SECTION 905 -- PROPOSAL (CONTINUED)

I (We) further propose to execute the attached contract agreement (Section 902) as soon as the work is awarded to me (us), and to begin and complete the work within the time limit(s) provided for in the Specifications and Advertisement. I (We) also propose to execute the attached contract bond (Section 903) in an amount not less than one hundred (100) percent of the total of my (our) part, but also to guarantee the excellence of both workmanship and materials until the work is finally accepted.

I (We) enclose a certified check, cashier's check or bid bond for **five percent (5%) of total bid** 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 (bid 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.	**1**	DATED	**9/15/2009**	ADDENDUM NO.		DATED	
ADDENDUM NO	**2**	DATED	**10/20/2009**	ADDENDUM NO.		DATED	

Number	Description
1	Bidsheets, replace same; Revised or Added Plan Sheet Nos.2, 15,16, 22, 23, 24, 25, 26, 74, 74.1, 75, 75.1, 75.2, 76, & 77; Amendment EBS Download Required.
2	Table of Content,replaces same; Revised or Added NTB Nos. 708M, 740M, 1196M, 1199M, 1212M, 1213M, 1215M, 1216M, 1217M, 1218M, & 1219M; Delete NTB 1206M; Revised SP 907-202-1M, replaces same; Bidsheets, replace same; Add Form W-9; Amendment EBS Download Required.

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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CERTIFICATION REGADING NON-COLLUSION, DEBARMENT AND SUSPENSION,
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W-9,
FORM -- OCR-485.

(REVISIONS TO THE ABOVE WILL BE INDICATED ON THE SECOND SHEET OF SECTION 905 AS ADDENDA)

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO. 708M **CODE: (SP)**

DATE: 9/13/2001

SUBJECT: Placement Of Granular Material

The Contractor shall be required to place granular material on the shoulders at any time a differential of fifty five millimeters (55 mm) or more exists between the present pavement edge and the shoulder grade. This condition may exist prior to any preliminary leveling, after the placement of the preliminary leveling, after the placement of the surface course. In any event, whenever or wherever, a 55-mm differenital exists between the pavement edge and the shoulder material, this condition shall be corrected by the placement of the shoulder material to correct the differential.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO. 740M **CODE: (IS)**

DATE: 01/03/2002

SUBJECT: Grade Controls for Placement of Full Depth HMA Pavement

In the placement of full depth HMA pavement, where the chemically treated base is constructed (graded and/or trimmed, full lane width) to a surface tolerance of ±10 millimeters from design grade, stringline grade controls may be eliminated for the placement of the asphalt drainage course and all HMA lifts. In addition, where the base course is crushed stone or crushed concrete and is constructed to a surface tolerance of ±10 millimeters from design grade using a stringline controlled spreader, stringline grade controls may be eliminated for the placement of the asphalt drainage course and all HMA lifts.

All other tolerances as specified in Special Provision No. 907-321, In-Grade Preparation, are applicable, except for bases, when tested longitudinally, the maximum deviation when measured at the midpoint (five meters) shall be ±10 millimeters.

Acceptance and payment of HMA will be determined on a lot to lot basis by cores taken from the completed pavement as outlined in Subsection 907-403.03.3--Thickness Requirements.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904- NOTICE TO BIDDERS NO. 1196M **CODE: (SP)**

DATE: 10/19/2009

SUBJECT: Milestone Dates

PROJECT: BRDP-9205-00(007) / 100332306 & 307 – Washington County

Milestone 1 - Interim Completion Date. Milestone 1 is an interim completion date for completion of the Latex Modified Concrete Wearing Surface, tie-ins, and all other work necessary to turn traffic onto the new bridge. The Milestone 1 date shall be the earlier of **July 28, 2010**, or the date traffic is placed on the new bridge. Prior to the completion of Milestone 1, work on Sundays will not be permitted. Once physical work has begun on the Latex Modified Concrete Overlay, the Contractor shall pursue the completion of all phases of work in Milestone 1 without interruption.

Milestone 2 - Interim Completion Date. Milestone 2 is an interim completion date for completion of the work required to remove the Span 69, Span 70, Span 71, Pier 11, and Pier 12 of the existing steel bridge down to or below elevation 60.0 feet NGVD 1929. The Milestone 2 date shall be the earlier of **June 23, 2011**, or within **330 calendar days** after the date that Milestone 1 was completed. After the completion of Milestone 1 and prior to the completion of Milestone 2, work on Sundays will be permitted. The Contractor shall be assessed a disincentive in an amount equal to **$10,000** for each calendar day after Milestone 2 until Milestone 2 work is completed.

Final Completion Date. Final completion date to complete all work required in the contract shall be **September 21, 2012**.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO. 1199M **CODE (SP)**

DATE: 10/16/2009

SUBJECT: Placement of Fill Material in Federally Regulated Areas

PROJECT: BRDP-9205-00(007) / 100332306 & 307 -– Washington County

A Permit (404, General, Nationwide, etc.) for placing fill material federally regulated sites is required.

The Department has acquired the following permits for permanently filling at regulated sites that are identified during project development:

Nationwide Permit No. 14 (Waters of the U.S.) - All sites with area of less than 0.10 acre
Nationwide Permit No. 33 - For demolition of old existing bridge

Attached is a copy of said permit(s) which is also on file with the Department.

Securing a permit(s) for the filling of any other regulated site, the purpose of which is temporary construction for the convenience of the Contractor, shall be the responsibility of the Contractor.

Melinda L. McGrath
Deputy Executive Director
Chief Engineer

Brenda Znachko
Deputy Executive Director
Administration

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

Larry L. "Butch" Brown
Executive Director

Steven K. Edwards
Director
Office of Intermodal P

Willie Huff
Director
Office of Enforcement

P. O. Box 1850 Jackson, Mississippi 39215-1850 Telephone (601) 359-7001 FAX (601) 359-7110 GoMDOT.com

March 5, 2009

U.S. Army Engineer District - Vicksburg
4155 Clay Street
Vicksburg Mississippi 39180-5191

Attention: Mr. Tony Lobred, Regulatory

Re: Project No. BRDP-9205-00(003) 100332/3000 P.E.
BRDP-9205-00(007) 100332/306000 Const.
HWY 82 Mississippi River Bridge at Greenville – Demolition Project
Washington County, MS

As previously discussed, MDOT is planning for the demolition of the existing US 82 bridge over the Mississippi River, near Greenville. This work will consist of removing the de-construction remnants and debris by the use of barges and/or temporary construction haul roads. We estimate the need for approximately 8,000 feet of two haul roads with widths of 33 feet adjacent to both sides of the bridge. We expect that the contractor will want to clear, grub and further improve the haul road areas with addition of new soils, crushed limestone, heavier rip-rap and timber mats for weaker soil conditions.

Within the area of the proposed haul roads two wetland sites and one US Waters site (Cottonwood Chute) were delineated. A total of approximately 1.75 acres of wetlands will be disturbed by the construction of the proposed haul roads. Within the wetland areas, the haul road will be placed on fabric which can be easily removed upon completion. We have enclosed some modifications shown on the original bridge plans for your reference. Also included is a Table of Impacts shows the impacts at each site. After completion we plan to re-seed the wetland areas within the footprint of the constructed haul roads. Due to the temporary impacts of the two wetland sites involved, the MDOT would like to offer mitigation from our Tallahatchie National Refuge Bank at a ratio to be agreed upon.

As previously discussed, the US Coast Guard has specified that the two main span piers of the existing US 82 Bridge are to be demolished down to or below elevation 68 feet (NGVD 1929). This elevation is approximately 18 feet lower than the Low Water Reference Plane (LWRP) elevation 86.2 feet (NGVD 1929). As proposed by your office, a demolition elevation of 60 feet (NGVD 1929) will keep the remaining substructure 26.2 feet below the LWRP elevation and 9.2 feet below the lowest river elevation on record. As such, it is intended that the contractor be allowed to deposit concrete pier debris in the immediate vicinity of the two main piers. In no case will the remaining substructure and concrete debris be allowed to remain above elevation 60 feet (NGVD 1929).

Based on previous discussion with you, we seek authorization for this work under Nationwide Permit #33 (Temporary Access and Construction) for these impacts. Your concurrence is requested.

Please contact us if you need to meet and discuss this further.

Sincerely,

John C. Taylor, PE, BCEE, RPG
Roadway Design Division (83-01)

Attachments/Enclosures

Copy To: Roadway Design Division (Purvis, Reese, Boggan 83-01)
Bridge Division (Barry Carr, Mitch Carr 82-01)
District 3 Engineer (Kevin Magee 23-01)
Construction Division (Leroy Crisco 73-01)

DEPARTMENT OF THE ARMY
VICKSBURG DISTRICT, CORPS OF ENGINEERS
4155 CLAY STREET
VICKSBURG, MISSISSIPPI 39183-3435

REPLY TO
ATTENTION OF:

March 13, 2009

Operations Division

SUBJECT: Permit Requirements for the Demolition Activities of Old US Highway 82 Bridge in Washington County, Mississippi

Mr. John C. Taylor, PE
Mississippi Department
of Transportation
Roadway Design Division
Post Office Box 1850
Jackson, Mississippi 39215-1850

Dear Mr. Taylor:

Based upon the information provided, it appears that Department of the Army permit requirements for the proposed work will be authorized by Nationwide Permit No. 33, as specified in the March 12, 2007, Federal Register, Issuance of Nationwide Permits; Notice (72 FR 11092-11198), provided the activity complies with the Nationwide Permit Special Conditions (enclosure 1), the Nationwide Permit General Conditions (enclosure 2), and the Regional Conditions (enclosure 3). It is your responsibility to read and become familiar with the enclosed conditions in order for you to ensure that the activity authorized herein complies with the Nationwide Permits.

This authorization is contingent upon the Permittee coordinating with the Vicksburg District River Operations (MVK-OD-RN) prior to activities that shall require river closure. The point of contact for MVK-OD-RN is Mr. Barry Sullivan and he can be reached at 601-631-5679.

This verification is valid for a period of 2 years, or until the Nationwide Permit is modified, suspended, or revoked. Activities which are under construction or that are under contract to commence in reliance upon a Nationwide Permit will remain authorized, provided the activity is completed within 12 months of the date of any subsequent modification, expiration, or revocation of the Nationwide Permit. Upon completion of the activity authorized by this Nationwide Permit, please fill out the enclosed certification of compliance (enclosure 4) and return it to our office.

This authorization was based upon a preliminary determination that there appear to be jurisdictional areas on the property subject to regulation pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act. For your information, I have enclosed a copy of the appeals form for your review (enclosure 5).

The Vicksburg District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete the Customer Service Survey found on our web site at http://per2.nwp.usace.army.mil/survey.html. If it is more convenient for you, please complete and return the enclosed postage-paid post card (enclosure 6).

Thank you for advising us of your plans. If you change your plans for the proposed work, or if the proposed work does not comply with the conditions of the Nationwide Permit, please contact Mr. Anthony Lobred of this office, telephone (601) 631-5470, fax (601) 631-5459, or e-mail address: regulatory@usace.army.mil. In any future correspondence concerning this project, please refer to Identification No. MVK-2009-166.

Sincerely,

Jennifer Mallard
for

David Lofton
Chief, Permit Section
Regulatory Branch

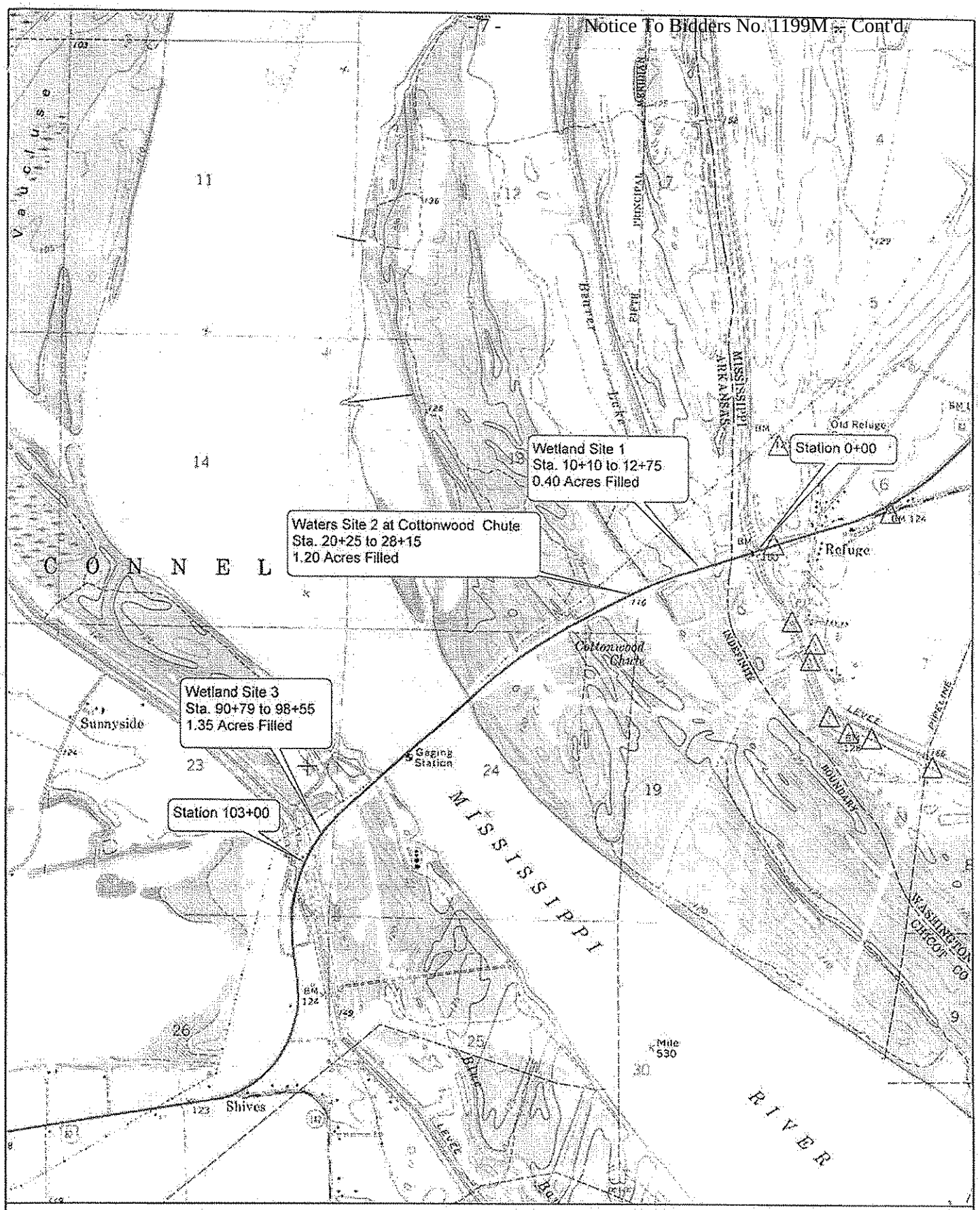
Enclosures

TABLE OF IMPACTS

PE BRDP-9205-00(003)/FMS PE 100332/3000
Const. BRDP-9205-00(003)/FMS Const. 100332/306000
HWY 82 Mississippi River Bridge at Greenville – Demolition Project
Washington County, Ms

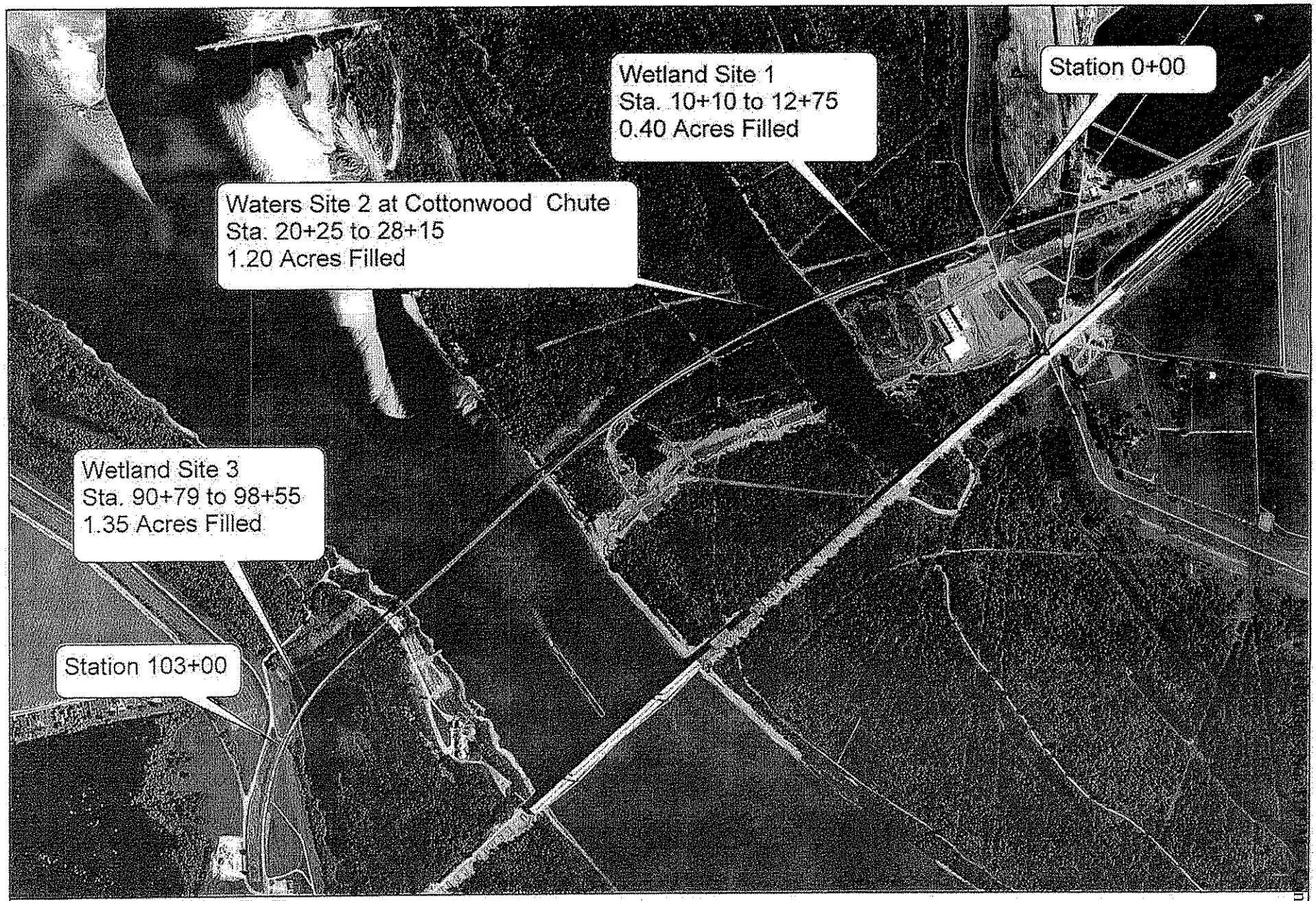
SITE	STATION	LATITUDE LONGITUDE	WETLANDS FILLED	OTHER WATERS FILLED	MITIGATION	TYPE PERMIT REQ'D.
1	Sta. 10+10 Sta. 12+75	33 18 06.13N 91 08 35.00W	0.40 Ac. Forested	0	To Be Determined	NW #33
2	Sta. 20+25 Sta. 28+15	33 18 00.55N 91 08 51.20W	0	1.20 Ac. "Temporary Filling"	To Be Determined	NW #33
3	Sta. 90+79 Sta. 98+55	33 17 17.28N 91 09 56.91W	1.35 Ac. Forested	0	To Be Determined	NW #33
Total			1.75 Ac.	*1.20 Ac.		

Note: *This is the affected surface acreage of Cottonwood Chute. Two 33 foot strips at 790 feet of length will be filled or otherwise utilized for haul roads. This will be a temporary utilization and after completion the waters will be restored to original conditions.



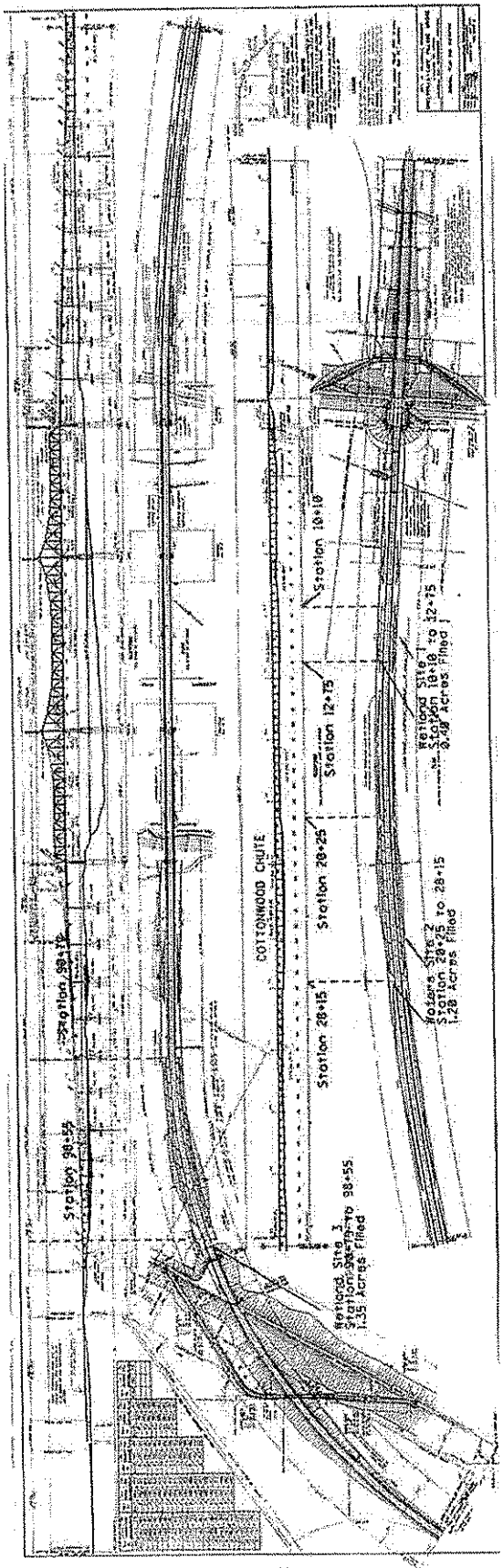
Name: RED LEAF
Date: 2/6/2009
Scale: 1 inch equals 2222 feet

Location: 033° 17' 58.49" N 091° 09' 20.96" W NAD27
Caption: "Old" Washington 82 Bridge
Mississippi River at Greenville
Demolition Project



Name: RED LEAF SE, AR MS
Date: 2/6/2009
Scale: 1 inch equals 1429 feet

Location: 033° 17' 45.80" N 091° 09' 08.39" W NAD27
Caption: "Old" Washington 82 Bridge
Mississippi River at Greenville
Demolition Project



Plan And Profile for the
Old ART 82 Mississippi River Bridge
at Greenville, MS

SPECIAL CONDITIONS

NATIONWIDE PERMIT No. 33

TEMPORARY CONSTRUCTION, ACCCESS, and DEWATERING

1. Temporary structures, work, and discharges, including cofferdams, necessary for construction activities or access fills or dewatering of construction sites, provided that the associated primary activity is authorized by the Corps of Engineers or the U.S. Coast Guard. This NWP also authorizes temporary structures, work, and discharges, including cofferdams, necessary for construction activities not otherwise subject to the Corps or U.S. Coast Guard permit requirements. Appropriate measures must be taken to maintain near normal downstream flows and to minimize flooding. Fill must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. The use of dredged material may be allowed if the district engineer determines that it will not cause more than minimal adverse effects on aquatic resources. Following completion of construction, temporary fill must be entirely removed to upland areas, dredged material must be returned to its original location, and the affected areas must be restored to pre-construction elevations. The affected areas must also be revegetated, as appropriate. This permit does not authorize the use of cofferdams to dewater wetlands or other aquatic areas to change their use. Structures left in place after construction is completed require a section 10 permit if located in navigable waters of the United States. (See 33 CFR part 322.) (Sections 10 and 404)

2. The permittee understands and agrees that, if future operations by the United States 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 the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

3. Notification: The permittee must submit a pre-construction notification to the district engineer prior to commencing the activity (see general condition 27). The pre-construction notification must include a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions. (Sections 10 and 404)

REGIONAL CONDITIONS FOR NATIONWIDE PERMITS IN MISSISSIPPI

A. Regional Conditions for All Nationwide Permits

1. For all Nationwide Permit (NWP) authorizations in the Coastal Zone of Mississippi, which includes Hancock, Harrison, and Jackson Counties:

On March 26, 2007, the Mississippi Department of Marine Resources (DMR) found that all Nationwide Permits are consistent to the maximum extent practicable with the Mississippi Coastal Program (copy attached) provided that the following Regional Conditions are followed in the Coastal Zone of Mississippi.

a. For all Nationwide Permit (NWP) authorizations, including those for activities that do not require Pre-Construction Notification (PCN) to the District Engineer (DE), activities in the following waters of the U.S. cannot be initiated until the applicant has received a Coastal Use Permit (CUP) or waiver from the Mississippi Department of Marine Resources (MS-DMR). Those waters of the U.S. requiring a CUP or waiver from MS-DMR prior to project initiation include:

1. All tidal waters in Hancock, Harrison, and Jackson counties, Mississippi, and

2. All waters of the U.S. having a hydrological connection to tidal waters in "a" above and that are located no more than 200 feet landward of the mean high tide mark.

b. For all regulated activities in (i) tidal waters and/or (ii) waters of the U.S. adjacent to tidal waters located in Hancock, Harrison, or Jackson counties, all Pre-Construction Notifications (PCNs) required by a specific NWP shall be completed using the Joint Application Form and shall be submitted to the Mississippi Department of Marine Resources (DMR) at the following address:

Mississippi Department of Marine Resources
Bureau of Wetlands Permitting
1141 Bayview Drive
Suite 101
Biloxi, MS 39530

Joint Application Forms may be printed or downloaded from the Mississippi Department of Marine Resources (DMR) website at: http://www.dmr.state.ms.us/Coastal-Ecology/permitting/Joint-Application-Notification-Form2.pdf, from the Vicksburg District Regulatory Program website at: http://www.mvk.usace.army.mil/offices/od/odf/main.htm, or from the Mobile District Regulatory Program website at: http://www.sam.usace.army.mil/RO/reg/application.htm.

NOTE: Where the Corps District and DMR have developed Programmatic General Permits for the type of activity proposed, DMR may process and issue the appropriate DA permit(s) along with any required Coastal Use Permit requirements. For activities not covered by Programmatic General Permits, DMR shall forward all application materials to the appropriate Corps District office for processing of any required DA permits. If the application is forwarded to the Corps for processing, DMR shall notify the Corps District if a Coastal Use Permit will be required for the activity.

2. For all NWP authorizations on Black Creek in Perry County between Moody's Landing, downstream to the Fairley Bridge Road crossing - a federally designated Wild and Scenic River reach in Mississippi - the applicant must obtain a written statement from the U.S. Forest Service (USFS) that the activity will not adversely affect the Wild and Scenic River designation prior to initiating any construction activities (see General Condition 15). If the proposed activity otherwise requires pre-construction notification (PCN) to the Corps, the PCN must include such written statement of approval from the USFS. (*U.S. Forest Service, P.O. Box 248, 654 West Frontage Road, Wiggins, MS 39577*)

3. For all regulated activities, excluding those authorized under NWP 47, that might affect a Federally-listed threatened or endangered species or critical habitat - Pre-Construction Notification (PCN) shall be required. Waterways in Mississippi with reported occurrences of Federally-listed threatened or endangered species or critical habitat, as of July 1, 2007, are listed below. Applicants are advised that the U.S. Fish and Wildlife Service (USFWS) may change the Endangered Species Act status of species in Mississippi waterways, and those changes would affect the list of waterways and associated "Species of Concern". Further, this Regional Condition does not lessen the restrictions or requirements provided by General Condition 17. As stated in General Conditions 17 and 27 (72 FR 11092 - 11198), the PCN from non-Federal applicants must include the name(s) of the threatened or endangered species that might be affected by the proposed work or that utilize designated critical habitat that might be affected by the proposed work. PCNs from Federal applicants must include documentation of compliance with the Endangered Species Act. For NWP 6, 12, and 14 activities that trigger this PCN requirement, the PCN required by this condition may be limited to those portions of the activity that might affect a Federally-listed threatened or endangered species or critical habitat.

NOTE: The following definitions apply to the "listing index" following scientific names of the listed species of concern: C = Candidate Species; the U.S. Fish and Wildlife Service has enough scientific information to warrant proposing these species as endangered or threatened under the Endangered Species Act. CH = Critical Habitat; the U.S. Fish and Wildlife Service has designated official critical habitat for this species. LE = Listed Endangered; the U.S. Fish and Wildlife Service has listed these species as endangered under the Endangered Species Act. LT = Listed Threatened; the U.S. Fish and Wildlife Service has listed these species as threatened under the Endangered Species Act.

Bayou Pierre River and following tributaries: White Oak Creek, Foster Creek, and Turkey Creek - Located in Claiborne, Copiah, and Hinds Counties
Species of Concern: bayou darter (*Etheostoma rubrum* - LT)

Bear Creek - Located in Tishomingo County
Species of Concern: the cumberlandian combshell mussel (*Epioblasma brevidens* - LE) and the slabside pearlymussel (*Lexingonia dolabelloides* - C)

Bogue Chitto River - Located in Pike County
Species of Concern: gulf sturgeon (*Acipenser oxyrhynchus desotoi*- LT, CH) from State Highway 570 south

Mississippi River and adjacent land west of Main line levee - Located in the following Counties:

Adams	Coahoma	Jefferson	Warren

Bolivar	DeSoto	Sharkey	Washington
Claiborne	Issaquena	Tunica	Wilkinson

Species of Concern: interior least tern (*Sterna antillarum* - LE), pallid sturgeon (*Scaphirhynchus albus* - LE), and/or the fat pocketbook (*Potamilus capax* - LE)

MS Coastal Waterways and Streams including: Back Bay of Biloxi, Biloxi River, Escatawpa River, Old Fort Bayou, Pascagoula River, and Tchoutacabouffa River - Located in Harrison and Jackson Counties
Species of Concern: Alabama red-bellied turtle (*Pseudemys alabamensis* - LE) and/or the yellow-blotched map turtle (*Graptemys flavimaculata* - LT)

Mississippi Sound and other back bays - Located in Hancock, Harrison, and Jackson Counties
Species of Concern: Brown pelican (*Pelecanus occidentalis* - LE), piping plover (*Charadrius melodus* - LE, CH), West Indian manatee (*Trichechus manatus* - LE), green turtle (*Chelonia mydas* - LT), Kemp's ridley turtle (*Lepidochelys kempii* - LE), loggerhead turtle (*Caretta caretta* - LT), and/or the gulf sturgeon (*Acipenser oxyrhynchus desotoi* - LT, CH).

Pascagoula River and the following tributaries: Boule, Chickasawhay, Okatoma, and Leaf Rivers - Located in the following Counties:

Clarke	Greene	Perry
Forrest	Jackson	Stone
George	Jones	Wayne

Species of Concern: yellow-blotched map turtle (*Graptemys flavimaculata* - LT), gulf sturgeon (*Acipenser oxyrhynchus desotoi* LT, CH), pearl darter (*Percina aurora* - C), and/or Alabama red-bellied turtle (*Pseudemys alabamensis* - LE)

Pearl River - Located in the following Counties:

Copiah	Leake	Neshoba	Scott
Hinds	Madison	Pearl River	Simpson
Lawrence	Marion	Rankin	

Species of Concern: ringed map turtle (*Graptemys oculifera* - LT), gulf sturgeon (*Acipenser oxyrhynchus desotoi* - LE, CH), and/or the inflated heelsplitter (*Potamilus inflatus* - LT)

Tombigbee River and the following tributaries: Buttahatchie, Luxapalilla, and Bull Mountain - Located in Itawamba, Lowndes and Monroe Counties
Species of Concern: heavy pigtoe mussel (*Pleurobema taitianum* - LE), southern combshell mussel (*Epioblasma penita* - LE), southern clubshell mussel (*Pleurobema decisum* - LE), the ovate clubshell mussel (*Pleurobema perovatum* - LT), the black clubshell mussel (*Pleurobema curtum* - LE), the threatened Alabama moccasinshell (*Medionidus acutissimus* - LT), the threatened orange-nacre mucket (*Lampsilis perovalis* - LT)

NOTE: For all proposed activities requiring a PCN to the Corps, the Regulatory Project Manager shall coordinate with USFWS-Jackson, or its designee, and/or NMFS (if tidal waters or waters of the US that may influence tidal waters) to insure compliance with General Condition 17. The Corps' responsibility before initiating this coordination is to make a "No effect" or "May effect" determination for the activity. If sufficient information is not available from the applicant or from "in-house" information, the Corps may need to contact the USFWS/NMFS to first determine if T&E species or their critical habitat/essential fish habitat occur within the Project Area. If a "May Affect" determination is made, the Corps shall enter into informal

consultation with USFWS/NMFS. If informal consultation is initiated, the Corps must notify the applicant that the evaluation of the application has been delayed pending the outcome of the T&E species consultation.

Note: These PCN procedures may be modified at the completion of the Corps/USFWS effort to develop and implement Standard Local Operating Procedures for Endangered Species (SLOPES) for the State of Mississippi.

B. Corps Regional Conditions for Specific NWPs

1. Nationwide Permit 12. Utility Lines.

Pre-Construction Notification (PCN) to the appropriate District Engineer shall be required for all Section 404 regulated activities that include new construction by a commercial or municipal entity (i.e. excludes maintenance of existing structures or fill), where the activity extends beyond the boundaries of single property ownership, if impacts to the following species or their critical habitat may occur within the "Project Area" of the proposed NWP 12 activity. These PCNs will be submitted to other agencies for comment as appropriate (e.g. USFWS, SHPO, DEQ, etc.).

Gopher Tortoise (*Gopherus polyphemus* -LT), Black Pine Snake (*Pituophis melanoleucus* ssp. *Lodingi* - C), and/or Eastern Indigo Snake (*Drymarchon corais couperi* - LT), upland habitats - Located in Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Lamar, Marion, Pearl River, Perry, Stone, Walthall, and Wayne Counties

Louisiana Black Bear (*Ursus americanus luteolus* -LT) - No existing den or candidate den trees may be felled within areas known to be occupied by the Louisiana black bear. (Candidate den trees are defined as bald cypress and/or tupelo gum with visible cavities, having a minimum diameter-at-breast-height of 36 inches, and associated with rivers, lakes, streams, bayous, sloughs or other waterbodies - Located in counties south of Mississippi Highway 82.)

Louisiana Quillwort (*Isoetes louisianaensis* - LE) - intermittent and small perennial streams - Located in Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Pearl River, Perry, Stone, and Wayne Counties

Mississippi Gopher Frog (*Rana sevosa* - LE) - Isolated ephemeral (temporary) ponds/wetlands located in upland long-leaf pine habitat - Located in Jackson and Harrison Counties

Mississippi Sandhill Crane (*Grus canadensis pulla* - LE) - pine savannas, brackish marsh, cultivated fields, and pasture lands within 5 miles of the Mississippi Sandhill Crane National Wildlife Refuge - Located in Jackson County

Pondberry (*Lindera melissifolia* - LE) - bottomland hardwood wetlands - Located in Bolivar, Sharkey, Sunflower, and Tallahatchie Counties

Price's potato bean (*Apios priceana* - LT) - wooded areas that grade into creek and river bottoms - Located in Chickasaw, Clay, Kemper, Lee, and Oktibbeha Counties

Red-cockaded woodpecker (*Picoides borealis* - LE), excavates nesting cavities in mature pine trees (60+ years old) - Located in Amite, Copiah, Forrest,

Franklin, George, Greene, Harrison, Jackson, Jasper, Jefferson, Jones, Lincoln, Noxubee, Oktibbeha, Perry, Scott, Smith, Stone, Wayne, Wilkinson, Winston, and Yalobusha Counties (primarily found on or near US National Forests)

Legend:
C = Candidate Species; the U.S. Fish and Wildlife Service has enough scientific information to warrant proposing these species as endangered or threatened under the Endangered Species Act.
CH = Critical Habitat; the U.S. Fish and Wildlife Service has designated official critical habitat for this species.
LE = Listed Endangered, the U.S. Fish and Wildlife Service has listed these species as endangered under the Endangered Species Act.
LT = Listed Threatened; the U.S. Fish and Wildlife Service has listed these species as threatened under the Endangered Species Act.

NOTE: For all proposed activities requiring a PCN to the Corps, the Regulatory Project Manager shall coordinate with USFWS-Jackson, or its designee, and/or NMFS (if tidal waters or waters of the US that may influence tidal waters) to insure compliance with General Condition 17. The Corps' responsibility before initiating this coordination is to make a "No effect" or "May effect" determination for the activity. If sufficient information is not available from the applicant or from "in-house" information, the Corps may need to contact the USFWS/NMFS to first determine if T&E species or their critical habitat/essential fish habitat occur within the Project Area. If a "May Affect" determination is made, the Corps shall enter into informal consultation with USFWS/NMFS. If informal consultation is initiated, the Corps must notify the applicant that the evaluation of the application has been delayed pending the outcome of the T&E species consultation. [Note: These PCN procedures may be modified at the completion of the Corps/USFWS effort to develop and implement Standard Local Operating Procedures for Endangered Species (SLOPES) for the State of Mississippi].

2. **Nationwide Permit 14: Linear Transportation Crossings.**

Pre-Construction Notification (PCN) to the appropriate District Engineer shall be required for all Section 404 regulated activities that include new construction by a commercial or municipal entity (i.e. excludes maintenance of existing structures or fill), where the activity extends beyond the boundaries of single property ownership, if impacts to the following species or their critical habitat may occur within the "Project Area" of the proposed NWP 14 activity. These PCNs will be submitted to other agencies for comment as appropriate (e.g. USFWS, SHPO, DEQ, etc.).

Gopher Tortoise (*Gopherus polyphemus* -LT), Black Pine Snake (*Pituophis melanoleucus* ssp. *Lodingi* - C), and/or Eastern Indigo Snake (*Drymarchon corais couperi* - LT), upland habitats - Located in Covington, Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Lamar, Marion, Pearl River, Perry, Stone, Walthall, and Wayne Counties

Louisiana Black Bear (*Ursus americanus luteolus* -LT) - No existing den or candidate den trees may be felled within areas known to be occupied by the Louisiana black bear. (Candidate den trees are defined as bald cypress and/or tupelo gum with visible cavities, having a minimum diameter-at-breast-height

of 36 inches, and associated with rivers, lakes, streams, bayous, sloughs or other waterbodies - Located in counties south of Mississippi Highway 82.)

Louisiana Quillwort (*Isoetes louisianaensis* - LE) - intermittent and small perennial streams - Located in Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Pearl River, Perry, Stone, and Wayne Counties

Mississippi Gopher Frog (*Rana sevosa* - LE) - Isolated ephemeral (temporary) ponds/wetlands located in upland long-leaf pine habitat - Located in Jackson and Harrison Counties

Mississippi Sandhill Crane (*Grus canadensis pulla* - LE) - pine savannas, brackish marsh, cultivated fields, and pasture lands within 5 miles of the Mississippi Sandhill Crane National Wildlife Refuge - Located in Jackson County

Pondberry (*Lindera melissifolia* - LE) - bottomland hardwood wetlands - Located in Bolivar, Sharkey, Sunflower, and Tallahatchie Counties

Price's potato bean (*Apios priceana* - LT) - wooded areas that grade into creek and river bottoms - Located in Chickasaw, Clay, Kemper, Lee, and Oktibbeha Counties

Red-cockaded woodpecker (*Picoides borealis* - LE), excavates nesting cavities in mature pine trees (60+ years old) - Located in Amite, Copiah, Forrest, Franklin, George, Greene, Harrison, Jackson, Jasper, Jefferson, Jones, Lincoln, Noxubee, Oktibbeha, Perry, Scott, Smith, Stone, Wayne, Wilkinson, Winston, and Yalobusha Counties (primarily found on or near US National Forests)

Legend:
C = Candidate Species; the U.S. Fish and Wildlife Service has enough scientific information to warrant proposing these species as endangered or threatened under the Endangered Species Act.
CH = Critical Habitat; the U.S. Fish and Wildlife Service has designated official critical habitat for this species.
LE = Listed Endangered, the U.S. Fish and Wildlife Service has listed these species as endangered under the Endangered Species Act.
LT = Listed Threatened; the U.S. Fish and Wildlife Service has listed these species as threatened under the Endangered Species Act.

NOTE: For all proposed activities requiring a PCN to the Corps, the Regulatory Project Manager shall coordinate with USFWS-Jackson, or its designee, and/or NMFS (if tidal waters or waters of the US that may influence tidal waters) to insure compliance with General Condition 17. The Corps' responsibility before initiating this coordination is to make a "No effect" or "May effect" determination for the activity. If sufficient information is not available from the applicant or from "in-house" information, the Corps may need to contact the USFWS/NMFS to first determine if T&E species or their critical habitat/essential fish habitat occur within the Project Area. If a "May Affect" determination is made, the Corps shall enter into informal consultation with USFWS/NMFS. If informal consultation is initiated, the Corps must notify the applicant that the evaluation of the application has been delayed pending the outcome of the T&E species consultation. [Note: These PCN procedures may be modified at the completion of the Corps/USFWS

effort to develop and implement Standard Local Operating Procedures for Endangered Species (SLOPES) for the State of Mississippi].

3. Nationwide Permit 41: Reshaping Existing Drainage Ditches.

a. Any clearing of vegetation or side casting of excavated material shall be restricted to one side of the drainage ditch, where practicable, with gaps between side-cast material every 50 feet.

b. Banks shall be seeded and stabilized upon completion of excavation activities.

4. Nationwide Permit 44: Mining Activities.

Pre-Construction Notification to the appropriate Corps District is required for all NWP 44 activities, **due to the denial of Water Quality Certification** for NWP 44 by the Mississippi Department of Environmental Quality.

C. **ADDITIONAL APPLICATION REVIEW REQUIREMENTS FOR PCNs FOR SPECIFIC NWPS**

1. Complete PCNs for authorizations under NWPs 12, 14, 21, 29, 39, 40, 42, and 43 that include a discharge into a Monitored waterway of the Mississippi 303(d) waters listed for sediment or biological impairment or waterways with a completed TMDL for sediment or biological impairment shall include:

a. a statement of why the discharge cannot be avoided;
b. a description of best management practices that will be utilized on the project site to minimize adverse impacts within the project area at the site;
c. if the Corps determines that compensation is required to insure that adverse impacts resulting from the activity will be no more than minimal, the applicant shall also submit a compensatory mitigation plan for approval by the Corps.

2. **For PCNs described in C.1, above,** the DE shall give Mississippi Department of Environmental Quality (MS-DEQ) staff an opportunity to comment on all of the above mitigation measures.

D. **REGIONAL CONDITIONS FOR WATER QUALITY CERTIFICATION FOR MISSISSIPPI BAND OF CHOCTAW INDIAN TRIBAL LANDS**

The Environmental Protection Agency, Region 4, issued water quality certifications for Nationwide Permit (NWP) activities on Mississippi Band of Choctaw Indian Tribal Lands on February 17, 2007 (copy attached). EPA stated that, as proposed, the NWPs would not violate water quality standards in waters of the United States located within these Tribal lands.

E. **REGIONAL CONDITIONS FOR WATER QUALITY CERTIFICATION**

The Mississippi Department of Environmental Quality issued Water Quality Certification decisions for the 49 NWPs by letter dated April 23, 2007 (copy attached). These WQC decisions are as follows:

1. NWP No. 44, Mining Activities. The Mississippi Department of Environmental Quality (DEQ) **denied water quality certification** for NWP No.

44, Mining Activities. Applicants shall obtain certification or a waiver from the Mississippi Department of Environmental Quality prior to commencement of work.

2. **NWPs 3, 4, 5, 6, 7, 11, 13, 15, 16, 17, 19, 20, 22, 23, 25, 30, 32, 33, 34, 37, 38, 45, 46, 47, 48, 49, and 50** - The Mississippi Department of Environmental Quality (DEQ) issued water quality certification for these Nationwide Permits for a period of five years from its effective date, provided the projects comply with the following conditions: *(Note: Nationwide Permit Nos. 1, 2, 8, 9, 10, 11, 24, 28, and 35 are not listed because they do not authorize section 404 regulated discharges and therefore do not require 401 WQCs).* DEQ will be the primary responsible party for the enforcement of the water quality certification conditions listed below and may be contacted as follows:

Mississippi Department of Environmental Quality
Office of Pollution Control
Post Office Box 10385
Jackson, Mississippi 39289-0385
Telephone: (601) 961-5171

a. For discharges of dredged or fill materials associated with the construction of a residence or place where people are employed or congregate, the applicant should provide documentation that the residence or establishment can make a connection to an existing MDEQ approved central sewage collection and treatment system or provide a State Department of Health Soil and Site Evaluation System/Recommendation for an individual wastewater disposal system.

b. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity disturbing one or more acres.

c. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

d. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50-Nephelometric Turbidity Units.

3. **NWP No. 12, Utility Line Activities**, is authorized by this certification for a period of five years from its effective date, provided the projects comply with the following conditions:

a. In cases where a pre-construction notification is required, a pre-construction notification shall be provided to MDEQ for projects that include channel work within a Monitored waterway of the Mississippi 303(d) waters listed for sediment or biological impairment or waterways with a completed Total Maximum Daily Load (TMDL) for sediment or biological impairment. This notification shall include the following:

(1) Justification of why the impacts cannot be avoided;
(2) Proposed best management practices that would minimize the impacts to receiving sensitive waters;
(3) Compensatory mitigation primarily along the same reach of stream or on another impaired stream within the same drainage basin.

b. MDEQ shall be notified of projects that have associated discharges of cuttings, drilling mud, hydrostatic testing water, or any other waste material.

c. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity including clearing, grading, excavation, and other land disturbance activity disturbing one or more acres.

d. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

e. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

4. **NWP No. 13, Bank Stabilization**, is authorized by this certification for a period of five years from its effective date, provided the projects comply with the following conditions:

a. In cases where a pre-construction notification is required, a preconstruction notification shall be provided to MDEQ for projects that include channel work within a Monitored waterway of the Mississippi 303(d) waters listed for sediment or biological impairment or waterways with a completed Total Maximum Daily Load (TMDL) for sediment or biological impairment. This notification shall include the following:

(1) Justification of why the impacts cannot be avoided;
(2) Proposed best management practices that would minimize the impacts to receiving sensitive waters;
(3) Compensatory mitigation primarily along the same reach of stream or on another impaired stream within the same drainage basin.

b. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity including clearing, grading, excavation, and other land disturbance activity disturbing one or more acres.

c. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

d. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

5. **NWP No. 14, Linear Transportation Crossings**, is authorized by this certification for a period of five years from its effective date, provided projects comply with the following conditions:

a. Extreme care shall be taken to prevent the permanent restriction or impedance of water flow. Pre-construction hydrology shall be maintained.

b. This NWP shall not apply to natural tidal waters for personal transportation.

c. In cases where a pre-construction notification is required, a preconstruction notification shall be provided to MDEQ for projects that include channel work within a Monitored waterway of the Mississippi 303(d) waters listed for sediment or biological impairment or waterways with a

completed Total Maximum Daily Load (TMDL) for sediment or biological impairment. This notification shall include the following:

(1) Justification of why the impacts cannot be avoided;
(2) Proposed best management practices that would minimize the impacts to receiving sensitive waters;
(3) Compensatory mitigation primarily along the same reach of stream or on another impaired stream within the same drainage basin.

d. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity disturbing one or more acres.

e. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

f. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50-Nephelometric Turbidity Units.

6. **NWP No. 18, Minor Discharges**, is authorized by this certification for a period of five years from its effective date, provided the projects comply with the following conditions:

a. For discharges of dredged or fill materials associated with the construction of a residence or place where people are employed or congregate, the activity must comply with the following:

(1) The applicant shall provide documentation that the residence or establishment can make a connection to the an existing MDEQ approved central sewage collection and treatment system or provide a State Department of Health Soil and Site Evaluation System/Recommendation for an individual wastewater disposal system.

(2) A no-fill buffer zone shall be permanently maintained between any construction activity and any waterbody. The minimum buffer zone for the subject parcel is defined as 15% of the parcel depth. The parcel depth is defined as the maximum length of a line extending from the Ordinary High Water Mark (OHWM) and/or top bank or High Tide Line (HTL) to the opposite property boundary. In cases of an asymmetrical parcel, the Parcel Depth will be measured as the maximum length of a line extending from OHWM or HTL to the junction of two landward property boundaries. The buffer zone shall be measured as the distance between the edge of the construction activity and the top bank of the adjacent water body or HTL.

b. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity including clearing, grading, excavation, and other land disturbance activity disturbing one or more acres.

c. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

d. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

7. **NWP No. 21, Surface Coal Mining Operations**, is authorized by this certification for a period of five years from its effective date, provided the projects comply with the following conditions:

a. In cases where a pre-construction notification is required, a preconstruction notification shall be provided to MDEQ for projects that include channel work within a Monitored waterway of the Mississippi 303(d) waters listed for sediment or biological impairment or waterways with a completed Total Maximum Daily Load (TMDL) for sediment or biological impairment. This notification shall include the following:

(1) Justification of why the impacts cannot be avoided;
(2) Proposed best management practices that would minimize the impacts to receiving sensitive waters;
(3) Compensatory mitigation primarily along the same reach of stream or on another impaired stream within the same drainage basin.

b. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity including clearing, grading, excavation, and other land disturbance activity disturbing one or more acres.

c. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

d. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

8. **NWP No. 27, Stream and Wetland Restoration Activities**, is authorized by this certification for a period of five years from its effective date, provided the projects comply with the following conditions:

a. For permitting of activities associated with mitigation banking, a Mitigation Banking Instrument approved by the Mitigation Banking Review Team shall be required.

b. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity including clearing, grading, excavation, and other land disturbance activity disturbing one or more acres.

c. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

d. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

9. **NWP No. 28, Modifications of Existing Marinas**, is authorized by this certification for a period of five years from its effective date, provided the projects comply with the following conditions:

a. This NWP shall only apply to marinas that have an existing operating wastewater pump-out facility with appropriate signage showing its location as well as other appropriate waste disposal information.

b. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water

associated with construction activity including clearing, grading, excavation, and other land disturbance activity disturbing one or more acres.

c. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

d. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

10. **NWP No. 29, Residential Developments**, is authorized by this certification for a period of five years from its effective date provided the projects comply with the following conditions:

a. Intermittent stream impacts in excess of 300 linear feet shall not be authorized by this certification.

b. For discharges of dredged or fill materials associated with the construction of a residence or place where people are employed or congregate, the activity must comply with the following:

(1) The applicant shall provide documentation that the residence or establishment can make a connection to the an existing MDEQ approved central sewage collection and treatment system or provide a State Department of Health Soil and Site Evaluation System/Recommendation for an individual wastewater disposal system.

(2) A no-fill buffer zone shall be permanently maintained between any construction activity and any waterbody. The minimum buffer zone for the subject parcel is defined as 15% of the parcel depth. The parcel depth is defined as the maximum length of a line extending from the Ordinary High Water Mark (OHWM) and/or top bank or High Tide Line (HTL) to the opposite property boundary. In cases of an asymmetrical parcel, the Parcel Depth will be measured as the maximum length of a line extending from OHWM or HTL to the junction of two landward property boundaries. The buffer zone shall be measured as the distance between the edge of the construction activity and the top bank of the adjacent water body or HTL.

c. In cases where a pre-construction notification is required, a preconstruction notification shall be provided to MDEQ for projects that include channel work within a Monitored waterway of the Mississippi 303(d) waters listed for sediment or biological impairment or waterways with a completed Total Maximum Daily Load (TMDL) for sediment or biological impairment. This notification shall include the following:

(1) Justification of why the impacts cannot be avoided;
(2) Proposed best management practices that would minimize the impacts to receiving sensitive waters;
(3) Compensatory mitigation primarily along the same reach of stream or on another impaired stream within the same drainage basin.

d. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity including clearing, grading, excavation, and other land disturbance activity disturbing one or more acres.

e. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

f. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

11. **NWP No. 31, Maintenance of Existing Flood Control Facilities**, is authorized by this certification for a period of five years from its effective date, provided the projects comply with the following conditions:

a. Maintenance work shall not exceed the limitation or contours previously authorized by a Department of the Army Permit.

b. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity including clearing, grading, excavation, and other land disturbance activity disturbing one or more acres.

c. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

d. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

12. **NWP No. 36, Boat Ramps**, is authorized by this certification for a period of five years from its effective date provided the projects comply with the following conditions:

a. Boat ramp parking areas with impervious surfaces (concrete, asphalt) that have a surface area equal to or greater than one acre shall provide for storm water management. The first 0.5 inch of storm water runoff from impervious parking and road surfaces shall be treated using MDEQ approved best management practices before release. The storm water plan should be submitted upon application for coverage under a NWP and shall be forwarded to MDEQ.

b. For discharges of dredged or fill materials associated with the construction of a residence or place where people are employed or congregate, the applicant should provide documentation that the residence or establishment can make a connection to an existing MDEQ approved central sewage collection and treatment system or provide a State Department of Health Soil and Site Evaluation System/Recommendation for an individual wastewater disposal system.

c. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity including clearing, grading, excavation, and other land disturbance activity disturbing one or more acres.

d. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

e. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

13. **NWP No. 39, Commercial and Institutional Developments**, is authorized by this permit for a period of five years from its effective date, provided the projects comply with the following conditions:

a. Intermittent stream impacts in excess of 300 linear feet shall not be authorized by this certification.

b. For discharges of dredged or fill materials associated with the construction of a residence or place where people are employed or congregate, the applicant should provide documentation that the residence or establishment can make a connection to an existing MDEQ approved central sewage collection and treatment system or provide a State Department of Health Soil and Site Evaluation System/Recommendation for an individual wastewater disposal system.

c. In cases where a pre-construction notification is required, a preconstruction notification shall be provided to MDEQ for projects that include channel work within a Monitored waterway of the Mississippi 303(d) waters listed for sediment or biological impairment or waterways with a completed Total Maximum Daily Load (TMDL) for sediment or biological impairment. This notification shall include the following:

(1) Justification of why the impacts cannot be avoided;
(2) Proposed best management practices that would minimize the impacts to receiving sensitive waters;
(3) Compensatory mitigation primarily along the same reach of stream or on another impaired stream within the same drainage basin.

d. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity including clearing, grading, excavation, and other land disturbance activity disturbing one or more acres.

e. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

f. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

14. **NWP No. 40, Agricultural Activities**, is authorized by this certification for a period of five years from its effective date, provided the projects comply with the following conditions:

a. For discharges of dredged or fill materials associated with the construction of a residence or place where people are employed or congregate, the applicant should provide documentation that the residence or establishment can make a connection to an existing MDEQ approved central sewage collection and treatment system or provide a State Department of Health Soil and Site Evaluation System/Recommendation for an individual wastewater disposal system.

b. In cases where a pre-construction notification is required, a preconstruction notification shall be provided to MDEQ for projects that include channel work within a Monitored waterway of the Mississippi 303(d) waters listed for sediment or biological impairment or waterways with a completed Total Maximum Daily Load (TMDL) for sediment or biological impairment. This notification shall include the following:

(1) Justification of why the impacts cannot be avoided;

(2) Proposed best management practices that would minimize the impacts to receiving sensitive waters;

(3) Compensatory mitigation primarily along the same reach of stream or on another impaired stream within the same drainage basin.

c. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity including clearing, grading, excavation, and other land disturbance activity disturbing one or more acres.

d. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

e. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

15. **NWP No. 41, Reshaping Existing Drainage Ditches**, is authorized by this certification for a period of five years from their effective date, provided the projects comply with the following conditions:

a. The side slopes of banks and spoil disposal areas shall be 3:1 (horizontal:vertical) or flatter.

b. This NWP shall apply to created ditches only. No impacts to naturalized streams shall be allowed.

c. This NWP shall not authorize the modification of more than 500 linear feet of existing serviceable drainage ditches constructed in non-tidal waters.

d. Buffer zones shall be 25 feet minimum from top of drainage ditch.

e. Spoil disposal area shall be discontiguous and immediately seeded and stabilized to prevent the movement of sediment off-site and into adjacent drainage areas.

f. Work shall be conducted from one side of the waterbody only, where possible.

g. Large trees on the work side shall be avoided where possible.

h. Banks shall be immediately seeded and stabilized upon completion of construction.

i. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity including clearing, grading, excavation, and other land disturbance activity disturbing one or more acres.

j. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

k. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

16. **NWP No. 42, Recreational Activities**, is authorized by this certification for a period of five years from its effective date, provided the projects comply with the following conditions:

a. Intermittent stream impacts in excess of 300 linear feet shall not be authorized by this certification.

b. For the construction or expansion of golf courses or attendant features, the applicant shall obtain approval or waiver for a Storm Water Quality Management Plan from MDEQ prior to construction.

c. For discharges of dredged or fill materials associated with the construction of a residence or place where people are employed or congregate, the applicant should provide documentation that the residence or establishment can make a connection to an existing MDEQ approved central sewage collection and treatment system or provide a State Department of Health Soil and Site Evaluation System/Recommendation for an individual wastewater disposal system.

d. In cases where a pre-construction notification is required, a preconstruction notification shall be provided to MDEQ for projects that include channel work within a Monitored waterway of the Mississippi 303(d) waters listed for sediment or biological impairment or waterways with a completed Total Maximum Daily Load (TMDL) for sediment or biological impairment. This notification shall include the following:

(1) Justification of why the impacts cannot be avoided;
(2) Proposed best management practices that would minimize the impacts to receiving sensitive waters;
(3) Compensatory mitigation primarily along the same reach of stream or on another impaired stream within the same drainage basin.

e. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity including clearing, grading, excavation, and other land disturbance activity disturbing one or more acres.

f. No sewage, oil, refuse, or other pollutants shall be discharged into the watercourse.

g. The turbidity outside the limits of a 750-foot mixing zone shall not exceed the ambient turbidity by more than 50 Nephelometric Turbidity Units.

17. **NWP No. 43, Storm Water Management Facilities**, is authorized by this certification for a period of five years from its effective date, provided the projects comply with the following conditions:

a. Intermittent stream impacts in excess of 300 linear feet shall not be authorized by this certification.

b. This certification shall not authorize in-stream treatment of stormwater.

c. For discharges of dredged or fill materials associated with the construction of a residence or place where people are employed or congregate, the applicant should provide documentation that the residence or establishment can make a connection to an existing MDEQ approved central

sewage collection and treatment system or provide a State Department of Health Soil and Site Evaluation System/Recommendation for an individual wastewater disposal system.

d. In cases where a pre-construction notification is required, a preconstruction notification shall be provided to MDEQ for projects that include channel work within a Monitored waterway of the Mississippi 303(d) waters listed for sediment or biological impairment or waterways with a completed Total Maximum Daily Load (TMDL) for sediment or biological impairment. This notification shall include the following:

(1) Justification of why the impacts cannot be avoided;

(2) Proposed best management practices that would minimize the impacts to receiving sensitive waters;

(3) Compensatory mitigation primarily along the same reach of stream or on another impaired stream within the same drainage basin.

e. The applicant shall obtain coverage under the State's Storm Water Construction General Permit (MSR10) in order to discharge storm water associated with construction activity including clearing, grading, excavation, and other land disturbance activity disturbing one or more acr

2007 NATIONWIDE PERMIT GENERAL CONDITIONS

Note: To qualify for NWP authorization, the prospective permittee must comply with the following general conditions, as appropriate, in addition to any regional or case-specific conditions imposed by the division engineer or district engineer. Prospective permittees should contact the appropriate Corps district office to determine if regional conditions have been imposed on an NWP. Prospective permittees should also contact the appropriate Corps district office to determine the status of Clean Water Act Section 401 water quality certification and/or Coastal Zone Management Act consistency for an NWP.

1. 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, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States 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 the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

2. Aquatic Life Movements. 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. Culverts placed in streams must be installed to maintain low flow conditions.

3. Spawning Areas. 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.

4. Migratory Bird Breeding Areas. Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.

5. Shellfish Beds. No activity may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWPs 4 and 48.

6. Suitable Material. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).

7. 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.

8. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable.

9. Management of Water Flows. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities, except as provided below. The activity must be constructed to withstand expected high flows. The activity must 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).

10. Fills Within 100-Year Floodplains. The activity must comply with applicable FEMA-approved state or local floodplain management requirements.

11. Equipment. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.

13. Removal of Temporary Fills. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. Proper Maintenance. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety.

15. Wild and Scenic Rivers. No 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. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).

16. Tribal Rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

17. Endangered Species. (a) No activity is authorized under any NWP which is likely to 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 destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed.

(b) Federal agencies should follow their own procedures for complying with the requirements of the ESA. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements.

(c) Non-federal permittees shall notify the district engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, and shall not begin work on the activity until notified by the district engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that might affect Federally-listed endangered or threatened species or designated critical habitat, the pre-construction notification must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. The district engineer will determine whether the proposed activity "may affect" or will have "no effect" to listed species and designated critical habitat and will notify the non-Federal applicant of the Corps' determination within 45 days of receipt of a complete pre-construction notification. In cases where the non-Federal applicant has identified listed species or critical habitat that might be affected or is in the vicinity of the project, and has so notified the Corps, the applicant shall not begin work until the Corps has provided notification the proposed activities will have "no effect" on listed species or critical habitat, or until Section 7 consultation has been completed.

(d) As a result of formal or informal consultation with the FWS or NMFS the district engineer may add species-specific regional endangered species conditions to the NWPs.

(e) Authorization of an activity by a NWP 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 U.S. FWS or the NMFS, both lethal and non-lethal "takes" of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. FWS and NMFS or their world wide Web pages at http://www.fws.gov/ and http://www.noaa.gov/fisheries.html respectively.

18. Historic Properties. (a) In cases where the district engineer determines that the activity may affect properties listed, or eligible for listing, in the National Register of Historic Places, the activity

is not authorized, until the requirements of Section 106 of the National Historic Preservation Act (NHPA) have been satisfied.

(b) Federal permittees should follow their own procedures for complying with the requirements of Section 106 of the National Historic Preservation Act. Federal permittees must provide the district engineer with the appropriate documentation to demonstrate compliance with those requirements.

(c) Non-federal permittees must submit a pre-construction notification to the district engineer if the authorized activity may have the potential to cause effects to any historic properties listed, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the pre-construction notification must state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer or Tribal Historic Preservation Officer, as appropriate, and the National Register of Historic Places (see 33 CFR 330.4(g)). The district engineer shall make a reasonable and good faith effort to carry out appropriate identification efforts, which may include background research, consultation, oral history interviews, sample field investigation, and field survey. Based on the information submitted and these efforts, the district engineer shall determine whether the proposed activity has the potential to cause an effect on the historic properties. Where the non-Federal applicant has identified historic properties which the activity may have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the district engineer either that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has been completed.

(d) The district engineer will notify the prospective permittee within 45 days of receipt of a complete pre-construction notification whether NHPA Section 106 consultation is required. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties (see 36 CFR §800.3(a)). If NHPA section 106 consultation is required and will occur, the district engineer will notify the non-Federal applicant that he or she cannot begin work until Section 106 consultation is completed.

(e) Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected 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 Corps, 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 Corps is required to notify the ACHP and provide documentation specifying the circumstances, explaining the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO, appropriate

Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects 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.

19. Designated Critical Resource Waters. Critical resource waters include, NOAA-designated marine sanctuaries, National Estuarine Research Reserves, state natural heritage sites, and outstanding national resource waters or other waters officially designated by a state as having particular environmental or ecological significance and identified by the district engineer after notice and opportunity for public comment. The district engineer may also designate additional critical resource waters after notice and opportunity for comment.

(a) Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, and 50 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.

(b) For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with general condition 27, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The district engineer may authorize activities under these NWPs only after it is determined that the impacts to the critical resource waters will be no more than minimal.

20. Mitigation. The district engineer will consider the following factors when determining appropriate and practicable mitigation necessary to ensure that adverse effects on the aquatic environment are minimal:

(a) The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland losses that exceed 1/10 acre and require pre-construction notification, unless the district engineer determines in writing that some other form of mitigation would be more environmentally appropriate and provides a project-specific waiver of this requirement. For wetland losses of 1/10 acre or less that require pre-construction notification, the district engineer may determine on a case-by-case basis that compensatory mitigation is required to ensure that the activity results in minimal adverse effects on the aquatic environment. Since the likelihood of success is greater and the impacts to potentially valuable uplands are reduced, wetland restoration should be the first compensatory mitigation option considered.

(d) For losses of streams or other open waters that require pre-construction notification, the district engineer may require compensatory mitigation, such as stream restoration, to ensure that the activity results in minimal adverse effects on the aquatic environment.

(e) Compensatory mitigation will not be used to increase the acreage losses allowed by the acreage limits of the NWPs. For example, if an NWP has an acreage limit of 1/2 acre, it cannot be used to

authorize any project resulting in the loss of greater than 1/2 acre of waters of the United States, even if compensatory mitigation is provided that replaces or restores some of the lost waters. However, compensatory mitigation can and should be used, as necessary, to ensure that a project already meeting the established acreage limits also satisfies the minimal impact requirement associated with the NWPs.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the establishment, maintenance, and legal protection (e.g., conservation easements) of riparian areas next to open waters. In some cases, riparian areas may be the only compensatory mitigation required. Riparian areas should consist of native species. The width of the required riparian area will address documented water quality or aquatic habitat loss concerns. Normally, the riparian area will be 25 to 50 feet wide on each side of the stream, but the district engineer may require slightly wider riparian areas to address documented water quality or habitat loss concerns. Where both wetlands and open waters exist on the project site, the district engineer will determine the appropriate compensatory mitigation (e.g., riparian areas and/or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where riparian areas are determined to be the most appropriate form of compensatory mitigation, the district engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland losses.

(g) Permittees may propose the use of mitigation banks, in-lieu fee arrangements or separate activity-specific compensatory mitigation. In all cases, the mitigation provisions will specify the party responsible for accomplishing and/or complying with the mitigation plan.

(h) Where certain functions and services of waters of the United States are permanently adversely affected, such as the conversion of a forested or scrub-shrub wetland to a herbaceous wetland in a permanently maintained utility line right-of-way, mitigation may be required to reduce the adverse effects of the project to the minimal level.

21. Water Quality. Where States and authorized Tribes, or EPA where applicable, have not previously certified compliance of an NWP with CWA Section 401, individual 401 Water Quality Certification must be obtained or waived (see 33 CFR 330.4(c)). The district engineer or State or Tribe may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality.

22. Coastal Zone Management. In coastal states where an NWP has not previously received a state coastal zone management consistency concurrence, an individual state coastal zone management consistency concurrence must be obtained, or a presumption of concurrence must occur (see 33 CFR 330.4(d)). The district engineer or a State may require additional measures to ensure that the authorized activity is consistent with state coastal zone management requirements.

23. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state, Indian Tribe, or U.S.

EPA in its section 401 Water Quality Certification, or by the state in its Coastal Zone Management Act consistency determination.

24. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the United States authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit. For example, if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the United States for the total project cannot exceed 1/3-acre.

25. Transfer of Nationwide Permit Verifications. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:
"When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below."

_____

(Transferee)

_____

(Date)

26. Compliance Certification. Each permittee who received an NWP verification from the Corps must submit a signed certification regarding the completed work and any required mitigation. The certification form must be forwarded by the Corps with the NWP verification letter and will include:

(a) A statement that the authorized work was done in accordance with the NWP authorization, including any general or specific conditions;

(b) A statement that any required mitigation was completed in accordance with the permit conditions; and

(c) The signature of the permittee certifying the completion of the work and mitigation.

27. Pre-Construction Notification. (a) Timing. Where required by the terms of the NWP, the prospective permittee must notify the district engineer by submitting a pre-construction notification (PCN) as early as possible. The district engineer must determine if the PCN is complete within 30 calendar days of the date of receipt and, as a general rule, will request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the district engineer will notify the prospective permittee that the PCN is still incomplete

and the PCN review process will not commence until all of the requested information has been received by the district engineer. The prospective permittee shall not begin the activity:

(1) Until notified in writing by the district engineer that the activity may proceed under the NWP with any special conditions imposed by the district or division engineer; or

(2) If 45 calendar days have passed from the district engineer's receipt of the complete PCN and the prospective permittee has not received written notice from the district or division engineer. However, if the permittee was required to notify the Corps pursuant to general condition 17 that listed species or critical habitat might affected or in the vicinity of the project, or to notify the Corps pursuant to general condition 18 that the activity may have the potential to cause effects to historic properties, the permittee cannot begin the activity until receiving written notification from the Corps that is "no effect" on listed species or "no potential to cause effects" on historic properties, or that any consultation required under Section 7 of the Endangered Species Act (see 33 CFR 330.4(f)) and/or Section 106 of the National Historic Preservation (see 33 CFR 330.4(g)) is completed. Also, work cannot begin under NWPs 21, 49, or 50 until the permittee has received written approval from the Corps. If the proposed activity requires a written waiver to exceed specified limits of an NWP, the permittee cannot begin the activity until the district engineer issues the waiver. If the district or division engineer notifies the permittee in writing that an individual permit is required within 45 calendar days of receipt of a complete PCN, the permittee cannot begin the activity until an individual permit has been obtained. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Pre-Construction Notification: The PCN must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed project;

(3) A description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause; any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. The description should be sufficiently detailed to allow the district engineer to determine that the adverse effects of the project will be minimal and to determine the need for compensatory mitigation. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the project and when provided result in a quicker decision.);

(4) The PCN must include a delineation of special aquatic sites and other waters of the United States on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters of the United States, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many waters of the United States. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, where appropriate;

(5) If the proposed activity will result in the loss of greater than 1/10 acre of wetlands and a PCN is required, the prospective

permittee must submit a statement describing how the mitigation requirement will be satisfied. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.

(6) If any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, for non-Federal applicants the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work. Federal applicants must provide documentation demonstrating compliance with the Endangered Species Act; and

(7) For an activity that may affect a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, for non-Federal applicants the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property. Federal applicants must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

(c) Form of Pre-Construction Notification: The standard individual permit application form (Form ENG 4345) may be used, but the completed application form must clearly indicate that it is a PCN and must include all of the information required in paragraphs (b)(1) through (7) of this general condition. A letter containing the required information may also be used.

(d) Agency Coordination: (1) The district engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects to a minimal level.

(2) For all NWP 48 activities requiring pre-construction notification and for other NWP activities requiring pre-construction notification to the district engineer that result in the loss of greater than 1/2-acre of waters of the United States, the district engineer will immediately provide (e.g., via facsimile transmission, overnight mail, or other expeditious manner) a copy of the PCN to the appropriate Federal or state offices (U.S. FWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO) or Tribal Historic Preservation Office (THPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will then have 10 calendar days from the date the material is transmitted to telephone or fax the district engineer notice that they intend to provide substantive, site-specific comments. If so contacted by an agency, the district engineer will wait an additional 15 calendar days before making a decision on the pre-construction notification. The district engineer will fully consider agency comments received within the specified time frame, but will provide no response to the resource agency, except as provided below. The district engineer will indicate in the administrative record associated with each pre-construction notification that the resource agencies' concerns were considered. For NWP 37, the emergency watershed protection and rehabilitation activity may proceed immediately in cases where there is an unacceptable hazard to life or a significant loss of property or economic hardship will occur. The district engineer will consider any comments received to decide whether the NWP 37 authorization should be modified, suspended, or revoked in accordance with the procedures at 33 CFR 330.5.

(3) In cases of where the prospective permittee is not a Federal agency, the district engineer will provide a response to NMFS within 30 calendar days of receipt of any Essential Fish Habitat conservation recommendations, as required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act.

(4) Applicants are encouraged to provide the Corps multiple copies of pre-construction notifications to expedite agency coordination.

(5) For NWP 48 activities that require reporting, the district engineer will provide a copy of each report within 10 calendar days of receipt to the appropriate regional office of the NMFS.

(e) District Engineer's Decision: In reviewing the PCN for the proposed activity, the district engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. If the proposed activity requires a PCN and will result in a loss of greater than 1/10 acre of wetlands, the prospective permittee should submit a mitigation proposal with the PCN. Applicants may also propose compensatory mitigation for projects with smaller impacts. The district engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed work are minimal. The compensatory mitigation proposal may be either conceptual or detailed. If the district engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation, the district engineer will notify the permittee and include any conditions the district engineer deems necessary. The district engineer must approve any compensatory mitigation proposal before the permittee commences work. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the district engineer will expeditiously review the proposed compensatory mitigation plan. The district engineer must review the plan within 45 calendar days of receiving a complete PCN and determine whether the proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the district engineer to be minimal, the district engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP.

If the district engineer determines that the adverse effects of the proposed work are more than minimal, then the district engineer will notify the applicant either: (1) That the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an individual permit; (2) that the project is authorized under the NWP subject to the applicant's submission of a mitigation plan that would reduce the adverse effects on the aquatic environment to the minimal level; or (3) that the project is authorized under the NWP with specific modifications or conditions. Where the district engineer determines that mitigation is required to ensure no more than minimal adverse effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period. The authorization will include the necessary conceptual or specific mitigation or a requirement that the applicant submit a mitigation plan that would reduce the adverse effects on the aquatic

environment to the minimal level. When mitigation is required, no work in waters of the United States may occur until the district engineer has approved a specific mitigation plan.

28. Single and Complete Project. The activity must be a single and complete project. The same NWP cannot be used more than once for the same single and complete project.

D. Further Information

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.

2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.

3. NWPs do not grant any property rights or exclusive privileges.

4. NWPs do not authorize any injury to the property or rights of others.

5. NWPs do not authorize interference with any existing or proposed Federal project.

Certification of Compliance
With Department of the Army Permit

Nationwide Permit Number:	NW 33
Identification Number:	MVK-2007-166
Name of Permittee:	MDOT
Issued Date:	March 13, 2009
Evaluator name:	Mr. Anthony Lobred
Expiration Date:	March 13, 2011

Upon completion of the activity authorized by this permit, sign this certification and return it to the following address:

USACE, Vicksburg District
ATTN: Regulatory Branch
4155 Clay Street
Vicksburg, Mississippi 39183-3435

Please note that your permitted activity is subject to a compliance inspection by an Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit modification, suspension, or revocation.

I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of the said permit including any required mitigation.

Date work was completed: _____

_____ _____
Signature of Permittee Date Signed

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: MDOT	File Number: MVK-2009-166	Date: March 13, 2009

Attached is:		See Section Below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of Permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of Permission)	B
	PERMIT DENIAL	C
	APPROVED JURISDICTIONAL DETERMINATION	D
X	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://usace.army.mil/inet/functions/cw/cecwo/reg or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

• ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations (JD) associated with the permit.

• OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit.

• ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

• APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

• ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.

• APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:	If you only have questions regarding the appeal process you may also contact:
U.S. Army Corps of Engineers Regulatory Branch 4155 Clay Street Vicksburg, MS 39183-3435 (601) 631-7815	Division Engineer Attn: Appeals Review Officer Mississippi Valley Division Post Office Box 80 Vicksburg, MS 39181-0080 (601) 634-5820

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

	Date:	Telephone number:
Signature of appellant or agent.		

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 – NOTICE TO BIDDERS NO. 1212M **CODE: (SP)**

DATE: **9/9/2009**

SUBJECT: **Petroleum Products Base Prices For Contracts Let in October, 2009**

REFERENCE: **Subsection 907-109.07**

The following base prices are to be used for adjustment in compensation due to changes in costs of petroleum products:

FUELS

	Per Gallon	Per Liter
Gasoline	$2.1738	$0.5743
Diesel	$2.2452	$0.5931

MATERIALS OF CONSTRUCTION

ASPHALT CEMENT	Per Gallon	Per Ton	Per Liter	Per Metric Ton
Viscosity Grade AC-5	$1.7366	$412.00	$0.4588	$454.14
Viscosity Grade AC-10	$1.7422	$413.33	$0.4602	$455.61
Viscosity Grade AC-20	$1.7036	$404.17	$0.4500	$445.51
Viscosity Grade AC-30	$1.6895	$400.83	$0.4463	$441.83
Grade PG 64-22	$1.6619	$394.29	$0.4390	$434.62
Grade PG 67-22	$1.7041	$404.29	$0.4502	$445.65
Grade PG 76-22	$2.3042	$546.67	$0.6087	$602.59
Grade PG 82-22	$2.5360	$601.67	$0.6700	$663.22

EMULSIFIED ASPHALTS, PRIMES, & TACK COATS

Grade EA-4 (SS-1)	$2.2971	$0.6068
Grade RS-2C (CRS-2)	$1.9304	$0.5100
Grade CRS-2P	$2.2805	$0.6024
Grade EA-1, MC-70 & AE-P	$2.4113	$0.6370
Grade SS-1 & 1H	$2.3000	$0.6076
Grade CSS-1 & 1H (Undiluted)	$2.3000	$0.6076
Grade CSS-1 & 1H (Diluted 1 to 1 Fog Seal)	$1.4750	$0.3897

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO. 1213M **CODE: (SP)**

DATE: 08/27/2009

SUBJECT: Use of Precast Drainage Units

Bidders attention is brought to the content of Subsection 601.02.3 regarding precast units. The Contractor must make a request to the Project Engineer for approval to use precast units prior to installation.

Precast drainage units shall meet the requirements of Drawing Sheet No. PCU-1 or PCU-2, as applicable.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO. 1215M **CODE: (SP)**

DATE: 10/01/2009

SUBJECT: Non-Quality Control / Quality Assurance Concrete

Bidders are advised that the following pay items will not be accepted based on the Quality Control / Quality Assurance (QC/QA) requirements of Section 804 of the specifications. The acceptance of these pay items will be based on sampling and testing at the project site by MDOT forces. The Contractor is required to submit mix designs to accomplish this work in accordance with Section 804 and perform normal Quality Control functions at the concrete plant. Acceptance will be in accordance with the requirements of 907-601, Structural Concrete, and TMD-20-04-00-000. At the discretion of the Engineer, the Contractor may request that the concrete be accepted based on QC/QA requirements.

Pay Item	Description
221	Paved Ditches
601	Minor Structures - manholes, inlets, catch basins, junction boxes, pipe headwalls, and pipe collars.
606	Guardrail Anchors
607	Fence Post Footings
608	Sidewalks
609	Curb and Gutter
614	Driveways
616	Median and Island Pavement
630	Sign Footings, except Overhead Sign Supports

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO.1216M **CODE: (SP)**

DATE: 10/20/2009

SUBJECT: **Water/Sandblasting**

PROJECT: BRDP-9205-00(007) / 100332306 & 307 -– Washington County

Bidders are hereby advised that Waterblasting will be allowed as an alternate to Sandblasting for applications described in 907-506.03.2.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO. 1217M **CODE: (SP)**

DATE: 10/16/2009

SUBJECT: **Sounding Elevations, Contour Information and Scour Plan of Action**

PROJECT: BRDP-9205-00(007) / 100332306 & 307 -– Washington County

The Bidder's attention is called to the attached report which includes plots of sounding elevations and contour information and a Scour Plan of Action (POA).

Bidders are hereby advised that the attached documents are provided as information only and neither MDOT nor AHTD are responsible for the accuracy or interpretation of the information. Bidders are hereby advised to obtain their own data for their purposes.

130.38' water elev. (corrected) PIER 12 EXTENDED SOUNDINGS 6-18-2002

	30'	20'	10'	5'	EDGE	CENTER	EDGE	5'	10'	20'	30'
40' UP	106'	107'	111'	109'	106'	104'	107'	109'	111'	105'	102'
30' UP	110'	111'	115'	113'	110'	109'	109'	110'	113'	112'	105'
20' UP	114'	109'	113'	112'	111'	111'	110'	110'	109'	105'	109'
10' UP	98'	109'	109'	107'	102'	102'	100'	96'	90'	90'	110'
5' UP	104'	104'	61'	56'	54'	XX	53'	86'	88'	89'	107'
EDGE	104'	104'	61'	56'	54'	PIER 12	53'	86'	88'	89'	107'
CL	110'	96'	56'	XX	XX		XX	54'	87'	104'	105'
EDGE	109'	94'	99'	83'	XX		XX	55'	61'	99'	100'
5' DN	99'	94'	76'	85'	83'	80'	XX	74'	55'	56'	93'
10' DN	98'	94'	76'	86'	83'	80'	79'	76'	54'	57'	91'
20' DN	96'	100'	77'	83'	85'	85'	84'	79'	54'	56'	85'
30' DN	96'	99'	78'	84'	82'	85'	83'	83'	53'	54'	79'
40' DN	97'	99'	81'	85'	86'	88'	87'	86'	61'	53'	71'

111.28 water elev. (corrected) PIER 12 EXTENDED SOUNDINGS 8-5-2002

	30'	20'	10'	5'	EDGE	CENTER	EDGE	5'	10'	20'	30'
40' UP	86'	89'	91'	91'	91'	85'	85'	85'	84'	84'	84'
30' UP	91'	94'	90'	93'	90'	98'	98'	95'	96'	93'	84'
20' UP	99'	102'	93'	97'	93'	101'	96'	95'	98'	46'	93'
10' UP	103'	101'	100'	101'	100'	100'	94'	90'	86'	98'	94'
5' UP	103'	102'	93'	95'	98'	37'	43'	93'	88'	85'	91'
EDGE	104'	40'	31'	37'	37'	PIER 12	36'	45'	44'	69'	40'
CL	80'	80'	37'	42'	55'		54'	37'	40'	63'	80'
EDGE	77'	83'	56'	55'	56'		53'	45'	36'	66'	68'
5' DN	75'	80'	58'	66'	82'	55'	59'	51'	36'	41'	59'
10' DN	77'	80'	68'	65'	63'	59'	61'	54'	61'	37'	50'
20' DN	78'	87'	61'	61'	61'	66'	63'	57'	60'	38'	47'
30' DN	83'	85'	81'	80'	81'	75'	72'	68'	57'	43'	47'
40' DN	91'	89'	86'	84'	82'	80'	75'	71'	69'	55'	45'

122.48' water elev. (corrected) PIER 12 EXTENDED SOUNDINGS 6-30-2003

	30'	20'	10'	5'	EDGE	CENTER	EDGE	5'	10'	20'	30'
40' UP	89'	88'	89'	89'	89'	96'	93'	90'	85'	86'	86'
30' UP	89'	88'	92'	96'	90'	100'	96'	93'	86'	89'	87'
20' UP	92'	90'	100'	102'	101'	102'	100'	97'	96'	99'	91'
10' UP	98'	103'	103'	104'	103'	103'	101'	99'	99'	101'	94'
5' UP	100'	107'	108'	105'	105'	52'	52'	88'	86''	98'	98'
EDGE	110'	106'	55'	55'	52'	PIER 12	53'	53'	53'	81'	94'
CL	104	101'	54'	55'	XX		XX	52'	52'	80'	87''
EDGE	99'	96'	60'	62'	98'		XX	52'	53'	73'	72''
5' DN	96'	98'	97'	97'	97'	XX	69'	58'	54'	53'	68'
10' DN	94'	97'	97'	98'	97'	67'	71'	60'	62'	54'	66'
20' DN	100'	100'	99'	99'	99'	81'	73'	68'	63'	54'	62'
30' DN	102'	103'	100'	102'	100'	80'	73'	71'	71'	56'	62'
40' DN	99'	102'	103'	103'	103'	85'	81'	79'	77'	63'	60'

111.83' water elev. PIER 12 EXTENDED SOUNDINGS 8-18-2003

	30'	20'	10'	5'	EDGE	CENTER	EDGE	5'	10'	20'	30'
40' UP	76'	84'	75'	75'	74'	76'	75'	74'	75'	72'	72'
30' UP	77'	88'	87'	86'	86'	87'	91'	92'	89'	74'	74'
20' UP	79'	95'	95'	93'	93'	94'	93'	93'	93'	78'	80'
10' UP	86'	93'	95'	95'	94'	93'	91'	90'	90'	89'	82'
5' UP	93'	91'	88'	93'	90'	41'	81'	77'	83'	90'	84'
EDGE	101'	90'	42'	41'	40'	PIER 12	53'	52'	51'	69'	80'
CL	96''	90'	47'	47'	62'		41'	44'	49'	71'	65'
EDGE	84'	94'	53'	51''	64'		59'	55'	43'	45'	63'
5' DN	86'	87'	66'	90'	65'	60'	60'	59'	42'	47'	61
10' DN	87'	88'	67'	87'	67'	79'	57'	60'	49'	42'	60'
20' DN	87'	90''	85'	85'	87'	82'	59'	64'	57'	44'	45'
30' DN	88'	87'	86'	86'	88'	84'	64'	61'	61'	46'	47'
40' DN	86'	85'	85'	86'	85'	84'	64'	72'	62'	52'	53'

8-18-2003

It now appears that the barge is either sliding down the pier or is collapsing vertically. The latest soundings also show that the barge has a more pronounced wrap around the north end of the pier. This is could be the result of increased hydraulic pressure against the barge during several high flow events in the past few months.

The approximate dimensions of the barge is 195' L' X 65' W.

XX= No reading due to turbulence.

BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell

Date 10/18/2006

Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

103.63' Water elev.					PIER 12 EXTENDED SOUNDINGS				11-13-2003		
	30'	20'	10'	5'	EDGE	CENTER	EDGE	5'	10'	20'	30'
40' UP	74	77	82	74	83	79	78	75	77	68	71
30' UP	79	85	89	83	88	89	89	81	87	70	75
20' UP	87	90	92	89	89	91	82	89	89	76	77
10' UP	93	91	91	90	91	81	45	77'	76'	79'	81'
5' UP	91	91	90	91	84	34	34	52'	51'	69'	83'
EDGE	87	90	92	92	84	PIER 12	34	40	44	69	81
CL	74	79	56	55	54		52	36	40	68	83
EDGE	75	81	57	52	52		56	53	35	70	76
5' DN	77	82	58	53	56	57	56	51	50	40	64
10' DN	81	83	59	60	60	59	58	51	54	34	53
20' DN	77	83	60	61	64	68	54	56	57	41	56
30' DN	81	85	78	80	78	75	68	57	56	37	58
40' DN	82	83	83	83	79	76	72	60	56	36	78

113.58 water elev.					PIER 12 EXTENDED SOUNDINGS				8-4-2004		
	30'	20'	10'	5'	EDGE	CENTER	EDGE	5'	10'	20'	30'
40' UP	92	100	99	98	82	81	77	81	87	94	86
30' UP	95	101	102	100	101	92	102	97	91	88	95
20' UP	97	100	101	102	103	101	101	93	88	87	92
10' UP	100	94	100	103	104	104	100	87	87	84	91
5' UP	101	XX	XX	XX	XX	XX	XX	XX	XX	XX	78
EDGE	100	XX	XX	XX	XX	PIER 12	XX	XX	85	71	75
CL	96	92	78	78	59		57	43	53	65	61
EDGE	90	88	78	81	59		55	40	40	46	61
5' DN	89	88	92	89	58	59	58	42	39	43	58
10' DN	79	93	92	84	85	77	65	46	40	41	43
20' DN	74	80	93	92	86	86	64	53	44	40	44
30' DN	76	74	80	86	86	69	74	61	42	43	46
40' DN	76	77	86	87	71	77	75	72	61	42	47

Water elev. 114.43'					PIER 12 EXTENDED SOUNDINGS						3-29-2005
	30'	20'	10'	5'	EDGE	CENTER	EDGE	5'	10'	20'	30'
40' UP	103	106	98	97	90	92	90	97	90	97	81
30' UP	109	108	100	102	102	99	100	100	94	93	83
20' UP	109	108	105	104	105	100	103	97	95	98	85
10' UP	110	109	107	102	103	102	100	94	97	99	86
5' UP	109	113	107	100	102	50	54	80	97	94	87
EDGE	108	92	98	63	61	PIER 12	50	76	92	82	90
CL	100	92	67	84	88		42	46	81	76	90
EDGE	96	89	98	88	84		44	45	53	78	91
5' DN	95	88	92	89	94	60	58	44	44	73	87
10' DN	95	89	94	91	72	68	60	45	48	67	73
20' DN	99	93	91	94	84	76	65	42	47	55	60
30' DN	97	94	89	99	99	77	68	49	48	49	55
40' DN	96	99	97	101	99	78	70	64	52	46	52

Water elev. 108.63'					PIER 12 EXTENDED SOUNDINGS						09-06-2005
	30'	20'	10'	5'	EDGE	CENTER	EDGE	5'	10'	20'	30'
40' UP	92	91	90	94	83	94	89	88	92	71	64
30' UP	97	95	98	101	94	94	94	91	98	71	64
20' UP	98	100	101	100	98	95	96	92	92	84	75
10' UP	103	104	104	98	96	98	94	88	88	88	79
5' UP	104	103	95	96	96	XX	44	90	85	90	81
EDGE	100	92	94	55	55	PIER 12	43	44	84	75	84
CL	98	78	58	78	82		39	40	44	67	80
EDGE	88	89	76	78	86		40	40	40	43	69
5' DN	85	89	86	84	89	54	52	43	39	40	57
10' DN	83	86	89	86	80	61	54	45	46	41	53
20' DN	82	93	90	89	81	66	56	49	57	42	50
30' DN	88	92	91	92	88	63	61	57	59	42	47
40' DN	91	91	91	95	88	61	62	61	62	46	48

BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
Date 10/18/2006
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

Water elev. 114.13'	PIER 12 SOUNDINGS									04/04/2006
	30'	20'	10'	5'	EDGE	CENTER	EDGE	5'	10'	20'	30'
40' UP	99'	98'	98'	97'	92'	97'	97'	97'	94'	90'	81'
30' UP	100'	100'	100'	102'	102'	99'	100'	100'	97'	94'	83'
20' UP	100'	100'	103'	103'	103'	100'	101'	97'	98'	95'	85'
10' UP	101'	103'	104'	101'	101'	101'	100'	94'	99'	97'	86'
5' UP	103'	104'	100'	97'	97'	53'	85'	70'	92'	85'	85'
EDGE	104'	104'	43'	45'	45'	PIER 12	55'	54'	52'	70'	82'
CL	109'	103'	44'	45'	63'		42'	46'	51'	73'	67'
EDGE	113'	101'	55'	46'	65'		59'	56'	45'	45'	65'
5' DN	117'	99'	92'	89'	93'	62'	61'	60'	44'	48'	62'
10' DN	103'	89'	93'	91'	70'	80'	58'	61'	51'	43'	57'
20' DN	99'	93'	90'	94'	84'	82'	57'	65'	59'	45'	46'
30' DN	94'	94'	88'	97'	95'	83'	67'	62'	62'	46'	48'
40' DN	94'	99'	95'	97'	97'	84'	67'	75'	62'	53'	53'

Water elev. 103.53'	PIER 12 EXTENDED SOUNDINGS									10/18/2006
	30'	20'	10'	5'	EDGE	CENTER	EDGE	5'	10'	20'	30'
40' UP	93	90	90	95	93	91	91	91	91	91	78
30' UP	94	94	93	92	93	94	91	82	92	88	80
20' UP	94	92	88	90	31	96	88	71	89	85	82
10' UP	96	94	78	95	91	89	75	67	81	85	81
5' UP	98	88	77	98	80	35	34	36	69	80	81
EDGE	80	88	76	96	53	PIER 12	34	34	36	61	78
CL	78	76	74	55	55		53	36	35	62	67
EDGE	77	75	73	55	59		56	47	34	40	61
5' DN	80	73	55	70	61	60	58	56	46	35	47
10' DN	75	75	55	79	64	62	59	58	47	35	47
20' DN	76	80	55	82	79	63	58	57	49	35	45
30' DN	80	81	72	81	81	76	67	63	52	35	40
40' DN	80	81	80	80	82	79	70	69	51	36	36

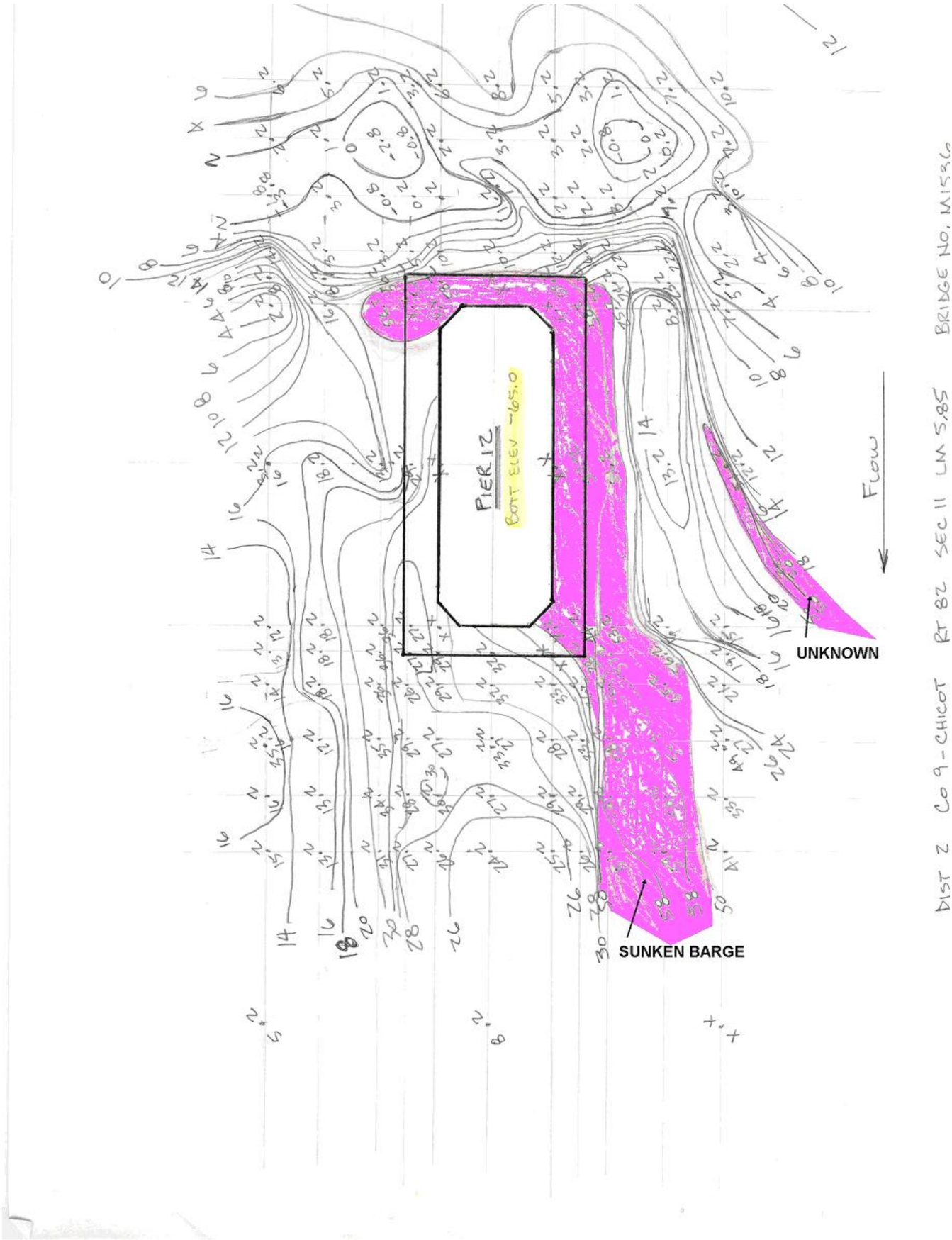
	PIER 12 EXTENDED SOUNDINGS									
	30'	20'	10'	5'	EDGE	CENTER	EDGE	5'	10'	20'	30'
40' UP											
30' UP											
20' UP											
10' UP											
5' UP											
EDGE						PIER 12					
CL											
EDGE											
5' DN											
10' DN											
20' DN											
30' DN											
40' DN											

Water elev. 108.63'	PIER 12 EXTENDED SOUNDINGS									
	30'	20'	10'	5'	EDGE	CENTER	EDGE	5'	10'	20'	30'
40' UP											
30' UP											
20' UP											
10' UP											
5' UP											
EDGE						PIER 12					
CL											
EDGE											
5' DN											
10' DN											
20' DN											
30' DN											
40' DN											

BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
Date 10/18/2006
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

JUNE 18, 2002

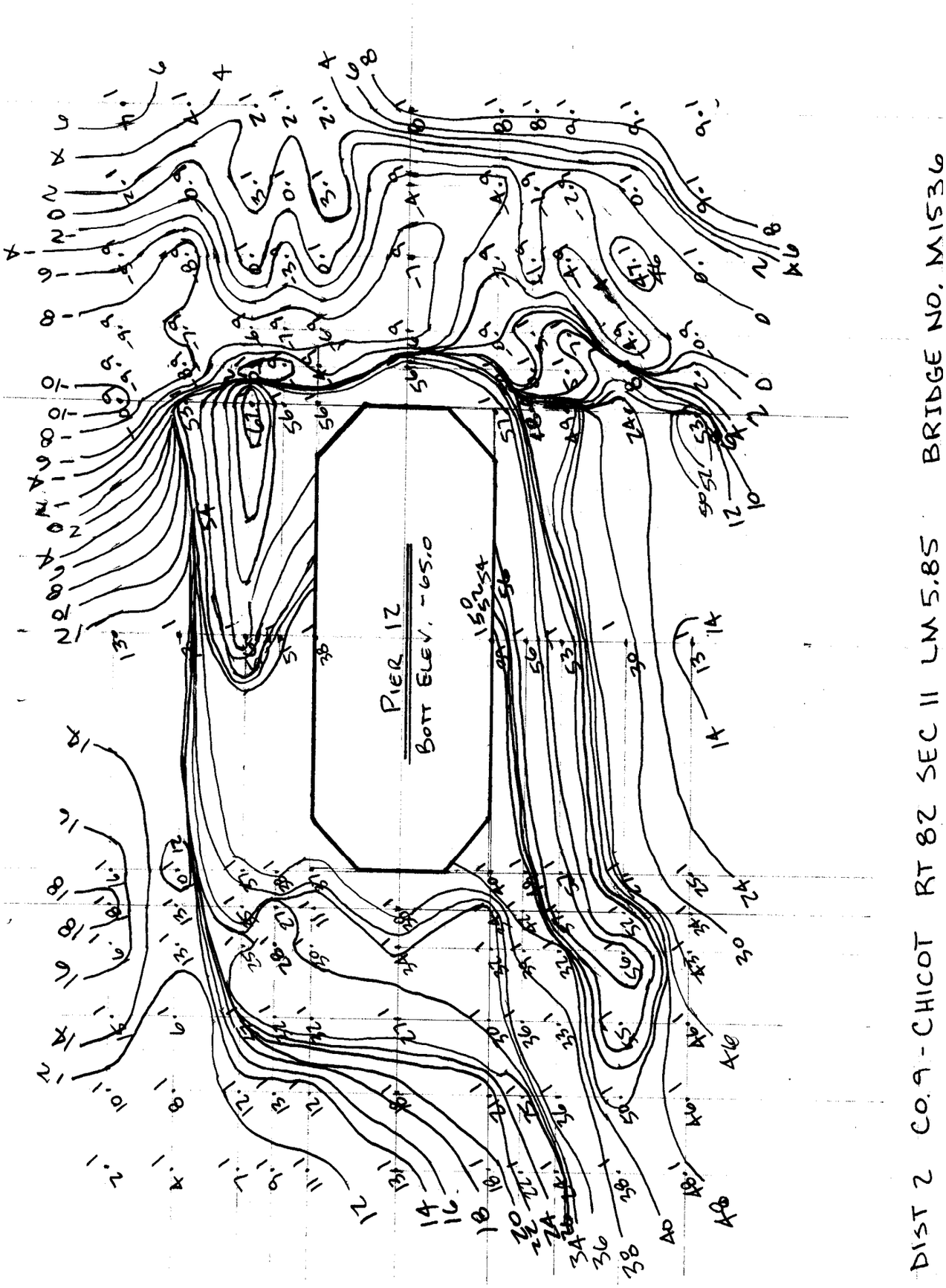


NOTE: Mistake in H2O elevations on last three special inspections at Pier 12!
Corp of Engineers informed me on 6-18-2002 that zero elevation on the gauge was 70.37'. Actual zero elevation on the gauge is 88.53'. There is a – 18.16' error on all H2O levels from 6/18/2002 to 6/30/2003. H2O elevation show on this report is correct. H2O elevations are taken from the U.S. Corps of Engineers Gauge at Greenville.

BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
Date 10/18/2006
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

AUGUST 5, 2002



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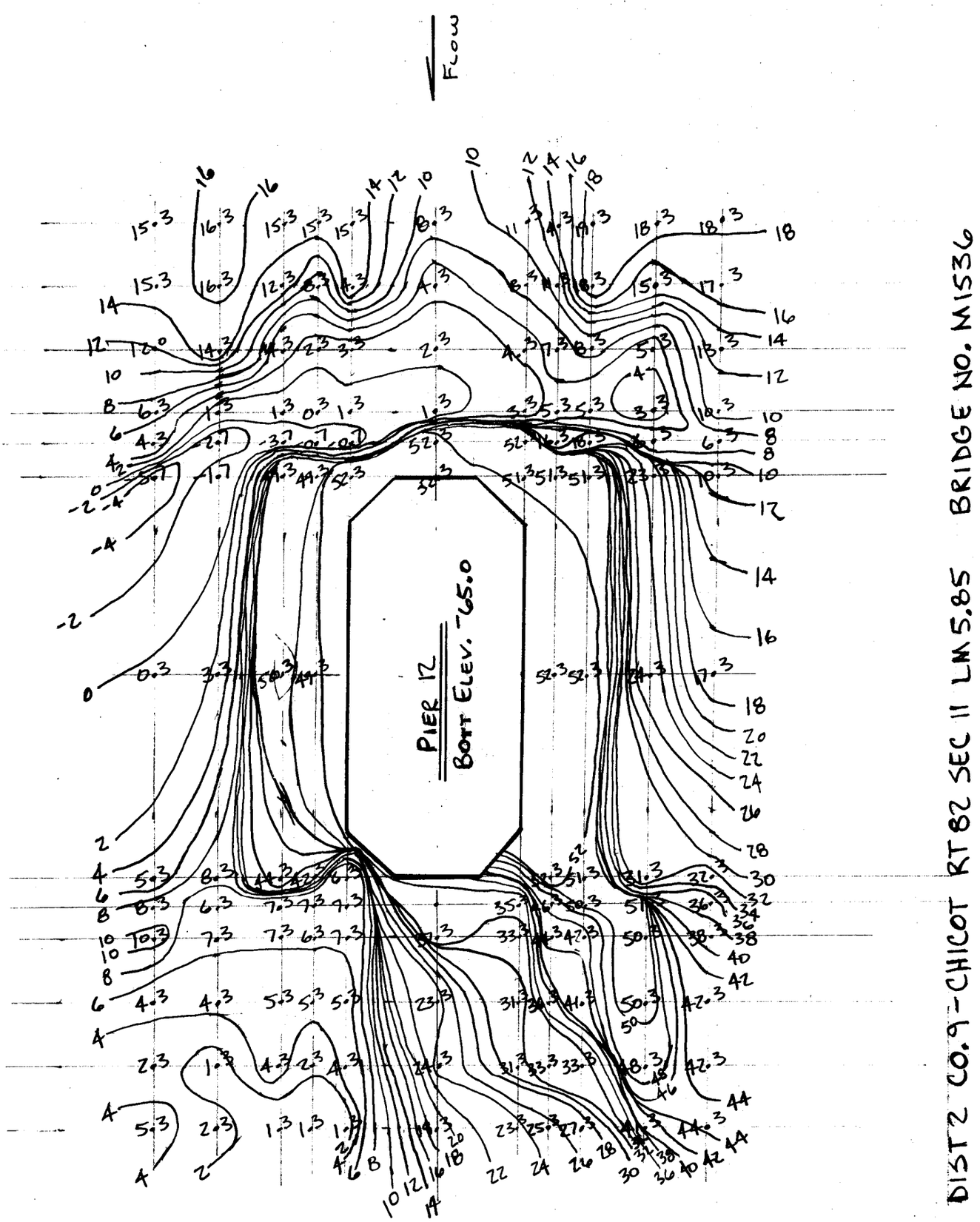
BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
Date 10/18/2006
Dist 2 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

JUNE 30, 2003



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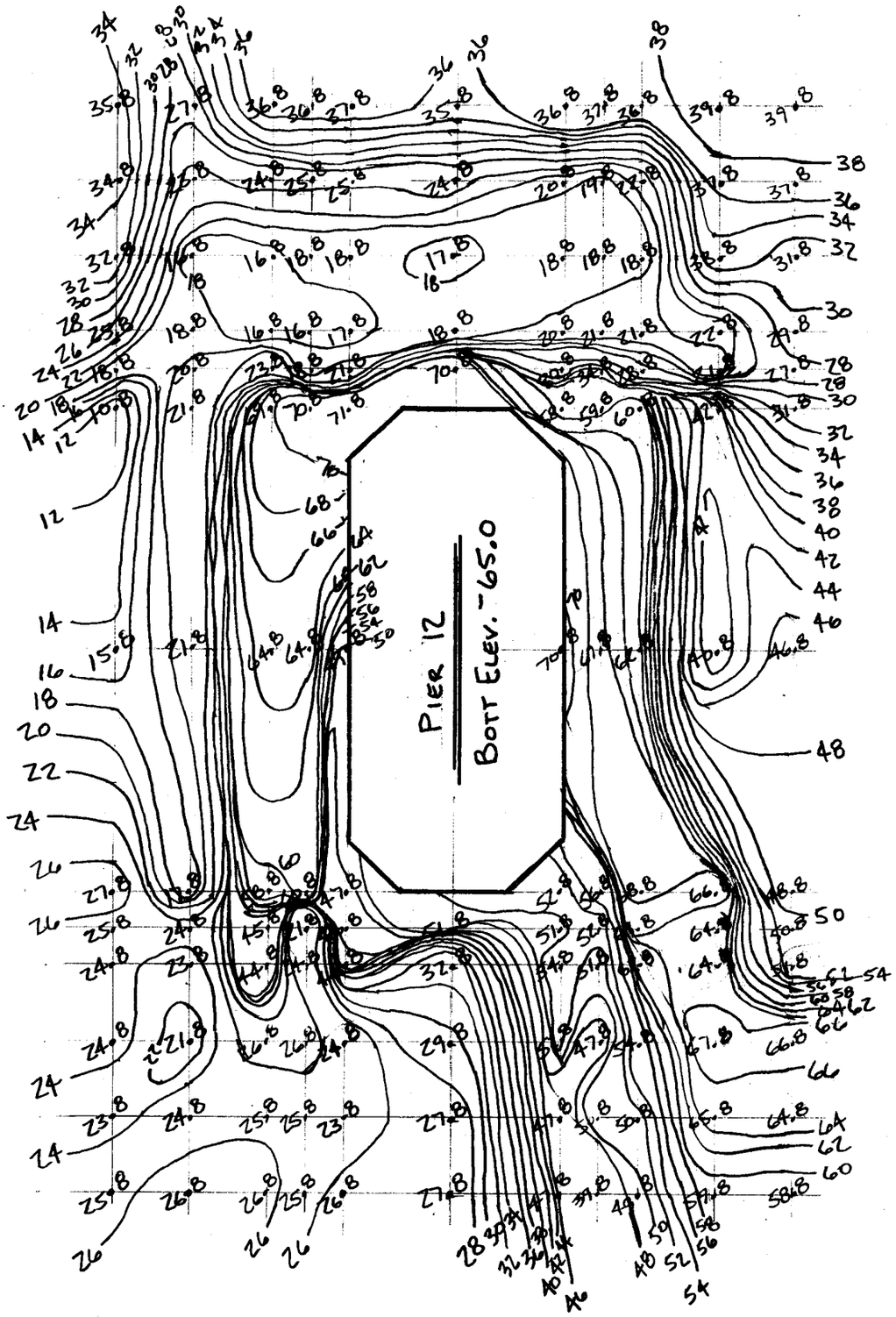
BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
Date 10/18/2006
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

AUGUST 18, 2003



BRIDGE INSPECTION REPORT
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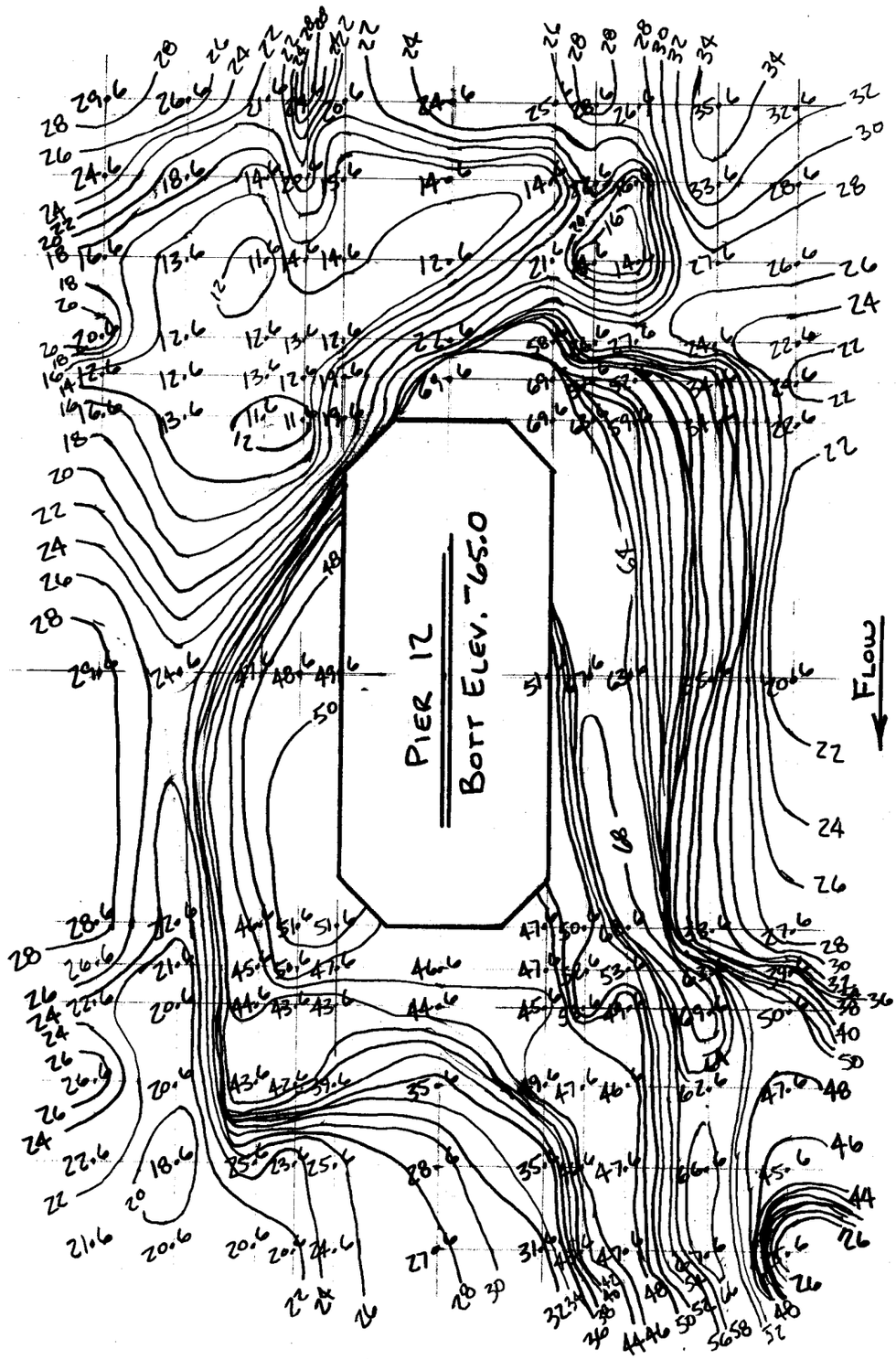
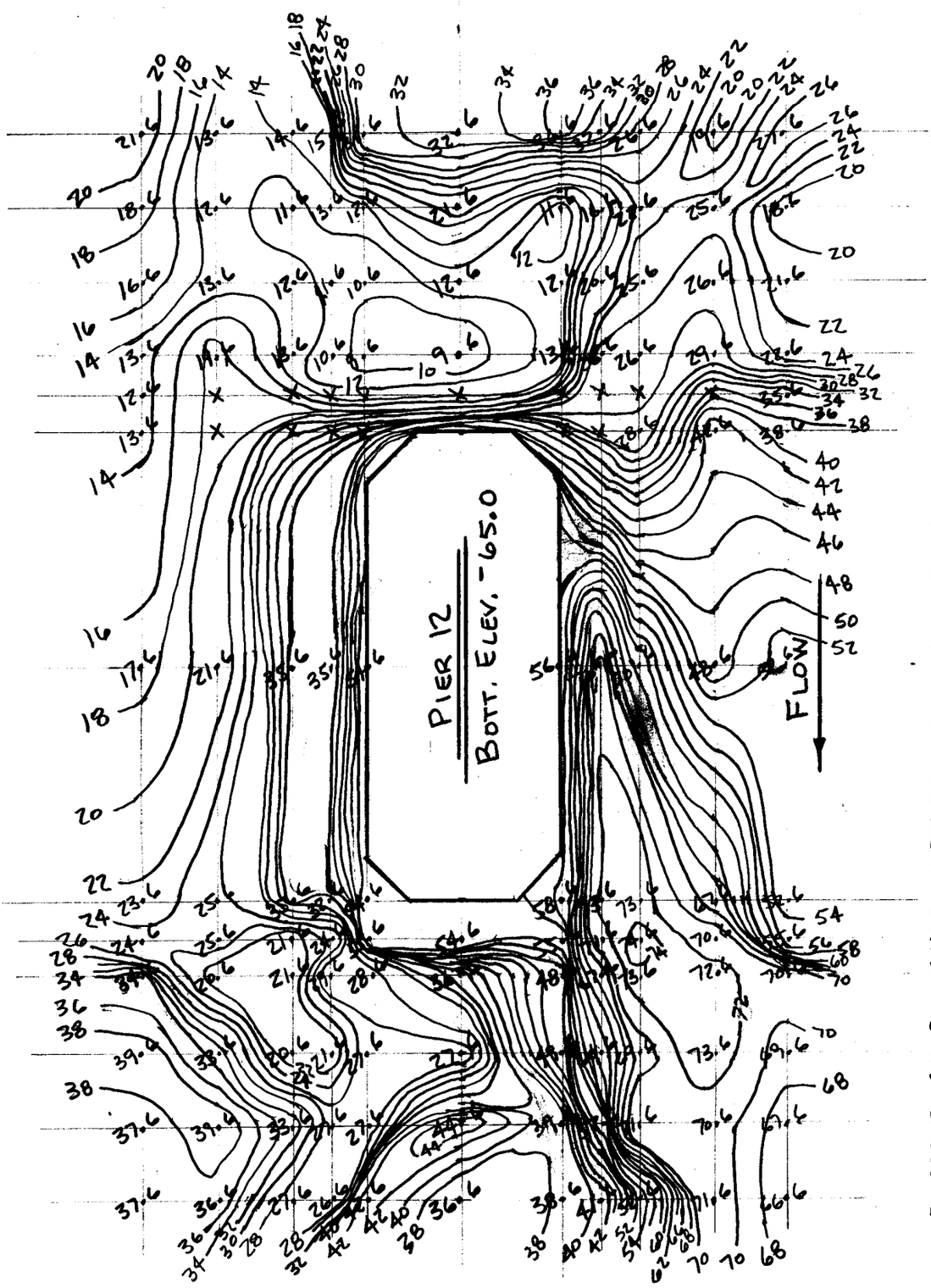
Inspected by D.Boutwell
Date 10/18/2006
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

NOV. 13, 2003



BRIDGE INSPECTION REPORT
NBIS-FORM III

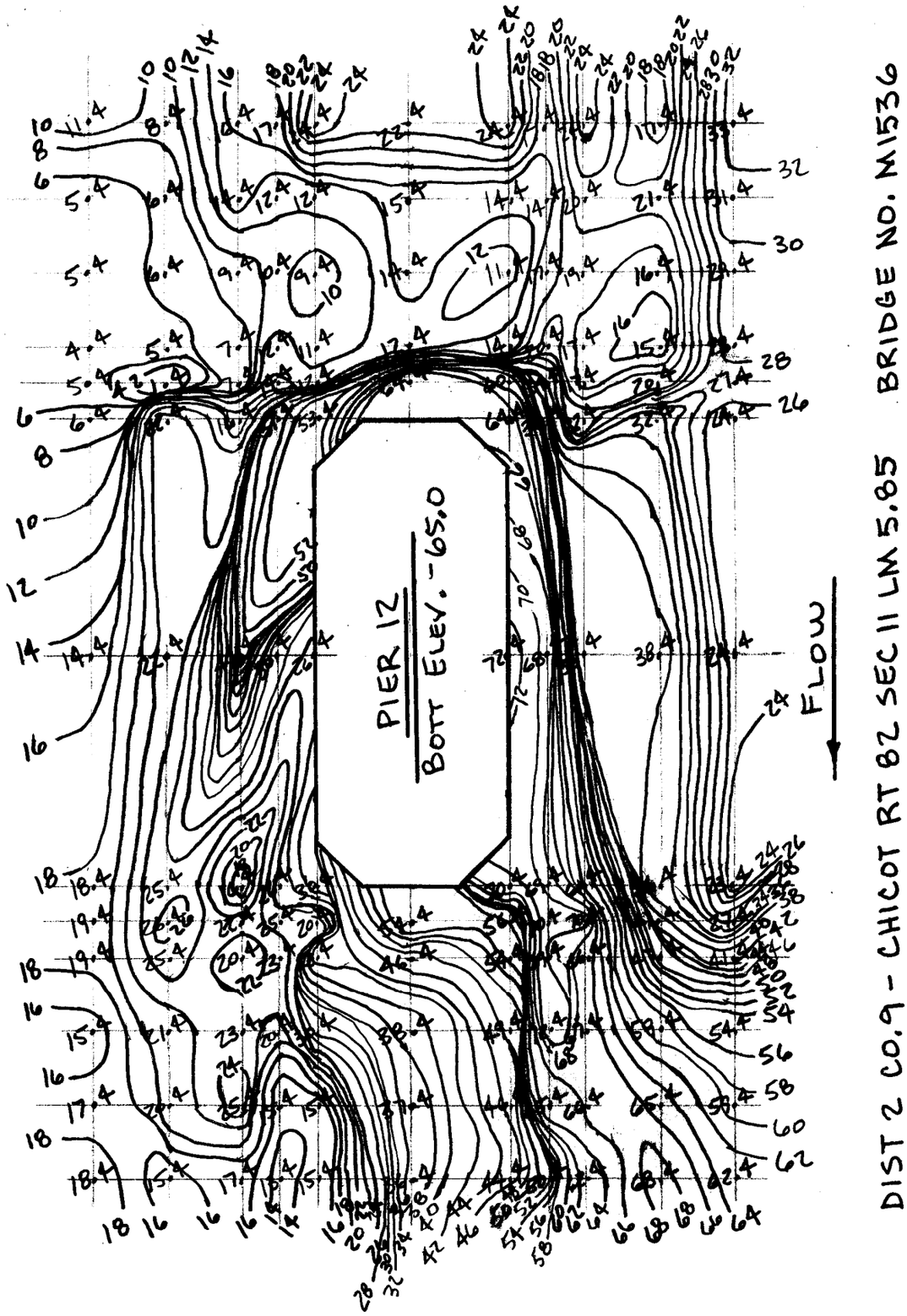
Inspected by D.Boutwell
Date 10/18/2006
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536



BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
Date 10/18/2006
Dist 02 **Co** 9-CHICOT **Rte** 82 **Sect** 11/0 **Log** 5.85 **Bridge** M1536

March 29, 2005



BRIDGE INSPECTION REPORT
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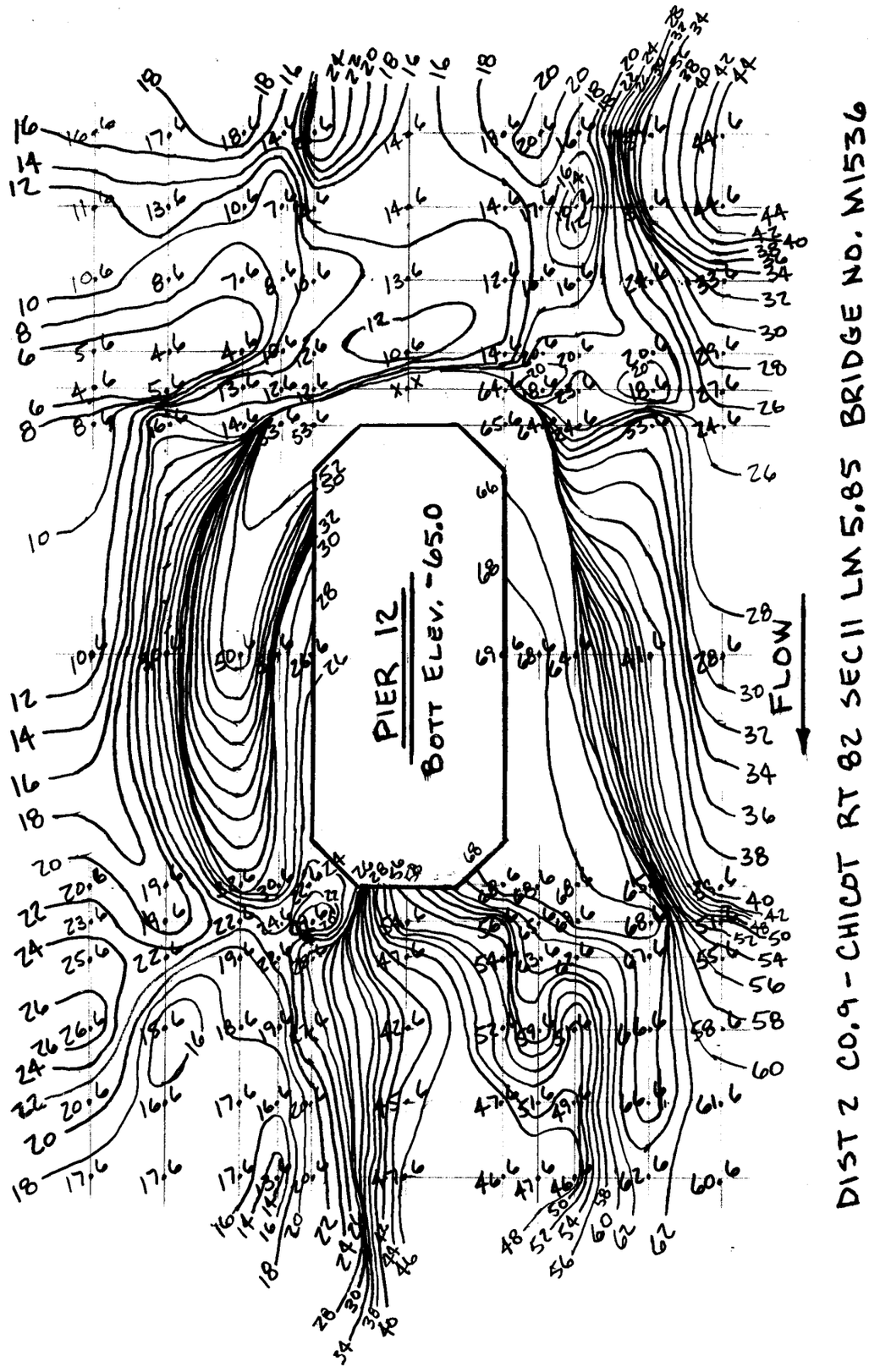
Inspected by D.Boutwell
Date 10/18/2006
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

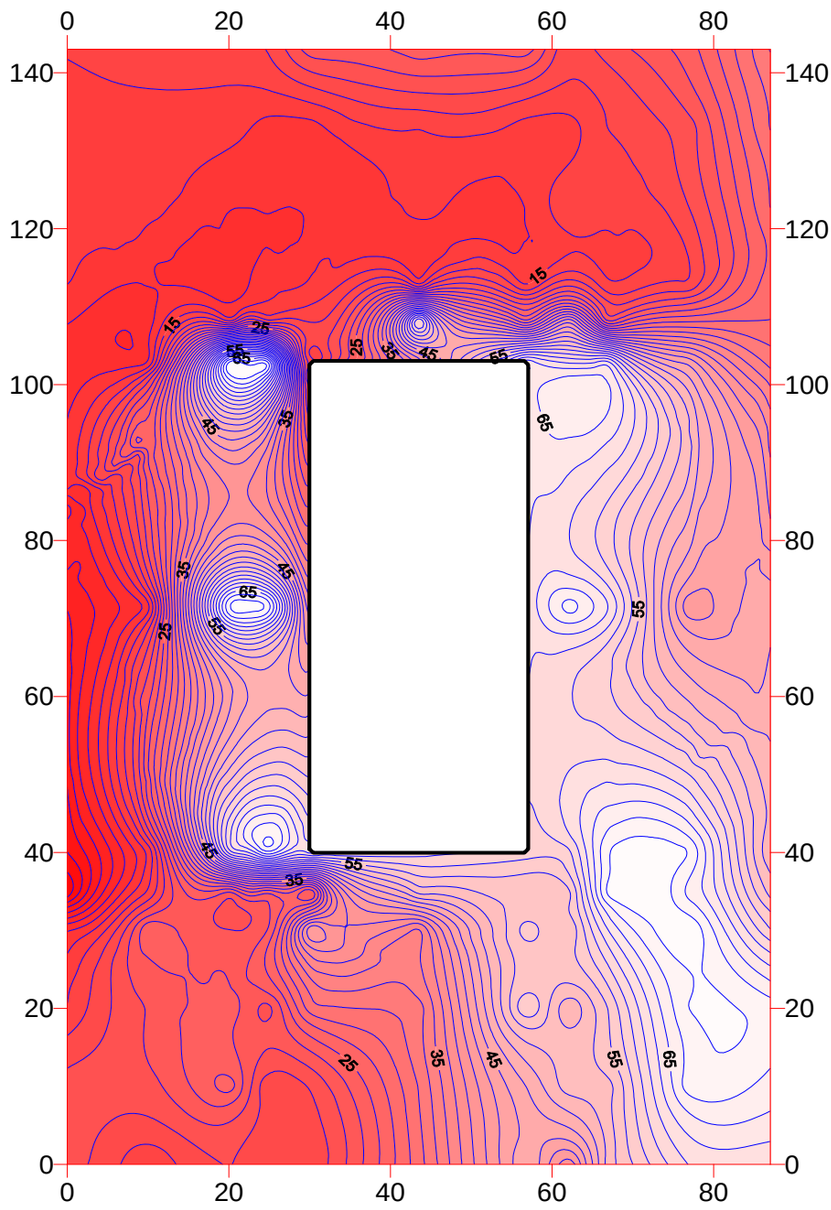
September 9, 2005



BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
Date 10/18/2006
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

April 4, 2006

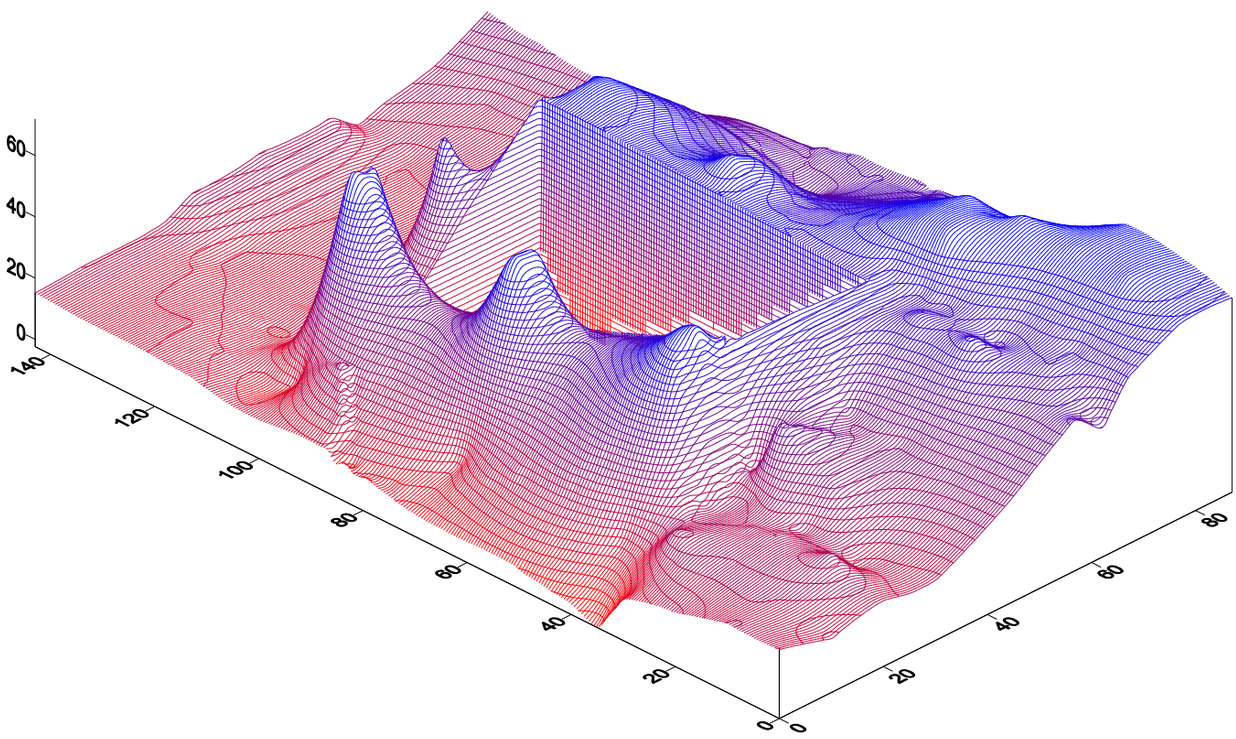


Greenville Bridge
Pier 12 Elevations
4/4/06

BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
Date 04/03/2006
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

April 4, 2006

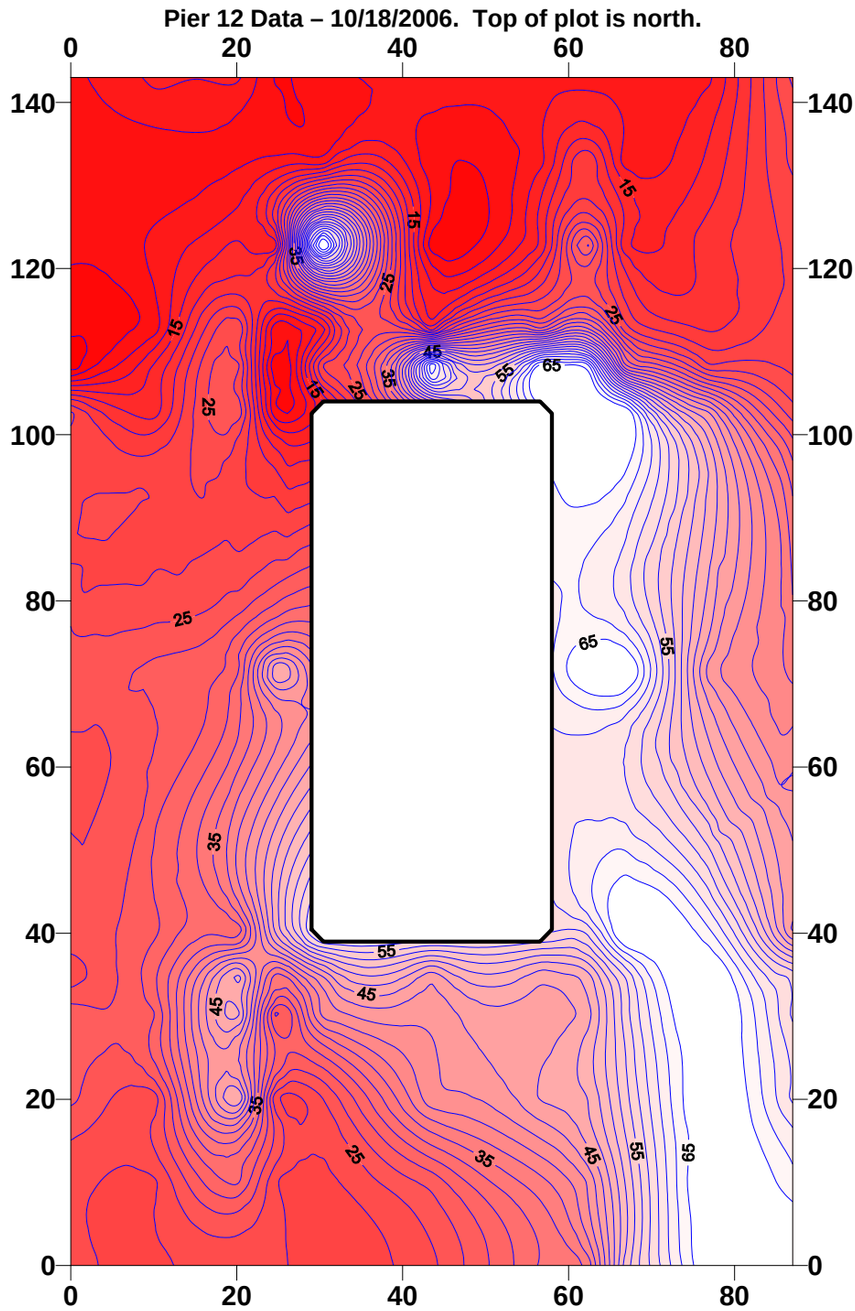


Pier 12 Data – 4/4/06. Upper corner of plot is NE.

BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
Date 04/03/2006
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

October 18, 2006



BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
Date 10/18/2006
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

SCOUR POA AND SPECIAL INSPECTION AT PIER 12.

CHANNEL SOUNDINGS, SCOUR POA

WATER ELEVATION = 93.89' MSL

50' DWNSTREAM	100' DWNSTREAM	CENTER	50' UPSTREAM	100' UPSTREAM
0'	0'	0'	0'	0'
7'	4'	6'	4'	5'
16'	13'	13'	17'	25'
36'	30'	28'	28	32'
47'	49'	39'	34'	38'
54'	58'	55'	40'	41'
56'	57'	59'	59'	59'
71'	65'	62'	65'	70'
81'	76'	67'	69'	76'
91'	90'	81'	81'	84'
91'	92'	88'	87'	85'
90'	92'	89'	86'	85'
94'	97'	93'	88'	84'
100'	102'	101'	101'	84'
83'	78'	91'	104'	89'
70'	59'	PIER 12	95'	95'
40'	56'	64'	88'	95'
51'	61'	64'	94'	81'
85'	64'	85'	83'	78'
83'	85'	82'	79'	77'
82'	81'	80'	79'	78'
80'	79'	79'	78'	78'
77'	78'	79'	79'	79'
77'	78'	79'	80'	77'
76'	79'	79'	79'	75'
77'	79'	78'	76'	73'
78'	79'	77'	74'	73'
77'	76'	75'	73'	72'
76'	75'	73'	71'	72'
75'	73'	73'	72'	72'
76'	73'	72'	73'	73'
75'	74'	74'	74'	73'
63'	70'	63'	64'	61'
51'	54'	50'	53'	51'
57'	55'	52'	52'	51'
59'	58'	PIER 11	51'	51'
51'	50'	51'	52'	52'
51'	49'	47'	50'	50'
47'	45'	42'	42'	43'
30'	35'	38'	37'	38'
28'	31'	33'	32'	33'

BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
T. Dixon
Date 8/27/2008
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

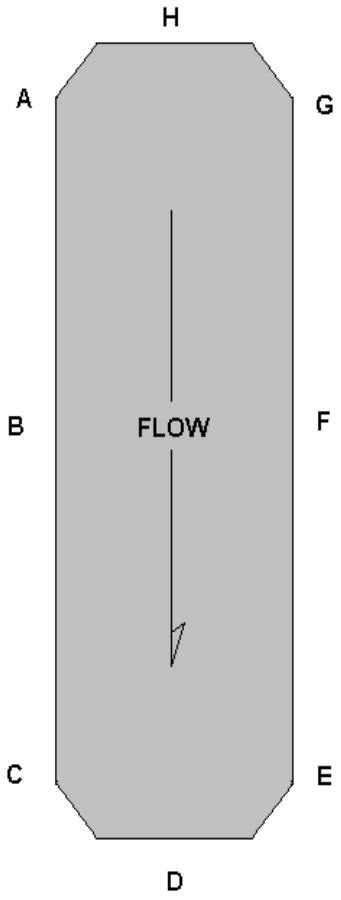
CHANNEL SOUNDINGS, SCOUR POA

WATER ELEVATION = 93.89' MSL

50' DWNSTREAM	100' DWNSTREAM	CENTER	100' UPSTREAM	50' UPSTREAM
24'	25'	30'	32'	30'
25'	27'	29'	28'	28'
22'	24'	26'	24'	27'
18'	23'	23'	25'	25'
17'	20'	21'	24'	20'
18'	20'	20'	19'	14'
17'	17'	17'	16'	11'
12'	14'	11'	12'	9'
7'	8'	8'	10'	10'
3'	5'	6'	9'	8'
2'	4'	PIER 10	6'	7'
5'	6'	5'	5'	7'
6'	4'	3'	5'	5'
7'	3'	3'	4'	4'
4'	1'	1'	2'	3'
0'	0'	0'	0'	0'

PIER 10			
	EDGE	10	20’
A	9’	8’	7’
B	8’	8’	7’
C	5’	7’	5’
D	5’	5’	3’
E	7’	6’	4’
F	4’	5’	4’
G	9’	7’	4’
H	7’	5’	6’

PIER 11			
	EDGE	10	20
A	48’	48’	49’
B	51’	51’	52’
C	55’	54’	54’
D	52’	57’	59’
E	49’	50’	51’
F	50’	51’	49’
G	53’	50’	49’
H	52’	54’	51’



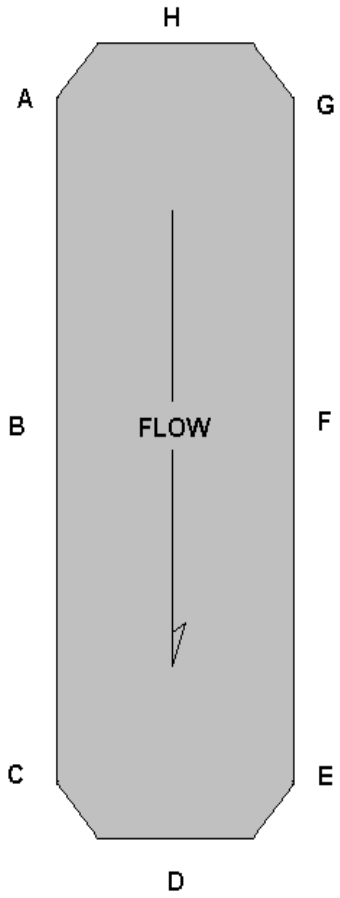
WATER ELEV. 93.89’ MSL

CHANNEL SOUNDINGS, SCOUR POA.

BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
T. Dixon
Date 8/27/2008
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

PIER 12			
	EDGE	10	20
A	59’	59’	82’
B	58’	58’	72’
C	58’	59’	71’
D	56’	70’	68’
E	55’	54’	56’
F	58’	58’	38’
G	38’	39’	44’
H	39’	41’	85’



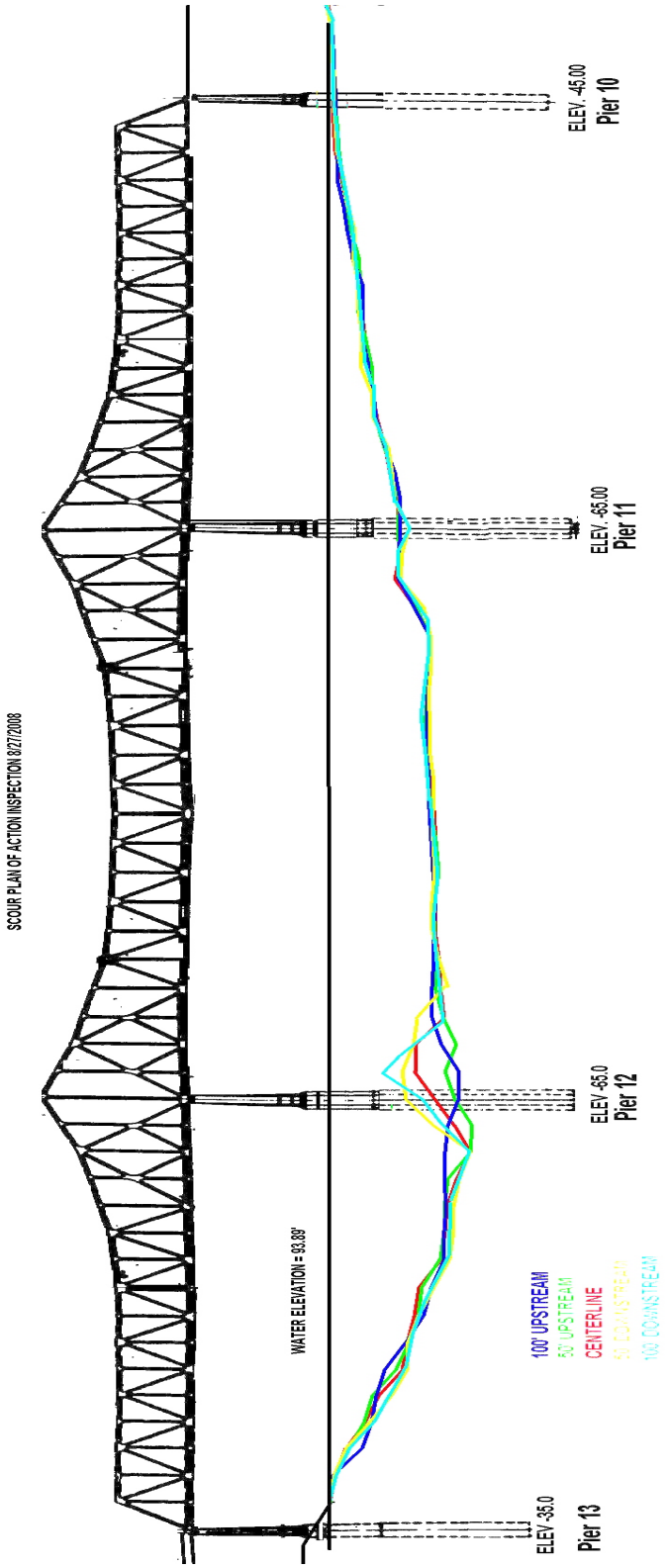
WATER ELEV. 93.89’ MSL

CHANNEL SOUNDINGS, SCOUR POA.
CHANNEL APPEARS TO BE STABLE WITH NO SCOUR UR LATERAL CHANNEL MOVEMENT SINCE THE FLOOD EVENT.

BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
T. Dixon
Date 8/27/2008
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

CHANNEL SOUNDINGS, SCOUR POA



BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
T. Dixon
Date 8/27/2008
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

SPECIAL INSPECTION

PIER SOUNDINGS AT 6-MONTH FREQUENCY DUE TO BARGE SUNK AT PIER 12.

Water elev.= 93.89' | **PIER 12 SOUNDINGS** | **08/27/2008**

	30'	20'	10'	5'	EDGE	CENTER	EDGE	5'	10'	20'	30'
40' UP	92	91	90	94	83	94	89	88	92	71	64
30' UP	97	95	98	101	94	94	94	91	98	71	64
20' UP	98	100	101	100	98	95	96	92	92	84	75
10' UP	102	101	101	98	96	98	94	88	88	88	79
5' UP	101	102	95	96	96	39	44	90	85	90	81
EDGE	100	92	94	55	55	PIER 12	38	44	84	75	84
CL	98	78	58	78	82		55	38	44	67	80
EDGE	88	89	76	78	86		40	40	38	43	69
5' DN	85	89	86	84	89	54	52	43	39	40	57
10' DN	83	86	89	86	80	61	54	45	46	41	53
20' DN	82	93	90	89	81	66	56	49	57	42	50
30' DN	88	92	91	92	88	60	61	57	59	42	47
40' DN	91	91	91	95	88	60	62	61	62	46	48

BRIDGE INSPECTION REPORT
NBIS-FORM III

Inspected by D.Boutwell
T. Dixon
Date 8/27/2008
Dist 02 Co 9-CHICOT Rte 82 Sect 11/0 Log 5.85 Bridge M1536

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO.1218M **CODE: (SP)**

DATE: 10/20/2009

SUBJECT: Pre-Bid Meeting Minutes and Related Questions

PROJECT: BRDP-9205-00(007) / 100332306 & 307 -– Washington County

The Bidder's attention is called to the attached documents which include Minutes from the October 6, 2009 Mandatory Pre-Bid Meeting, Questions MDOT has received since the Pre-Bid Meeting with Answers, and a copy of the Sign-In Sheets from the Pre-Bid Meeting.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION
PRE-BID CONFERENCE

PRE-BID CONFERENCE

A Pre-Bid Conference was had at the auditorium of the Mississippi Department of Transportation at 401 North West Street, Jackson, Mississippi, on October 6, 2009, commencing at 1:30 p.m., moderated by Mr. Brad Lewis.

Nancy G. Binder, CSR#1337
Post Office Box 25
Jackson, Mississippi 39205

MR. LEWIS: This is the Pre-Bid Meeting for the demolition project on the Greenville Bridge on U. S. Highway 82. We have a court reporter here so any questions at all, make sure to identify yourself or your company's name at least just so we can record all of this correctly.

Before we get started, I would like to take a quick poll. If you would have a representative of your company say who you are. I know Hill Brothers, but just to kind of get an idea of who all is here.

Keith Parks, Danny McAllister and John Hill from Hill Brothers.

Terry Boland and Dennis Rogers, APAC of Mississippi.

Sean Faye, Joseph B. Faye Company.

Frank Clark (name of company inaudible).

Rick Flores, Chicago Sports Facilities and PMG.

Gene Spencer, Brad Peterson Construction.

David Conn (inaudible) Technologies.

Wayne Burkhalter.

Mike Caulfield, Steve Hague, Harden Glass, HMPB Corporation.

Tom Boyles, Grant Construction Company.

Kathy Evanston (name of company inaudible) Recycling.

Rick (inaudible) Foundation Corporation.

Jack Langston, Key-Wit.

Walter Landis, Michael Baker.

Wood Construction.

MR. LEWIS: This is a mandatory Pre- Bid. This is the potential bidding group. We've got a sign-in sheet, a couple of sign-in sheets, going around somewhere. Make sure you get on that list. Does anybody see where it is? Okay, you've got it. I see we've only got one - we've got two. Before you get out of here today, before we get through, make sure you're on that list. We don't want to have any issues with that coming up down the road.

Before we get started, my name is - what we will do, the Pre-Bid minutes from this meeting will be incorporated into an addendum so everybody will have it, including the sign-in sheets.

My name is Brad Lewis. I'm the State Construction Engineer for MDOT. You have three Assistant Chiefs in the back; Federal Highway;

and various other MDOT personnel. With that, we will turn it over to Durwood.

DURWOOD: Good afternoon everybody. On behalf of District Three, I would like to welcome everybody. We really appreciate the turn out we got here. It looks like a great turn out. I am the Assistant District Engineer in District Three and I'm over all the construction operations. My boss, Mr. Kevin MaGee, happens to be in Montana on a fly fishing trip today. So he's having a mental health week, but some of you will get to meet him at some point in time. He's a great guy and if find anybody in the room that knows him and ask them that, I think they will concur with that.

Like to take a minute - Mr. Steele Davis, if you will stand up back there - Steele will be handling the construction on this particular project. Steele will be the project engineer and he will be with y'all on a day to day basis, 24 hours a day, if needed. That's not new to us in any form or fashion.

The basic overview of the project is we got to basically put a riding surface on a bridge. We got to do a little work on the tie-ins for

the new bridge, and basically the biggest part of the work load is going to be taking down the old bridge. One thing that we're not actually concerned about, but one thing we would like to mention as a District, we had chosen through the consultants of the Bridge Division in District Three and we've all talked about it, we are going to put latex modified on this bridge deck, and when it's all said and done, and everybody is gone away from this project, and the big bridge is gone on the other end, we still got to ride across the new bridge. So even though there's a lot of emphasis on the demolition part of the bridge, we want to make sure that everybody is as concerned about the riding surface on the new bridge as we are.

With that, the gentlemen up front are going to handle all of the questions you may have, and I'm going to turn it back over to Mr. Lewis.

MR. LEWIS: I kind of forgot to mention this. Any time you've got a question or anything, just stop us up here. We've got - we're going to kind of go over a few areas in the contract itself. At that point, we will turn it over, and any questions anybody might

have. But as we go through any of this, if you've got a question, please stop us and we will answer the question as best we can.

Durwood mentioned the latex modified. We got the material folks here that helped put that together. So, with that, James.

MR. WILLIAMS: I'm James Williams. I'm the State Materials Engineer, and I'd like to take just a moment to talk about some of the requirements in Special Provision 907-506-1M, which deals with the latex modified concrete wearing surface. I'm going to talk about a few things. Most of these things I'm going to talk about require some time leading into the placement so this is some time that you need to think about as you are developing your schedule or what not for the project, and then I'm going to have Mike O'Brien, which is the Assistant State Materials Engineer, and Adam Browne, who is our concrete field engineer, to come up and talk about some of the easy technical stuff that they probably know more about than I do.

To start off, there are several things that require some time before you can actually go out and place concrete on the job. And the first one

being concrete mix design approval. The specs say that concrete mix designs need to be submitted to the Central Lab here in Jackson no later than 30 days before you plan to pour concrete on the job. That gives us time to check those mix designs and any issues we may have, it gives us a little time to go back and forth. So just bear in mind that 30 days. Doesn't mean it's going to take 30 days, but the contract has in there a 30 days minimum for us to have time to review those mix designs.

` Another item in that spec requires calibration of volumetric batching equipment. And this requires that the contractor contact the project engineer, who in this case is Steele Davis, seven days prior to that occurring so that we can get the logistics worked out. There will be some personnel from Central Lab to show up and actually monitor that along with the project officer's staff. So that's a seven day requirement there.

There are a few things that the contractor is required to submit prior to actually placing concrete on the job, and that - one of those items if a quality control plan. The contractor

will be responsible for developing a quality control plan for the concrete placed on the project, and that quality control plan will include, you know, your material requirements, but also your placement and handling of materials. So that's a comprehensive quality control plan that will have to be submitted and approved prior to placing concrete on the job.

Another thing that is required because this latex modified concrete is maybe a small part of this overall job, but it is a very important job, and a very important part as Durwood said. We've got some requirements for qualifications on the sub-contractor, or the contractor, responsible for doing the latex modified concrete. That's not only the production of it, but also the placement of it. So I draw your attention to that.

Probably the biggest time lag in that special provision is for a submittal that includes your qualification for the latex modified contractor, and approval of your method of construction. That needs to be submitted at least 45 days prior to placing the concrete, or at the pre-construction conference, either one.

That's really all I have. With that I'm going to call Mike and Adam to come talk about a few specifics that are a little bit out of the norm, maybe. A little bit different than our normal concrete.

MIKE O'BRIEN: We have some specifics on the type latex that's required to add to the mixture for the latex modified concrete. We have some requirements - we want to know what the brand name is and who the manufacturer is. We want test results that we need prior to submitting to make sure the material meets the requirements and specifications.

The contractor will need to supply a quality laboratory. On page 4 of the specifications, it lists the test methods which they will be performing for the project. Testing personnel has to be certified through ACI or Mississippi Concrete Industries, or MDOT requirements.

The concrete mix design, as James said, needs to be submitted 45 days prior, and the mixture proportions of the latex modified concrete, your minimum contents, and you got a total aggregate volume which tells you how much sand

needs to be in the mix. You have an amount of latex that is required, the percentage of the mix, and you got a maximum water cement ratio. There's no air allowed in latex modified concrete. You've got a lot of foaming when you use the latex materials, so you may have to add an anti-foam additive to keep the air down. The air is between zero and 6.5 percent. The proportions will be on the basis of a laboratory trial batch.

I'm going to get Adam to come up here and talk a little bit about the calibration of this continuous mixing concrete.

ADAM BROWNE: This is our first experience with this equipment - so as part of it, it's not your typical concrete batch plant. So every one of these batching trucks is going to have to be calibrated to ensure that the proportions that are in this design are being batched out to all the trucks. It's something that we're going to have to have some timely knowing of when y'all are planning to do that so we can be present and watch that and record that. I'm sure Steele is going to want to be involved in that.

From a construction side of things, we're

also looking to make sure that the riding surface, or the pre-cast surface, is very clean. One of the problems where latex modified does not work is if oil or dirt or grit or rubber from tires is on that surface where the latex cannot adhere. So we got some surface preparation requirements. They are on page 225. Make sure it's air blasted and sand blasted along with being wet, and the last thing I want to bring your attention to is something that is a bit latex modified specific is how the concrete is cured. It's wet cured for some time and then it's dry cured. Typically it's wet cured for the membrane, but that does not work with the latex. You've got to give it the opportunity to dry out, so to speak. If you have any questions, feel free to ask those.

MR. LEWIS: Okay. Next up on the agenda is Mitch Carr, the Bridge Engineer, and he's going to talk about the removal of the old bridge itself.

MR. CARR: Good afternoon. I recognize a few faces in the room, but there's a lot that I don't. I'm Mitch Carr, the Bridge Engineer, and we look forward to starting this job. It's been

six years, 10 years nearly, since beginning the job. Some of us have just about made a career out of this job.

I'm not going to read the entire special provisions section in case you're disappointed, but I'm just going to kind of touch on a few things. It's a pretty long spec. The basis of this spec provision, it's built around the safety of your workers, the safety of the public, and the waterway users. Minimizing the channel closures or impeding navigation, protecting the levees and surrounding structures, and also minimizing the environmental impact. So there's a lot of information in this special provision, and just because I don't talk about it doesn't mean we don't think it's important. There are a few things that I want to make sure you are aware of.

I guess I will go ahead and talk about the new addendum. There will be an addendum coming out. This special provision will change slightly. We have some draft copies - I guess you would call it that - here, so I would recommend everybody come by and get one. I may

touch on the areas that are changed, but with the exception of one area, there's not very much that would be changed.

This special provision does involve the removal and satisfactory disposal of the old bridge. One of the first changes is on the first page, the bottom paragraph, it deals with the public/community relations and setting up meetings with Lake Village in Greenville. Most of that paragraph goes away, and you'll be left with basically describing what the contractor is responsible for, and the last sentence about the key staff, and a toll free phone number key staff can be reached at any time, 24 hours a day, seven days a week, for the duration of the project.

Those items are still there, but you will not be required to do the public/community relations or those meetings.

There are some items to be salvaged on the project. On page 140 it describes 35 Roadway, light poles, and fixtures, which are located on either side of the roadway and on the bridge within the project limits.

Briefly, as far as removal elevations go,

the two main river piers, 11 and 12, must be removed down to or below Elevation 60 in the river. Piers 10 and 13 must be removed at least five feet below the ground line, and unless otherwise directed, all the other piers must be removed a minimum of one foot below the ground line.

And as a reminder, concrete rubble produced exclusively by the demolition of the main river piers, 11 and 12, may remain on the bottom of the river provided that no pieces of rubble or protruding rebar, or any other portion of the existing structure extend above Elevation 60.

Also I call your attention to the paragraph also in that section which warns you that in the past there have been barges that have collided with the old bridge. I do know, at least on the Arkansas side, once upon a time there was a barge that was wrapped around the face of the pier. Arkansas DOT has been monitoring it with sonar and it disappeared from their sonar, so we don’t know if is on the pier or if it just slid down below an elevation that they could detect it. But I draw your attention to the fact that there are sunken barges at those pier locations.

MR. FAYE: If we find and notify you and we take care of the pier body, but if we find a barge or something, is that also our responsibility?

MR. CARR: If it's above Elevation 60, you're responsible for getting it below Elevation 60.

MR. GENE SPENCER: Is there a way that we can get a copy of the latest sight scans to get an idea of what the elevations are at the piers as opposed to Elevation 60?

MR. CARR: I will see if I can get that. I can't guarantee how long it's been since they were made, but we will get that if we can. And that is also a question you had specifically. There is modification to that sentence, and I will go ahead and read that sentence the way it should be written. (Reading): "It will be the contractor's responsibility to inform the engineer if there are obstructions other than the pier body itself", and then this is going to be inserted, (reading): "Or the sunken barges referenced above that will require removal to clear Elevation 60 feet within 100 feet of either side of the center line of the existing

pier". Basically, if you find anything else out there above Elevation 60, you let the project manager know, and what they're referring to is changed conditions. That's what 104 is.

Pier navigation lighting and temporary navigation warning system, I call your attention to that. The navigation lighting system presently on the bridge shall remain operational until replaced by approved temporary navigation warning system on the piers.

There is, I guess you call it a power line, it's actually, is it on the ground? Do you remember? I think there's a conduit on the ground. Do you remember, Durwood, about the power line and navigation?

There is power to the existing navigational lights on the bridge, and you will have to maintain those lights until they are replaced by this temporary warning system. And there are requirements in there about the temporary warning system, and be sure and look at that.

Demolition plan. The contractor's demolition plan must be approved prior to initiation of demolition activities. This is not a blasting plan. This is an actual overall

how you going to proceed with demolition of the whole bridge. And the Coast Guard and the Corp of Engineers will all get a shot at your demolition plan.

I call your attention to one item at the bottom of page 141. Says (reading): "When the U. S. Coast Guard determines that hazardous conditions exist, the contractor shall provide a tow boat to assist traffic through the existing bridge on demand. The vessel shall be of adequate capacity and design to assist tows through the work area. And contact information shall be included in the demolition plan. When required by the Coast Guard, the vessel shall be available for assistance 24 hours a day seven days a week while the hazardous conditions exist. The contractor shall coordinate with the Coast Guard concerning the need and availability of such a vessel". Everybody understand that? So within 60 days of notice to proceed, the contractor shall submit eight copies of the demolition plan detailing the means, the method, and the procedures proposed to demolish the structure to the engineer for approval.

Please note the prohibition of demolition

without prior approval of engineers. I'm sorry, demolition by explosion. The contractor shall host a pre-demolition meeting, which includes representatives from MDOT, Arkansas, Highway and Transportation Department Engineer, and U. S. Coast Guard, and other parties that may be necessary to coordinate all demolition activities, including maintenance of highway traffic and navigation traffic. Such a meeting shall take place near the project site not less than 30 days prior to beginning of demolition activities.

Is there anybody here from the Coast Guard today? How about the Corp of Engineers?

There's also language in here about demolition near the levees, both in Arkansas and in Mississippi. Use of explosives is prohibited within 1500 feet of a levee unless they are specifically approved by either of the governing boards for the levees, and it gives you the name, address, and contact with those levees if you want to make that request.

Also note that there is another special provision in here about work suspension related to river levels, and all that is directly

related to the levee itself.

Let's see. Contractor shall remove and satisfactorily dispose of existing truss and the river piers 11 and 12 within 330 days from the opening of the new Highway 82 bridge. Is that still in conflict a little bit with another bit of language? Do you recall that contract time?

On page 60, I notice particulars about milestone dates. It refers to removing the center span. That actually should be steel truss super structure span 69, 70, and 71. Basically the entire truss that's over the river plus the river piers is what has to be done by that milestone date. 330 days.

There's language also in here that requires the contractor to remove pier 12 either first or concurrently with pier 11 prior to doing 10 and 13. 12 is the main river pier on the Arkansas side. That is the one that gets hit the most, so, therefore, everybody is wanting that pier removed first.

Concerning the demolition procedures and safety considerations, the contractor has to submit at least 60 days prior to commencing blasting eight copies of the original

operational blasting plan to the engineer.

There are pre-demolition and post-demolition hydrographic surveys required. Material that is documented to be on the river bottom prior to demolition, which is below Elevation 60, shall not have to be removed by the contractor as part of the demolition process.

In addition to the hydrographic surveys, the contractor has to utilize a sweep consisting of a heavy section of railroad rail, field pipe, or structural steel suspended by a float barge or vessel to confirm that the river bottom is clear in accordance with the specified conditions. The level of the sweep shall be adjustable so it can skim just above the river bottom or the required elevation.

There are also requirements about the minimum survey equipment that needs to be used, and the requirements there.

I call your attention to the disposal of excavation and also removal and disposal of structures containing lead based paint. This old bridge definitely has lead based paint. Be advised of that and see the regulations in the

special provisions.

And also the use of explosives and particularly the impact to the fish from blasting.

Other than that, I think that covers pretty much the removal of the structure. Does anyone have any questions or clarifications I can make?

MR. FAYE: Sean Faye, Joseph B. Faye Company. In the drawing at 277, you have a sequence in there. Is that a suggested sequence or are we required to do that?

MR. CARR: That’s required.

MR. SPENCER: Gene Spencer. On the existing drawings, you show a right-of-way drawing that match up 150 feet center line. Do you still maintain that right-of-way? It’s kind of scratched in here.

MR. CARR: When you say maintain -

MR. SPENCER: Is that your property - you mentioned having to come up with permits required to -

MR. CARR: MDOT has the right-of-way or Arkansas has the right-of-way.

MR. SPENCER: So we have access?

MR. CARR: That’s correct.

MR. SPENCER: Along with that, and maybe I'm getting ahead of myself, but a permanent requirement - I know when we worked on a new bridge, there was a lot of material that was allowed in in order to build haul roads in order to get access. Is any of that work done already or do we start from scratch?

MR. LEWIS: You start from scratch. I'm going to touch on that a little bit. We got a regular permitted - basically the same requirement. Any haul road inside the - between the levee and the river, got to have fabric, stone. Whatever you bring in you got to take back out. Very similar to the original.

MR. SPENCER: Will we have a maximum quantity or just basically what you bring in you got to take off?

MR. LEWIS: Whatever you take in, you got to take it out.

DURWOOD: The corridor -

MR. LEWIS: What Durwood said is you got a corridor that is specified. Do you have that handy? We got two strips set up to put a haul road in, and we got some documents up here that will be a part of the addendum that covers all

that part of it.

UNKNOWN PERSON: 33 feet on each side of the bridge?

TOM BOYLES: It looks like the permit is due - can that be available?

MR. CARR: They've got that, I believe, ready to hand out today, but they will be publishing it as a part of the addendum.

MR. BOYLES: I've got a couple of follow up questions. In addition to the site scan sonar, is there a recent hydrographic survey of the entire project?

MR. CARR: The Corp possibly might have something, but Arkansas does not have a profile underneath the bridge. We've got some older, a little bit older, stuff at the new bridge, but that won't do you much good at this location.

MR. BOYLES: Are there any diving inspection reports?

MR. CARR: I will check with them on that, but I don't believe so.

MR. BOYLES: Also the plans indicate redecking done on the old bridge. Will those plans be available?

MR. CARR: Do you know anything about

redecking the old bridge?

UNKNOWN: In 1950, you know, they sunk a pipeline across it, and they redecked it with a lighter weight deck, and I think that's what you're talking about, and there are no existing plans available today that indicate that.

MR. CARR: Unfortunately all we have is pretty much what you see in the plans. This bridge was built originally by Greenville back in the 40's, so we're limited as to what we have on that. If I can find those dive reports we will make that available also.

UNKNOWN: The sequence of construction indicates the strengthening - I was wondering if the preliminary calculations could be made available? We understand that is still our responsibility, but -

MR. CARR: I don't see where that would be a problem. We will discuss that and make those available.

UNKNOWN: Can you describe any of the existing utilities that go across the bridge?

MR. CARR: I don't think there are any live utilities at all on the bridge.

DURWOOD: Other than nav lines.

MR. CARR: I believe I’m correct. There are no live utilities, except the power for the navigation line. There used to be a big high voltage power line, bu they have since cut that loose.

UNKNOWN: There’s an existing power line up stream that maybe you should be aware of and it’s shown on the plans.

MR. CARR: There are special provisions related to that. Also in that provision, one of them, makes reference to a gas line in the vicinity. It’s not within the right-of-way, but Tennessee Gas, or whoever the utility is, you would have to contact them to know specifically where the location of that gas line is located. Any other questions?

MR. SPENCER: I’m making an assumption, that no broken concrete can end up on the site? You have to haul all that off?

MR. CARR: That’s correct. The only concrete that is allowed to stay is the rubble from the two river piers below Elevation 60. If it’s below Elevation 60, you don’t have to worry about it. I don’t mean the pier under Elevation 60. Just as long as you keep the concrete under

Elevation 60. And you can't drop the deck in the river. So you'll have to haul the deck away. And I don't believe the Corp or the levee allows any large excavation or pits or any burying of rubble within the levee. So you will have to dispose of that outside the project limits. Any other questions.

MR. LEWIS: Next up we've got Neal Dougherty with Contract Administration.

MR. DOUGHERTY: I have something here that I can pass out. I am Neal Dougherty. I'm the Contract Administration and Services manager. A lot of you guys have seen me around. Some of you may not have. What I'm handing around right now is a check list, which is in the front of each book. The very first page, please pay attention to that check list. It also has my business card on it and if you have any questions after we get through here, give me a call. I'm trying to keep anybody from submitting any irregular proposals. If you will pass those out.

A lot of you probably already have those because I see a lot of these sitting around in front of you. Does anyone else need one?

The very first thing on the check list. Obviously you have to fill out the bid price and extend your totals out. That is a thing that will cause it to be irregular. We don't want to do your math. These sheets were prepared by our Electronic Bid software and it prints those out and we have stapled them here. Notation on top of the page. Sign them and put them in your proposal, anywhere in the proposal, as long as they're in there.

Make sure you make a notation that you're agreeing to the DBE/WBE percentage, 1 percent at this time anyway. I don't know if there will be an addendum on that.

First sheet of Section 905 - you fill that out - there are a couple of little blanks to fill out.

Second sheet is where you're going to acknowledge any addendum that you have. Obviously we know of one that you should already have received, and at least that's coming.

DBE/WBE percentage is always Section 696, but this is a metric job. What's the percentage on a metric job. It's 1 percent, right? Make sure you make that notation on the bid sheet.

It will be irregular if you don't.

Form OCR-485, this has to be completed and signed. Even if it was a zero, it still has to be signed.

The last sheet of Section 905, that's where it's got the total of your bid and you have to sign it. Hopefully you'll put your company's Tax ID number down there were it says Tax ID Number.

I don't believe the next one necessarily applies. I don't believe anybody here is bidding in combination with another job. If they do, pay special attention to that.

The EOC quality certification has to be completed and signed.

The Certification regarding Non-Collusion, Debarment and Suspension has to be executed in duplicate. One of those will go to the low bidder.

Your bid bond. A lot of you guys do business with us all the time, and you understand and have bid bonds written fairly handily; however we do have hiccoughs from time to time where people will have a non-resident agent sign their bid bond, and it won't show up.

It has to be a Mississippi Resident Agent, and has to be licensed with the State board of Insurance - Department of Insurance saying that they can sign for that company. If they are not, it will be irregular.

If you have any question about that, you can call me and I can send you a link to an e-mail or to a Web site, and you can check and verify and make sure. I had rather you submit something that is not irregular than the alternative. I believe the last is about Non-Resident Bidders and State funded projects, and this is not a state funded project, so you can disregard that last part there.

Trying to keep you guys from submitting something irregular. The second page of this talks about this meeting right here. If you are a consultant, please, when you fill out that little sign in sheet, not only put down your consulting firm, but put down the prime that you're representing because if that prime is not here, and you're representing that prime and I see ABC Consulting firm instead of XYZ Construction Company, I'm not going to open that bid because it will be irregular.

Third page talks about W-9 requirements. This is for those folks that have not yet received any payments from the State. If you haven't done work for us in the past, then you will need to complete the W-9. Most, as it says, is in the back of the book. It's not so I attached it here. I don't know that will necessarily make it irregular, but it is a requirement.

I don't really have anything beyond that. If you guys have any questions, feel free to call me. You should have a copy of this and it has my business card on it and my phone number, and I'll be happy to answer any questions now or later. There are no stupid questions. Thank you.

MR. LEWIS: I'm going to bring your attention to a couple of pages in the specs, and a few other things that need a little cleaning up. The contract time, this one is a little different than what we've done before. Overall completion date. You will notice it also has milestone dates in there. As far as the milestone one, it is basically getting traffic on the new bridge. You've got until July 28 to

accomplish that portion of the work. If you open it up to traffic prior to July 28, that's going to start your time on milestone 2. Milestone 2 is essentially the two piers and the steel truss. You got 330 calendar days to get that work out, not work days, but calendar days. There are disincentives in Milestone 2 for not accomplishing that work. After that the final completion date is September 21, 2012.

That's not to say you can't be working on the center portion and the outside portion simultaneously.

That's kind of a little different than what we have done in the past.

There is a note under 1202 that talks about State taxes. The one I'm really going to hit here is our standard 3 and one-half percent contractor's tax. It only applies to the new bridge. There is a ratio of 22 percent in the State of Mississippi. Any work associated with placing traffic on the new bridge will take 22 percent of that, and you'll be responsible for the 3 and a half percent Mississippi Contractor's tax. Anything else that does not apply to.

There is an addendum part, I think the special provision 202, the demolition refers to a mandatory site visit. If you do make a site visit, Steele will be your contact person to make all your arrangements as to getting in and out. His telephone number is 662-822-5858. You can contact Steele to arrange for any site visits.

Special provision 907108-26, Mitch mentioned it earlier. It talks about the suspension of time on this. Basically there are two scenarios that suspends time. One is governed by the river stage itself. Once it reaches elevation 46 feet, and you're within 457 meters of the levee, you got to stop work. That will be day for day on it.

Also the second paragraph underneath talks about a contract to be granted and time extension. It really applies once Milestone 1 work is finished. Milestone 1, the river stage has no effect on Milestone 1. Once you complete Milestone 1, then this provision takes effect.

On the next page, it talks about Milestone 2. Essentially, unless - no time extensions unless the Coast Guard stops the work. River

gets so high and they write a letter and tell you to stop work on the river because of unsafe conditions, or whatever it might be, that is pretty much the only extension for Milestone 2, without the other provisions of the 403 section and meeting all the criteria. So make sure you understand that part of it.

There is another section, 620-5, very basic. You're talking about water transportation and the engineer. You have to provide transportation for them so they can get out and see whatever inspection or anything they want to see.

With that, we do have, as I said earlier, the Pre-Bid Minutes which will become a part of this addendum. We've also got some documents up here that will be modified from what has gone out. Steele and I call it the Pre-Addendum package. This is not official. This is advance information only. When the official addendum is issued, make sure you're going by the official addendum and I can guarantee you that something in this might change to, but this addresses some of the things we have already found. So do not bank on this at all. Use the official addendum.

We've also got some CDs of the old existing plan. If anybody needs a copy of it, they are up here.

Sign-in sheet. Everybody on the sign-in sheet?

With that, any questions about anything we haven't covered.

UNKNOWN: Someone asked and I'm not sure - page 133 has a fuel adjustment clause and the question is, is the bridge covered under -

MR. LEWIS: The demo itself?

UNKNOWN: The demo itself. Is it covered under -

MR. LEWIS: Let me find that and I will tell you. 801.490, there is no fuel adjustment on removal of the bridge.

If you look at the bid tab you have an adjustment code column. There is nothing in that column. There's no fuel or material adjustment on that particular payout. Any other questions?

MR. CARR: I want to make sure that everybody has seen it. I mentioned the power line. There are two power lines. You be sure to pay attention to those. There is a Coast

Guard permit, a copy of it - it's a little bit confusing - if you look back in time over how it developed and read the whole thing it will make sense because it was initially permitted, and then they gave an amendment, and then they gave another amendment to give some more time. It will all eventually make sense.

The other one I wanted to mention is under Note 1204M on requirements about coordinating with the FAA. We did get FAA permit for the new bridge, but there is no FFA permit for this construction on your equipment. So you need to be sure you are familiar with the FAA requirements. Go to their Web page, coordinate with them, if you've got any equipment that falls under their requirements.

MR. LEWIS: Any other questions? With that, we appreciate everybody coming out. Good luck, sharpen your pencils and get busy. Thank y'all for coming.

(CONCLUSION OF PRE-BID CONFERENCE)

QUESTIONS REGARDING
U.S. 82 /MISSISSIPPI RIVER BRIDGE (PROJECT 4)
& DEMOLITION OF EXISTING BRIDGE
BRDP-9205-00(007) / 100332306 & 307

This is submitted as a response to questions posed to MDOT since the Pre-Bid Meeting regarding the above referenced project.

Q. Spec section 907-506.03.2 - Surface Preparation for Latex Overlay (page 225) states that 24 hours prior to concrete placement begins, the surface is to be sandblasted followed by an air blast. Is water blasting using 8,000 psi - 10,000 psi an acceptable alternate to getting the latent materials off the bridge deck in lieu of sandblast?

A. Waterblasting will be allowed as an alternate to Sandblasting.

Q. After the main river span from pier 11 to pier 12 has been cleared of all structural steel and marine equipment, would the use of controlled explosives (linear shape charges) be considered to fell the superstructure of the two anchor spans of the existing bridge into sections that could be removed using barge mounted cranes and land based equipment?

A. In discussions between MDOT and the USCG, it was noted that the Hwy82 truss bridge is located very near the bend in the river and that the water velocity and depth could make it difficult to retrieve material dropped in the river for both the truss anchor spans and the truss main span. Consequently, in the best interest to navigation traffic, it was determined that the truss would be removed conventionally without the use of explosive demolition and not allowed to be dropped in the river. It was anticipated that conventional dismantling of the anchor spans may require temporary supports. As an enhancement to safety, an assist vessel is to be provided during hazardous conditions, as determined by the USCG.

Contractors should bid the project per the requirements in the Removal of Structures and Obstructions Special Provision. If the successful bidder wishes to pursue explosive demolition options for the truss spans, it must be handled as a Value Engineering Proposal. The Value Engineering Proposal would require approval from not only MDOT, but ALL other applicable parties, including but not limited to the USCG and the USACOE.

Q. Would using controlled explosives (linear shape charges) be allowed to fell portions of the superstructure of the approach spans on both the Mississippi and Arkansas sides?

A. The slab portion of the superstructure is required to be removed by conventional means. Explosive demolition of the remaining superstructure and substructure is permitted only as approved by the Project Engineer and is prohibited within 1500ft of the levees unless specifically approved by the respective levee boards.

Q. Special Provision No 907-202-1M Section 907-202.03.2 Salvage reads that the Contractor is only responsible for salvaging and delivering to MDOT the 35 roadway lightpoles with fixtures. However, Section 904 - Notice to Bidders No. 1206M details the requirement for the Contractor to coordinate with AHTD to remove the surveillance camera system for the bridge and to include all costs for this in Contractor's bid. Is this surveillance camera system to be salvaged and delivered to AHTD or just removed and disposed of?

A. Notice to Bidders No. 1206M is being removed by addendum.

Q. Will MDOT be providing any current hydrographic, or bathymetric, surveys of the river bottom within the alignment of the old route 82 bridge to be demolished.

A. AHTD has provided a report with plots of sounding elevations and contour information and a Scour Plan of Action (POA). These documents will be added by addendum. These documents are provided as information only and neither MDOT nor AHTD are responsible for the accuracy or interpretation of the information. Contractors are advised to obtain their own data for their purposes.

Q. During the 1950s when the existing 82 bridge underwent modifications, was the concrete re-decking limited to span 62 through 77? Do the other spans exist as shown on the 1939 plans?

A. The disc of asbuilt plans is the extent of all available information.

Q. Special Provision No 907-202-1M outlines the requirements and limitations on demolition of the various elements of the old highway 82 bridge. Please confirm that after the center span is removed (as shown on drawing BD-3, sheet 770, stage 1), is it acceptable for the remaining steel, or portion thereof, to temporarily enter the water prior to its removal from the site as long as it does not create a navigational hazard.

A. No, the truss sections between Bents 9 – 13 shall not be allowed to fall into the river.

Q. Will fill material be allowed in Cottonwood Chute to create a work/haul road?

A. An attachment to Notice to Bidders No. 1199M has been added by addendum. The Bidder’s attention is called to Site 2 in the “Table of Impacts”.

Q. Will the Contractor be able to use the hunting camp’s huge hole they created to dump demolition debris in?

A. The Contractor is not allowed to dispose of anything on MDOT ROW. Coordinating the disposal of debris on private property is the responsibility of the Contractor, in accordance with all applicable specifications.

Q. Does MDOT anticipate an extension to the current bid date of 10/27/09?

A. No, an extension to the current bid date is not anticipated.

Mississippi Department of Transportation
Pre Bid Conference
Sign In Sheet
Project No. BRDP-9205-00(007) / 100332306 & 307 -- Washington County
October 6, 2009

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Mississippi Department of Transportation
Pre Bid Conference
Sign In Sheet
Project No. BRDP-9205-00(007) / 100332306 & 307 -- Washington County
October 6, 2009

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MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO. 1219M **CODE: (SP)**

DATE: 10/19/2009

SUBJECT: **In-Grade Preparation**

PROJECT: BRDP-9205-00(007) / 100332306 & 307 -– Washington County

Bidders are hereby advised that In-Grade Preparation will be required prior to work on the Access Road shown on Plan Sheet No. 41 where dirt work has been done on previous contracts. In-Grade Preparation will not be measured for separate pay and should be considered an absorbed item of work.

MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION NO. 907-202-1M **CODE: (SP)**

DATE: 08/17/2009

SUBJECT: Removal of Structures and Obstructions

PROJECT: BRDP-9205-00(007) / 100332306 & 307 -- Washington County

Section 202, Removal of Structures and Obstructions, of the 2004 Edition of the Mississippi Standard Specifications for Road and Bridge Construction is hereby amended as follows:

907-202.01--Description. After the end of Subsection 202.01 on page 202-1, add the following.

This work also consists of the removal and satisfactory disposal of the existing former U.S. Highway 82 Bridge across the Lower Mississippi River, mile 531.3, between the City of Greenville, Washington County, Mississippi and Lake Village, Chicot County, Arkansas in accordance with all contract requirements. The existing bridge structure consists of units as shown on the existing bridge plans, bridge repair modifications plans and bridge modifications plans for utilities such as utility supports. The existing bridge is approximately 1.9 mile long and features a 24 foot wide deck with two 12 foot traffic lanes. The existing superstructures consist of 83 steel girder deck spans of varying lengths between 53.5 feet to 218.5 feet and one 2,121 foot long riveted steel through truss main river span unit consisting of a pair of 640.5 foot anchor spans and a 840 foot center span. The existing substructure consists of steel piers or reinforced concrete piers on concrete footings supported by either timber piles, steel piles and deep caissons. The existing power lines that are used to operate the navigational lighting system shall be maintained in accordance with Subsection 907-202.03.7. The existing steel members are known to contain lead based paint. Removal, disposal and handling of this hazardous material shall be in accordance with the requirements set out in Subsections 907-202.03.18.

In carrying out this work, the Contractor is responsible for all contract activities including, but not limited to, project administration, demolition, removal and disposal services, temporary construction, utility coordination, and quality control. The Contractor shall be responsible for identifying and providing key staff and a phone number where these key staff can be contacted by MDOT personnel at any time, 24 hours per day, 7 days a week for the duration of the project.

All bidders are required to visit the site in order to become acquainted with the existing bridge structure and other features which shall be removed. By submission of a bid, the contractor acknowledges review of the site and acceptance of the existing bridge structural conditions.

907-202.03--Construction Requirements.

907-202.03.1--General. Delete the first paragraph of Subsection 202.03.1 on page 202-1 and substitute the following.

The Contractor shall preserve and protect all structures, levees, fences, public and private utilities and improvements, above or below the ground, which are to remain or be removed by others as set out in Subsection 104.05. Existing structures or levees adjacent to or below the bridge shall not be removed unless removal of such structures or levees is indicated. The Contractor shall conduct all operations in a manner that such structures and levees are protected from damage. Special consideration shall be given to the protection of the buildings adjacent to the bridge, and levees which are controlled by the Southeast Arkansas Levee District and the Board of Mississippi Levee Commissioners. Unless specified, removal or adjustment of these items will not be the responsibility of the Contractor. However, the Contractor shall arrange and conduct operations to conform to the requirements set out in Subsections 105.06 and 105.07.

All references to the United States Coast Guard (U.S. Coast Guard or USCG) in this special provision or on the plans will be references to:

United States Coast Guard
Bridge Office
Eighth Coast Guard District
1222 Spruce Street
St. Louis, Missouri 63103-2832

All references to the U.S. Army Corps of Engineers (USACE or Corps of Engineers) in this special provision or on the plans will be references to:

U.S. Army Corps of Engineers, Vicksburg District
River Operations, Navigation Section
Attn: Mr. Barry Sullivan
4155 Clay Street
Vicksburg, MS 39183-3435

907-202.03.2--Salvage. At the end of Subsection 202.03.2 on page 202-1, add the following.

The Contractor is hereby advised that some existing roadway and bridge items within the project limits shall be salvaged by the Contractor and delivered to MDOT at a pre-determined location. All salvage items, to be delivered to MDOT, shall be coordinated with the MDOT Resident Engineer.

Salvage item quantities are estimated and locations are generally identified for the purpose of bidding. The Contractor shall coordinate with the MDOT Resident Engineer prior to removing any salvage items in order to specifically define the limits of each item for salvage, delivery locations and delivery schedule. The following items shall be salvaged by the Contractor.

1. Thirty five roadway light poles with fixtures which are located on each side of the roadway and bridge within the project limits.

907-202.03.3--Removal of Bridges, Culverts and Other Structures. Delete the second paragraph of Subsection 202.03.3 beginning on page 202-1 and substitute the following.

Unless otherwise directed, existing structures shall be removed to at least one foot below the final ground line or mud line. Existing Piers 11 and 12, which are located in the main channel of the navigable waterway of the Mississippi River and including any cofferdams and seals forming any part of the existing pier, shall be removed down to or below elevation 60.0 feet NGVD 1929. Concrete rubble produced exclusively by the demolition of truss piers 11 and 12 may remain on the bottom of the river provided that no piece of the rubble, protruding rebar or any other portion of the existing structure extends above elevation 60.0 feet, NGVD 1929. Existing truss piers 10 and 13, including any cofferdams and seals forming any part of the existing pier, shall be removed at least five feet below the final ground line or mud line.

In the past, barges have collided with and lodged on the existing channel piers. It will ultimately be the responsibility of the contractor to remove all obstructions, including sunken barges, at the piers 11 and 12 to an elevation at or below elevation 60 feet NGVD 1929. It will be the Contractor's responsibility to inform the Engineer if there are obstructions other than the pier body itself or the sunken barges referenced above that will require removal to clear elevation 60 feet within 150 feet either side of the centerline of the existing bridge, per Section 104.02.2.

After Subsection 202.03.5 on page 202-2, add the following:

907-202.03.6--Right-of-Way and Access to Site of Work. The Contractor shall acquaint himself with the right-of-way limits, wetland limits and available work and storage space at the site and with the conditions at the site. Any ground required by the Contractor for working and storage space or his overall operation shall be provided by the Contractor at his own expense.

All bidders are required to visit the site in order to become acquainted with the proximity of buildings and other features which shall be protected. By submission of a bid, the contractor acknowledges review of the site and acceptance of the existing site conditions.

The Contractor, the Engineer, a representative of the Levee Boards, and a representative of the State of Arkansas, if applicable, shall tour the Contractor's proposed haul routes to determine condition of such routes prior to beginning the work. Any damages attributable to the operations of the Contractor, whether due to hauling equipment or materials or other operations, shall be repaired to the satisfaction of the Engineer. The Engineer shall be the sole judge as to the extent and suitability of any repairs required.

The Contractor shall comply with the requirements of federal, state and local agencies having jurisdiction and with all permit requirements, during the prosecution of the work. The Contractor shall coordinate the construction of temporary haul roads, access points, berms, boat docks, material storage areas and any other incidental or temporary construction with such agencies prior to beginning construction of temporary works.

907-202.03.7--Pier Navigational Lighting and Temporary Navigational Warning System. The existing power lines on the existing structure that are used to operate the navigational lighting

system shall remain until the navigational lighting system is changed, by the Contractor, to an auxiliary power source that maintains full uninterrupted power to the navigational lighting system. At the time that traffic is removed from the existing bridge, the Contractor shall take responsibility for the maintenance and operation of the navigational lighting system. The navigational lighting system presently on the bridge shall remain operational until replaced by an approved Temporary Navigational Warning System on the piers.

The Temporary Navigational Warning System shall be approved in writing by the U.S. Coast Guard prior to de-energizing the existing navigation system and shall include, but not be limited to, temporary navigation lights and reflective warning panels. The Temporary Navigational Warning System may be either mounted to the bridge piers or other approved structure to clearly delineate the location of the navigation obstruction. The Contractor shall be responsible for the maintenance and operation of the Temporary Navigational Warning System throughout the removal of the existing bridge. The Temporary Navigational Warning System shall remain operational until the piers or other obstructions for which the Temporary Navigational Warning System is furnished have been completely removed from the river in accordance with Section 907-202 and the U.S. Coast Guard has acknowledged in writing that the piers or other obstructions do not constitute a hazard to navigation.

907-202.03.8--Demolition Plan and Methods. The Contractor shall develop and utilize acceptable demolition methods for all structures and components and develop a demolition plan. The Contractor's demolition plan must be approved prior to initiation of demolition activities and shall be in accordance with Special Provision 907-202 and applicable parts of Standard Specification 202. The demolition plan shall specify adequate resources available as back up to meet unforeseen contingencies that could jeopardize the completion of the project. The demolition plan shall include possible alternative methods for span removal should water levels change drastically or equipment fail while in service. The demolition plan shall address issues such as endangered species protection, spill prevention and clean-up, sediment and erosion control, and recovery methods of demolition debris. Any systems that employ jacking or lowering major components of the bridges shall be fully redundant. The demolition plan shall clearly identify any proposed impacts to shipping and channel blockage. The Contractor shall coordinate the demolition activities, as necessary, with the USCG.

When the U.S. Coast Guard determines that hazardous conditions exist, the Contractor shall provide a towboat (tug) to assist vessels through the existing bridge on demand. The vessel shall be of adequate capacity and design to assist tows through the work area. The vessel description and contact information shall be included in the demolition plan. When required by the USCG, the vessel shall be available for assistance 24 hours per day, seven (7) days per week while the hazardous conditions exist. The Contractor shall coordinate with the USCG concerning the need and availability of such a vessel.

Within 60 days following Notice to Proceed, the Contractor shall submit eight (8) copies of the demolition plan detailing the methods and procedures proposed to demolish structures to the Engineer for approval. Approval of the demolition plan will be contingent upon review and acceptance by the U.S. Coast Guard, MDOT, Southeast Arkansas Levee District and the Board of Mississippi Levee Commissioners. The submitted demolition plan shall include, where applicable,

calculations for deconstruction live load, member capacity and stability. These calculations shall be prepared by and bear the seal of a Mississippi Registered Professional Engineer.

Demolition by use of explosives shall not be allowed on any structure of the existing bridge without prior approval of the Engineer. Demolition by use of explosives shall not be allowed on any superstructure steel of the existing bridge. Use of explosives shall be in accordance with Subsection 907-202.03.19.

The Contractor shall host a pre-demolition meeting which includes representatives from MDOT, AHTD, the Engineer, the USCG and other parties as may be necessary to coordinate all demolition activities, including maintenance of highway traffic and interruption of navigation traffic. Such meeting shall take place near the project site not less than 30 days prior to the beginning of demolition activities.

907-202.03.9--Demolition in the vicinity of the Levees. Demolition of the substructure by use of explosives is prohibited within 1,500 ft of the levees on both the Arkansas and Mississippi sides of the river, unless specifically approved by the Southeast Arkansas Levee District and the Board of Mississippi Levee Commissioners. The Contractor may make a written request in this regard to:

Southeast Arkansas Levee District
Attn. David Gillison
107 N. Court St.
Lake Village, Arkansas 71653

Board of Mississippi Levee Commissioners
Attn: Peter Nimrod, Chief Engineer
P.O. Box 637
Greenville, MS 38701

All demolition and excavation activities, except that which is required to remove the main span truss superstructure and main river piers 11 and 12, shall cease when conditions exist as described in Special Provision 907-108-26M.

907-202.03.10--Demolition of Truss Spans and River Piers. The Contractor shall remove and satisfactorily dispose of the existing truss spans over the navigable waters and river piers 11 and 12 within 330 calendar days from the opening of the new U.S. Highway 82 Bridge across the Lower Mississippi River, mile 530.8.

The Contractor shall remove and satisfactorily dispose of the 840 foot truss span 70 over the main navigational channel between river Piers 11 and 12, first. The two 640.5 foot truss anchor spans 69 and 71 shall be removed after truss span 70, one at a time.

The Contractor shall remove and satisfactorily dispose of Pier 12 prior to or concurrently with Pier 11, which are adjacent to the main navigational channel, down to or below elevation 60 feet, NGVD 1929. Piers 10 and 13, at the ends of the truss, shall be removed after removal of Piers 11 and 12.

907-202.03.11--Demolition Over or Adjacent to Navigable Waters. The demolition and removal of the existing bridge over or adjacent to the navigable waters of the Mississippi River, mile 531.3, has been authorized through a permit issued by the U.S. Coast Guard for the new structure. This permit has been reproduced in the Notice To Bidders entitled "U.S. Coast Guard Permit". The Contractor shall assume all obligations and comply with all requirements and provisions of this permit as it applies to this contract.

The Contractor's particular attention is directed to the various requirements established by the U.S. Army Corps of Engineers, the U.S. Coast Guard, and others relative to the demolition and removal work in and over or adjacent to the navigable waters which is applicable to this contract and which may not be covered by the above permit. Such matters of approval include, but are not necessarily limited to, dredging, demolition and removal schedules, plans for temporary cofferdams, temporary causeways, temporary work bridges and platforms, temporary falsework bents, anchorage of barges and construction equipment, temporary restriction of channel, lighting during demolition and removal work, removal of temporary construction, or other temporary structures that will be placed in the water to facilitate the demolition and removal of the existing bridge. All demolition and removal operations in or over the river shall conform to the requirements or directions of the District Engineer, U.S. Army Corps of Engineers, U.S. Coast Guard and/or other authority having jurisdiction. All plans for demolition and temporary work as noted above shall be initially submitted to the Engineer for review and when in concurrence therewith, the Engineer will forward the material to the Coast Guard for approval.

All work in navigable waters shall be so conducted that free navigation of the waterway will not be unreasonably interfered with and that the existing navigable depths will not be impaired. The Contractor shall communicate with the appropriate agency or agencies and procure, at its own expense, all required permits. Copies of all permits, authorizations, directions or orders issued to the Contractor by the U.S. Army Corps of Engineers, U.S. Coast Guard, or other constituted authority during the progress of the work shall be filed with the Engineer for information and record.

The Contractor shall notify the U.S. Coast Guard thirty (30) days in advance of commencement of work in the river so that navigation interests may be notified of the presence of demolition and removal construction equipment and the Contractor also shall notify the same authority of any events that may affect navigation and when work in the river is complete. The Contractor shall keep the Engineer and the U.S. Coast Guard continually informed in writing of the progress of the work which affects navigation so that temporary navigation lights can be prescribed on remaining obstructions.

Should the Contractor, during the progress of work, lose, throw overboard, sink or misplace any material, machinery, plant, or appliance which in the opinion of the Engineer may be dangerous or obstructive to navigation, the Contractor shall immediately recover and remove the same with dispatch. The Contractor shall give immediate notice, with the description and location of such obstruction to the Engineer, U.S. Army Corps of Engineers, and U.S. Coast Guard. When required, the Contractor shall mark, by one or more lighted buoys, obstructions until removed to the satisfaction of the U.S. Coast Guard. Such buoys shall be horizontally striped orange and white

with the top stripe orange. The buoys shall be aligned cross-river at intervals of about 25 feet or as close as practicable to the obstruction of the river. Each buoy shall be lighted at night with a quick flashing white light (60 flashes per minute). If obstruction is extending above water, orange flags by day and quick flashing white lights by night may be displayed on the obstruction in lieu of any buoy.

Temporary navigation lights and other navigation signals or facilities that may be required by governmental authority on all temporary construction or vessels shall be provided and maintained in accordance with the requirements of the U.S. Coast Guard. The Contractor shall submit to the Engineer and the U.S. Coast Guard for approval, prior to commencement of the work within the waterway, such information and documents as are customarily required by the said authority. Temporary lights, signals or facilities where specifically required or otherwise so ordered, shall be provided and maintained throughout the life of the contract or until the obstruction for which the lights are furnished is removed.

Positive precautions shall be taken to prevent the dropping of spark-producing, lighted and other damaging objects on tows or vessels which are passing beneath the existing bridge. All flame-cutting, welding and similar spark-producing operations shall be ceased over the channel when vessels are passing beneath the existing bridge.

The existing bridge railings, roadway lighting fixtures, abandoned utility supports, deck paving or concrete, steel grid, excess steel members and similar materials shall be removed from each span prior to removing the main supporting beams, girders or trusses over wetlands, streams or river. When existing bridge deck paving or concrete, steel grid, excess steel members and similar materials are being removed from each span, precautions such as positioning a “catch” barge or work platform beneath the work site shall be taken to insure that nothing falls into the wetlands, streams or river.

When the U.S. Coast Guard determines that hazardous conditions exist, the Contractor shall provide a towboat (tug) to assist vessels through the existing bridge on demand as described in Subsection 907-202.03.8.

907-202.03.12--Closures to Navigation. Floating equipment shall not be moored in the main channel span (Span 70) except when actually engaged in demolition activities.

Requests to temporarily block the river and stop river traffic or otherwise impede navigation shall be submitted, in writing, for approval to the U.S. Coast Guard at least fifteen (15) days in advance. Any revision of work schedule may require a fifteen (15) day delay for issuance of revised notices. Notification shall be updated by telephone if necessary to assure that navigation interest are aware of impending events that may affect the movement of river traffic.

Any schedule of river closures is subject to review and approval of the U.S. Coast Guard. Circumstances will influence a decision to close or block the river. The U.S. Coast Guard may disapprove any river closures on a case by case situation, depending upon conditions. The contractor shall submit, via the Engineer, a proposal for closures, falsework, etc. before the Coast

Guard will provide a definitive answer. River closures will not be permitted on Fridays, Saturdays, Sundays or federal holidays.

907-202.03.13--Blank

907-202.03.14--Demolition Procedures and Safety Considerations. The depth of demolition or removal of the substructure shall be in accordance with Subsection 907-202.03.3.
The definition of demolition terms is as follows:

1. Demolition materials shall describe all non-concrete excavated materials, including but not limited to, any liquids, wood, steel, earth excavations, cleared vegetation and refuse. Demolition material shall become the property of the contractor and shall be removed from the project site. Demolition materials shall not be buried or burned on the site.

2. Disposal debris refers to excavated river alluvium, riprap stone and mass concrete rubble that is to be removed from the river except as specified in 907-202.03.3. The term “concrete” as used herein shall be interpreted to mean both reinforced and unreinforced mass concrete.

3. Flyrock is rubble projectiles thrown by the blast to variable distances from a blast site.

4. Mucking is defined as the removal of blast demolition materials, disposal of debris or muck from the blast location to the final disposal site.

The steel, concrete and associated materials on the bridge decking may be lowered onto barges in pieces and demolished further at an approved site. The steel superstructure shall be demolished in stages and removed from the wetlands, streams and river.

Concrete rubble and the flyrock resulting from a controlled explosion, shall be regarded as disposal debris, as defined above, when falling into the wetlands, streams and river. Exposed, non-concrete projections (e.g., exposed rebar, steel sheet piling, timber piling) shall be regarded as demolition materials, as defined above, and shall be severed and removed by any safe, practicable means and disposed of properly at an approved site.

Precautions to avoid damage and control flyrock, air blast overpressure, particle velocity and to mitigate blast impacts on river fauna shall be taken. The Contractor shall use whatever means the Contractor deems necessary to prevent injury or damage due to flyrock (e.g., blasting mats or other equally serviceable material).

Except as specified in Subsection 907-202.03.3, no concrete rubble shall be left in the river. All such rubble shall become the property of the contractor and shall be removed and placed at an approved site.

The project shall require the demolition of reinforced concrete, structural steel and the severance of metal and any timber or wood that is a part of or attached to the existing structure that is to be demolished.

Methods used for steel severance fall into five categories: (1) standard sawing or hydraulic shearing, (2) standard oxyacetylene torches, (3) ultrathermic cutting rods, (4) prime cut rods, and (5) burning bars. The burning bar is prohibited from being used in underwater operations.

The Contractor shall protect nearby structures and provide that river vessels and motor vehicle traffic is not delayed without approval of the appropriate federal, state and local agencies and in accordance with Section 907-202. Should the Engineer approve the Contractor's use of blast demolition, the Contractor shall adhere to the following restrictions:

1. All steel that is free from concrete and all exposed non-concrete projections (e.g., rebar, steel sheet piling, timber piling, etc.) shall be regarded as demolition materials, as defined above, and shall be removed.

2. Controlled blasting methods shall be in accordance with Subsection 907-202.03.19

3. The contractor shall use the minimum charge necessary during each shot.

All reinforcement and embedded metals may not be detailed on the reference drawings. Reinforcement supports, form ties and other embedded items not shown on the reference drawings may exist in the concrete. The Contractor shall be responsible for making allowance for the embedded items.

The Contractor shall submit, at least sixty (60) days prior to commencing blasting, eight (8) copies of the original operational blasting plan to the Engineer. The Contractor shall plan his submittal to provide a minimum of thirty (30) days for the initial review and up to two weeks for subsequent reviews. The operational blasting plan shall include the requirements that a pre-demolition meeting be held at least thirty (30) days prior to the plan execution. The meeting shall be coordinated with the Engineer, the U.S. Coast Guard and other agencies. The operational blasting plan shall include as a minimum requirement the following items:

1. Blast Demolition Parameters

2. List of permits and clearances required, when applied for and date of approval or anticipated approval by federal, state and local agencies.

3. Precautions to avoid damage and control flyrock, air blast overpressure, particle velocity and to mitigate blast impacts on river fauna (e.g., repelling charges).

4. Plan and explanation showing location of warning signs, signals and buoys to be used. Methods for radio and visible communications for control of river vessel, and motor vehicle traffic before blast initiation, during closure for detonation and following the blasting operations.

Flyrock shall be prevented or limited as necessary to avoid injury or damage at the site and in adjoining areas. The Contractor shall use whatever means the Contractor deems necessary to prevent injury or damage due to flyrock. Before the firing of any blast in areas where flying rubble

may result in personal injury or in damage to property or the work site, the concrete structure to be shot shall be covered with approved blasting mats, soil or other equally serviceable material to prevent flyrock.

Except as specified in 907.202.03.3, concrete rubble shall be regarded as disposal debris when displaced from original position in the existing structure. The Department does not specify any limits on the muck size (i.e., the size of rubble blocks). Exposed, non-concrete projections, both above and below the water, shall be severed and removed by any safe, practicable means and disposed off-site. All cutting of non-concrete material and all work with diving or hand-held tools, which may be necessary for muck removal, shall be considered as incidental items to mucking.

The Contractor shall coordinate and work with the applicable federal, state and local agencies, as approving authorities, prior to delaying river vessel and motor vehicle traffic. The Contractor shall keep the traffic and all pedestrians at safe distances from vibration, air blast and blast noise after the appropriate agencies have given approval.

Flaggers shall be used to warn river traffic before blasting. Not less than one hour prior to and during the detonation of explosives, flaggers shall be stationed in radio equipped boats positioned upstream and downstream of the bridge to positively warn approaching river traffic of the impending action and obstructions in the river. The Contractor shall provide such warning devices as may be necessary to keep boats out of the immediate danger area.

If, in the opinion of the person in charge of the explosive detonation, the use of radio, telephone or other electronic equipment in the area should be prohibited, at any time, the U.S. Coast Guard, City of Greenville, Lake Village and the Engineer shall be advised well in advance so that timely notices can be published.

If explosives are to be transported by water, explosive handling permits shall be obtained in accordance with Title 49, Code of Federal Regulations. Applications shall be submitted to the U.S. Coast Guard, Sector Lower Mississippi River, Memphis, Tennessee.

907-202.03.15--Environmental Requirements. The Contractor shall conduct work in wetlands, streams or river so as to minimized increases in suspended solids and turbidity that may degrade water quality and damage aquatic life outside the immediate area of operations.

The Contractor shall establish and carry out a program for immediate removal of debris during construction in order to prevent the accumulation of unsightly, deleterious and potentially polluted materials in the wetlands, streams or river.

The Contractor shall not permit any fuel or oil storage containers, permanent or mobile, located near any waterway to be placed in such a manner to cause the spread of petroleum products in case of leakage. Also, a contingency plan shall be formulated to be effective in the event of accidental spill of petroleum products.

The Contractor shall be required to store all materials, equipment and petroleum products, when not in use, above anticipated high water levels.

The Contractor shall not permit debris or any waste material to be stored in any area where debris or waste material could be washed into the waterway as a result of natural runoff or flooding.

Construction activities shall be in accordance with the existing rules and regulations of governmental agencies having jurisdiction over wetland, streams and water supplies in the area. To prevent contamination of wetlands, streams and other water resources adjacent to the project area, the Contractor shall not cause interference with water use practices near public recreation areas or water supply intakes. Potential impacts to Fish from blasting shall be in accordance with Subsection 907-202.03.20.

907-202.03.16--Demolition Hydrographic Survey.

907-202.03.16.1--Pre-Demolition Hydrographic Survey. This work consists of performing hydrographic surveys of the channel and river bottom prior to the initiation of demolition operations to determine what debris or other material may be present on the river bottom. Material that is documented to be on the river bottom prior to demolition which is below elevation 60.0 feet, NGVD 1929, shall not have to be removed by the Contractor as part of the demolition process. Channel bottom surveys will be made under the existing bridge between Piers 10 through 13 and for a minimum distance of 150 feet either side of the centerline of existing bridge.

The Contractor shall undertake a detailed sub aqueous survey under the direction of a Professional Engineer to identify and document all material and debris on the bottom of the river. The hydrographic survey equipment shall be in accordance with Subsection 907-202-03.16.3. The final product for the pre-demolition survey shall be plan-view drawings at a scale of 1" – 50' with channel bottom contours drawn at 1-foot intervals. Also, the Contractor shall provide electronic files of the drawings in a TIF format at 300 DPI. The drawings will also identify and locate all pre-existing material found on the river bottom, which shall not be removed unless noted elsewhere. The Contractor shall submit six (6) copies of the drawings to the Engineer twenty-one (21) days prior to the initiation of demolition activities.

907-202.03.16.2--Post-Demolition Hydrographic Survey. This work consists of performing hydrographic surveys of the channel and river bottom after the completion of demolition operations to determine what debris remains on the river bottom. If the survey does not confirm that the river bottom has been cleared to the specified limits and to the satisfaction of the Engineer, the U.S. Army Corps of Engineers and the U.S. Coast Guard, then additional surveys or portions of surveys or demolition effort shall be required by the Engineer at no cost to the Department.

Material that is documented to be on the river bottom prior to demolition which is below elevation 60.0 feet, NGVD 1929, shall not have to be removed by the Contractor as part of the demolition process. Documentation of the material on the river bottom not requiring removal shall be to the satisfaction of the Engineer. Channel bottom surveys will be made similar to the pre-demolition hydrographic surveys, except as required herein.

In addition to the hydrographic surveys, the Contractor shall utilize a sweep consisting of a heavy section of railroad rail, steel pipe, or structural steel section suspended by a float, barge, or vessel to

confirm that the river bottom is clear in accordance with specified conditions and limits. The depth of the sweep shall be adjustable so that it may skim just above the river bottom or the required elevation to seek obstructions.

Any time that pieces of debris large enough to be a hazard to navigation enter the waterways, the Contractor shall remove them immediately and shall perform a sweep of the affected areas to ensure that all hazards are removed. If potentially dangerous debris enters the channel and cannot be immediately located and removed, the Contractor shall immediately contact the U.S. Coast Guard and Engineer, and undertake all measures necessary to safeguard navigation as directed by the U.S. Coast Guard or the Engineer.

The Contractor shall undertake the detailed sub aqueous survey under the direction of a Professional Engineer upon completion of all demolition operations over water to identify and document all material and debris on the bottom of the river. The hydrographic survey equipment shall be in accordance with Subsection 907-202-03.16.3. Any anomalies or debris identified by the electronics or sweep shall be verified by the Contractor, who will either remove the material or confirm that it has been identified as pre-existing material to remain. The final product for the survey shall be plan-view drawings at a scale of 1" – 50' with channel bottom contours drawn at 1-foot intervals. Also, the contractor shall provide electronic files of the drawings in a TIFF format at 300 DPI. The drawings will also identify and locate all pre-existing material found on the river bottom. The Contractor shall submit six (6) copies of the final survey to the Engineer within thirty (30) days of the completion of debris removal activities.

907-202.03.16.3--Hydrographic Survey Equipment. The Contractor will provide a work boat meeting the applicable U.S. Coast Guard regulations to perform the surveys.

The Contractor shall provide sufficient state-of-the-art electronic equipment to perform the work. Equipment shall include, but not be limited to 3-D phased-array multi-beam sonar, side scan sonar and global positioning or other equipment necessary to accurately survey the bottom of the river and accurately identify and delineate debris and other obstructions from the surrounding river bottom while providing accurate vertical and horizontal location of the debris and obstructions.

907-202.03.17--Disposal of Excavation. The Contractor shall comply with U.S. Army Corps of Engineers Regulations and U.S. Coast Guard Regulations respectively, as stated in these Provisions.

The Contractor shall not dispose excavated material in the waters of the Mississippi River or within the regulatory floodway of the Mississippi River except as approved by the Vicksburg District U.S. Army Corps of Engineers. Excavated materials not used for backfill or embankment construction, shall be disposed of offsite at an approved site. Excess excavation material from caissons, drilled shafts and footings shall be hauled away to maintain the hydraulic characteristics of the existing ground.

907-202.03.18--Removal and Disposal of Structures Containing Lead Based Paint. The Contractor's attention is called to the fact that this project requires removal and disposal of structural components containing lead-based paints and, therefore, work shall comply with all

applicable Federal (EPA, OSHA & DOT) and State requirements for lead as waste, lead in air, lead in water, lead in soil, and worker health and safety. The requirements include but are not limited to the following.

1. Federal Resource Conservation and Recovery Act (RCRA) - Regulates when lead is present in a solid waste.
2. National Ambient Air Quality Standard (NAAQS) - EPA regulates airborne lead as a "criterion" pollutant. OSHA regulates the amount of lead in the air that workers breathe.
3. Clean Water Act (CWA) - Specifies the regulations for lead in water.
4. OSHA Lead Exposure in Construction, 29 CFR 1926.62.

907-202.03.19--Use of Explosives. Explosives may be used in the demolition of the existing piers to be removed, only after written permission from the Engineer, the procedures hereinafter specified and in accordance with Subsection 107.11. All applications for permission must contain specific details of the size of charge and how it is to be placed. The Contractor shall engage the services of a qualified person who has had at least five years experience in the use of explosives for this type of work. Consideration will not be given to a request for use of explosives unless the plan has been prepared under the direction of such a person.

Blasting operations must be carefully controlled to eliminate the possibility of damage to surrounding facilities.

The Contractor shall submit a complete safety plan to the Engineer and obtain approval prior to any blasting. A positive system to detect and measure the probability of lightning or massive electrical discharges shall be used.

The Contractor shall furnish to the Engineer prior to each blast a legible plan of all holes and information signed by the Contractor's authorized representative, showing the pattern and depth of drilling, type of explosives used, loading pattern, sequence of time of firing, and total amount in pounds of explosives for each individual detonation. The drilling and blasting plan is for record purposes, and will not absolve the Contractor of his responsibility for using proper drilling and blasting procedures.

The primary consideration in blasting is to conduct the work in such a manner that other property shall be undisturbed. It is the responsibility of the Contractor to conduct his operations in such a manner. Open blasting is defined as explosive charges not confined in a drill hole. Open blasting will not be permitted.

Permission by the Engineer to use explosives shall in no way relieve the Contractor of complete responsibility for damage to new construction or other property which may result from such use. Any such damage shall be repaired by the Contractor entirely at his expense.

907-202.03.20--Potential Impacts to Fish from Blasting. If blasting is the method selected for pier removal in or over streams or rivers, potential impacts to fishes are anticipated. Therefore, the Contractor will be required to adhere to the following protocol to avoid or reduce impacts to fish and/or the aquatic environment.

1. The Contractor shall take every precaution to avoid damage.

2. The Contractor shall use the minimum charge necessary to accomplish the work so as to reduce the risk of impact to the aquatic environment.

3. The Contractor shall use millisecond delays between detonations of smaller, successive charges that, when combined, produce the desired total charge. This effectively reduces the total weight of explosive being detonated at a given time and reduces the potential for fish mortality.

4. After drilling and charges are set, the Contractor shall backfill the drill hole above the charge with angular rock or allow the drill hole to collapse over the charge before detonation.

5. The Contractor shall mitigate blast impacts on river fauna by detonating small "repelling charges" prior to detonating the main shot to frighten fish from the area above the underwater blast site. Initial repelling charges are required for all blasts.

The Engineer will monitor, in coordination with interested state and federal fish and wildlife agencies, a number of initial blasts to determine the magnitude of the fish mortality, if any. The contractor shall inform the Engineer a minimum of 30 days prior to initiation of blasting. The Engineer will then notify the interested state and federal fish and wildlife agencies. This will enable those agencies to have representatives present during blasting operations if they so desire. If an unacceptable mortality level is observed, the Engineer will hold the contractor responsible for compensation to Arkansas and/or Mississippi conservation agencies according to the standards specified in the American Fisheries Society Special Publication Number 30 (2003), entitled *Investigation and Monetary Values of Fish and Freshwater Mussel Kills*. Any reparations for fish kills shall be made by the Contractor entirely at no additional cost to the State.

The federal contact person as mentioned above is:

David Felder
Fish and Wildlife Biologist
U. S. Department of Interior
Fish and Wildlife Services
6578 Dogwood View Parkway, Suite A
Jackson, MS 39213
601-321-1131

907-202.05--Basis of Payment. Add the “907” prefix to pay item 202-A listed on page 202-3.

Construction necessary to open the New U.S. Highway 82 River Bridge and demolish the Old River Bridge, known as Federal Aid Project No. BRDP-9205-00(007) / 100332306 & 307, in the County of Washington, State of Mississippi and County of Chicot, State of Arkansas. A MANDATORY PREBID MEETING WILL BE HELD IN THE MDOT ADMINISTRATION BUILDING AUDITORIUM AT 1:30 PM ON OCTOBER 6, 2009. SEE NOTICE TO BIDDERS NO. 1197M FOR COMPLETE DETAILS.

I (We) agree to complete the entire project within the specified contract time.

***** SPECIAL NOTICE TO BIDDERS *****
BIDS WILL NOT BE CONSIDERED UNLESS BOTH UNIT PRICES AND ITEM TOTALS ARE ENTERED.
BIDS WILL NOT BE CONSIDERED UNLESS THE BID CERTIFICATION LOCATED AT THE END OF THE BID SHEETS IS SIGNED

*****BID SCHEDULE*****

Line No.	Item Code	Adj Code	Quantity	Units	Description	Unit Price		Item Amount	
						Dollar	Ct	Dollar	Ct
					Roadway Items				
0010	202-B005		9,883	Square Meter	Removal of Asphalt Pavement (All Depths)				
0020	202-B030		859	Square Meter	Removal of Concrete Pavement (All Depths)				
0030	202-B033		3,235	Square Meter	Removal of Concrete Pavement With Variable Depth Overlay				
0040	202-B055		1,290	Meter	Removal of Guard Rail Including Post, Blockouts & Hardware				
0050	202-B066		26	Meter	Removal of Pipe (200-mm and above)				
0060	202-B076		1,200	Meter	Removal of Traffic Stripe				
0070	202-B221		50	Meter	Removal of Box Culvert (Including Headwalls)				
0080	203-G004	(E)	100	Cubic Meter	Excess Excavation (LVM) (AH)				

Line No.	Item Code	Adj Code	Quantity	Units	Description	Unit Price		Bid Amount	
0090	212-B001		29,011	Square Meter	Standard Ground Preparation				
0100	213-B001		3	Metric Ton	Combination Fertilizer (13-13-13)				
0110	213-C001		3	Metric Ton	Superphosphate				
0120	214-A002		67	Kilogram	Seeding (Bermudagrass)				
0130	214-A003		82	Kilogram	Seeding (Tall Fescue)				
0140	215-A001		13	Metric Ton	Vegetative Materials for Mulch				
0150	216-A001		200	Square Meter	Solid Sodding				
0160	220-A001		2	Hectare	Insect Pest Control	75.	00	150.	00
0170	221-A001	(S)	20	Cubic Meter	Portland Cement Concrete Paved Ditch				
0180	235-A001		100	Bale	Temporary Erosion Checks				
0190	406-A003		17,810	Metric Ton	Cold Milling of Bituminous Pavement (All Depths)				
0200	602-A001	(S)	232	Kilogram	Reinforcing Steel				
Changed 09/14/2009									

Line No.	Item Code	Adj Code	Quantity	Units	Description	Unit Price		Bid Amount	
0210	609-D002	(S)	186	Meter	Combination Concrete Curb and Gutter Type 2				
0220	613-D004		3	Each	Adjustment of Inlets , Special Design				
0230	615-B001	(S)	12	Meter	Precast Concrete Median Barrier				
0240	616-A001	(S)	70	Square Meter	Concrete Median and/or Island Pavement (100-mm)				
0250	616-A003	(S)	25	Square Meter	Concrete Median and/or Island Pavement (250-mm)				
0260	618-A001		1	Lump Sum	Maintenance of Traffic , Marine and Vehicular	XXXXXXXX	XXX		
0270	619-D1001		11	Square Meter	Standard Roadside Construction Signs (less than 0.9 square meter)				
0280	619-D2001		84	Square Meter	Standard Roadside Construction Signs (0.9 square meter or more)				
0290	619-E1001		1	Each	Flashing Arrow Panel (Type C)				
0300	619-G4001		6	Meter	Barricades (Type III) (Single Faced)				
0310	619-G4004		8	Meter	Barricades (Type III) (Single Faced) (Permanent)(Red/White)				
0320	619-G4005		86	Meter	Barricades (Type III) (Double Faced)				

Line No.	Item Code	Adj Code	Quantity	Units	Description	Unit Price		Bid Amount	
0330	619-G4008		22	Meter	Barricades (Type III) (Double Faced) (Permanent)(Red/White)				
0340	619-G5001		140	Each	Free Standing Plastic Drums				
0350	619-G7001		26	Each	Warning Lights (Type "B")				
0360	629-A004		1	Each	Vehicular Impact Attenuator (112 kph)				
0370	630-A001 Changed 09/14/2009		42	Square Meter	Standard Roadside Signs (Sheet Aluminum, 2.03-mm Thickness)				
0380	630-A002 Changed 09/14/2009		29	Square Meter	Standard Roadside Signs (Sheet Aluminum, 3.18-mm Thickness)				
0390	630-B001 Changed 09/14/2009		20	Square Meter	Interstate Directional Signs (Bolted Extruded Aluminum Panels, Ground Mounted)				
0395	630-C001 Changed 10/20/2009		21	Meter	Steel U-Section Posts (2.97 kg/m)				
0400	630-C003 Changed 09/14/2009		189	Meter	Steel U-Section Posts (4.46 kg/m)				
0410	630-D004 Changed 09/14/2009		86	Meter	Structural Steel Beams (W150 x 14)				
0420	630-D005 Deleted 09/14/2009					XXXXXXXX	XXX	XXXXXXXX	XXX
0430	630-E001 Deleted 09/14/2009					XXXXXXXX	XXX	XXXXXXXX	XXX

Line No.	Item Code	Adj Code	Quantity	Units	Description	Unit Price		Bid Amount	
0430	630-E001 Deleted 09/14/2009					XXXXXXXX	XXX	XXXXXXXX	XXX
0440	630-E002 Deleted 09/14/2009					XXXXXXXX	XXX	XXXXXXXX	XXX
0450	630-E004 Changed 09/14/2009		219	Kilogram	Structural Steel Angles & Bars (12 mm x 63 mm Flat Bars)				
0455	630-E007 Added 09/14/2009		113	Kilogram	Structural Steel Angles & Bars (76 mm x 76 mm x 6.4 mm Angles)				
0460	630-F011		50	Each	Delineators (Median Barrier Mounted)(Type I)(Yellow)				
0465	630-G001 Added 09/14/2009		2	Each	Type 3 Object Markers (OM-3R or OM-3L) Post Mounted				
0470	630-K001 Changed 09/14/2009		65	Meter	Welded & Seamless Steel Pipe Posts (DN 75)				
0480	630-K003 Changed 09/14/2009		40	Meter	Welded & Seamless Steel Pipe Posts (DN 100)				
0490	907-202-A001		1	Lump Sum	Removal of Obstructions	XXXXXXXX	XXX		
0500	907-203-EX004	(E)	3,811	Cubic Meter	Borrow Excavation (AH)(FME) (Class B9)				
0510	907-213-A001		20	Metric Ton	Agricultural Limestone				
0520	907-223-A001		4	Hectare	Mowing	100.	00	400.	00

Line No.	Item Code	Adj Code	Quantity	Units	Description	Unit Price		Bid Amount	
0530	907-234-A002		400	Meter	Temporary Silt Fence				
0540	907-304-B002	(GT)	4,062	Metric Ton	Granular Material (Class 5, Group E)				
0550	907-304-D001	(GT)	3,973	Metric Ton	20-mm and Down Crushed Stone				
0560	907-308-A001		28	Metric Ton	Portland Cement				
0570	907-308-B003	(M)	2,182	Square Meter	Soil-Cement-Water Mixing, (Optional Mixers)				
Changed 10/20/2009									
0580	907-403-A010	(BA1)	3,195	Metric Ton	Hot Mix Asphalt, HT, 12.5-mm mixture				
0590	907-403-A011	(BA1)	876	Metric Ton	Hot Mix Asphalt, HT, 19-mm mixture				
0600	907-403-D002	(BA1)	2,548	Metric Ton	Hot Mix Asphalt, HT, 12.5-mm mixture, Polymer Modified				
0610	907-423-A003		5	Kilometer	400-mm Rumble Strips (Ground In)				
0620	907-501-K001		18,744	Square Meter	Transverse Grooving				
0630	907-506-A001		1,030	Cubic Meter	Latex Modified Concrete Wearing Surface				
0640	907-506-B001		90	Square Meter	Latex Modified Concrete Demonstration Section				

Line No.	Item Code	Adj Code	Quantity	Units	Description	Unit Price		Bid Amount	
0650	907-601-B001	(S)	9	Cubic Meter	Class "B" Structural Concrete, Minor Structures				
Changed 09/14/2009									
0660	907-617-A003		4	Each	Right-of-Way Marker				
0670	907-619-A1005		6	Kilometer	Temporary Traffic Stripe (Continuous White) (Paint)				
0680	907-619-A2005		6	Kilometer	Temporary Traffic Stripe (Continuous Yellow) (Paint)				
0690	907-619-A3006		210	Meter	Temporary Traffic Stripe, Skip White				
0700	907-619-A5001		1,176	Meter	Temporary Traffic Stripe (Detail) (Paint)				
0710	907-619-A6001		141	Meter	Temporary Traffic Stripe (Legend) (Paint)				
0720	907-619-A6005		8	Square Meter	Temporary Traffic Stripe (Legend) (Paint)				
0730	907-619-C7001		130	Each	Two-Way Yellow Reflective High Performance Raised Marker				
0740	907-620-A001		1	Lump Sum	Mobilization	XXXXXXXX	XXX		
0750	907-626-AA003		4	Kilometer	150-mm Thermoplastic Traffic Stripe (Skip White) (2.25-mm min)				
0760	907-626-BB003		1	Kilometer	150-mm Thermoplastic Traffic Stripe (Continuous White) (2.25-mm min)				

Line No.	Item Code	Adj Code	Quantity	Units	Description	Unit Price		Bid Amount	
0770	907-626-CC003		7	Kilometer	150-mm Thermoplastic Edge Stripe (Continuous White) (1.50-mm min)				
0780	907-626-EE004		4	Kilometer	150-mm Thermoplastic Traffic Stripe (Continuous Yellow) (2.25-mm min)				
0790	907-626-FF001		3	Kilometer	150-mm Thermoplastic Edge Stripe (Continuous Yellow)(1.50-mm min.)				
0800	907-626-GG001		1,390	Meter	Thermoplastic Detail Stripe (150-mm Equivalent Length)(White)(2.25-mm min.)				
0810	907-626-GG002		4,340	Meter	Thermoplastic Detail Stripe (150-mm Equivalent Length)(Yellow)(2.25-mm min.)				
0820	907-626-HH004		126	Meter	Thermoplastic Legend (White) (3.00-mm min)				
0830	907-626-HH005		47	Square Meter	Thermoplastic Legend (White) (3.00-mm min)				
0840	907-627-K001		639	Each	Red-Clear Reflective High Performance Raised Markers				
0850	907-627-L001		294	Each	Two-Way Yellow Reflective High Performance Raised Markers				
0860	907-627-N001		740	Each	One-Way Yellow Reflective High Performance Raised Markers				
0870	907-628-II002		9	Kilometer	150-mm High Performance Cold Plastic Traffic Stripe (Skip White)				
0880	907-628-KK002		9	Kilometer	150-mm High Performance Cold Plastic Edge Stripe (Continuous White)				

Line No.	Item Code	Adj Code	Quantity	Units	Description	Unit Price		Bid Amount	
0890	907-628-NN002		9	Kilometer	150-mm High Performance Cold Plastic Edge Stripe (Continuous Yellow)				
0900	907-628-OO001		3,808	Meter	High Performance Cold Plastic Detail Stripe (150-mm Equivalent Length((White)				
0910	907-628-OO002		2,538	Meter	High Performance Cold Plastic Detail Stripe (150-mm Equivalent Length((Yellow)				
0920	907-699-A001		1	Lump Sum	Roadway Construction Stakes	XXXXXXXX	XXX		
0930	907-804-PP002		1	Lump Sum	Ice Retainer Pins, Per Plans	XXXXXXXX	XXX		
0940	907-813-PP001		1	Lump Sum	Spray Finish For Cable Stay Bridge Railing, Per Plans	XXXXXXXX	XXX		

*** BID CERTIFICATION ***

TOTAL BID.....$_____

*** DBE/WBE SECTION ***

Complete item nos. 1, 2, and/or 3 as appropriate. See Notice to Bidders addressing Disadvantaged Business Enterprises in Highway Construction.

1. I/We agree that no less than _____ percent shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals (DBE and WBE).

2. Classification of Bidder: Small Business (DBE)_____ Small Business (WBE)_____

3. A joint venture with a Small Business (DBE/WBE): _____

*** SIGNATURE STATEMENT ***

BIDDER ACKNOWLEDGES THAT HE/SHE HAS CHECKED ALL ITEMS IN THIS PROPOSAL FOR ACCURACY AND CERTIFIED THAT THE FIGURES SHOWN THEREIN CONSTITUTE THEIR OFFICIAL BID.

_____

BIDDER'S SIGNATURE

_____

BIDDER'S COMPANY

_____

BIDDER'S FEDERAL TAX ID NUMBER

Form **W-9**
(Rev. January 2003)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type See **Specific Instructions** on page 2.

Name

Business name, if different from above

Check appropriate box: ☐ Individual/ Sole proprietor ☐ Corporation ☐ Partnership ☐ Other ► ---------- ☐ Exempt from backup withholding

Address (number, street, and apt. or suite no.)

City, state, and ZIP code

Requester's name and address (optional)

MS Department of Transportation
P.O. Box 1850
Jackson, MS 39215-1850

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. For individuals, this is your social security number (SSN). **However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3.** For other entities, it is your employer identification number (EIN). If you do not have a number, see **How to get a TIN** on page 3.

Note: *If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.*

Social security number
| | | | – | | – | | | | |

or

Employer identification number
| | | – | | | | | | | |

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), **and**
2. I am not subject to backup withholding because: **(a)** I am exempt from backup withholding, or **(b)** I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or **(c)** the IRS has notified me that I am no longer subject to backup withholding, **and**
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item **2** above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item **2** does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign Here **Signature of U.S. person ►** **Date ►**

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee.

Note: *If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.*

Foreign person. If you are a foreign person, use the appropriate Form W-8 (see **Pub. 515,** Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.

2. The treaty article addressing the income.

3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.

4. The type and amount of income that qualifies for the exemption from tax.

5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a **nonresident alien or a foreign entity** not subject to backup withholding, give the requester the appropriate completed Form W-8.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 30% of such payments (29% **after** December 31, 2003; 28% **after** December 31, 2005). This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will **not** be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester, or

2. You do not certify your TIN when required (see the Part II instructions on page 4 for details), or

3. The IRS tells the requester that you furnished an incorrect TIN, or

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under **4** above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate **Instructions for the Requester of Form W-9.**

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of $50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a $500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of Federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Name

If you are an individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

Sole proprietor. Enter your **individual** name as shown on your social security card on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

Limited liability company (LLC). If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, **enter the owner's name on the "Name" line.** Enter the LLC's name on the "Business name" line.

Other entities. Enter your business name as shown on required Federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

Note: *You are requested to check the appropriate box for your status (individual/sole proprietor, corporation, etc.).*

Exempt From Backup Withholding

If you are exempt, enter your name as described above and check the appropriate box for your status, then check the "Exempt from backup withholding" box in the line following the business name, sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

Note: *If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.*

Exempt payees. Backup withholding is **not required** on any payments made to the following payees:

1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2);

2. The United States or any of its agencies or instrumentalities;

3. A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities;

4. A foreign government or any of its political subdivisions, agencies, or instrumentalities; or

5. An international organization or any of its agencies or instrumentalities.

Other payees that **may be exempt** from backup withholding include:

6. A corporation;

7. A foreign central bank of issue;

8. A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States;

9. A futures commission merchant registered with the Commodity Futures Trading Commission;

10. A real estate investment trust;

11. An entity registered at all times during the tax year under the Investment Company Act of 1940;

12. A common trust fund operated by a bank under section 584(a);

13. A financial institution;

14. A middleman known in the investment community as a nominee or custodian; or

15. A trust exempt from tax under section 664 or described in section 4947.

The chart below shows types of payments that may be exempt from backup withholding. The chart applies to the exempt recipients listed above, **1** through **15.**

If the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt recipients except for **9**
Broker transactions	Exempt recipients **1** through **13.** Also, a person registered under the Investment Advisers Act of 1940 who regularly acts as a broker
Barter exchange transactions and patronage dividends	Exempt recipients **1** through **5**
Payments over $600 required to be reported and direct sales over $5,000 [1]	Generally, exempt recipients **1** through **7** [2]

[1] See **Form 1099-MISC**, Miscellaneous Income, and its instructions.

[2] However, the following payments made to a corporation (including gross proceeds paid to an attorney under section 6045(f), even if the attorney is a corporation) and reportable on Form 1099-MISC are **not exempt** from backup withholding: medical and health care payments, attorneys' fees; and payments for services paid by a Federal executive agency.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a **resident alien** and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see **How to get a TIN** below.

If you are a **sole proprietor** and you have an EIN, you may enter either your SSN or EIN. However, the IRS prefers that you use your SSN.

If you are a single-owner **LLC** that is disregarded as an entity separate from its owner (see **Limited liability company (LLC)** on page 2), enter your SSN (or EIN, if you have one). If the LLC is a corporation, partnership, etc., enter the entity's EIN.

Note: *See the chart on page 4 for further clarification of name and TIN combinations.*

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get **Form SS-5,** Application for a Social Security Card, from your local Social Security Administration office or get this form on-line at **www.ssa.gov/online/ss5.html**. You may also get this form by calling 1-800-772-1213. Use **Form W-7,** Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or **Form SS-4,** Application for Employer Identification Number, to apply for an EIN. You can get Forms W-7 and SS-4 from the IRS by calling 1-800-TAX-FORM (1-800-829-3676) or from the IRS Web Site at **www.irs.gov**.

If you are asked to complete Form W-9 but do not have a TIN, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: *Writing "Applied For" means that you have already applied for a TIN **or** that you intend to apply for one soon.*

Caution: *A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.*

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if items 1, 3, and 5 below indicate otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). Exempt recipients, see **Exempt from backup withholding** on page 2.

Signature requirements. Complete the certification as indicated in **1** through **5** below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item **2** in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item **2** of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), IRA or Archer MSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account)	The actual owner of the account or, if combined funds, the first individual on the account [1]
3. Custodian account of a minor (Uniform Gift to Minors Act)	The minor [2]
4. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee [1]
b. So-called trust account that is not a legal or valid trust under state law	The actual owner [1]
5. Sole proprietorship or single-owner LLC	The owner [3]
For this type of account:	**Give name and EIN of:**
6. Sole proprietorship or single-owner LLC	The owner [3]
7. A valid trust, estate, or pension trust	Legal entity [4]
8. Corporate or LLC electing corporate status on Form 8832	The corporation
9. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
10. Partnership or multi-member LLC	The partnership
11. A broker or registered nominee	The broker or nominee
12. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity

[1] List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

[2] Circle the minor's name and furnish the minor's SSN.

[3] **You must show your individual name,** but you may also enter your business or "DBA" name. You may use either your SSN or EIN (if you have one).

[4] List first and circle the name of the legal trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.)

Note: *If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.*

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons who must file information returns with the IRS to report interest, dividends, and certain other income paid to you, mortgage interest you paid, the acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA or Archer MSA. The IRS uses the numbers for identification purposes and to help verify the accuracy of your tax return. The IRS may also provide this information to the Department of Justice for civil and criminal litigation, and to cities, states, and the District of Columbia to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, or to Federal and state agencies to enforce Federal nontax criminal laws and to combat terrorism.

You must provide your TIN whether or not you are required to file a tax return. Payers must generally withhold 30% of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to a payer. Certain penalties may also apply.