by approximately 0.5' from existing conditions. To provide optimal river flow and improve hydraulic performance at both upstream and downstream sections of the structure, the existing abutments will be demolished, and the new culvert span will increase the hydraulic opening by approximately 3'. The proposed structure will consist of a single span three-sided precast concrete culvert on cast-in-place concrete footings with a clear span of 28' (square span of 22') and a skew angle of 39 degrees. Since this is a three-sided structure, the natural riverbed will be maintained. The culvert consists of three precast concrete units, each being 6'-1" wide with a gravel roadway fill placed on top of the culvert. The roadway width is 15'-0" curb to curb which is an increase of 1'-4" from the existing. Since this is a gravel roadway with no striping, the bridge width will effectively be the travel lane. Each side of the bridge will have S3-TL4 bridge railing installed with associated approach guardrail sections.

5. Please state the timing of all proposed bridge work:

   Spring 2025-Spring 207

6. Please enter the date of the bridge assessment:

   June 15, 2023

AVOIDANCE AND MINIMIZATION MEASURES (AMMS)

This determination key result includes the committment to implement the following Avoidance and Minimization Measures (AMMs):

HIBERNACULA AMM 1

For projects located within karst areas, on-site personnel will use best management practices, secondary containment measures, or other standard spill prevention and countermeasures to avoid impacts to possible hibernacula. Where practicable, a 300 foot buffer will be employed to separate fueling areas and other major containment risk activities from caves, sinkholes, losing streams, and springs in karst topography.

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: Trevor Burns
Address: 10 Park Plaza
City: Boston
State: MA
Zip: 02116
Email trevor.b.burns@dot.state.ma.us
Phone: 8573010759

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration

*** THIS PAGE IS LEFT BLANK INTENTIONALLY ***

DOCUMENT A00875

POLICY DIRECTIVE P-22-001
AND
POLICY DIRECTIVE P-22-002

THIS PAGE INTENTIONALLY LEFT BLANK

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.).

THIS PAGE INTENTIONALLY LEFT BLANK

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

WESTHAMPTON

For: **Bridge Replacement, W-27-028, Perry Hill Road over North Branch of Manhan River**

COMMONWEALTH OF MASSACHUSETTS

LOCATION

The work referred to herein is in the Town of **WESTHAMPTON** in Hampshire 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:

Perry Hill Road

Bridge W-27-028

Begin – Station 1+50.00 +/-

End –Station 3+75.00 +/-

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 **671 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.

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

massDOT Massachusetts Department of Transportation Highway Division

CMS Contract Management System

Project # 610768	Contract # 129332			
Location : WESTHAMPTON				
Description : Bridge Replacement, W-27-028, Perry Hill Road over North Branch of Manhan River				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
102.3	8	HERBICIDE TREATMENT OF INVASIVE PLANTS AT _____ PER HOUR		
102.33	8	INVASIVE PLANT MANAGEMENT STRATEGY AT _____ PER HOUR		
103.	3	TREE REMOVED - DIAMETER UNDER 24 INCHES AT _____ EACH		
114.1	1	DEMOLITION OF SUPERSTRUCTURE OF BRIDGE NO. W-27-028 (OTA) AT _____ LUMP SUM		
120.	70	EARTH EXCAVATION AT _____ PER CUBIC YARD		
127.1	70	REINFORCED CONCRETE EXCAVATION AT _____ PER CUBIC YARD		
140.	240	BRIDGE EXCAVATION AT _____ PER CUBIC YARD		
144.	63	CLASS B ROCK EXCAVATION AT _____ PER CUBIC YARD		
150.	15	ORDINARY BORROW AT _____ PER CUBIC YARD		

Project # 610768	Contract # 129332			
Location : WESTHAMPTON				
Description : Bridge Replacement, W-27-028, Perry Hill Road over North Branch of Manhan River				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
151.	13	GRAVEL BORROW AT _____ PER CUBIC YARD		
151.2	70	GRAVEL BORROW FOR BACKFILLING STRUCTURES AND PIPES AT _____ PER CUBIC YARD		
170.	415	FINE GRADING AND COMPACTING - SUBGRADE AREA AT _____ PER SQUARE YARD		
180.01	1	ENVIRONMENTAL HEALTH AND SAFETY PROGRAM AT _____ LUMP SUM		
180.02	10	PERSONAL PROTECTION LEVEL C UPGRADE AT _____ PER HOUR		
180.03	24	LICENSED SITE PROFESSIONAL SERVICES AT _____ PER HOUR		
181.11	44	DISPOSAL OF UNREGULATED SOIL AT _____ PER TON		
181.12	5	DISPOSAL OF REGULATED SOIL - IN-STATE FACILITY AT _____ PER TON		
181.13	5	DISPOSAL OF REGULATED SOIL - OUT-OF-STATE FACILITY AT _____ PER TON		

Project # 610768	Contract # 129332			
Location : WESTHAMPTON				
Description : Bridge Replacement, W-27-028, Perry Hill Road over North Branch of Manhan River				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
181.14	3	DISPOSAL OF HAZARDOUS WASTE AT _____ PER TON		
443.	5	WATER FOR ROADWAY DUST CONTROL AT _____ PER 1000 GALLONS		
450.	87	GRAVEL FOR SURFACING AT _____ PER CUBIC YARD		
482.3	12	SAWCUTTING ASPHALT PAVEMENT AT _____ PER FOOT		
504.	38	GRANITE CURB TYPE VA4 - STRAIGHT AT _____ PER FOOT		
509.	26	GRANITE TRANSITION CURB FOR PEDESTRIAN CURB RAMPS - STRAIGHT AT _____ PER FOOT		
627.82	3	GUARDRAIL TANGENT END TREATMENT, TL-2 AT _____ EACH		
628.24	3	TRANSITION TO BRIDGE RAIL AT _____ EACH		
632.4	8	INDIVIDUAL POST REMOVED AND DISCARDED AT _____ EACH		

Project # 610768	Contract # 129332			
Location : WESTHAMPTON				
Description : Bridge Replacement, W-27-028, Perry Hill Road over North Branch of Manhan River				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
657.	500	TEMPORARY FENCE AT _____ PER FOOT		
685.	4	STONE MASONRY WALL IN CEMENT MORTAR AT _____ PER CUBIC YARD		
691.	10	BALANCE STONE WALL REMOVED AND REBUILT AT _____ PER FOOT		
702.	3	HOT MIX ASPHALT SIDEWALK OR DRIVEWAY AT _____ PER TON		
722.3	1	SCHEDULE OF OPERATIONS (TYPE C) - FIXED PRICE $6,500.0 AT Six Thousand Five Hundred Dollars LUMP SUM	$6,500.00	$6,500.00
740.	22	ENGINEER'S FIELD OFFICE AND EQUIPMENT (TYPE A) AT _____ PER MONTH		
748.	1	MOBILIZATION AT _____ LUMP SUM		
751.	28	LOAM FOR ROADSIDES AT _____ PER CUBIC YARD		
751.7	7	COMPOST BLANKET AT _____ PER CUBIC YARD		

Project # 610768	Contract # 129332			
Location : WESTHAMPTON				
Description : Bridge Replacement, W-27-028, Perry Hill Road over North Branch of Manhan River				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
751.765	23	COMPOST AND SEED OVER MODIFIED ROCK AT _____ PER CUBIC YARD		
765.	85	SEEDING AT _____ PER SQUARE YARD		
765.553	2	WETLAND RIPARIAN MIX AT _____ PER POUND		
765.635	250	NATIVE SEEDING AND ESTABLISHMENT AT _____ PER SQUARE YARD		
767.121	495	SEDIMENT CONTROL BARRIER AT _____ PER FOOT		
769.	177	PAVEMENT MILLING MULCH UNDER GUARD RAIL AT _____ PER FOOT		
799.755	42	PLANTING - TUBELINGS ON ROCK SLOPE AT _____ EACH		
852.	166.75	SAFETY SIGNING FOR TRAFFIC MANAGEMENT AT _____ PER SQUARE FOOT		
853.1	4	PORTABLE BREAKAWAY BARRICADE TYPE III AT _____ EACH		

Project # 610768	Contract # 129332			
Location : WESTHAMPTON				
Description : Bridge Replacement, W-27-028, Perry Hill Road over North Branch of Manhan River				
ITEM #	**QUANTITY**	**ITEM WITH UNIT BID PRICE WRITTEN IN WORDS**	**UNIT PRICE**	**AMOUNT**
853.2	30	TEMPORARY BARRIER (TL-2) AT _____ PER FOOT		
983.2	80	RIPRAP AT _____ PER CUBIC YARD		
983.522	1	STREAMBED RESTORATION AT _____ LUMP SUM		
986.	5	MODIFIED ROCKFILL AT _____ PER TON		
991.1	1	CONTROL OF WATER - STRUCTURE NO. W-27-028 (CEQ) AT _____ LUMP SUM		
994.011	1	TEMPORARY PROTECTIVE SHIELDING OUTSIDE FASCIA BEAMS BRIDGE NO. W-27-028(OTA) AT _____ LUMP SUM		
994.012	1	TEMPORARY PROTECTIVE SHIELDING BETWEEN FASCIA BEAMS BRIDGE NO. W-27-028(OTA) AT _____ LUMP SUM		
995.01	1	BRIDGE STRUCTURE, BRIDGE NO. W-27-028 (CEQ) AT _____ LUMP SUM		
Total Qty:	3,190.75			

DOCUMENT B00853

SCHEDULE OF PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES (DBES)

PRIME BIDDER: _____

DATE OF BID OPENING: _____ PROJECT NO.: 610768

FEDERAL AID PROJECT NO. STP(BR-OFF)-003S(808)X

PROJECT LOCATION: WESTHAMPTON

Name, Address, and Phone Number(s) of DBE	Name of Activity	(a)† DBE Contractor Activity Amount *Construction Work*	(b) DBE Other Business Amount *Services, Supplies, Material*	(c) Total amount eligible for credit under rules in Section 6 of Document 00719 - DBE Special Provisions
Total Bid Amount	TOTALS:	$	$	$
$	DBE Percentage of Total Bid:	%	%	%

†*Column (a) must be at least one-half of the DBE participation goal. Attach additional sheets as necessary.*

Is MassDOT Document B00855 (Joint Check Approval) being submitted for any of the above? ☐ Yes ☐ No ☐ Not Known at This Time

Will any of the contractors listed above be using a third party (i.e. manufacturer) to deliver materials or perform any portion of work by a third party? ☐ Yes ☐ No

CERTIFICATION: I HEREBY DECLARE, TO THE BEST OF MY KNOWLEDGE, THAT **I HAVE READ THE SPECIAL PROVISIONS FOR PARTICIPATION BY DISADVANTAGED BUSINESS ENTERPRISES - DOCUMENT 00719.** BOTH THIS SCHEDULE AND THE RELEVANT AND ACCOMPANYING LETTER(S) OF INTENT ARE IN FULL COMPLIANCE WITH THE PROVISIONS OF, AND IN ACCORDANCE WITH, TITLE 49 CODE OF FEDERAL REGULATIONS, PART 26 (49 CFR Part 26).

SIGNATURE:_____ DATE_____

NAME AND TITLE (*PRINT*):_____

EMAIL ADDRESS: _____TEL NO.:_____

*** END OF DOCUMENT ***

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

DOCUMENT B00854

DISADVANTAGED BUSINESS ENTERPRISES (DBE) PARTICIPATION LETTER OF INTENT

(To be completed by the DBE – Page 1 of 2)

TO: _____ (Prime Bidder)

FROM: _____ (DBE Firm)

RE: PROJECT NO.: 610768 FEDERAL AID PROJECT NO.: STP(BR-OFF)-003S(808)X

PROJECT LOCATION: WESTHAMPTON

DATE OF BID OPENING: _____

I, _____, authorized signatory of the above-referenced DBE firm hereby declare:
Print Name

1. My company is currently certified as a Disadvantaged Business Enterprise (DBE) by the Massachusetts Supplier Diversity Office ("SDO"), formerly known as the State Office of Minority and Women Business Assistance (SOMWBA), as a: (check all applicable, see Section 1 of the Special Provisions For Participation By Disadvantaged Business Enterprises, MassDOT Document 00719 additional guidance is available at Title 49, Code of Federal Regulations, Part 26.55 (49 CFR Part 26.55)):

   ( ) CONTRACTOR ( ) REGULAR DEALER ( ) BROKER
   ( ) MANUFACTURER ( ) TRUCKING OPERATIONS ( ) PROFESSIONAL SERVICES

2. My firm has the ability to manage, supervise and perform the activity described on page 2 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.

3. There have been no changes affecting the ownership, control or independence of my company since my last certification review on _____ ___, 20___. 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 Massachusetts Department of Transportation ("MassDOT") Office of Civil Rights and SDO.

4. I have read the MassDOT proposal for the Project which may be entitled "Project Contract Documents and Special Provisions" or the draft "Contract" which includes MassDOT Document 00719, and acknowledge that my company will comply with that document and the requirements of 49 CFR Part 26.

5. For the purpose of obtaining subcontractor approval from MassDOT, my firm will provide to you:

   A. ***The following construction work:***
      (i) a resume, stating the qualifications and experience, of the superintendent or foreperson who will supervise on site-work;
      (ii) a list of equipment owned or leased by my firm for use on this project; and
      (iii) a list of all projects (public or private) upon which my firm is currently performing, is committed to perform, or intends to make a commitment to perform. I shall also include, for each project: the name and telephone number of a contact person for the contracting authority, person, or organization; the dollar value of the work; a description of the work; and my firm's work schedule for the project.

   B. ***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;
      (ii) information concerning brokers fees and commissions for providing services or materials; and
      (iii) a statement concerning whether my firm intends or will be required to use a joint check arrangement; and any other documents that may be required by MassDOT.

_____ Date_____
DBE Company Authorized Signature

DISADVANTAGED BUSINESS ENTERPRISES (DBE) PARTICIPATION
LETTER OF INTENT
(To be completed by the DBE – Page 2 of 2)

DATE OF BID OPENING: _____

PROJECT NUMBER: 610768

FEDERAL AID PROJECT NUMBER: STP(BR-OFF)-003S(808)X

PROJECT LOCATION: WESTHAMPTON

PRIME BIDDER: _____

DBE COMPANY NAME: _____

Item number if applicable	NAICS Code	Description of Activity with notations such as Services, or Brokerage, Installation Only, Material Only, or Complete	Quantity	Unit Price	Amount
			TOTAL AMOUNT:		

Please give full explanations, attach additional sheets if necessary.

I HEREBY VERIFY THAT _____ WILL SOLELY
(DBE company name)
PERFORM THE WORK, OR PROVIDE THE SERVICES OR MATERIALS, AS DESCRIBED ABOVE.

DBE AUTHORIZED SIGNATURE: _____

NAME AND TITLE (PRINT):_____

TELEPHONE NUMBER: _____FAX NUMBER: _____

EMAIL ADDRESS: _____

Rev'd 9/20/19

*** END OF DOCUMENT ***

DOCUMENT B00855

DBE JOINT CHECK ARRANGEMENT APPROVAL FORM

(to be submitted by Prime Contractor)

Contract No: 129332 **Project No.** 610768 **Federal Aid No.:** STP(BR-OFF)-003S(808)X

Location: WESTHAMPTON **Bid Opening Date:** _____

Project Description: Bridge Replacement, W-27-028, Perry Hill Road over North Branch of Manhan River

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 ***

*** THIS PAGE IS INTENTIONALLY LEFT BLANK ***

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 ***