# SECTION 905 -- PROPOSAL (CONTINUED)

I (We) hereby certify by digital signature and electronic submission via Bid Express of the Section 905 proposal below, that all certifications, disclosures and affidavits incorporated herein are deemed to be duly executed in the aggregate, fully enforceable and binding upon delivery of the bid proposal. I (We) further acknowledge that this certification shall not extend to the bid bond or alternate security which must be separately executed for the benefit of the Commission. This signature does not cure deficiencies in any required certifications, disclosures and/or affidavits. I (We) also acknowledge the right of the Commission to require full and final execution on any certification, disclosure or affidavit contained in the proposal at the Commission's election upon award. Failure to so execute at the Commission's request within the time allowed in the Standard Specifications for execution of all contract documents will result in forfeiture of the bid bond or alternate security.

Bidder acknowledges receipt of and has added to and made a part of the proposal and contract documents the following addendum (addenda): 7/2/2024 ADDENDUM NO. **DATED** ADDENDUM NO. DATED ADDENDUM NO. ADDENDUM NO **DATED** DATED ADDENDUM NO **DATED** ADDENDUM NO. DATED Number TOTAL ADDENDA: Description (Must agree with total addenda issued prior to opening of bids) Revised Table of Contents; Added Notice to Bidder No. 6072; Amendment EBSx Download Required. Respectfully Submitted, DATE \_ Contractor Signature TITLE ADDRESS CITY, STATE, ZIP \_\_\_\_ 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: Address President Secretary Treasurer Address

The following is my (our) itemized proposal.

NHPP-0055-02(253)/ 107899301000 & NHPP-0055-02(260)/ 108384301000

Hinds & Rankin County(ies)

Revised 01/26/2016

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906-8 Training Special Provisions

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

07/02/2024 02:02 PM

# MISSISSIPPI DEPARTMENT OF TRANSPORTATION

SECTION 904 - NOTICE TO BIDDERS NO. 6072 CODE: (SP)

**DATE:** 7/2/2024

**SUBJECT:** Environmental Commitments

**PROJECT:** NHPP-0055-02(053) / 107899301 – Hinds County

NHPP-0055-02(260) / 108384301 - Rankin County

Bidders are hereby notified of the following Environmental Commitments, which have been included as attachments to this Notice to Bidders, that have been made for this project.

# MDOT Commitments to Environmental Excellence

04/05/2023

Revision Date: Current Page:

Highway: County:

\*Value Engineering Study Recommended ☐ Yes ☑ No

Project No: 107899/301000 - NHPP-0055-02(253)

1 of 1

	Status of Commitment/Requirement	To be implemented during construction	Date		To be implemented prior to construction and during construction	Date '		Notic
	Requires a Special Provision				>			
	Place On Plans							
	Source of Commitment	MS Standard Specifications for Road and Bridge Construction - Section 816	Signature	To be signed upon the completion of the commitment:	Bridge Division, Environmental Division	Signature	To be signed upon the completion of the commitment:	To be signed upon the completion of the commitment:
	Commitments/Requirements	eaning and painting to rI River.	Responsible Office	District 5	It is recommended that this project be conducted off the river banks and to avoid construction from May through September due to the nesting of the ringed map turtle. If MDOT cannot avoid construction between those dates and recommendations, then keeping machinery within the Right of Way should be acceptable.	Responsible Office	District 5	Construction
တ် မ		A containment system m keep all de			It is recommended that a avoid construction from ringed map turtle. If MDC and recommendations,			

All practical and standard procedures and measures, including Best Management practices will be implemented to avoid or minimize impacts.

to Bidders No. 6072 -- Cont'd.

\*Per 23 CFR 627.5, Value Engineering (VE) Studies are recommended for projects on the NHS System with an estimated project cost exceeding \$50 Million These commitments should be carried throughout each phase of the project development including Design, Right of Way, Construction, and Maintenance. or for an NHS bridge project with an estimated project cost exceeding \$40 Million. July 24, 2023

SUBJECT: Request of Mr. DeFoe West, on behalf of the Mississippi Department of Transportation (MDOT), for permission to access the East Jackson Levee and the Jackson-Fairgrounds Levee to perform Pearl River Bridge and river bank maintenance located near National Levee Database (NLD) levee stationing 321+00.

MS Department of Transportation ATTN: Mr. DeFoe West 401 N West Street Jackson, MS 39201

Dear Mr. West:

The Vicksburg District of the U.S. Army Corps of Engineers (USACE) has completed its review of your request to access the East Jackson Levee and Jackson-Fairgrounds Levee, both operated and maintained by the Rankin-Hinds Pearl River Flood and Drainage Control District under Section 14 of the Rivers and Harbors Act of 1899, 33 U.S.C. 408 (Section 408). The approximate coordinates for the location of this activity are latitude 32.291813° N, longitude -90.16781° W. This evaluation was performed consistent with Engineer Circular (EC) 1165-2-220.

Based on this evaluation, the Vicksburg District is granting permission to access the East Jackson Levee and the Jackson-Fairgrounds Levee as specified in your request and subject to compliance with the terms and conditions below and attached. Accordingly, this permission letter does not absolve the need to obtain a permit from the Rankin-Hinds Pearl River Flood and Drainage Control District.

Please be advised that your right-of-way activities must not interfere with the operation and maintenance of the two levee systems. Should damage occur to the levees as a result of the proposed work, you shall be held responsible to make necessary repairs to a condition equivalent to or better than before the work was initiated. Furthermore, these repairs must meet specifications designated by USACE.

Also be advised that you must not perform the reviewed activity when the Pearl River is at or projected to be at or above 28 ft. on the Jackson gage. You may be required to backfill any excavated areas prior to the Pearl River reaching 28 ft. on the Jackson gage.

Further be advised that a Department of the Army permit for the proposed activity will be required under Section 404 of the Clean Water Act for activities affecting wetlands or Section 10 of the Rivers and Harbors Act of 1899 for construction in navigable waters. The applicant must provide required information to obtain necessary approvals from the Vicksburg District Regulatory Division prior to commencing work. Contact information is available on the Regulatory Division webpage: http://www.mvk.usace.army.mil/Missions/Regulatory.aspx

Please coordinate with Mrs. Mabry Montgomery of the Corps of Engineers Greenwood Area Office at (662) 455-0265 prior to commencement and through completion of any work. Once permission is granted, you must notify the Vicksburg District at least 30 days before work is started so that post-permission oversight can be performed by USACE. You must schedule a final inspection with the Vicksburg District within 30 days after completion of the work. You must submit a copy of "asbuilt" drawings within 30 days of completion of work showing the new work as it relates to identifiable features of the federal project.

Should you have questions about our determination and requirements, my point of contact is Mr. Jaeson Hall who may be contacted at (601) 631-7015 or Jaeson.M.Hall@usace.armv.mil.

Sincerely,

Julie Vignes

Chief, Operations Division USACE, Vicksburg District

Julie Vignes

### LIMITS OF THE AUTHORIZATION

- 1. This permission only authorizes you, the requester, to undertake the activity described herein under the authority provided in Section 14 of the Rivers and Harbors Act of 1899, as amended (33 USC 408). This permission does not obviate the need to obtain other federal, state, or local authorizations required by law. This permission does not grant any property rights or exclusive privileges, and you must have appropriate real estate instruments in place prior to construction and/or installation.
- The time limit for completing the work authorized ends two years from the receipt
  of this Letter of Permission. If you find that you need more time to complete the
  authorized activity, submit your request for a time extension to this office for
  consideration at least one month before the above date is reached.
- 3. Without prior written approval of the USACE, you must neither transfer nor assign this permission nor sublet the premises or any part thereof, nor grant any interest, privilege or license whatsoever in connection with this permission. Failure to comply with this condition will constitute noncompliance for which the permission may be revoked immediately by USACE.
- 4. The requester understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration of the work herein authorized, or if, in the opinion of the Secretary of the Army or an authorized representative, said work will cause unreasonable conditions and/or obstruction of USACE project authorized design, the requester will be required upon due notice from the USACE, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim can be made against the United States on account of any such removal or alteration.

### INDEMNIFICATION AND HOLD HARMLESS

- 5. The United States will in no case be liable for:
  - a. any damage or injury to the structures or work authorized by this
    permission that may be caused or result from future operations
    undertaken by the United States, and no claim or right to compensation
    will accrue from any damage; or
  - b. damage claims associated with any future modification, suspension, or revocation of this permission.
- 6. The United States will not be responsible for damages or injuries which may arise from or be incident to the construction, maintenance, and use of the project requested by you, nor for damages to the property or injuries to your officers, agents, servants, or employees, or others who may be on your premises or project work areas or the federal project(s) rights-of-way. By accepting this permission, you hereby agree to fully defend, **indemnify**, and **hold harmless** the United States and USACE from any and all such claims, subject to any

limitations in law.

7. Any damage to the water resources development project or other portions of any federal project(s) resulting from you activities must be repaired at your expense.

### REEVALUATION OF PERMISSION

- 8. The determination that the activity authorized by this permission would not impair the usefulness of the federal project and would not be injurious to the public interest was made in reliance on the information you provided.
- 9. This office, at its sole discretion, may reevaluate its decision to issue this permission at any time circumstances warrant, which may result in a determination that it is appropriate or necessary to modify or revoke this permission. Circumstances that could require a reevaluation include, but are not limited to, the following:
  - a. you fail to comply with the terms and conditions of this permission;
  - b. the information provided in support of your application for permission proves to have been inaccurate or incomplete; or
  - c. significant new information surfaces which this office did not consider in reaching the original decision that the activity would not impair the usefulness of the water resources development project and would not be injurious to the public interest.

### CONDUCT OF WORK UNDER THIS PERMISSION

- 10. You are responsible for implementing any requirements for mitigation, reasonable and prudent alternatives, or other conditions or requirements imposed as a result of environmental compliance.
- 11. Work/usage allowed under this permission must proceed in a manner that avoids interference with the inspection, operation, and maintenance of the federal project.
- 12. In the event of any deficiency in the design or construction of the requested activity, you are solely responsible for taking remedial action to correct the deficiency.
- 13. The right is reserved to the USACE to enter upon the premises at any time and for any purpose necessary or convenient in connection with government purposes, to make inspections, to operate and/or to make any other use of the lands as may be necessary in connection with government purposes, and you will have no claim for damages on account thereof against the United States or any officer, agent or employee thereof.

- 14. You must provide copies of pertinent design, construction, and/or usage submittals/documents. USACE may request that survey and photographic documentation of the alteration work and the impacted project area be provided before, during, and after construction and/or installation.
- 15. You may be required to perform an inspection of the federal project with the USACE, prior to your use of the structure, to document existing conditions.
- 16. USACE shall not be responsible for the technical sufficiency of the alteration design nor for the construction and/or installation work.

### ENGINEERING SERVICE

TELEPHONE (601) 939-8737 FACSIMILE (601) 939-8799 A DIVISION OF M. & G. ENTERPRISES, INC. 115 AEROSMITH DRIVE RICHLAND, MISSISSIPPI

MAILING ADDRESS: POST OFFICE BOX 180429 RICHLAND, MISSISSIPPI 39218-0429

July 24, 2023

Defoe West Mississippi Department of Transportation 401 N West Street Jackson, MS 39201

Re: I-55 Bridges over Pearl River maintenance/repair

Dear Defoe,

On behalf of the Rankin-Hinds Pearl River Flood and Drainage Control District we have reviewed the data submitted on the referenced project. The US Army Corps of Engineers has also reviewed the data and granted their Letter of Permission (copy attached). The permit is hereby granted with the following conditions:

- 1. Applicant shall notify the District through its general manager (Corey Ladner 601-939-4243) or the District's engineer (undersigned) at least 48 hours prior to accessing any portion of District maintained property;
- 2. Permission to access is granted only for the portion of District maintained property specified in the application;
- 3. Applicant shall be responsible for any damage to District property created by Applicant's operations;
- 4. District reserves the right to revoke this permission should Applicant fail to comply with these conditions.

Environmental permitting does not fall under the jurisdiction of this Board. Authorization, if required, should be obtained from the US Army Corps of Engineers in Vicksburg, Mississippi.

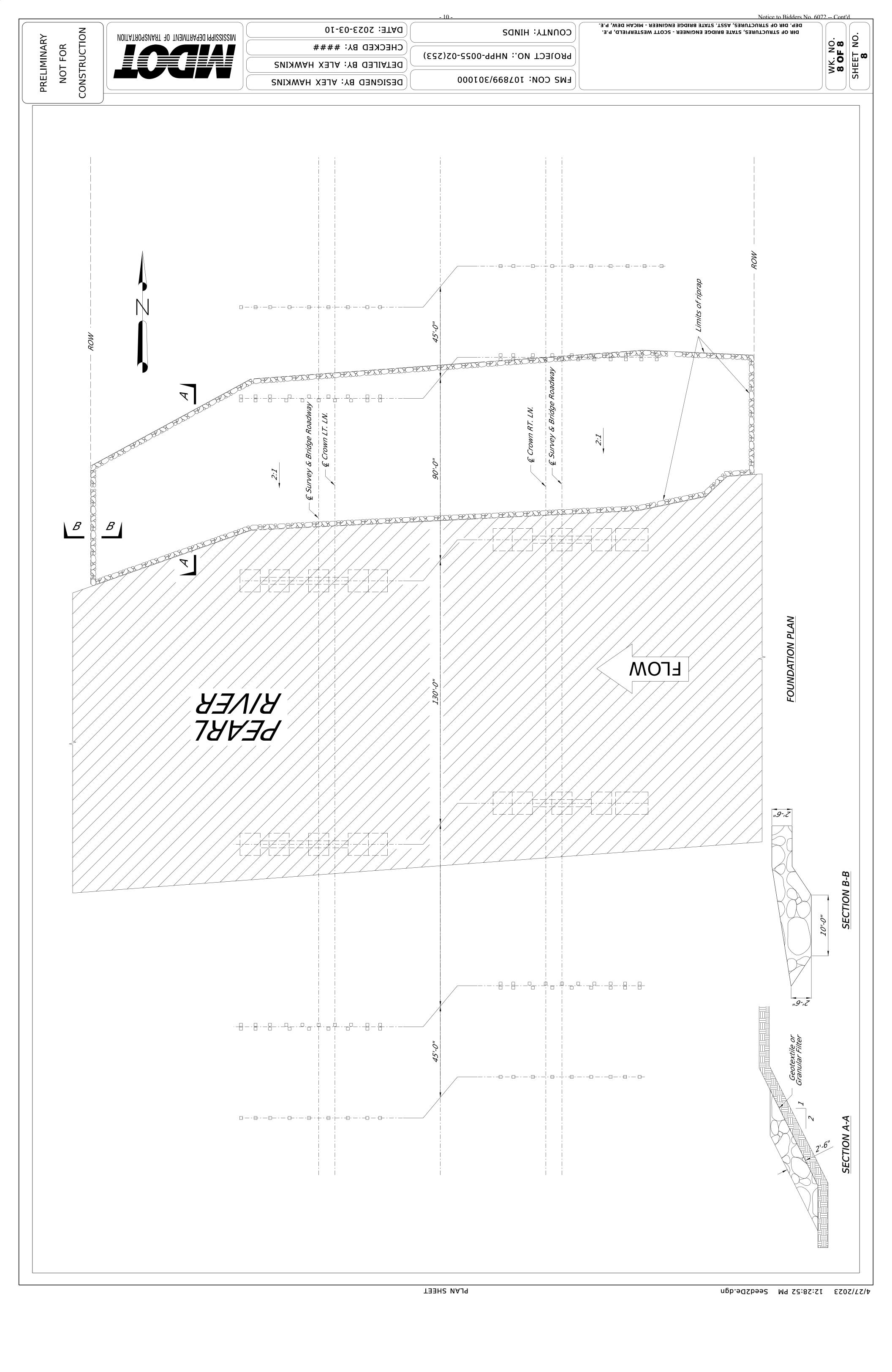
Should you have any questions please let us know. Very truly yours,

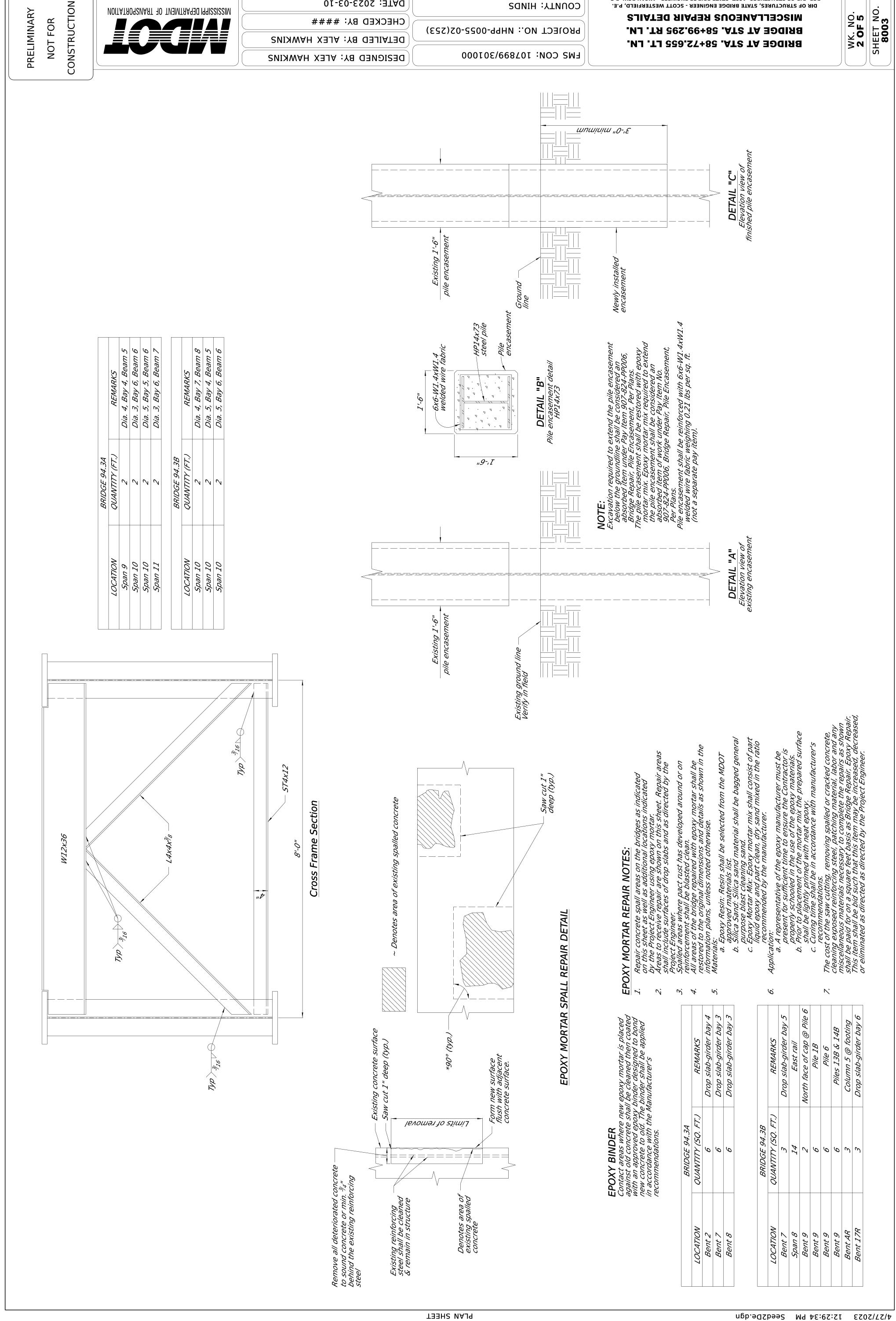
**ENGINEERING SERVICE** 

R. Allen Scott, P.E. RAS/rs

cc: Corey Ladner
Jaeson Hall, USACE







DATE: 2023-10

DEP. DIR OF STRUCTURES, ASST. STATE BRIDGE ENGINEER - MICAH DEW, P.E.

DIR OF STRUCTURES, STATE BRIDGE ENGINEER - SCOTT WESTERFIELD, P.E.

COUNTY: HINDS