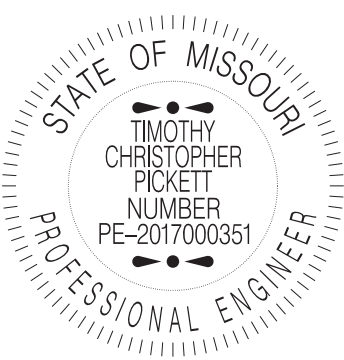


Job No.: J9S3327, J9S3328
 Route: 61, ZZ
 County: New Madrid

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(Job Special Provisions shall prevail over General Provisions whenever in conflict therewith.)

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 <p>STATE OF MISSOURI TIMOTHY CHRISTOPHER PICKETT NUMBER PE-2017000351 PROFESSIONAL ENGINEER</p> <p>THIS SHEET HAS BEEN SIGNED, SEALED AND DATED ELECTRONICALLY.</p>	MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION 105 W. CAPITOL AVE. JEFFERSON CITY, MO 65102 Phone 1-888-275-6636
	If a seal is present on this sheet, JSP's have been electronically sealed and dated.
	JOB NUMBER: J9S3327 NEW MADRID COUNTY, MO DATE PREPARED: 4/08/2019
	ADDENDUM DATE:
Only the following items of the Job Special Provisions (Roadway) are authenticated by this seal: ALL	

JOB
SPECIAL PROVISION

A. General - Federal JSP-09-02E

1.0 Description. The Federal Government is participating in the cost of construction of this project. All applicable Federal laws, and the regulations made pursuant to such laws, shall be observed by the contractor, and the work will be subject to the inspection of the appropriate Federal Agency in the same manner as provided in Sec 105.10 of the Missouri Standard Specifications for Highway Construction with all revisions applicable to this bid and contract.

1.1 This contract requires payment of the prevailing hourly rate of wages for each craft or type of work required to execute the contract as determined by the Missouri Department of Labor and Industrial Relations, and requires adherence to a schedule of minimum wages as determined by the United States Department of Labor. For work performed anywhere on this project, the contractor and the contractor's subcontractors shall pay the higher of these two applicable wage rates. State Wage Rates, Information on the Required Federal Aid Provisions, and the current Federal Wage Rates are available on the Missouri Department of Transportation web page at www.modot.org under "Doing Business with MoDOT", "Contractor Resources". Effective Wage Rates will be posted 10 days prior to the applicable bid opening. These supplemental bidding documents have important legal consequences. It shall be conclusively presumed that they are in the bidder's possession, and they have been reviewed and used by the bidder in the preparation of any bid submitted on this project.

1.2 The following documents are available on the Missouri Department of Transportation web page at www.modot.org under "Doing Business with MoDOT"; "Standards and Specifications". The effective version shall be determined by the letting date of the project.

General Provisions & Supplemental Specifications

Supplemental Plans to July 2019 Missouri Standard Plans
For Highway Construction

These supplemental bidding documents contain all current revisions to the published versions and have important legal consequences. It shall be conclusively presumed that they are in the bidder's possession, and they have been reviewed and used by the bidder in the preparation of any bid submitted on this project.

B. Contract Liquidated Damages JSP-13-01B

1.0 Description. Liquidated Damages for failure or delay in completing the work on time for this contract shall be in accordance with Sec 108.8. The liquidated damages include separate amounts for road user costs and contract administrative costs incurred by the Commission.

2.0 Period of Performance. Prosecution of work is expected to begin on the date specified below in accordance with Sec 108.2. Regardless of when the work is begun on this contract, all work shall be completed on or before the date specified below. Completion by this date shall be in accordance with the requirements of Sec 108.7.1.

Notice to Proceed: February 3, 2020
Completion Date: December 1, 2020

2.1 Calendar Days. The count of calendar days will begin on the date the contractor starts any construction operations on the project.

Job Number	Calendar Days	Daily Road User Cost
J9S3327	150	\$1800
J9S3328	110	\$1800

3.0 Liquidated Damages for Contract Administrative Costs. Should the contractor fail to complete the work on or before the completion date specified in Section 2.0, or within the number of calendar days specified in Section 2.1, whichever occurs first, the contractor will be charged contract administrative liquidated damages in accordance with Sec 108.8 in the amount of **\$500** per calendar day for each calendar day, or partial day thereof, that the work is not fully completed. For projects in combination, these damages will be charged in full for failure to complete one or more projects within the above specified completion date or calendar days.

4.0 Liquidated Damages for Road User Costs. Should the contractor fail to complete the work on or before the completion date specified in Section 2.0, or within the number of calendar days specified in Section 2.1, whichever occurs first, the contractor will be charged road user costs in accordance with Sec 108.8 in the amount specified in Section 2.1 for each calendar day, or partial day thereof, that the work is not fully completed. These damages are in addition to the contract administrative damages and any other damages as specified elsewhere in this contract.

C. Work Zone Traffic Management JSP-02-06G

1.0 Description. Work zone traffic management shall be in accordance with applicable portions of Division 100 and Division 600 of the Standard Specifications, and specifically as follows.

1.1 Maintaining Work Zones and Work Zone Reviews. The Work Zone Specialist (WZS) shall maintain work zones in accordance with Sec 616.3.3 and as further stated herein. The WZS shall coordinate and implement any changes approved by the engineer. The WZS shall ensure all traffic control devices are maintained in accordance with Sec 616, the work zone is operated within the hours specified by the engineer, and will not deviate from the specified hours without prior approval of the engineer. The WZS is responsible to manage work zone delay in accordance with these project provisions. When requested by the engineer, the WZS shall submit a weekly report that includes a review of work zone operations for the week. The report shall identify any problems encountered and corrective actions taken. Work zones are subject to unannounced inspections by the engineer and other departmental staff to corroborate the validity of the WZS's review and may require immediate corrective measures and/or additional work zone monitoring.

1.2 Work Zone Deficiencies. Failure to make corrections on time may result in the engineer suspending work. The suspension will be non-excusable and non-compensable regardless if road user costs are being charged for closures.

2.0 Traffic Management Schedule.

2.1 Traffic management schedules shall be submitted to the engineer for review prior to the start of work and prior to any revisions to the traffic management schedule. The traffic management schedule shall include the proposed traffic control measures, the hours traffic control will be in place, and work hours.

2.2 The traffic management schedule shall conform to the limitations specified in Sec 616 regarding lane closures, traffic shifts, road closures and other width, height and weight restrictions.

2.3 The engineer shall be notified as soon as practical of any postponement due to weather, material or other circumstances.

2.4 In order to ensure minimal traffic interference, the contractor shall schedule lane closures for the absolute minimum amount of time required to complete the work. Lanes shall not be closed until material is available for continuous construction and the contractor is prepared to diligently pursue the work until the closed lane is opened to traffic.

2.5 Traffic Congestion. The contractor shall, upon approval of the engineer, take proactive measures to reduce traffic congestion in the work zone. The contractor shall immediately implement appropriate mitigation strategies whenever traffic congestion reaches an excess of 10 minutes to prevent congestion from escalating to 15 minute or above threshold. If disruption of the traffic flow occurs and traffic is backed up in queues of 15 minute delays or longer, then the contractor shall immediately review the construction operations which contributed directly to disruption of the traffic flow and make adjustments to the operations to prevent the queues from reoccurring. Traffic delays may be monitored by physical presence on site or by utilizing real-time travel data through the work zone that generate text and/or email notifications where available. The engineer monitoring the work zone may also notify the contractor of delays that require prompt mitigation. The contractor may work with the engineer to determine what other alternative solutions or time periods would be acceptable.

2.5.1 Traffic Safety.

2.5.1.1 Recurring Congestion. Where traffic queues routinely extend to within 1000 feet of the ROAD WORK AHEAD, or similar, sign on a divided highway or to within 500 feet of the ROAD WORK AHEAD, or similar, sign on an undivided highway, the contractor shall extend the advance warning area, as approved by the engineer.

2.5.1.2 Non-Recurring Congestion. When traffic queues extend to within 1000 feet of the ROAD WORK AHEAD, or similar, sign on a divided highway or to within 500 feet of the ROAD WORK AHEAD, or similar, sign on an undivided highway infrequently, the contractor shall deploy a means of providing advance warning of the traffic congestion, as approved by the engineer. The warning location shall be no less than 1000 feet and no more than 0.5 mile in advance of the end of the traffic queue on divided highways and no less than 500 feet and no more than 0.5 mile in advance of the end of the traffic queue on undivided highways.

3.0 Work Hour Restrictions.

3.1 There are six major holiday periods shown below. All lanes shall be scheduled to be open to traffic during these holiday periods, from 12:00 noon on the last working day preceding the holiday until 6:00 a.m. on the first working day subsequent to the holiday unless approved by the Engineer.

Memorial Day
Independence Day
Labor Day
Thanksgiving
Christmas
New Year's Day

3.2 The contractor shall not perform any construction operation on the (*roadway, roadbed or active lanes*), (*including the hauling of material within the project limits*), during restricted periods, holiday periods or other special events specified in the contract documents.

4.0 Detours and Lane Closures.

4.1 When a changeable message sign (CMS) is provided, the contractor shall use the CMS to notify motorists of future traffic disruption and possible traffic delays one week before traffic is shifted to a detour or prior to lane closures. The CMS shall be installed at a location as approved or directed by the engineer. The CMS shall be capable of communication with the Transportation Management Center (TMC), if applicable, prior to installation on right of way. All messages planned for use in the work zone shall be approved and authorized by the engineer or its designee prior to deployment. When permanent dynamic message signs (DMS) owned and operated by MoDOT are located near the project, they may also be used to provide warning and information for the work zone. Permanent DMS shall be operated by the TMC, and any messages planned for use on DMS shall be approved and authorized by the TMC at least 72 hours in advance of the work.

5.0 Basis of Payment. No direct payment will be made to the contractor to recover the cost of equipment, labor, materials or time required to fulfill the above provisions, unless specified elsewhere in the contract document. All authorized changes in the traffic control plan shall be provided for as specified in Sec 616.

D. Emergency Provisions and Incident Management JSP-90-11

1.0 The contractor shall have communication equipment on the construction site or immediate access to other communication systems to request assistance from the police or other emergency agencies for incident management. In case of traffic accidents or the need for police to direct or restore traffic flow through the job site, the contractor shall notify police or other emergency agencies immediately as needed. The area engineer's office shall also be notified when the contractor requests emergency assistance.

2.0 In addition to the 911 emergency telephone number for ambulance, fire or police services, the

following agencies may also be notified for accident or emergency situation within the project limits.

Missouri Highway Patrol 573-840-9500		
City of Portageville	City of _____	City of _____
Fire: 573-379-5540	Fire: XXX-XXX-XXXX	Fire: XXX-XXX-XXXX
Police: 573-379-5500	Police: XXX-XXX-XXXX	Police: XXX-XXX-XXXX

2.1 This list is not all inclusive. Notification of the need for wrecker or tow truck services will remain the responsibility of the appropriate police agency.

2.2 The contractor shall notify enforcement and emergency agencies before the start of construction to request their cooperation and to provide coordination of services when emergencies arise during the construction at the project site. When the contractor completes this notification with enforcement and emergency agencies, a report shall be furnished to the engineer on the status of incident management.

3.0 No direct pay will be made to the contractor to recover the cost of the communication equipment, labor, materials or time required to fulfill the above provisions.

E. Project Contact for
Contractor/Bidder Questions JSP-96-05

All questions concerning this project during the bidding process shall be forwarded to the project contact listed below.

Jeff Wachter, Project Contact
 Southeast District
 2675 N Main
 PO Box 160
 Sikeston, MO 63801

Telephone Number: 573-472-5294
 Email: jeffery.wachter@modot.mo.gov

All questions concerning the bid document preparation can be directed to the Central Office – Design at (573) 751-2876.

F. Contractor Quality Control NJSP-15-42

1.0 The contractor shall perform Quality Control (QC) testing in accordance with the specifications and as specified herein. The contractor shall submit a Quality Control Plan (QC Plan) to the engineer for approval that includes all items listed in Section 2.0, prior to beginning work.

2.0 Quality Control Plan.

- (a) The name and contact information of the person in responsible charge of the QC testing.
- (b) A list of the QC technicians who will perform testing on the project, including the fields in which they are certified to perform testing.
- (c) A proposed independent third party testing firm for dispute resolution, including all contact information.
- (d) A list of Hold Points, when specified by the engineer.
- (e) The MoDOT Standard Inspection and Testing Plan (ITP). This shall be the version that is posted at the time of bid on the MoDOT website (www.modot.org/quality).

3.0 Quality Control Testing and Reporting. Testing shall be performed per the test method and frequency specified in the ITP. All personnel who perform sampling or testing shall be certified in the MoDOT Technician Certification Program for each test that they perform.

3.1 Reporting of Test Results. All QC test reports shall be submitted as soon as practical, but no later than the day following the test. Test data shall be immediately provided to the engineer upon request at any time, including prior to the submission of the test report. No payment will be made for the work performed until acceptable QC test results have been received by the engineer and confirmed by QA test results.

3.1.1 Test results shall be reported on electronic forms provided by MoDOT. Forms and Contractor Reporting Excel2Oracle Reports (CRE2O) can be found on the MoDOT website. All required forms, reports and material certifications shall be uploaded to a Microsoft SharePoint® site provided by MoDOT, and organized in the file structure established by MoDOT.

3.2 Non-Conformance Reporting. A Non-Conformance Report (NCR) shall be submitted by the contractor when the contractor proposes to incorporate material into the work that does not meet the testing requirements or for any work that does not comply with the contract terms or specifications.

3.2.1 Non-Conformance Reporting shall be submitted electronically on the Non-Conformance Report form provided on the MoDOT Website. The NCR shall be uploaded to the MoDOT SharePoint® site and an email notification sent to the engineer.

3.2.2 The contractor shall propose a resolution to the non-conforming material or work. Acceptance of a resolution by the engineer is required before closure of the non-conformance report.

4.0 Work Planning and Scheduling.

4.1 Two-week Schedule. Each week, the contractor shall submit to the engineer a schedule that outlines the planned project activities for the following two-week period. The two-week schedule shall detail all work and traffic control events planned for that period and any Hold Points specified by the engineer.

4.2 Weekly Meeting. When work is active, the contractor shall hold a weekly project meeting with the engineer to review the planned activities for the following week and to resolve any outstanding issues. Attendees shall include the engineer, the contractor superintendent or project manager and any

foreman leading major activities. This meeting may be waived when, in the opinion of the engineer, a meeting is not necessary. Attendees may join the meeting in person, by phone or video conference.

4.3 Pre-Activity Meeting. A pre-activity meeting is required in advance of the start of each new activity, except when waived by the engineer. The purpose of this meeting is to review construction details of the new activity. At a minimum, the discussion topics shall include: safety precautions, QC testing, traffic impacts, and any required Hold Points. Attendees shall include the engineer, the contractor superintendent and the foreman who will be leading the new activity. Pre-activity meetings may be held in conjunction with the weekly project meeting.

4.4 Hold Points. Hold Points are events that require approval by the engineer prior to continuation of work. Hold Points occur at definable stages of work when, in the opinion of the engineer, a review of the preceding work is necessary before continuation to the next stage.

4.4.1 A list of typical Hold Point events is available on the MoDOT website. Use of the Hold Point process will only be required for the project-specific list of Hold Points, if any, that the engineer submits to the contractor in advance of the work. The engineer may make changes to the Hold Point list at any time.

4.4.2 Prior to all Hold Point inspections, the contractor shall verify the work has been completed in accordance with the contract and specifications. If the engineer identifies any corrective actions needed during a Hold Point inspection, the corrections shall be completed prior to continuing work. The engineer may require a new Hold Point to be scheduled if the corrections require a follow-up inspection. Re-scheduling of Hold Points require a minimum 24-hour advance notification from the contractor unless otherwise allowed by the engineer.

5.0 Quality Assurance Testing and Inspection. MoDOT will perform quality assurance testing and inspection of the work, except as specified herein. The contractor shall utilize the inspection checklists provided in the ITP as a guide to minimize findings by MoDOT inspection staff. Submittal of completed checklists is not required, except as specified in 5.1.

5.1 Inspection and testing required in the production of concrete for the project shall be the responsibility of the contractor. Submittal of the 501 Concrete Plant Checklist is required.

6.0 Basis of Payment. No direct payment will be made for compliance with this provision.

G. Modified Linear Grading Class 2

1.0 Description. Modified Linear Grading Class 2, shall consist of all excavation, contractor furnished fill, material hauling, subgrade preparation, embankment construction, and finish grading necessary to bring the roadway to the lines and grades shown in the plans.

2.0 Construction Requirements.

2.1 The embankment construction for this project will require 100 percent contractor furnished fill material. Contractor furnished material shall come from sources outside of the Commission's right of way. The material shall be approved by the Engineer prior to being incorporated into the project. Quarry

screenings, or similar material, will not be considered an approved contractor furnished material. Contractor shall follow Sec 203.3.2.1 through 203.3.2.6 for contractor furnished borrow material requirements and obtain the appropriate land disturbance permits from MDNR in advance of excavation, unless the site is already under permit with MDNR.

2.2 Clearing and Grubbing. All areas to be graded shall be cleared and grubbed in accordance with Sec 201 or as directed by the Engineer.

2.3 Compaction. Subgrade upon which a paved surface is to be placed shall be compacted in accordance with Sec 203.5. Embankment outside the limits of pavement surfaces shall be compacted in accordance with Sec 203.6, unless otherwise approved by the Engineer.

2.4 Grading operations shall not change the existing flowline of ditches or result in the covering of existing drainage structures, such as inlets and pavement edge drain outlets. Slopes may be steepened to preserve existing drainage structures with the approval of the Engineer.

2.5 Earthwork for the obliteration of roadway features, including bituminous surfacing, will be considered linear grading.

2.6 Grading for guardrail installations shall be in accordance with Standard Plan 603.30.

2.7 Any damage to existing drainage structures or existing pavement, resulting from the Contractor's operations, shall be repaired at the Contractor's expense and to the satisfaction of the Engineer.

2.8 Pavement Edge Treatment. The need for edge treatment is determined by the contractor's method of operations. Any pavement edge treatment necessary to comply with Standard Plan 619.10 shall be considered incidental to grading operations.

2.9 Excess Material. Material deemed by the Engineer to be in excess of that necessary to establish the lines and grades in the plans shall be disposed by the contractor at a location outside of Commission right of way.

3.0 Method of Measurement. Measurement will be made to the nearest 1/10 station, separately for the length of grading along each side of the roadway, measured along the edge of the paved shoulder.

4.0 Basis of Payment. All costs incurred by the Contractor to comply with this provision shall be considered completely covered by the contract unit price for pay item 207-20.00, LINEAR GRADING CLASS 2. No direct payment will be made for grading necessary to properly install impact attenuators. No direct payment will be made for pavement edge treatment. No direct payment will be made for disposal of excess material.

H. Optional Pavements JSP 06-06G

1.0 Description. This work shall consist of a pavement composed of either Portland cement concrete or asphaltic concrete constructed on a prepared subgrade. This work shall be performed in accordance with the standard specifications and as shown on the plans or established by the engineer.

2.0 The quantities shown reflect the total square yards of pavement surface designated for each pavement type as computed and shown on the plans.

2.1 No additional payment will be made for asphaltic concrete mix quantities to construct the required 1:1 slope along the edge of the pavement, or for tack applied between lifts of asphalt.

2.2 No additional payment will be made for aggregate base quantities outside the limits of the final surface area as computed and shown on the plans. When A2 shoulders are specified, payment for aggregate base will be as shown on the plans.

2.3 The grading shown on the plans was designed for the thicker pavement option. For projects with grading in the contract, there will be no adjustment of the earthwork quantities due to adjusting the roadway subgrade for optional pavements.

2.4 The contractor shall comply with Sections 401 through 403 for the asphalt option and Sections 501 and 502 for the concrete option.

2.5 Pavement options composed of Portland cement concrete shall have contrast pavement marking for intermittent markings (skips), dotted lines, and solid intersection lane lines. The pavement markings shall be in accordance with Section 620. No additional payment will be made for the contrast pavement markings.

3.0 Method of Measurement. The quantities of concrete pavement will be measured in accordance with Section 502.14. The quantities of asphaltic concrete pavement will be measured in accordance with Section 403.22.

4.0 Basis of Payment. The accepted quantity of the chosen option will be paid for by the contract unit bid price for Item 401-99.05, pavement, per square yard.

I. Flap Gate

1.0 Description. This work shall consist of furnishing and installing flap gates of standard design and fit the opening shown on the plans.

2.0 Materials. Flap gates shall be constructed as follows.

BILL OF MATERIAL		
PC. #	DESCRIPTION	# REQUIRED
1	CONNECTING BAND - VAR LENGTH (A)	1
2	1/4" x 2" BAR x 2• 1/2" LONG	2
3	1/4" PLATE COVER VAR DIA. (B) - UP TO 24" DIA. PIPE 3/8" PLATE COVER VAR DIA. (B) - ALL PIPES GREATER THAN 24" DIA.	1
4	1/4" x 2" BAR x VAR LENGTH (C)	2
5	1/4" x 2" BAR x 2" LONG W/BRASS BUSHINGS	2
6	7/16" Ø ROD x 8 1/2" LONG	1
7	FLAT BAND LUGS	2

8	1/2" Ø x 6" BAND BOLT & NUT	1
ATTACHMENT BOLTS (3/8" Ø x 1 1/2" HEX. HEAD)		4

2.1 As a standard finish all gates shall be painted with a shop coat of red oxide.

3.0 Construction Requirements. Flap gates shall react to any difference in water level, and shall be hinged to seat accurately. Flap gates shall be constructed according to Figure 1 – Dimension Details, Figure 2 – Connecting Band and Figure 3 – Cover Plate.

4.0 Method of Measurement. For the basis of this contract, all materials used in constructing the flag gate shall be considered as a single unit. Measurement will be made per each unit installed by the contractor and accepted by the engineer.

5.0 Basis of Payment. The accepted quantity for flap gates, complete in place including connection to the pipe, will be paid for at the contract unit price of each. No additional payment will be made for any labor, equipment or time necessary to fulfill the requirements of this special provision.

DIMENSION DETAILS			
PIPE DIA.	(A) CONNECTING BAND LENGTH	(B) PLATE COVER DIA.	(C) BAR LENGTH
15"	54"	18.5"	16"
18"	64"	21.5"	19"
21"	74"	24.5"	22"
24"	83"	27.5"	25"
30"	102"	33.5"	31"
36"	120"	39.5"	36"
42"	140"	45.5"	42"
48"	159"	51.5"	49"

Figure 1 – Dimension Details

K. Utilities JSP-93-26F

1.0 For informational purposes only, the following is a list of names, addresses, and telephone numbers of the known utility companies in the area of the construction work for this improvement:

<u>Utility Name</u>	<u>Known Required Adjustment</u>
POWER DISTRIBUTION AmerenUE 45 South Minnesota Cape Girardeau, MO 63703 Contact: Cory Roper Tel: 573-651-5630	No
TELEPHONE TRANSMISSION AT&T Transmission 1425 Oak Street, Room 618 Kansas City, MO 64106 Contact: Lenny Vohs Tel: 816-275-4014	No
COMMUNICATION AT&T 800 Broadway Cape Girardeau, MO 63701 Contact: Tom Kilburn Tel: 573-339-9476	No
GAS DISTRIBUTION Liberty Utilities 2370 N High St Jackson, MO63755 Contact: Jeff Griffin Tel: 573-620-1859	No
WATER PWSD # 5 of New Madrid County P.O. Box 226 Gideon, MO 63848 Contact: Karen Smith Tel: 573-448-5281	No

1.1 The existence and approximate location of utility facilities known to exist, as shown on the plans, are based upon the best information available to the Commission at this time. This information is provided by the Commission "as-is" and the Commission expressly disclaims any representation or warranty as to the completeness, accuracy, or suitability of the information for any use. Reliance upon this information is done at the risk and peril of the user, and the Commission shall not be liable for any damages that may arise from any error in the information. It is, therefore, the responsibility of the

contractor to verify the above listing information indicating existence, location and status of any facility. Such verification includes direct contact with the listed utilities.

L. Damage to Existing Roadways and Entrances

1.0 Description. This work shall consist of repairing any damage to existing pavement, shoulders, side roads, and entrances caused by Contractor operations. This shall include, but is not limited to, damage caused by the traffic during Contractor operations within the project limits including the work zone signing.

2.0 Construction Requirements. Any cracking, gouging, or other damage to the existing pavement, shoulders, side roads, or entrances from general construction shall be repaired within twenty-four (24) hours of the time of damage at the Contractor's expense. Repair of the damaged pavement, shoulders, side roads, or entrances shall be as determined by the Engineer.

3.0 Method of Measurement. No measurement of damaged pavement, shoulder, side roads, or entrances, as described above, shall be made.

4.0 Basis of Payment. No payment will be made for repairs to existing pavement, shoulders, side roads or entrances damaged by Contractor operations.

M. Restrictions for Migratory Birds NJSP-16-06

1.0 Description. Swallows or other bird species protected by the Migratory Bird Treaty Act may be nesting under the bridge or bridges that will be repaired under this contract.

2.0 Restrictions. To comply with the Migratory Bird Treaty Act, nests of protected species cannot be disturbed when active (eggs or young are present). Generally, nests are active between April 1 and July 31, but active nests can be present outside of these dates.

3.0 Avoidance Measures. The contractor shall not disturb active nests or destroy adults, eggs or young birds. In an effort to comply with the Migratory Bird Treaty Act, the contractor operations will be limited to the options established in the following sections.

3.1 Inactive or Partially Constructed Nests. If nests are present and MoDOT determines that the nests are inactive or partially constructed, the contractor may remove the nests provided that the colony's inactive or partially constructed nests are completely removed by March 15 and the contractor maintains a nest free condition until the bridge work is complete. Dry removal methods shall be used when practicable. If dry removal is not practicable, hydro cleaning may be used if approved by the Engineer and only if water is free of blasting grit, chemicals, or detergents, and applied using pressure less than 5,000 PSI. Clean water such as that from municipal water treatment plants or wells shall be used. Use of source water from Waters of the State (i.e., streams or lakes), is allowable, if the appropriate methods to prevent the possible spread of invasive aquatic species are implemented.

3.2 Water and Water Tanks Used for Hydro cleaning. Aquatic invasives such as zebra mussels and some algae species have infested several bodies of water in the United States and can be transported

by vessels (barges, boats, tugs, tankers, etc.) and equipment that have been used in areas that contain these invasive species. If equipment is not properly inspected and treated to prevent the spread of invasives, these species can be introduced into areas not currently known to have a population. These invasive species are detrimental to existing ecosystems and can outcompete native species. To assist in preventing the introduction and spread of aquatic invasive species through MoDOT projects in Missouri streams and lakes, the following precautions shall be followed.

3.2.1 Use of Water from Streams, Lakes or Ponds. Contractors shall not use water for nest removal from streams, lakes or ponds, unless they have implemented appropriate methods to prevent the possible spread of invasive aquatic species. Water sources from municipal water treatment plants or wells may be used without following these measures provided the water hauling equipment has not previously contained waters from streams, lakes or ponds. If the water hauling equipment has previously contained waters from other streams or lakes, the following measures must be implemented prior to use.

3.2.1.1 Tank Washing. Prior to the use or re-use of water hauling equipment following any use with water from streams, lakes or ponds, all equipment shall be washed and rinsed thoroughly with hard spray (power wash) or hot (104° F) water, e.g. at a truck wash facility.

3.2.1.2 Tank Drying or Treating. Tanks shall be dried or treated in one of the following manners.

3.2.1.2.1 The equipment shall be dried thoroughly, 5-7 days, in the sun before using in or transporting between streams and lakes.

3.2.1.2.2 All interior tank surfaces shall be treated with 140° F water for a minimum of 10 seconds contact on all surfaces.

3.2.1.2.3 All interior tank surfaces shall be treated with a 10% bleach solution to kill any aquatic nuisance species. When chlorine treatment is used, all chlorine runoff from equipment washing must be collected and properly treated and/or disposed of.

3.2.2 Prior to use of a water holding tank, contractors shall provide the MoDOT inspector written documentation of the tank's geographic origin (including the water body it was last used in), as well as defining the specified treatment method used to adequately ensure protection against invasive species. The written documentation will include a statement indicating that the contractor is aware of these provisions and will also treat the equipment appropriately after completion of the project.

3.3 Active Nests. The contractor may work on the bridge if active nests are present, as long as the work does not impact or disturb the birds and nests. At a minimum, work shall not be performed within 10 feet of an active nest; however, the contractor is responsible for ensuring that their activities do not impact the nests, eggs, or young.

4.0 Additional Responsibilities. If active bird nests remain after all reasonable avoidance measures have been taken, or if bird nests are observed during project construction, the contractor shall notify the Resident Engineer and contact the MoDOT Environmental Section (573-526-4778) to determine if there are other allowable options.

N. Protective Measures for Ditch Work in Illinois Chorus Frog Breeding Areas NJSP-16-06

1.0 Description. There are areas of herpetofaunal significance along and adjacent to the project corridor. Roadside ditches, wet fields, and streams have been shown to support populations of Illinois chorus frog, a species of conservation concern and candidate for federal listing. To ensure protection of this species and other sensitive aquatic species that may be present, the following restrictions must be applied for any ditch work.

2.0 Restrictions. Personnel shall take all precautions to prevent negative impacts to aquatic and semi-aquatic species along the project corridor, including Illinois chorus frog.

2.1 Staging. There shall be no staging, storage of equipment, or refueling in any ditches or waterways or wet areas along the project corridor.

2.2 Seasonal Restrictions. General breeding dates for Illinois chorus frog are February to early April; tadpoles develop into sub-adult frogs by May or June. Any required ditch work shall take place between mid-summer (July 15) and winter (January 15), in order to minimize potential impacts to Illinois chorus frog.

3.0 Basis of Payment. No direct payment will be made to the Contractor to recover the cost of labor, materials, or equipment required to comply with the above requirements.

O. Fertilizing, Seeding and Mulching

1.0 In accordance with Sections 801 and 805, the contractor shall apply the following to all disturbed areas at the rates specified:

<u>Fertilizing</u>	<u>lbs per acre</u>
Nitrogen (N)	80
Phosphoric Acid (P ₂ O ₅)	80
Potash (K ₂ O)	80
Soil Neutralization	0
<u>Seeding</u>	<u>Live Seed lbs per acre</u>
Tall fescue	80
Teff grass	5
Perennial ryegrass	6
White Clover	6
Oats	5
Total	102

2.0 Vegetative mulch shall be stabilized by mulch overspray or other methods as approved by the engineer.

3.0 Accepted seeding, fertilizing and mulching will be paid for at the unit price bid for Seeding-Cool Season, per acre. Payment for fertilizing and mulch will be considered incidental to seeding.

P. Supplemental Revisions JSP-18-01H

Stormwater Compliance Requirements

1.0 Description. This provision requires the contractor to provide a Water Pollution Control Manager (WPCM) for any project that includes areas of land disturbance that will total one (1) acre or greater on the project site at any point in time. When a WPCM is required, all sections within this provision shall be applicable, including assessment of specified Liquidated Damages for failure to correct Stormwater Deficiencies, as specified herein.

1.1 Applicability. The project site consists of all areas designated on the plans, including temporary and permanent easements. This provision does not apply to Contractor staging, plant, or borrow areas that are not located on MoDOT right of way (Off-site). The Contractor is responsible for obtaining its own separate land disturbance permit for Off-site areas. This provision is in addition to any other stormwater, environmental, and land disturbance requirements specified elsewhere in the contract.

2.0 Water Pollution Control Manager (WPCM). The Contractor shall designate a competent person to serve as the Water Pollution Control Manager (WPCM) for projects meeting the description in Section 1.0. The Contractor shall ensure the WPCM completes all duties listed in Section 2.1.

2.1 Duties of the WPCM:

- (a) Be familiar with the stormwater requirements including the current MoDOT State Operating Permit for construction stormwater discharges/land disturbance activities; MoDOT's statewide Stormwater Pollution Prevention Plan (SWPPP); the Corps of Engineers Section 404 Permit, when applicable; the project specific SWPPP, the Project's Erosion & Sediment Control Plan; all applicable special provisions, specifications, and standard drawings; and this provision;
- (b) Successfully complete the MoDOT Stormwater Training Course within the last 4 years. The MoDOT Stormwater Training is a free online course available at MoDOT.org;
- (c) Attend the Pre-Activity Meeting for Grading and Land Disturbance and all subsequent Weekly Meetings in which grading activities are discussed;
- (d) Oversee and ensure all work is performed in accordance with the Project-specific SWPPP and all updates thereto, or as designated by the Engineer;
- (e) Review the project site for compliance with the Project SWPPP, as needed, from the start of any grading operations until final stabilization is achieved, and take necessary actions to correct any known deficiencies to prevent pollution of the waters of the state or adjacent property owners prior to the engineer's weekly inspections;
- (f) Review and acknowledge receipt of each MoDOT Inspection Report (Land Disturbance Inspection Record) for the Project within forty eight (48) hours of receiving the report and ensure that all Stormwater Deficiencies noted on the report are corrected within 7 days of the stormwater inspection or any extended period of time granted by the Engineer.

3.0 Pre-Activity Meeting for Grading/Land Disturbance and Required Hold Point. A Pre-Activity Meeting for Grading/Land Disturbance shall be held prior to the start of any land disturbance operations. No land disturbance operations shall commence prior to the Pre-Activity Meeting except work necessary to install perimeter controls and entrances. Discussion items at the pre-activity meeting shall include a review of the Project SWPPP, the planned order of grading operations, proposed areas of initial disturbance, identification of all necessary BMPs that shall be installed prior to commencement of grading operations, and any issues relating to compliance with the Stormwater requirements that could arise in the course of construction activity at the project.

3.1 Hold Point. Following the pre-activity meeting for Grading/land disturbance and subsequent installation of the initial BMPs identified at the pre-activity meeting, a Hold Point shall occur prior to the start of any land disturbance operations to allow the engineer and WPCM the time needed to perform an on-site review of the installation of the BMPs to ensure compliance with the SWPPP is met. Land disturbance operations shall not begin until authorization is given by the engineer.

4.0 Inspection Reports. Weekly and post run-off inspections will be performed by the engineer and each Inspection Report (Land Disturbance Inspection Record) will be entered into a web-based Stormwater Compliance database. The WPCM will be granted access to this database and shall promptly review all reports, including any noted deficiencies, and shall acknowledge receipt of the report as required in Section 2.1 (f.).

5.0 Stormwater Deficiency Corrections. All stormwater deficiencies identified in the Inspection Report shall be corrected by the contractor within 7 days of the inspection date or any extended period granted by the engineer when weather or field conditions prohibit the corrective work. If the contractor does not initiate corrective measures within 5 calendar days of the inspection date or any extended period granted by the engineer, all work shall cease on the project except for work to correct these deficiencies, unless otherwise allowed by the engineer. All impact costs related to this halting of work, including, but not limited to stand-by time for equipment, shall be borne by the Contractor. Work shall not resume until the engineer approves the corrective work.

5.1 Liquidated Damages. If the Contractor fails to complete the correction of all Stormwater Deficiencies listed on the MoDOT Inspection Report within the specified time limit, the Commission will be damaged in various ways, including but not limited to, potential liability, required mitigation, environmental clean-up, fines and penalties. These damages are not reasonably capable of being computed or quantified. Therefore, the contractor will be charged with liquidated damages specified in the amount of \$2,000 per day for failure to correct one or more of the Stormwater Deficiencies listed on the Inspection Report within the specified time limit. In addition to the stipulated damages, the stoppage of work shall remain in effect until all corrections are complete.

6.0 Basis of Payment. No direct payment will be made for compliance with this provision.