

**SECTION 905 -- PROPOSAL (CONTINUED)**

I (We) enclose a certified check, cashier's check or bid bond for **five percent (5%) of total price proposed** and hereby agree that in case of my (our) failure to execute the contract and furnish bond within Ten (10) days after notice of award, the amount of this check (proposal guarantee bond) will be forfeited to the State of Mississippi as liquidated damages arising out of my (our) failure to execute the contract as proposed. It is understood that in case I am (we are) not awarded the work, the check will be returned as provided in the Specifications.

Bidder acknowledges receipt of and has added to and made a part of the proposal and contract documents the following addendum (addenda):

ADDENDUM NO. <u>  1  </u>	DATED <u>  5/2/2006  </u>	ADDENDUM NO. <u>          </u>	DATED <u>          </u>
ADDENDUM NO. <u>  2  </u>	DATED <u>  5/18/2006  </u>	ADDENDUM NO. <u>          </u>	DATED <u>          </u>

- |        |  |
|--------|--|
| Number | Description  |
| 1      | Pages 3, 4, 5, 6, 83, 84, 127, 128, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 199, 200, 335, 336 replace same; add pages 84-1, 84-2, 199-1, 199-2, 199-3, 199-4, 199-5, 199-6, 199-7, 199-8, 199-9, 199-10, 199-11, 199-12, 335-1 335-2. |
| 2      | Pages 1, 2, 3, 4, 5, 6, 109, 110, 163, 164, 169, 170, 185, 186, 199-6, 199-7 replace same; add pages 185-1, 185-2, 185-3, 185-4, 185-5, 185-6, 185-7, 185-8, 185-9, 185-10, 185-11, 185-12, 185-13, 185-14, 185-15, 185-16, 208-1, 208-2, 344-1, 344-2.    |

TOTAL ADDENDA:   2    
(Must agree with total addenda issued prior to opening of bids)

Respectfully Submitted,

DATE \_\_\_\_\_

\_\_\_\_\_  
Contractor

BY \_\_\_\_\_  
Signature

TITLE \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY, STATE, ZIP \_\_\_\_\_

PHONE \_\_\_\_\_

FAX \_\_\_\_\_

E-MAIL \_\_\_\_\_

(To be filled in if a corporation)

Our corporation is chartered under the Laws of the State of \_\_\_\_\_ and the names, titles and business addresses of the executives are as follows:

_____ President	_____ Address
_____ Secretary	_____ Address
_____ Treasurer	_____ Address

The following is my (our) itemized proposal.



**MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

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## **Exhibit 2a**

### **Biloxi Bay Bridge**

to this alignment as required to meet specific site conditions or other constraints encountered during design and construction, the request may be accepted by MDOT at its discretion. Contractor shall not make any alignment revisions, which affect the established/existing right-of-way and easement limits.

a. US 90 Curvature

- i. Maximum 4° 15'.
- ii. Desirable 1° 30'.

Minimum tangent length between horizontal curves, 300 feet.

b. Frontage Roads

- i. Maximum 6° 00'.
- ii. Desirable 1° 45'.

## **2.2 Vertical Alignment**

The concept documents depict a vertical alignment developed to meet numerous design considerations along the corridor. The Contractor may make minor revisions to the profile as required to meet specific site conditions or other constraints encountered during design and construction. However, the following conditions must be met:

The profile will be designed such that the bridge low chord of the Bay bridge remains above elevation 28.00 except for portions at the beginning and end of the Bay bridge that transition into the abutments at an approximate elevation of 20.00.

The vertical alignment shall have a profile tie down no higher than one (1) foot from the existing grade on US 90 at approximately station 15+00 between the Bay bridge(s) and the CSX Transportation Railroad bridge(s)

The Contractor shall notify MDOT of all vertical alignment revisions. The right-of-way and easements have been established and will not be changed.

a. US 90 Grades

- i. Maximum - 4%; Desirable - 3%  
5% maximum allowed over the CSX Transportation Railroad
- ii. Minimum - 0.2%; Desirable - 0.2%

b. Frontage Roads

- i. Maximum - 2%; Desirable - 1%
- ii. Minimum - 0.2%; Desirable - 0.2%

## **Exhibit 2a**

### **Biloxi Bay Bridge**

The vertical and horizontal alignments shall be coordinated so that the slope of the roadway pavement surface is never less than 0.2%. Minimum K 150 (at Navigational Span).

#### **2.3 Vertical Clearances and Requirements**

The minimum vertical clearance elevation of the navigation span, seventy-five (75) feet either side of the centerline of the channel shall be 95.00 (girder low chord elevation 96.80).

The minimum low chord elevation of the approach spans of the Bay bridge shall be 28.00, except for portions at the beginning and end of the Bay bridge that transition into the abutments at an approximate elevation of 20.00. US 90 over the CSX Transportation Railroad shall meet the requirements of the CSX Transportation Railroad.

A minimum of 17.0 foot vertical clearance shall be provided over access roads underneath the CSX Transportation Railroad bridges.

#### **2.4 Design Speeds**

- a. US 90: fifty (50) mph
- b. Frontage Roads: twenty-five (25) mph

#### **2.5 Typical Sections**

- a. Lane Widths
  - i. US 90: twelve (12)-ft. standard lane width
  - ii. Frontage Roads: twelve (12)-ft. standard lane width
  - iii. Shared Use Path (Bay bridge only): eight (8)-ft. width
- b. Shoulder Widths
  - i. US 90  
Eight (8)-ft. standard width on left  
Ten (10)-ft standard width on right
  - ii. Frontage Roads  
Four (4)-ft standard width on left and right
  - iii. Shared Use Path  
Two (2)-ft standard width on left and right

## MISSISSIPPI DEPARTMENT OF TRANSPORTATION

**SECTION 904 - NOTICE TO BIDDERS NO. 2**

**CODE: (IS)**

**DATE: 05/03/2004**

**SUBJECT: Status of Right-of-Way, Utility Adjustments and Potentially Contaminated Sites**

Although it is desirable to have acquired all rights-of-way and completed all utility adjustments and work to be performed by others prior to receipt of bids, it is not considered to be in the public interest to wait until each and every such clearance has been obtained. The bidder is hereby advised of unacquired rights-of-way, relocatees and utilities which have not been completed.

The status of right-of-way and utility adjustments and potentially contaminated sites are set forth in attachments entitled "Status of Right-of-Way", "Status of Utility Adjustments" and "Status of Potentially Contaminated Sites."

In the event right of entry is not available to ALL parcels of right-of-way and all work complete that is to be accomplished by others on the date set forth in the contract for the Notice to Proceed, the Department will issue a restricted Notice to Proceed upon written request of the Contractor.

**STATUS OF RIGHT-OF-WAY**

ER/NH-0003-01(099)

104556/301000

HARRISON COUNTY

104556/302000

JACKSON COUNTY

November 3, 2005

All rights of way and legal rights of entry have been acquired, except:

NONE.

**MISSISSIPPI DEPARTMENT OF TRANSPORTATION**  
**Inter-Departmental Memorandum**

**TO:** Mr. John Pickering  
Roadway Design 83-01

**DATE:** May 16, 2006

**FROM:** Mr. Anthony M. McFarlin  
Engineering Technician Certified 16-15

**SUBJECT OR PROJECT NO:** ER/NH-0003-01(099)  
Utility Status Report

**INFORMATION COPY TO:**

**COUNTY:** Harrison

**Project File 16-15**  
**Utility Division (Mr. Jack Ivy) 84-01**  
**Sixth District (Mr. Steve Twedt) 16-01**  
**Project Engineer (Mr. Kelly Castleberry) 16-11**  
**Central Records 96-20**

**UTILITY STATUS REPORT**

The status of utility work on the above project is as follows:

Centerpoint Energy Entex

No Utility Agreement required.

All gas lines are to the south of the proposed construction (Beach Blvd), on the Biloxi end and within the back five (5) feet of the existing right-of way in Ocean Springs.

Mr. Dennis Ladnier 228-896-9219 ext 247

BellSouth Telecommunications, Inc.

No Utility Agreement required.

All communications facilities are south of the proposed construction (Beach Blvd), on the Biloxi end and within the back five (5) feet of the existing right-of way in Ocean Springs.

Mr. Jerry LeFant 228-868-5039

Mississippi Power Company

No Utility Agreement required.

All facilities are south of the proposed construction (Beach Blvd), on the Biloxi end and within the back five (5) feet of the existing right-of way in Ocean Springs.

Mr. James Raymond 228-867-1004

Cable One, Inc.

No Utility Agreement required.

Attached to Mississippi Power poles.

Mr. Brian Bogard 228-374-5904

City of Biloxi

No Utility Agreement required.

City has a one inch service line at the bridge end (Biloxi side) which at the present is abandoned.

Mr. John Wilson 228-435-6265

Harrison County Wastewater

No Utility Agreement is required.

Facilities should not interfere with construction.

City of Ocean Springs

No Utility Agreement required.

City has water and sewer lines in conflict.

Detail information is being established.

This is to certify that all necessary arrangements have been made for all utility work involved to be undertaken and completed as required for proper coordination with the physical construction schedules.

# MISSISSIPPI DEPARTMENT OF TRANSPORTATION

**SECTION 904 - NOTICE TO BIDDERS NO. 830**

**CODE: (SP)**

**DATE: 3/20/2006**

**SUBJECT: Dredged Materials and Debris**

**PROJECT: ER/BR-0003-01(099) / 104556 -- Jackson & Harrison Counties**

The Contractor shall dispose of all dredged materials and debris in an approved protected upland site(s) as designated by Mississippi Department of Environmental Quality (MDEQ) in accordance with State and Federal Law with the exception of the concrete bridge rubble. For disposal of concrete debris from the existing bridge(s), the Contractor shall utilize all sites designated by the Mississippi Department of Marine Resources (MDMR) for beneficial use programs as permitted by USACE – Mobile District until the Contractor is notified by MDMR or the USACE that all sites have reached desired capacity. Any remaining concrete debris shall be disposed of at an approved upland site as stated above. Additional information should be obtained from MDMR or the USACE such as but not limited to the location, capacity and priority of each individual site. A copy of the permit may be obtained by contacting MDMR, 1141 Bayview Avenue, Suite 101, Biloxi, MS 39530.

The Contractor shall submit to MDOT a pre-construction and a post-construction hydrographic survey for the navigational channel and all Contractor dredged channels. The navigational channel survey shall extend a minimum of 250 feet upstream and downstream from the Contractor dredged channels. The Contractor dredged channel survey shall extend a minimum of 100 feet right and left of the outer edges of the Contractor dredged channel. The Contractor shall coordinate any restoration activities of the navigational channel with the Corp of Engineers.

The Contractor will obey all State and Federal regulations and laws concerning the proper disposal of all of these materials.

Additional information is available from the following contacts:

**MDEQ Contacts:**

Robert Seyfarth, (601) 961-5160  
Billy Warden, (601) 961-5047

**MDMR Contacts:**

Leah Bray, (228) 374-5022  
Jan Boyd, (228) 297-5216

**NOAA Contacts:**

Mark Thompson, Essential Fish Habitat & Living Marine Resources,  
Panama City office (850) 234-5061

Robert Hoffman, Endangered Species,  
St. Petersburg office (727) 551-5774

**USACE-Mobile District Contact:**

Susan Rees, (251) 694-4141



**STATE OF MISSISSIPPI**

Haley Barbour  
Governor

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**

William W Walker, Ph D Executive Director

November 2, 2005

Mississippi Department of Transportation  
401 North West Street  
Jackson, MS 39201

RE: DMR-060552

To Whom It May Concern:

In accordance with Emergency Order No. 101805-02 (as approved by the Mississippi Commission on Marine Resources on October 18, 2005) and as authorized by Section 57-15-6, Miss. Code Ann. of 1972, for the purposes of expediting public projects for the restoration of the infrastructure and removal of debris in waterways and adjacent wetlands in Mississippi's three coastal counties due to damage resulting from Hurricane Katrina, a certificate of waiver is issued to you this day.

This waiver is hereby granted by the Executive Director after evaluation of the project and a determination that the project has no or minimal impacts to coastal wetlands and/or the project serves a higher public purpose and expedites the restoration of public infrastructures. This waiver does not release you from the responsibility of compliance with other state and federal regulations. All work shall be conducted in accordance with the following conditions:

1. The applicant proposes to restore the Highway 90 Bridge over Biloxi Bay with a high-rise structure, approximately 1.6 miles long with 80 feet of clearance (with no draw) to accommodate six lanes of traffic;
2. The applicant is authorized to remove 4,600 cubic yards of material for a channel measuring 250 feet in length and 100 feet in width. The dredged material will be disposed of at a protected upland site as designated by Mississippi Department of Environmental Quality (MDEQ);
3. Removal of pilings, piers, and rubble from the remnants of the existing bridge shall be covered under separate certification;

4. The applicant shall follow all best management practices in accordance with the Mississippi Department of Environmental Quality's water quality standards;
5. Upon completion of work, the permittee is responsible for the removal of any excess siltation from adjacent marsh areas and contours shall be returned to pre-project conditions;
6. Any damage to emergent vegetation must be repaired upon project conclusion;
7. The permittee shall contact this Department if the project location and/or design changes;
8. No shellfish beds/areas shall be impacted;
9. Vegetated wetlands shall not be impacted; and,
10. No creosote material shall be used in construction.

This project is consistent with the Mississippi Coastal Program provided that all conditions are adhered to.

This certification is valid for three years from the date of issuance.

No construction debris or unauthorized fill material shall be allowed to enter coastal wetlands or waters.

Issuance of this certification by DMR and acceptance by the applicant does not release the applicant from other legal requirements including but not limited to other applicable federal, state or local laws, ordinances, zoning codes or other regulations.

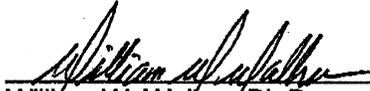
This certification conveys no title to land and water, does not constitute authority for reclamation of coastal wetlands and does not authorize invasion of private property or rights in property.

Please notify this Department upon completion of the permitted project so that compliance checks may be conducted by DMR staff.

Please acknowledge acceptance of this Waiver by signing the original and the copy and returning the copy to the Department of Marine Resources.

This Waiver shall become effective upon acceptance by the applicant and receipt of the executed copy by the Director

STATE OF MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

  
\_\_\_\_\_  
William W. Walker, Ph.D.  
Executive Director

Accepted this the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_\_\_

BY: \_\_\_\_\_

WWW/btb

cc: David S. Hobbie, USACE  
Robert Seyfarth, OPC  
E. Claiborne Barnwell, MDOT



**STATE OF MISSISSIPPI**

Haley Barbour  
Governor

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**

William W Walker, Ph D Executive Director

January 10, 2006

Mississippi Department of Transportation  
401 North West Street  
Jackson, MS 39201

RE: DMR-060552; Modification Request

To Whom It May Concern:

In accordance with your request dated November 18, 2005, the above-referenced certificate of waiver has been modified to include the following conditions:

1. In order to replace/repair the Highway 90 Bridge over the Biloxi Bay in Jackson/Harrison Counties the applicant may dredge 104,000 cubic yards of material to create a work channel measuring 7,000 feet in length and 100 feet in width;
2. Turbidity shall be minimized at the dredge site by methods such as using staked filter cloth, staged construction, and/or the use of turbidity screens around the immediate project site;
3. All dredged material must be placed in an approved upland site as designated by the Mississippi Department of Environmental Quality; and,
4. All conditions must be met as outlined in the water quality certification issued by the Mississippi Department of Environmental Quality.

Issuance of this addendum by DMR and acceptance by the applicant does not release the applicant from other legal requirements including but not limited to other applicable federal, state or local laws, ordinances, zoning codes or other regulations.

This certification conveys no title to land and water, does not constitute authority for reclamation of coastal wetlands, and does not authorize invasion of private property or rights in property.

All other provisions of DMR-060552 shall remain in full force and effect.

Sincerely,

  
William W. Walker, Ph.D.  
Executive Director

WWW/btb

cc: Mr. David S. Hobbie, USACE  
Mr. Glenn Cunningham, USACE  
Mr. Robert Seyfarth, OPC



plans should be submitted promptly to the District Engineer in order that the revised plans may receive the approval required by law before work is begun.

Compliance with this and other conditions of the permit is essential. Failure to submit the notices requested may result in its revocation.

Sincerely,



Joy B. Earp  
Project Manager  
Regulatory Division

Enclosures

DEPARTMENT OF THE ARMY PERMIT

Permittee: MISSISSIPPI DEPARTMENT OF TRANSPORTATION

Permit No.: MS05-04647-V

Issuing Office: MOBILE DISTRICT

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: Replace the U.S. Highway 90 Bridge between the Cities of Biloxi and Ocean Springs, Mississippi, with approved modifications in accordance with pending plans and drawings to be developed in conjunction with a design-build contract.

Project Location: Along U.S. Highway 90 across Biloxi Bay, between the cities of Biloxi and Ocean Springs, Harrison and Jackson Counties, Mississippi.

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on 9 February 2011. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least 1 month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

- a. All activities authorized by this permit shall be conducted in accordance with the Best Management Practices of the Mississippi Department of Environmental Quality.
- b. The permittee shall use suitable dredged material for beneficial purposes, in lieu of upland disposal. Beneficial use sites must have prior approval of the MSDEQ and MSDMR.
- c. The permittee shall submit pre-construction and post-construction hydrographic surveys for all dredged work channels, relative to the main navigation channel, to include those to be refilled upon completion of use and/or work.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
2. Limits of this authorization.
  - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
  - b. This permit does not grant any property rights or exclusive privileges.
  - c. This permit does not authorize any injury to the property or rights of others.
  - d. This permit does not authorize interference with any existing or proposed Federal project.
3. Limits of Federal Liability. In issuing this permit, 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 United States in the public interest.
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
  - d. Design or construction deficiencies associated with the permitted work.
  - e. Damage claims associated with any future modification, suspension, or revocation of this permit.
4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
  - a. You fail to comply with the terms and conditions of this permit.
  - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
  - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

*Stan LeJames*  
(PERMITTEE)  
MISSISSIPPI DEPARTMENT OF  
TRANSPORTATION  
401 NORTH WEST STREET  
JACKSON, MISSISSIPPI 39201

*February 1, 2006*  
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

PETER F. TAYLOR, JR.  
COLONEL, CORPS OF ENGINEERS BY:  
(DISTRICT ENGINEER)

*Joy B. EARP 2-9-06*  
JOY B. EARP (DATE)  
PROJECT MANAGER  
REGULATORY DIVISION

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

\_\_\_\_\_  
(TRANSFEREE)

\_\_\_\_\_  
(DATE)

Approved: 19 August 2002

OMB No.: 0710-0012

Expires: 31 August 2005

The Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Services, Directorate for Information Operations and Reports (0710-0012), 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR APPLICATION TO THE ABOVE ADDRESS. RETURN COMPLETED APPLICATION TO THE ADDRESS SHOWN ON THE APPLICATION INSTRUCTION SHEET.

**U.S. ARMY CORPS OF ENGINEERS  
CUSTOMER SERVICE SURVEY - REGULATORY PROGRAM**

We at the U.S. Army Corps of Engineers Regulatory Branch are committed to improving service to our customers and would like to know how well we have been doing. Who are our customers? You are our *customers* if you submitted a permit application, requested a jurisdictional determination or wetland delineation, or scheduled a pre-application meeting with us. *Other customers* include those of you who receive our Public Notice and/or commented on a particular project or our work in general, because of your interest in the Regulatory Program. To identify how we can better serve you, we need your help. Please take the time to fill out this brief survey and mail it back to us. Your honest opinions will help us determine areas in which we need to improve. For each question, please indicate the level of service you received by marking the appropriate number on a scale from 1-5, with 1 being low (dissatisfied) and 5 being high (very satisfied). If the question does not apply to you, simply mark N/A. Thank you for your time and comments! Response to this survey is VOLUNTARY. If you choose not to respond, it will not affect any

I. FOR APPLICANTS & OTHERS REQUIRING AUTHORIZATIONS	LOW SATISFACTION			HIGH SATISFACTION		
	1	2	3	4	5	NA
1. Do you think you received your Corps permit decision in a reasonable amount of time?	1	2	3	4	5	NA
2. Do you think you received your Corps jurisdictional determination in a reasonable amount of time?	1	2	3	4	5	NA
3. If we recommended/required project changes/modifications to reduce impacts, did we clearly explain the reasons why?	1	2	3	4	5	NA
4. If we recommended/required project changes/modifications to reduce impacts, did the changes seem reasonable to you?	1	2	3	4	5	NA
5. If we denied your permit, did we clearly explain the reasons why?	1	2	3	4	5	NA
6. For enforcement cases, did our office clearly and professionally explain the basis for the enforcement action (e.g., what work we believe you performed without authorization)?	1	2	3	4	5	NA
7. For enforcement cases, did our office include options for resolution?	1	2	3	4	5	NA
<b>II. FOR "OTHER" CUSTOMERS</b>						
1. For permitted actions, was the permit effective in achieving appropriate protection/mitigation for impacts to aquatic resources?	1	2	3	4	5	NA
2. For enforcement actions, did the Corps require appropriate compensation/restoration for impacts to aquatic resources?	1	2	3	4	5	NA
<b>III. FOR APPLICANTS &amp; "OTHER" CUSTOMERS</b>						
1. Did the Corps representative act professionally and treat you with courtesy?	1	2	3	4	5	NA
2. Did the Corps provide sufficient information to allow you to complete an application form, comment on a public notice, or otherwise evaluate our work?	1	2	3	4	5	NA
3. Did we respond to your letters and telephone calls in a reasonable amount of time?	1	2	3	4	5	NA
4. Did the Corps representative answer your questions clearly, giving you accurate information about our Regulatory Program?	1	2	3	4	5	NA
5. What is your OVERALL rating of the level of service provided by the Corps of Engineers Regulatory Program?	1	2	3	4	5	NA

Note: DATA FROM THIS QUESTIONNAIRE WILL BE USED BY THE DISTRICT TO IMPROVE SERVICE. ALSO, INFORMATION WILL BE TABULATED NATIONALLY BY SERVICE AREA. RESPONDENTS WILL NOT BE IDENTIFIED BY NAME OR ORGANIZATION FOR ANY REPORT DERIVED FROM THIS SURVEY.

PLEASE COMPLETE THE FOLLOWING QUESTIONS BY GIVING US ANY COMMENTS OR SUGGESTIONS FOR HOW WE CAN IMPROVE.

Please indicate the nature of your business (If applicable, check more than one):

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Property developer          | <input type="checkbox"/> Flood/Water Control District | <input type="checkbox"/> Sand & Gravel   |
| <input type="checkbox"/> Public Agency Applicant     | <input type="checkbox"/> Consultant                   | <input type="checkbox"/> Law Office      |
| <input type="checkbox"/> Civic or Trade Organization | <input type="checkbox"/> Farming/Ranching             | <input type="checkbox"/> Silviculture    |
| <input type="checkbox"/> Member of Legislature       | <input type="checkbox"/> Public Agency                | <input type="checkbox"/> Mining          |
| <input type="checkbox"/> Federal/State/Local         | <input type="checkbox"/> Personal/Private Project     | <input type="checkbox"/> Media           |
| <input type="checkbox"/> Conservation Organization   | <input type="checkbox"/> Adjacent Property Owner      | <input type="checkbox"/> Native American |

Other (describe): \_\_\_\_\_

What Service(s) Did You Seek From the Corps? (If applicable, check more than one):

- |  |  |
|--|--|
| <input type="checkbox"/> General Information                     | <input type="checkbox"/> Jurisdictional/wetland determination          |
| <input type="checkbox"/> Pre-application Consultation            | <input type="checkbox"/> Resolution of                                 |
| <input type="checkbox"/> Nationwide general permit               | <input type="checkbox"/> Regulatory Program presentation               |
| <input type="checkbox"/> Regional or programmatic general permit | <input type="checkbox"/> Commented on Public Notice/permit application |
| <input type="checkbox"/> Standard Individual permit              | <input type="checkbox"/> Other (describe): _____                       |
| <input type="checkbox"/> Letter of Permission                    | _____  |

Which Corps office (District, Division, Headquarters, other) did you deal with? \_\_\_\_\_

Name of person you contacted in our office (optional): \_\_\_\_\_

Do you have any comments or suggestions on the Regulatory Program?

Information about you (optional):

Name/Title: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Telephone (include area code): \_\_\_\_\_

May we contact you? YES  NO

PRIVACY ACT STATEMENT

Authorities: The government Performance and Results Act of 1993 and Executive Order (EO) 12862, "Setting Customer Service Standards", dated September 11, 1993. Purpose: To determine the quality of services our customers expect, as well as their satisfaction with USACE's existing services. Information provided on this form will be used in evaluating the performance of the Corps Regulatory Program. Routine Uses: This information may be shared with the Office of Management and Budget, members of Congress, and other federal, state, and local government.

(Reverse of Eng Form 5065)

WORK AUTHORIZED UNDER DEPARTMENT OF THE ARMY PERMIT \_\_\_\_\_  
DATED 9 February 2006  
TO PERFORM WORK IN Biloxi Bay, Biloxi/Ocean Springs, Harrison  
Co., MS  
WAS COMPLETED ON \_\_\_\_\_

BY: \_\_\_\_\_  
SIGNATURE  
Mississippi Department of Transportation

MS05-04647-V

NOTICE OF COMPLETION OF WORK  
AUTHORIZED BY PERMITS

NOTICE OF COMMENCEMENT OF WORK  
AUTHORIZED BY PERMITS

DATE  
MS05-04647-V

WORK AUTHORIZED UNDER DEPARTMENT OF THE ARMY PERMIT \_\_\_\_\_

DATED 9 February 2006

TO PERFORM WORK IN Biloxi Bay, Biloxi/Ocean Springs, Harrison  
Co., MS

WAS COMMENCED ON \_\_\_\_\_

BY: \_\_\_\_\_  
SIGNATURE  
Mississippi Department of Transportation

CESAM FORM 850  
JUN 87



This notice of authorization must be  
conspicuously displayed at the site of work.

United States Army Corps of Engineers

A permit to perform work authorized by statutes and regulations of the Department of the Army

at Biloxi Bay, Bilox/Ocean Springs, Harrison Co., MS (REPLACE BRIDGE)

has been issued to Mississippi Department of Transportation on 9 Feb 06

Address of Permittee 401 North West St., Jackson, MS 39201

Permit Number

MS05-04647-V

For the Joy B. Earp  
District Commander  
JOY B. EARP, RD-C  
Regulatory Division

**Lewis, Brad**

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**From:** Robert\_Seyfarth@deq.state.ms.us  
**Sent:** Friday, January 20, 2006 2:32 PM  
**To:** Barnwell, Claiborne; mredford@d8.uscg.mil  
**Subject:** Emergency Permit - U.S. Highway 90 Bridge, Biloxi Bay

Mississippi Department of Transportation  
Attention: Mr. E. Claiborne Barnwell  
401 North West Street  
Jackson, Mississippi 39201

Dear Mr. Barnwell:

The Mississippi Department of Environmental Quality has reviewed Public Notice 22-05 from the Eighth Coast Guard District regarding an application from the Mississippi Department of Transportation. The applicant,, Mississippi Department of Transportation (MDOT), proposes to restore, as soon as possible, the U.S. Highway 90 Biloxi Bay Bridge, between Biloxi, Mississippi and Ocean Springs, Mississippi that was recently destroyed by Hurricane Katrina. MDOT proposes to replace the old bridge structure with a new high-rise span with a minimum vertical clearance of a minimum of 85-feet. In addition, MDOT will upgrade the structure from a four-lane to a six-lane facility. This wider configuration will match the roads at each end of the span. The entire structure will be higher than the old bridge to protect it from any future storm surges. The design-build contract for construction of the bridge will be awarded as soon as possible. MDOT anticipates up to 100,000 cubic yards of dredging in conjunction with this project, much of which would be related to establishing work channels. All dredged material will be disposed of in approved and protected upland disposal sites.

Due to the emergency nature of this request, please consider this email as our Water Quality Certification for this proposed activity. We request that the following conditions be required:

1. No sewage, oil, refuse or other pollutants shall be discharged into adjacent waters.
2. Turbidity outside a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units. Appropriate measures, such as weighted silt curtains, shall be used to insure compliance with this condition.
3. If found to be suitable, dredged material may be used for beneficial purposes in lieu of upland disposal. Prior approval of beneficial site must be obtained.

A Water Quality Certification has also been issued to MDOT in response to U.S. Army Corps of Engineers, Mobile District, Public Notice MS05-04647-V.

Please let me know if we can be of additional assistance.

Robert H. Seyfarth, P.E., DEE  
Chief, Water Quality Certification Branch  
Environmental Permits Division  
MS Dept. of Environmental Quality  
P. O. Box 10385  
Jackson, MS 39289-0385

5/16/2006

**STATE OF MISSISSIPPI**Haley Barbour  
Governor**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**

William W. Walker, Ph.D., Executive Director

February 24, 2006

William W. Walker  
Mississippi Department of Marine Resources  
1141 Bayview Avenue  
Biloxi, MS 39530

RE: DMR-060572, MS05-04439-M

Dear Dr. Walker:

In accordance with Emergency Order No. 101805-02 (as approved by the Mississippi Commission on Marine Resources on October 18, 2005 and February 21, 2006) and as authorized by Section 57-15-8, Miss. Code Ann. of 1972, for the purposes of expediting public projects for the restoration of the infrastructure and removal of debris in waterways and adjacent wetlands in Mississippi's three coastal counties due to damage resulting from Hurricane Katrina, a certificate of waiver is issued to you this day.

This waiver is hereby granted by the Executive Director after evaluation of the project and a determination that the project has no or minimal impacts to coastal wetlands and/or the project serves a higher public purpose and expedites the restoration of public infrastructures. This waiver does not release you from the responsibility of compliance with other state and federal regulations.

The Mississippi Department of Marine Resources proposes to place concrete rubble from the two U.S. Highway 90 bridges (Bay of St. Louis and Back Bay of Biloxi) and the Old Back Bay of Biloxi Highway 90 bridge that were destroyed by Hurricane Katrina into four open water areas. The areas of disposal for beneficial use are the following:

1. An offshore breakwater south of Deer Island;
2. An inshore fish haven nursery on Square Handkerchief Shoal as enhancement to a previously created artificial reef (key);
3. A jetty immediately northeast of Bayou Caddy for protection of the entrance channel; and,
4. A structure to support future ecosystem restoration projects southwest of Bayou Caddy.

All work shall be conducted in accordance with the following conditions:

1. Fill material shall be clean, non-polluting, free of trash, debris, asphalt, etc.;
2. No shellfish beds/areas shall be impacted;

- 3. Vegetated wetlands shall not be impacted; and,
- 4. No creosote material shall be used in construction.

This project is consistent with the Mississippi Coastal Program provided that all conditions are adhered to.

This certification is valid for three years from the date of issuance.

No construction debris or unauthorized fill material shall be allowed to enter coastal wetlands or waters.

Issuance of this certification by DMR and acceptance by the applicant does not release the applicant from other legal requirements including but not limited to other applicable federal, state or local laws, ordinances, zoning codes or other regulations.

This certification conveys no title to land and water, does not constitute authority for reclamation of coastal wetlands and does not authorize invasion of private property or rights in property.

Please notify this Department upon completion of the permitted project so that compliance checks may be conducted by DMR staff.

Please acknowledge acceptance of this Waiver by signing the original and the copy and returning the copy to the Department of Marine Resources.

This Waiver shall become effective upon acceptance by the applicant and receipt of the executed copy by the Director.

STATE OF MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

W.W. Walker for  
 William W. Walker, Ph.D.  
 Executive Director

Accepted this the 3<sup>rd</sup> day of March, A.D., 2006  
 BY: William W. Walker

WWW/bae

cc: David S. Hobbie, USACE  
 Robert Seyfarth, OPC  
 Margaret Bretz, SOS

## MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO. 831

CODE: (SP)

DATE: 3/20/2006

SUBJECT: Threatened or Endangered Species

PROJECT: ER/BR-0003-01(099) / 104556 -- Jackson & Harrison Counties

Contractor shall instruct all personnel associated with the project of the potential presence of threatened or endangered species as outlined in the appropriate environmental documentation, and advise the personnel that there are civil and criminal penalties for harming, harassing or killing species protected under the Endangered Species Act.

Contractor shall monitor for threatened or endangered species during all construction and dredging activities. At least two onsite observers for endangered species will be in place an hour prior to blasting activities. Blasting will be halted for 30 minutes following a sighting and will not be allowed to continue until the sighted endangered species are no longer present. Onsite observers will log any sighting of an endangered species in an endangered species diary which will include location, time, species first sighted and time the species was observed leaving the Site.

All concrete debris and other structures of the damaged US 90 bridge shall be removed from the gulf, rivers, bayous, and other waters with habitat suitable for threatened and endangered species until no more than three (3) pieces measuring approximately 3' X 3' X 3' total are located in an area smaller than 100 square feet. In all cases, concrete will be removed to the mud line.

All existing pilings or concrete footings of the damaged US 90 bridge shall be removed from the gulf, rivers, bayous, and other waters with habitat suitable for threatened and endangered species, existing piling will be removed to two feet below the mud line.

If any protected species (i.e., gulf sturgeon, sea turtles, manatees, etc.) are injured, killed, or found already injured or dead, the Contractor will immediately notify MDOT, NOAA and US FWS.

Contact numbers for the agencies with jurisdiction:

NOAA Contact:  
727-824-5312

US FWS Contact:  
601-956-4900

## MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO. 850

CODE (SP)

DATE: 3/20/2006

SUBJECT: Procedure for Converting from temporary Two Lane Two Way Operation (TLTWO)

PROJECT: ER/BR-0003-01(099) / 104556 -- Jackson & Harrison Counties

The procedure, as a minimum, for switching traffic from a temporary TLTWO to a Divided Six Lane Operation will be as follows:

1. The District will furnish, to local newspapers and/or radio, announcements advising the traveling public of anticipated traffic changes.
2. The Contractor shall place and cover one way signs at all crossroads in accordance with the traffic control plan.
3. Once traffic is switched from the temporary TLTWO to Divided Six Lane Operation, the Contractor shall uncover the one way signs at the crossroads, remove the no passing stripe and stripe over the skip yellow centerline with skip white and stripe over the median white edge stripe with yellow edge stripe. When striping is temporary and located on the final pavement surface only tape shall be used.

The Contractor shall have on the project, prior to switching the traffic, all materials and equipment necessary to remove the no passing stripe and to place the temporary one way pavement markings. The Contractor shall remain on the project until all removal and re-striping are complete.

Removal of temporary or existing no passing stripe, as the case may be, shall be in accordance with Section 619 with the following revision: which states in part:

“All temporary pavement markings placed and measured for payment under this section shall include any required removal. Removal of all temporary stripe will not be measured for separate payment and is included in the Lump Sum price.

Existing pavement markings conflicting with temporary markings shall be removed. Removal of such materials (paint, tape, marker, etc.) will be considered part of the Work and no additional payment for this removal will be considered.

**MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

**SECTION 904 - NOTICE TO BIDDERS NO. 851**

**CODE (SP)**

**DATE: 05/18/2006**

**SUBJECT: Restricted Area(s)**

**PROJECT: ER/BR-0003-01(099) / 104556 -- Jackson & Harrison Counties**

Bidders are hereby advised that there are **NO RESTRICTED AREA(S)** on this project.

The restricted area shown in the original Notice To Bidders No. 851 dated 03/20/2006 has been cleared.

**MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

**SECTION 904 - NOTICE TO BIDDERS NO. 957**

**CODE: (SP**

**DATE: 05/17/2006**

**SUBJECT: Concrete Surface Finish**

**PROJECT: ER-BR-0003-01(099) / 104556 -- Jackson and Harrison Counties**

Bidders are hereby advised that the Contractor will be required to provide a **Class 2, Group "A" Spray Finish** on the exposed formed concrete bridge surfaces for all bridges on this project.



**MISSISSIPPI DEPARTMENT OF TRANSPORTATION**

**SPECIAL PROVISION NO. 907-723-1**

**CODE: (SP)**

**DATE: 05/16/2006**

**SUBJECT: Materials For Roadway Lighting Installation**

**PROJECT: ER-BR-0003-01(099) 104556/301000 – Harrison & Jackson Counties**

Section 723, Materials for Roadway Lighting Installation, of the 2004 Edition of the Mississippi Standard Specifications for Road and Bridge Construction is hereby amended as follows:

**907-723.02.1--Raceways, Conduit and Fittings.** After the last paragraph of Subsection 723.02.1 on page 789, add the following:

All conduit for the concrete bridge structure (such as bridge railings, retaining walls, columns, pile caps, etc.) shall be embedded in concrete. Embedded conduit shall be galvanized rigid steel. When transitioning between bridge elements (i.e. end bent to bridge deck, bridge deck to pile cap, through expansion joints, etc.) suitable materials shall be used and constructed so as not to bind or pull apart during movement of the structure.

Conduit that must be surface mounted shall be run in a position to reduce its visibility as much as possible.

Delete Subsection 723.02.3 on page 789, and substitute the following:

**907-723.02.3--Pull Boxes and Junction Boxes.** Where conduit is embedded in concrete, pull boxes and junction boxes shall be flush mounted. Surface mounted pull boxes and junction boxes shall be used only when transitioning to surface mounted conduit. All materials shall be rated for use in wet, corrosive environment (NEMA 4X). Boxes shall have an external, heavy duty flange to allow for flush mounting the cover. All hardware (screws, etc.) shall be stainless steel. Boxes shall be sized in accordance with the National Electrical Code (NEC).

The number and location of pull boxes shall comply with the requirements of the NEC. Pull boxes shall be used to limit the strain while pulling conductors. Splices will not be allowed in pull boxes.

Splices will be allowed in junction boxes. Junction boxes shall comply with the applicable requirements of the NEC. All items required by codes, such as grounds, ground rods, etc., shall be supplied and installed as part of the box and will be included as part of the cost of the box.

Covers for ground mounted boxes shall be rated H-20, for Vehicular Traffic. Covers for the roadway lighting system shall be marked "Roadway Light". Covers for the navigation lights shall be marked "Obstruction". Covers for the accent lights shall be marked "Lighting".

Ground mounted boxes shall be enclosed and have a concrete collar to stabilize and support the box. It shall extend a minimum of six (6) inches from the outside edges (sides) of the box. The box shall be placed on a bed of gravel, minimum three (3) feet deep, to facilitate drainage. When the box falls on a slope it shall be constructed to conform to the contours of the slope.

Grounding and bonding connections shall be in accordance with the NEC.